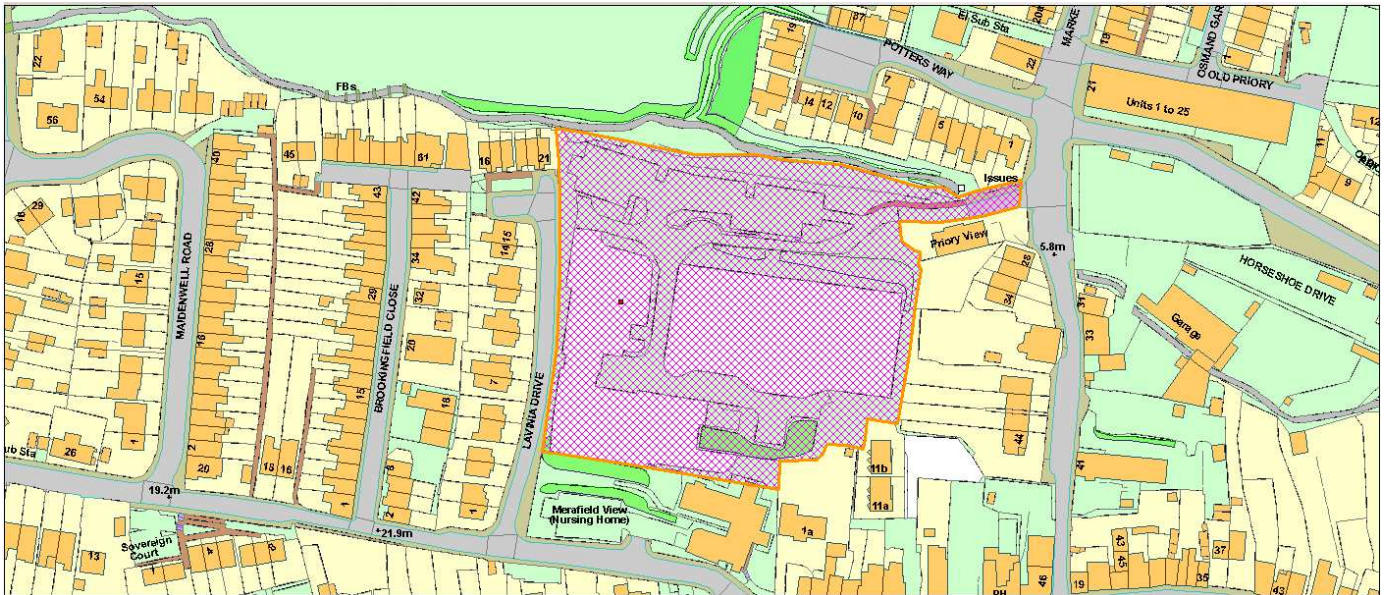


PLANNING APPLICATION REPORT



Application Number	16/02233/FUL	Item	09
Date Valid	18.11.2016	Ward	PLYMPTON ERLE

Site Address	Former Plympton Hospital, Market Road Plympton Plymouth PL7 1QR		
Proposal	Residential development of 54 dwellings with associated access, car parking & landscaping		
Applicant	DCH Group		
Application Type	Full Application		
Target Date	17.02.2017	Committee Date	09.02.2017
Decision Category	Major - More than 5 Letters of Representation Received		
Case Officer	Mr Simon Osborne		
Recommendation	Grant Conditionally Subject to a S106 Obligation in accordance with agreed timescales. Delegated authority to the Assistant Director of Strategic Planning & Infrastructure to refuse if not met		



1. Description of Site

The former Plympton Hospital site is located relatively centrally within Plympton. The site is surrounded by the established residential development with Market Road to the east, Underwood Road to the southeast, Underlane to the south and Lavinia Drive to the west.

Immediately to the south is Merafield View Nursing Home. To the north of the site is the Long Brook watercourse and directly beyond the watercourse is a fairly new residential development and the sports pitches of Underwood Recreation Ground.

The site is an existing access and junction off Market Road. Levels on the site typically fall from the south to the north of the site where the Long Brook watercourse flows along the site boundary.

2. Proposal Description

Residential development of 54 dwellings with associated access, car parking and landscaping. 36 of the dwellings would be served from the previous hospital entrance located in the northeast corner. 18 dwellings would be accessed from and front onto Lavinia Drive.

The development would include 8 one bed dwellings arranged in two separate 'quarter houses' 6 two bed dwellings, 20 three bed and 20 four bed dwellings. 16 of the dwellings (30%) are proposed to be affordable housing.

The development would include a total of 103 parking spaces, 1 space per 1 bed dwelling and 2 spaces for all other dwellings (9 in the form of integral garages) and 3 visitor spaces.

3. Pre-application enquiry

A pre-app has taken place. Overall, officers considered the principle of the development was acceptable although further information and details would be required to support a formal application. The Local Planning Authority considers there was a positive, collaborative approach with the applicant and a number of meetings were held.

The application has been accompanied by a Community Involvement Statement with states that an early consultation event took place in January 2015 with a further event taking place

in October 2016 following leaflets being delivered to 110 households.

4. Relevant planning history

15/01215/FUL - Residential development of 45 dwellings with associated access, car parking and landscaping – Withdrawn.

