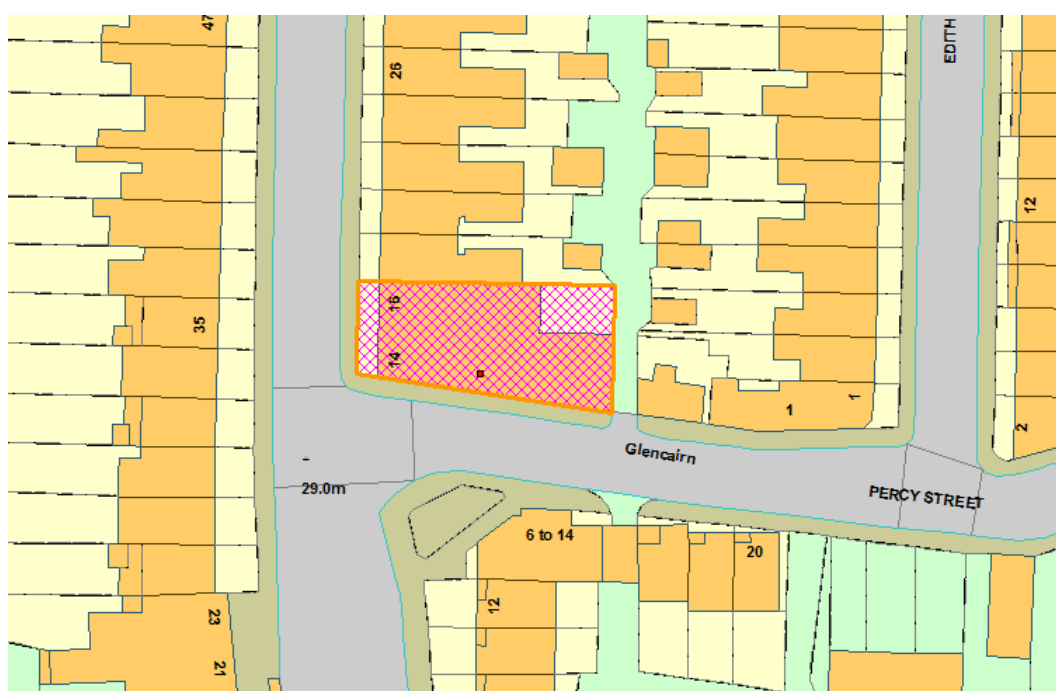


# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	16/01994/FUL	<b>Item</b>	05
<b>Date Valid</b>	16.01.2017	<b>Ward</b>	ST BUDEAUX

<b>Site Address</b>	14-16 Victoria Road Plymouth PL5 1RG		
<b>Proposal</b>	Change of use of existing business premises into 4no flats (Class C3) with associated parking and external works		
<b>Applicant</b>	Mr David Bartlett		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>13.03.2017</b>	<b>Committee Date</b>	<b>09.03.2017</b>
<b>Extended Target Date</b>	N/A		
<b>Decision Category</b>	Member referral		
<b>Case Officer</b>	Mr Chris King		
<b>Recommendation</b>	Grant Conditionally		



This planning application has been referred to Planning Committee by Cllr Wheeler

### **1. Description of Site**

The application site is on the corner of Victoria Road and Percy Street in the St Budeaux area of the City. The existing building is currently operating as an electrical sales unit (Use Class A1) for Bartlett Refrigeration. The rear (east) of the site is accessed by a service lane that also serves many other adjacent buildings. The site is relatively level however there is gentle north to south slope towards the opposite side of Percy Street.

### **2. Proposal Description**

This application proposes the change of use of the existing business premises into four 2 bed flats (Class C3) with associated parking (4 vehicle spaces) and external works.

The original proposal was for six flats (4no 1 bed and 2no 2bed) however following concerns in relation to parking provision the applicant has agreed to reduce the number of units to four.

### **3. Pre-application enquiry**

None

### **4. Relevant planning history**

None

### **5. Consultation responses**

Economic Development Department – No Objections subject to suitable financial mitigation

Lead Local Flood Authority – No Objections subject to conditions

Local Highways Authority – No Objections subject to conditions

Natural Infrastructure Team – No Objections

Public Protection Service – No Objections subject to conditions

### **6. Representations**

During the initial 21 day consultation period the Local Planning Authority received 15 letters of representation. The letters are summarised as follows:

- Parking in this area is already an issue
- It is very difficult to find a parking space at any time during the day on Edith Street and Percy Street
- Six flats could equate to eight more cars with only four car parking spaces, where will the rest park, as there is no room on Victoria Road or in Edith Street
- I already have great difficulty accessing my garage in the rear lane
- Can there be a reduction in the number of flats
- This development should be self-sufficient in parking provision. However, this does not prevent residents of the development from parking additional vehicles on-street, neither does it require them to use the parking provided within the development for their vehicles.