12/01483/31 - Determination as to whether prior approval is required for demolition of all existing buildings and structures – Prior Approval Not required.

Various other history relating to the hospital.

5. Consultation responses

Local Highway Authority – no objections subject to conditions.

Public Protection Service – No objections subject to conditions.

Local Lead Flooding Authority – No objections subject to a drainage condition.

Southwest Water – No Objections.

Police Architectural Liaison Officer – No objections subject to condition.

Environment Agency – No objections.

Natural Infrastructure Team – No objections subject to conditions.

Historic Environment Officer – No objections subject to an archaeology condition.

Economic Development – No objections subject to condition.

6. Representations

We have received 18 letters of objection. The issues raised are:

1. Highway congestion and increase in traffic including Market Road and Underwood Junction, Market Road and Ridgeway Junction and Lavinia Drive.
2. Impact on School and Health infrastructure.
3. Drainage and Flooding issues.
4. Opposed to dwellings on Lavinia Drive.

5. The proposed road is not wide enough to park on both sides of the road.
6. Loss of existing hedge/woodland along Lavinia Drive and associated impact on environment.
7. Plot 27 will be overbearing on neighbouring property (38 Market Road).
8. Who will be responsible for existing boundary wall and impact of removing tree on wall?
9. Loss of trees, particularly on northern boundary.
10. Opposed to footpath and associated impact on Lavinia Drive.
11. Opposed to 1 bedroom dwellings and associated parking problems.
12. Impact on wildlife.
13. Appears to be no traffic assessment or panoramic micro assessment or Infrastructure implementation assessment. No Assessment by Highway Authority or Emergency Services.
14. Inaccurate details of existing residential home entrance – regular near misses at Junction.
15. Impact on property values.
16. The original application was rejected.
17. Lavinia Drive is not mentioned in description.

7. Relevant Policy Framework

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan comprises of the Local Development Framework Core Strategy (Adopted April 2007).

The development plan is currently being reviewed as part of the Plymouth Plan. The Plymouth Plan-Part One was approved by the City Council in September 2015. The Plan, which incorporates draft development plan policy, has been prepared following a consultation process. As such it is a material consideration for the purposes of planning decisions.

The policies contained in National Planning Policy Framework (the Framework) and guidance in National Planning Practice Guidance (NPPG) are also material considerations which should be taken into account in the determination of planning applications. Due weight should be given to relevant policies in existing and emerging plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

The Framework provides that the weight to be given to an emerging draft plan is also to be determined according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given). The Plymouth Plan is at a relatively early stage of preparation.
- The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given).

At the heart of the Framework is a presumption in favour of sustainable development. In the context of planning applications, this means approving development proposals that accord with the development plan without delay but where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits; or
- Specific policies in the Framework indicate development should be restricted.

Additionally, the following planning documents are also material considerations in the determination of the application:

- Sustainable Design Supplementary Planning Document
- Development Guidelines Supplementary Planning Document
- Planning Obligations & Affordable Housing 2nd Review Supplementary Planning Document

8. Analysis

1. This application has been considered in the context of the development plan, the draft Plymouth Plan, the Framework and other material policy documents as set out in Section 7.
2. The policies of most relevance to this application are CS01 (Sustainable Linked Communities), CS02 (Design), CS15 (Overall Housing Provision), CS18 (Plymouth's Green Space), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution),

CS28 (Local Transport Considerations), CS32 (Designing Out Crime), CS33 (Community Benefits/Planning Obligations) and CS34 (Planning Application Considerations) SO10(8), and Plymouth Plan policy 46.

3. The main planning considerations in this case are considered to be highway safety; parking provision; biodiversity; trees; housing provision; residential amenity, impact on infrastructure and sustainability. These issues will be discussed in full below.

Principle of Development

4. The site is considered brownfield being the former Plympton hospital site (now demolished). It is located in a largely residential area and therefore officers consider the principle of residential development is acceptable subject to the considerations below.

Housing Supply

5. When determining applications for residential development it is important to give consideration to housing supply.

6. Paragraph 47 of the NPPF stipulates that “to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”

7. Paragraph 49 of the NPPF states that “housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

8. For the reasons set out in the Authority’s Annual Monitoring Report (January 2016) Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2016-21 against the housing requirement set out in the Core Strategy which was set prior to the economic downturn. Plymouth can however identify a net supply of some 4,163 dwellings which equates to a supply of 2.17 years when set against the housing requirement as determined by the requirements of the NPPF or 1.8 years supply when a 20% buffer is also applied.

9. The NPPF (footnote 11) also specifies that to be considered deliverable, a site must be:

- Available to develop now

- Suitable for residential development in terms of its location and sustainability; and
- Achievable, with a reasonable prospect that homes will be delivered on the site within five years and in particular that the development of the site is viable.

10. Paragraph 14 of the NPPF states "At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking..."

11. For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted"

12. As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as determined by the requirements of the NPPF, the city's housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial weight must be accorded to the need for housing in the planning balance when determining housing applications.

13. Due to the need to accelerate housing delivery a 2 year consent rather than a 3 year consent has been secured by condition. This is in accordance with Strategic Objective 10(8) (Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy 46 of the Plymouth Plan.

Design and Layout.

14. The NPPF attaches great importance to the design of the built environment. Core Strategy policy CS02 promotes well designed developments to promote the image of the city. It is important that the layout, massing and design of the proposal is acceptable.

15. The main part of the site would be accessed using the existing access off Market Road and serves 36 dwellings. To the west of the site 18 dwellings would front onto and be served from Lavinia Drive. A number of objections have been received regarding this aspect of the scheme and the loss of a hedgerow that has been left to grow since the closure of the hospital. Whilst it is recognised that the hedgerow holds some value to residents officers do not consider it is of particularly significant amenity or biodiversity value. Officers consider introducing a frontage onto Lavinia drive is positive in urban design terms allowing properties to address the street and presenting a normal residential relationship with the existing dwellings on the west side of the road. Planting has been added to help prevent

over domination of parking spaces.

16. A pedestrian path has been provided from the bottom of Lavinia Drive providing easier and more direct access onto market road and beyond that Underwood Recreation Ground and the ridgeway. Although some concerns have been raised by residents again this is considered to be a positive addition improving the permeability of the area. The path would be well overlooked and has been assessed by the Police Liaison officer who has no concerns.

17. In general the proposed layout has been designed to ensure that safe and overlooked streets and spaces are created by having dwellings facing public areas. The proposed layout at the site presents a clear street hierarchy which will be easily legible and is reinforced by building height and form, continuity of facades and the structure of landscaping and surfacing treatments. The layout of the proposed development is thus in accordance with the general policies CS02 and CS34 of the Adopted City of Plymouth Local Development Framework Core Strategy (2007).

18. Dwellings would be 2 storeys, 2 storeys with additional rooms in the roofspace, 3 bed, or 3 bed with rooms in the roof. A number of dwellings would be split level to respond to the topography of the site. The housing mix includes semi-detached, a small terrace of 3 and 2 'quarter houses' containing 4 one bed units. The main material would be render with weather boarding cladding to add interest. Although weatherboarding has been used significantly around Plymouth's waterfront neighbourhoods on the basis that it has a connection with the marine context and shipbuilding, it is not a common material in this area. However, it would be less susceptible to staining and algae growth than a textured render, for example. The use of Cedral weatherboarding is therefore supported as a feature material on-balance, subject to agreement on colour secured through a materials condition.

19. It is considered that designs are simple but positively address the key routes and spaces. Facades contain appropriate levels of interest such as some front canopies/porches and half gables, and have appropriate levels of fenestration (windows) with different amounts of cladding. The building designs are considered to comply with policy CS02 and CS34.

Standard of accommodation and neighbouring amenity

20. The proposed dwellings would in the main be a considerable distance from neighbouring dwellings and would not have a significant impact in terms of loss of light, privacy or outlook. The dwellings fronting Lavinia Drive would have a standard relationship with the existing dwellings. At the south of the site the existing care home would be located approximately 16- 20 metres away which is slightly below the recommended distance of 21 metres between windows however given the difficult topography of this part of the site and the slight difference in orientation this relationship is considered acceptable. With regard to plot 27 and the impact on 38 Market Road, the dwellings would be separated by the long rear garden of No 38 which measures approximately 32 metres. The SPD guidance states that the distance between a gable end and a window should be at least 12 metres. It is therefore not considered that the 2.5 storey dwelling on plot 27 would be unreasonably overbearing or dominant.

21. Officers consider the proposed layout ensures that all proposed dwellings would have adequate privacy light and outlook.

22. The LPA is no longer permitted to refer specifically to the internal size standards for dwellings as prescribe in the Development Guidelines SPD however for reference 19 of the 54 dwellings would fall below the standard in the SPD. The majority (11) of these would be proposed 4 bedroom houses which would still be 96.5m² instead of the guidance of 106sqm. Bedroom 4 in such dwellings could be described as a 'box room' and comfortably accommodates a single bed. The dwelling type is therefore considered to provide an acceptable standard of accommodation.

23. The Development Guidelines SPD suggests that a two bed house should be a minimum of 72m², whereas a one bed flat should be a minimum of 40m². The proposed one bedroom 'quarter houses' are hard to define in this context; however with an internal area of 51.3m² of living space for future occupiers it is considered that they offer an acceptable and different option to first-time buyers or people who want to downsize but want a small garden.

24. The garden sizes have been increased in size considerably following pre-app concerns raised by officers. Not including the quarter houses the majority of dwellings now meet the guidance within the SPD. The dwellings located on Lavinia Drive do fall short of the guidance for semi-detached dwellings, however would exceed the size guidance for terraced houses. Each pair of semidetached are separated by an access path only and therefore largely have the characteristic of a terrace dwelling. In terms of living standards it is considered that the gardens provide adequate outdoor amenity space for future occupiers.

25. On balance it is considered that the proposed standard of accommodation is acceptable and complies with policy CS34.

Highways

The Local Highway Authority has not raised any objections to the principal of the redevelopment of the former Plympton Hospital site with 54 dwellings.

Layout

Lavinia Drive

26. The dwellings shown fronting onto the street would be set-back to provide an extra two meters of carriageway in order to accommodate the existing on-street car parking that frequently already occurs on the opposite side of the street. A fronting footway would be provided, and pedestrian drop-crossing point at the south end would also be required to facilitate safe pedestrian crossing movements secured through a condition.

27. Two car parking spaces per family size dwelling and one parking space each for the one-bedroom dwellings would be provided on the frontage, arranged in banks along the street, with pedestrian access between.

28. As discussed above a pedestrian footpath link, is proposed between Lavinia Close and the new street, which would link through the development to Market Road. This is welcomed to encourage sustainable walking trips between the two parts of the development, and the wider network. The linking footpath is shown very narrow, however it's widening to 2.5 together with appropriate lighting will be secured by condition.

New Cul-de-sac (Main site)

29. The new cul-de-sac access road would take-in and realign part of the existing private access road off Market Road. Due to development constraints the new street would have an intermittent footway swapping from one side of the street to the other.

30. There is a pre-existing private footway along the opposite south side of the street for a short distance which would join onto the proposed new footway on the south side of the access road thus completing the pedestrian footway links to the wider street network.

31. The new street would achieve acceptable long gradients of up to 1:15.

32. The existing private access road off Market Road would be marginally realigned and reconstructed. The development would also need to address the matters of the existing ponding that occurs there through the drainage and street details conditions.

33. Walking trips would likely be generated by the proposed new housing development, including along Market Road, to the local school, bus stops, and local facilities. There is currently a missing section of footway on the west side of Market Road between Potters Way and house number 20A Market Road which is all within the public highway. After requests from officers the proposal includes a dropped road kerb-line there (replacing the current broken white-line). This will be secured through a condition.

35. It is noted that the Local Highway Authority have raised concerns regarding the adoptability of the proposed streets however this is not a planning consideration.

Traffic Impact

36. A traffic impact assessment has been carried out and submitted as a Transport Statement. It is considered that the submitted traffic assessment is likely to have slightly underestimated the traffic generation in concluding that the proposed housing development would generate less traffic than the hospital use, however it is still considered that the traffic generation from the dwellings is likely to be similar to that of the former hospital use, and small compared to the local highway network flows. For example, Plymouth Road carries on average 3000 (two-way) vehicles during the peak hour. The development traffic impact would be reintroducing less than 1% to the vehicle traffic on that part of the network, which would be virtually imperceptible and acceptable overall in respect of traffic generation and impact. Furthermore the traffic impact would be split between the two streets of Lavinia Drive and Market Road, with cars from the two streets potentially dispersing in different directions depending on their destination.

37. It is accepted (and also noted from the letters of representation) that the local road network, including the configuration of Market Road, and its junctions with the Ridgeway and Underwood Road, is somewhat constrained in its nature. Also that short term delays occur along those parts of the network, particularly during peak periods. However National planning policy (NPPF) informs that development may only be refused on traffic grounds when the traffic impact is severe, which is certainly not considered to be the case with this development, and it is therefore concluded that the associated traffic impact would be acceptable.

Parking

38. With the exception of the 8 one-bedroom dwellings that would have one hard-standing parking space each, the remainder would have two parking spaces per dwelling (9 in the form of integral garages which sometimes leads to overspill parking in the vicinity). The overall car parking ratio including the garages would equate to 1.8 spaces per dwelling which is considered acceptable.

39. It should be noted that the highways officer has recommended additional conditions regarding, driveway gradients, garage dimensions, and garage door types. The gradients and dimensions shown on the proposed plans are considered acceptable and will be secured by the standard plans condition, therefore these additional conditions are not required. The garage door condition is not considered necessary to make the development acceptable and therefore has not been added.

40. On balance, officers consider in transport terms that the proposed development of the application site with 54 dwellings, including the street layout and associated traffic impact, is acceptable

Affordable Housing

41. The delivery of affordable housing development is one of the top corporate priorities for Plymouth City Council. The policy context for its provision and delivery is set out in paras.10.17-10.24 of the Core Strategy and policy CS15 (Overall Housing Provision). Consistent delivery of affordable housing units can cumulatively make a big difference to catering for the City's overall housing need.

42. The application proposes the construction of 54 homes of which 16 are to be affordable units. This equates to 30% affordable housing for this development, which fully meets the Core Strategy policy requirement outlined in policy CS15 and the policy outlined in the emerging Joint Local Plan. This is very much welcomed by officers.

43. The breakdown of the affordable units is as follows:

8x 1 bedroomed flats (quarter houses) for affordable rent

4x 2 bedroomed shared ownership houses

4x 3 bedroomed shared ownership houses.

44. The unit types have been agreed in consultation with Council officers who collate and manage housing need information for the city and the inclusion of 8x1 bedroomed quarter houses in particular is useful in addressing a shortage of affordable housing of that type within the Plympton neighbourhood.

45. There is also good evidence that the 2 and 3 bedroomed shared ownership units will generate high levels of interest from residents on lower incomes, thereby helping them attain this form of low cost homeownership.

46. The developer has made reasonable efforts to distribute the affordable units throughout the site, even though the majority are located on Lavinia Drive.

47. The proposal is therefore considered to comply with policy CS15.

Sustainable Resource Use

48. Policy CS20 requires all new residential developments of 10 units or more to incorporate onsite renewable energy production equipment to offset at least 15% of predicted carbon emissions for the period 2010 – 2016

49. The application proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production of 26kWp which would slightly exceed the 15% carbon saving required by policy.

Surface water drainage

50. A Flood Risk Assessment and Drainage Strategy was submitted with the application.

51. The majority of the site is within Flood Zone 1. However, the very northeastern corner of the site, adjacent to the site access off Market Road, is shown to be within Flood Zone 2 and 3. A potential groundwater flood risk has been noted within this area, and a risk to overland flows through the site has also been identified. Like the majority of the City the site lies in a critical drainage area.

52. The application is considered to meet the requirements of the Sequential Test through applying a sequential approach to the allocation of proposed uses, i.e. 'water-compatible' areas of public open space and access road within those areas of the site designated as Flood Zone 2 and 3, whilst 'more vulnerable' residential development will be sited within those areas designated as being within Flood Zone 1.

53. Surface Water attenuation will be provided in a combination of private and adoptable underground storage.

54. Additional measures have also been proposed with respect setting finished floor levels a minimum 150mm above adjacent infrastructure thoroughfare levels, and, the formation of a site layout which creates a preferential overland flow route through the site along the proposed access road, away from dwellings, and towards Long Brook.

55. The details have been scrutinized very carefully by the Lead Local Flood Authority including extensive correspondence with the applicant's consultant and concluded that subject to a condition requiring further details of the drainage strategy the proposal is acceptable. The EA and Southwest also have no objections to the proposal.

Public Protection Issues

56. The construction process of the proposed development will inevitably create noise and dust to certain degree which will have the potential to negatively impact nearby residents. The proposed site is in close proximity to residential properties on Lavinia Drive and Underlane, including Merafield View nursing home. Measures will need to be taken to ensure these existing residents/ sensitive receptors are protected as much as possible. A condition requiring a code of construction has therefore been added.

57. There are some potential noise sources nearby and the applicant will need to consider such sites when considering the 'build' of the dwellings. The Public Protection Service have recommended a noise condition however due to the distance of the site to noise sources this is not considered justified in this case. However an informative has been added recommending the proposed dwellings be constructed in accordance with BS8233:2014.

Land quality

59. A number of contamination reports have been submitted with the application. Taking into account the remediation that has been carried out, the presence of hotspots of contamination outside of the area of the former tanks and generator and that soil movements appear to have taken place on the site, conditions are recommended to support necessary provision of further information to demonstrate that soils that are at surface are suitable for residential end use.

Biodiversity

60. The application is accompanied with a suitable Ecological Mitigation and Enhancement Strategy which will be conditioned.

Trees

61. Following concerns regarding the number of trees to be felled in the original submission revised drawings have been received that reflect the discussions between the tree officer and the applicant to retain tree particular tree groups on the northern boundary with crown raising of the retained trees. The installation of the road should not have an impact on the rooting area of these groups as no lowering of levels will be required. The tree protection

and planting plan have been revised to reflect the amendments.

62. The Laurel to the north of the wall will be coppiced but remaining trees (Sycamores) retained. With the exception of trees that are in poor condition or are likely to fall into the stream, the deciduous trees are retained.

63. A mature Monterey Pine within the site is a good specimen and reasonably visible over a wide area. The tree will unfortunately be lost however significant new planting is proposed within the development which will help mitigate its loss, the detail of which will be controlled by condition.

Due to the constraints of the site and topography some loss of trees is considered inevitable however the existing trees are not protected and a number of trees along the northern boundary would be retained. The proposal also includes a number of replacement trees which on balance officers consider is acceptable.

Other Issues

64. The Police Architectural Liaison Officer has assessed the development and has no concerns however a condition is recommended to ensure that all rear access gates to gardens and footways should have key operated locks to reduce crime and the fear of crime.

Archaeology

65. The application is accompanied by a Historic Environment Report. The report correctly identifies that much of the site will be truncated by the now demolished former Plympton St Mary Union Workhouse (19th Century) and later the Plympton Hospital. The report also states that 'The potential for the presence and/or survival of below-ground deposits is generally considered to be low'.

66. However, the Historic Environment officer considers the former Plympton Hospital Site to lie in an area of archaeological interest. It is situated approximately 150m to the south-west of Plympton Priory (SAM 24847), on what would have been sloping ground leading down to a tidal estuary on the northern limit of the site. It is thought that the estuary was open up to Market Road until at least the 18th century. Archaeological investigations during sewerage works along Market Road uncovered a medieval sea wall extending from north to south designed to protect the Priory from high tides.

67. The proposed development should be considered to be of medium archaeological potential with the possibility of containing evidence of waterfront deposits or waterlogged remains in the northern portion of the site

68. It is deemed that an archaeological trial trench evaluation to be the most efficient way of determining the presence or absence of archaeological remains. This will be secured by condition.

Other issues in the letter of representation.

69. All necessary documents have been submitted with the application and relevant consultee responses have been received.

70. The description of the development is considered appropriate.

71. The maintenance and impact of the removal of a tree on the existing wall is a private property issue.

72. Property values are not a material consideration.

73. There are recognised health infrastructure capacity issues in Plympton and therefore as detailed in section 11 below the full s106 contribution requested from the NHS required to mitigate the impact of the development has been secured.

74. Likewise there are also education capacity issues in this area and therefore as detailed in section 11 below the full s106 contribution requested from the Local Education Authority required to mitigate the impact of the development has been secured.

9. Human Rights

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

10. Local Finance Considerations

The provisional Community Infrastructure Levy liability (CIL) for this development is: £163,725.13 (£124,962.46 with social housing relief applied) (index-linking applied, but subject to change before final liability confirmed). A breakdown of the final calculation will be shown in the liability notice once planning permission first permits the development (including all pre-commencement conditions details being agreed). The liable party(s) will be given the opportunity to apply for social housing relief or ask for a review of the calculation at that stage. There is no negotiation of CIL. The Levy is subject to change and will be index-linked.

The applicant has indicated that they intend to apply for social housing relief.

11. Planning Obligations

The purpose of planning obligations is to mitigate or compensate for adverse impacts of a development, or to prescribe or secure something that is needed to make the development acceptable in planning terms. Planning obligations can only lawfully constitute a reason for granting planning permission where the three statutory tests of Regulation 122 of the CIL Regulations 2010 are met.

Planning obligations have been requested in respect of the following matters:

- Strategic Transport
- Local/Strategic Greenspace & Playing Pitches
- Health
- Education

The submitted viability appraisal has been scrutinised by development viability officers, who agree that S106 contributions of £148,000 is justified. The available contribution has been prioritized as follows.

- Health: £ 22,546– towards the development of a single strategic vision for a health and wellbeing hub in Plympton via the current Health & Wellbeing Hub Task & Finish Group.”
- Education: £125,171 - towards a proposed expansion at Yealmpstone Farm Primary School.
- s106 Management Fee: £283

12. Equalities and Diversities

There are no further equality and diversity issues specifically related to this application although approving this proposal will facilitate the delivery of 54 dwellings. A percentage of these dwellings are being provided as affordable housing and will be available to people on the Council’s Housing Register through a Registered Social Landlord and the rest will be offered for sale on the open market and therefore will be available to people from all backgrounds to purchase. No negative impact to any equality group is anticipated.

It is proposed that 20% of dwellings will comply adequately with Part M4 (2) (Accessible and Adaptable Dwellings) which has effectively replaced Lifetime Homes. This will be secured by condition.

13. Conclusions

Officers consider, taking in to account the lack of a 5-year housing land supply, that the proposal will provide much needed market and affordable housing for the City. Careful consideration has been given to the potential impacts of the development and officers are confident that the proposal will not be unduly harmful.

The quality of the development being provided is appropriate in scale, form and design for the area.

Officers have taken account of the NPPF and S38 (6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and are therefore recommending approval subject to the completion of a S106 agreement delegated to Assistant Director for Strategic Planning and Infrastructure to refuse if not signed by target date 17th February or other date agreed through an extension of time.

14. Recommendation

In respect of the application dated **18.11.2016** and the submitted drawings 1005 - 300, 1005 - 301, 1005 - 302, 1005 - 310/P1, 1005 - 311 /P1, 1005 - 312/P1, 1005 - 313/P1, 1005 - 315, 1005 - 316/P1, 1005 - 320, 1005 - 321, 1005 - 322, 1005 - 323, 1005 - 324, 1005 - 325, 1005 - 326, 1005 - 328, 1005 - 329, 1005 - 330/P1, 1005 - 331, 1005 - 332, C161615/C/100/ E, C161615/C/102/B, 0758 0001, 04358 TCP_2016 REVA TREE CONST, 04358 TPP_2016 /A TREE PROT, 04358 TRP_2016 /A TREE REMOV, LL-301-LM-001/B LANDSCAPE MASTER, 1005/DAS/V2, ARBORICULTURAL METHOD STATEMENT3, SOFT LANDSCAPE SPEC & MAINT 11/1, HEA ACD721/1/1 JAN17, EMES 151201 REV01 SEPT 16, BAT SURVEYS, ENERGY STATEMENT/0 11/16, FLOOD RISK ASSES -C161615 12/16, PH I DESK STUDY RT - RP5390 08/12, PH I DESK STUDY RT -RP5390 01/13, PH 2 GE> RP5433 01/13, VALIDATION REPORT -RP5580 09/13, REM& MAN STRAT RP5580 05/13, PLANNING STATEMENT NOVEMBER 20, it is recommended to **Grant Subject to S106 Obligation - Full**

15. Conditions

- 1) **CONDITION: DEVELOPMENT TO COMMENCE WITHIN 2 YEARS**
The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004 and in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Plymouth Plan Policy 46.

- 2) **CONDITION: APPROVED PLANS**
The development hereby permitted shall be carried out in accordance with the following approved plans:
 - 1005 - 300 Site Location Plan
 - 1005 - 301 Existing Site Layout
 - 1005 - 302 Existing Site Sections
 - 1005 - 310 Proposed Site Plan Rev P1

1005 - 311 Proposed Boundary Wall Plan Rev P1
1005 - 312 Bin Storage Location Plan Rev P1
1005 - 313 Parking Plan Rev P1
1005 - 315 Site Sections A-A & B-B
1005 - 316 Site Sections C-C & D-D Rev P1
1005 - 320 House Type A -Plans and Elevations
1005 - 321 House Type B.sd -Plans & Elevations
1005 - 322 House Type B.su -Plans & Elevations
1005 - 323 House Type C -Plans & Elevations
1005 - 324 House Type D -Plans & Elevations
1005 - 325 House Type E.su -Plans & Elevations
1005 - 326 House Type E.sd -Plans & Elevations
1005 - 328 House Type G -Plans & Elevations
1005 - 329 House Type H (Plots 7-10) -Plans & Elevations
1005 - 330 House Type H (plots 51-54) -Plans & Elevations Rev P1
1005 - 331 House Type J -Plans & Elevations
1005 - 332 House Type K -Plans & Elevations
C161615/C/100 Rev E Levels and Drainage Plan
C161615/C/102 Rev B Off-site Highways Works
0758 0001 Topographical Survey
04358 TCP_2016 RevA Tree Constraints Plan
04358 TPP_2016 RevA Tree Protection Plan
04358 TRP_2016 RevA Tree Removal Plan
LL-301-LM-001 Rev B Landscape Masterplan

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66 of the National Planning Policy Framework 2012.

3) PRE COMMENCEMENT- CONTAMINATED LAND

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation

shall not commence until conditions 1 to 3 below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition 3 has been complied with in relation to that contamination.

1. Submission of Remediation Design Scheme

A detailed design scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme shall include all works to be undertaken, proposed objectives and design criteria, soil import criteria, timetable of works and site management procedures that will be employed to prevent cross contamination. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after works are complete.

2. Implementation of Approved Remediation Design Scheme

The approved design scheme shall be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

The applicant/developer should be mindful that these conditions detail particular actions and a set of works that need to be submitted and approved by the local planning authority before any development takes place. Once an approved detailed remediation design strategy is in place (if required) the pre-commencement part of these conditions may be lifted.

Following completion of measures identified in the approved design scheme, a verification report that provides evidence and demonstrates the effectiveness of the works carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

3. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of condition 1, and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition 2 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 3 above.

Reason (common to all): To ensure that risks from land contamination to the environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(Pre-commencement justification: To ensure that risks to health through contamination are properly considered and addressed before building works commence).

4) **PRE-COMMENCEMENT: EMPLOYMENT AND SKILLS STRATEGY**

No development shall take place until an Employment and Skills Strategy has been submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Strategy should demonstrate how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities. The Employment and Skills Strategy should cover the construction of the development. The development shall thereafter be carried out in accordance with the approved Employment and Skills Strategy unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure that local people and businesses benefit from development within the City in accordance with the Council's growth agenda and Strategic Objective 6 and Policy CS04 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

(Pre-commencement justification: To ensure that the employment and skills strategy incorporates the whole construction phase.)

5) **PRE-COMMENCEMENT: DRAINAGE**

No development shall take place until further details of the proposals for the disposal of surface water including discharge rates into the Longbrook have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is first occupation.

Reason:

To enable consideration to be given to any effects of changes in the drainage regime on landscape features in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

(Pre-commencement justification: To ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure).

6) PRE COMMENCEMENT: CODE OF PRACTICE DURING CONSTRUCTION

Prior to the commencement of the development hereby approved, a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the management plan.

Reason: To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

Pre-commencement justification: To ensure the code of practice is in place before the development commences)

7) PRE COMMENCEMENT -ARCHEOLOGY

No development shall commence until the applicant (or their agent or successors in title) has secured and implemented a programme of archaeological work to include archaeological trial trench evaluation, aimed at providing information of the location, nature and extent of any surviving archaeological remains and which may be present.

The development shall be carried out in strict accordance with the approved scheme, or such other details as may be agreed in writing by the Local Planning Authority.

All of the above to be agreed in accordance with a written scheme of investigation (which shall previously have been submitted to and approved in writing by the Local Planning Authority)

Reason:

The site may contain archaeological deposits and/or human burial remains which would warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 128 of the National Planning Policy Framework 2012.

Justification for pre-commencement:

To ensure that any archaeological deposits can be appropriately investigated and recorded prior to any potentially destructive below-ground works.

8) PRE DPC LEVEL: EXTERNAL MATERIALS

No development shall take place above slab level until further details including samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the

Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

9) PRE DPC LEVEL -SUSTAINABILITY

The development shall be completed in accordance with the submitted Energy & Carbon Reduction Strategy prepared by AES Sustainability (dated November 2016). This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production together with the proposed installation size of 26kWp. The carbon savings which result from this shall be above and beyond what is required to comply with Part L Building Regulations.

Prior to commencement of development above DPC level the applicant shall provide to the Local Planning Authority details of the locations of the on-site renewable energy production methods (in this case Photovoltaic Cells) for approval. The on-site renewable energy production methods shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, the draft Plymouth Plan Policy 25 and relevant Central Government guidance contained within the NPPF.

10) PRE DPC LEVE: STREET DETAILS

No development shall take place above DPC level until details of the design, layout, levels, gradients, highway retaining walls, materials and method of construction, drainage, and street lighting, of all roads and footways forming part of the development have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason: To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

11) PRE DPC: LANDSCAPE DESIGN PROPOSALS

No development shall take place above DPC level until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Soft landscape works shall include planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

The hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority. Any trees or plants that, within a period of five years after planting are removed, fail to thrive, become damaged or defective, shall be replaced as soon as is reasonably practicable with others of species, size and number as originally approved, unless the local planning Authority gives its written consent to any variation.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

12) PRE OCCUPATION: LANDSCAPE MANAGEMENT PLAN

A Landscape Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development, such a Plan shall include the long term objectives of the landscape scheme, and must set out how these objectives will be met. The Management Plan must indicate the ownerships and responsibilities of all landowners or agencies following the completion of the development and intended land transfers and leases etc for all landscape areas, and must include this information graphically on a plan. The Landscape Management Plan should also set out all maintenance operations for the initial first 5 years following implementation of the scheme.

Reason

To ensure that the landscaping works are carried out, managed and maintained in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007

13) PRE OCCUPATION: SECURE BY DESIGN

All gates to private pathways and ones giving access to rear gardens, shall have locks with key access provided in accordance with details previously submitted and approved in writing by the Local Planning Authority. The approved gates with locks and key access shall be installed before any of the residential units requiring to use the respective private pathways are occupied.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policies CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

14) PRE OCCUPATION: COMPLETION OF ROADS AND FOOTWAYS

All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved under condition 10 above before the first occupation of the penultimate dwelling.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

15) PRE OCCUPATION: ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)

The dwellings hereby approved shall not be occupied until the proposed missing section of footway on the west side of Market Road between Potters Way and house number 20A Market Road has been constructed in accordance with details to be submitted for approval in writing by the Local Planning Authority have been completed.

Reason:

To ensure the impact on the highway network is acceptable in accordance with policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

16) PRE OCCUPATION PROVISION OF PARKING AREA

Each car parking space shown on the approved plans including garages shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

17) CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/PROTECTED

In this condition "retained tree or hedgerow" means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

A: No retained tree or hedgerow shall be cut down, uprooted or destroyed, nor shall any tree be pruned other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with BS 3998: 2010 Tree Work Recommendations.

B: If any retained tree or hedgerow is removed, uprooted or destroyed or dies, or pruned in breach of (a) above in a manner which, in the opinion of the Local Planning Authority, leaves it in such a poor condition that it is unlikely to recover and/or attain its previous amenity value, another tree or hedgerow shall be planted at the same place and that tree or hedgerow shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

C: The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with the approved plans and particulars 04358 TPP_2016 /A before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

18) CONDITION: PART M (ACCESSIBLE AND ADAPTABLE DWELLINGS)

Unless agreed in writing 20% of the dwellings hereby approved shall be constructed in accordance with the details shown on the relevant housetypes drawings demonstrating compliance with Part M4(2).

Reason:

To ensure that 20% of the dwellings on site are built to the equivalent of Lifetime Homes standards to comply with policy CS15 of the adopted City of Plymouth Core Strategy Development Plan Document 2007 and Government advice contained in the NPPF.

19) CONDITION: BIODIVERSITY

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (dated September 2016) for the site.

Reason

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34 and Government advice contained in the NPPF paragraphs 109, 118.

20) **CONDITION: ARBORICULTURAL METHOD STATEMENT**

The development hereby approved shall be carried out in accordance with the submitted Arboricultural Method Statement - AMS 3. The provisions within the statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

Informatives

1) INFORMATIVE: (CIL LIABLE) DEVELOPMENT LIABLE FOR COMMUNITY INFRASTRUCTURE CONTRIBUTION

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. You can contact the Local Planning Authority at any point to discuss your liability calculation; however a formal Liability Notice will only be issued by the Local Planning Authority once "planning permission first permits development" as defined by the CIL Regulations. You must ensure that you submit any relevant forms and get any pre-commencement details agreed before commencing work. Failure to do so may result in surcharges or enforcement action.

2) INFORMATIVE: CONDITIONAL APPROVAL (with negotiation)

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant [including pre-application discussions]

and has negotiated amendments to the application to enable the grant of planning permission.

3) INFORMATIVE: DRAINAGE

With regard to condition the proposed off site discharge rate into the Longbrook, which is in excess of the 1 in 10 year Greenfield allowance. If the LPA (through consultation with the EA determine that the Longbrook at this location is unable to accept off site discharges above the 1/10 year greenfield rate, then you will be required to restrict the off discharge to an approved rate with an increase in on site attenuation as required to provide the 1 in 100 year + 30% allowance for climate change standard of protection.

4) INFORMATIVE: ROADWORKS

Any of the roadworks included in the application for adoption as highways maintainable at public expense will require further approval of the highway engineering details prior to inclusion in an Agreement under Section 38 of the Highways Act 1980. The applicant should contact Plymouth Transport and Highways for the necessary approval.

5) INFORMATIVE: PUBLIC HIGHWAY ENGINEERING

No work within the public highway should commence until engineering details of the improvements to the public highway have been approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into. The applicant should contact Plymouth Transport and Highways for the necessary approval.

6) INFORMATIVE: PUBLIC HIGHWAY APPROVAL

This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Transport and Highways for the necessary approval. Precise details of all works within the public highway must be agreed with the Highway Authority and an appropriate Permit must be obtained before works commence.

7) INFORMATIVE: NOISE

It is recommend that all dwellings should be constructed in accordance with BS8233:2014 so as to provide sound insulation against externally generated noise.