- If permission is to be granted, I would ask that another informative be added to the list of conditions and informatives, to the effect that if a controlled parking zone is introduced in this area in the future, these premises will be excluded from eligibility for permits in the zone.
- There will also be added safety issues, this area has a preschool and a primary school within yards and adding more cars reversing and parking in the associated parking would be a major concern especially on a main road junction and a back service lane used by many walking their children to these educational establishments
- There has already been a new build of properties on the opposite corner of Percy St, and whilst they have some private parking, the impact on the street parking, especially during the day, has been dramatic, and this development will only make parking even more difficult for everyone in the area.
- Loss of privacy with new windows being inserted
- The possible noise levels going from a quiet shop, to a building occupied by 6 families (potentially 16 people) in one block does concern us. What sound proofing can be put in place to keep noise levels to a minimum?
- Issues during construction such as dust and blocked garages
- More housing here will add to the parking problem. There is a derelict snooker hall plus land to park just a few hundred yards away why not utilise that and create a better environment for all the residents
- The busy main road (Victoria Road) is also treacherous to cross and an increase in traffic from residents and visitors is a safety issue
- Permit parking has been requested by residents in this area on numerous occasions and been refused so these flats will just add to the total congestion and frustration of all residents

Due to the level of feeling towards the application and potential parking situation from local residents officers have negotiated with the applicant to reduce the number of units from six to four. This amendment has required a further 14 day consultation to give residents the opportunity to review the plans and make comment before the decision is made by the committee. This consultation period ends on the 6th march 2017. At the time of writing this report 2 letters of representation have been received however no new issues have been raised.

Any additional comments received between the publishing of the committee report and the planning committee meeting will be included in an addendum report.

## **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 Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation, with the pre-submission version formally approved by Plymouth City Council, West Devon Borough Council and South Hams District Council for a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered consistent with the policies of the Framework as well as based on up to date evidence. However, until the Regulation 19 stage has concluded, and the scale and nature of representations known, it is considered that the JLP's policies will generally have limited weight within the planning decision. The precise weight will need to be determined on a case by case basis, having regard to all of the material considerations.

Other material considerations include the policies of the Framework itself, guidance in National Planning Practice Guidance (NPPG). 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
- Shopping Centres Supplementary Planning Document

#### 5 year housing land supply

Members will be updated in the form of an addendum report to clarify Plymouth's position with regard to its 5 year housing land supply

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 DEV10 of the Plymouth and South West Devon Joint Local Plan.

### **8. Analysis**

1. This application has been considered in the context of the development plan, the approved Plymouth and South West Devon Joint Local Plan, the Framework and other material policy documents as set out in Section 7.

2. This application turns upon policies CS01 (Sustainable Linked Communities), CS02 (Design), CS05 (Development of Existing Sites), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS28 (Local Highways Considerations), and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy 2007.

3. This application also turns upon the following list of policies from the approved Plymouth and South West Devon Joint Local Plan (JLP):- DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise and land), DEV7 (Meeting local housing need in the Plymouth Policy Area), DEV9 (Meeting local housing need in the Plan Area), DEV10 (Delivering high quality housing), DEV11 (Houses in Multiple Occupation in the Plymouth Article 4 Direction Area), DEV14 (Maintaining a flexible mix of employment sites), DEV20 (Place shaping and the quality of the built environment), DEV28 (Protecting and enhancing biodiversity and geological conservation), DEV31 (Specific provisions relating to transport) and DEV37 (Managing flood risk and water quality impacts).

4. The principal issues relating to this application are considered to be local highway and parking concerns, and residential amenity. Other considerations include the change of use of the existing premise, design and layout.

#### Principle of Development

5. The application site is currently in use for Electrical Sales (Class A1) employing 7 people. The site is within close proximity to the St Budeaux District Centre and does not sit within the Primary Shopping Area (PSA) of the District Centre as identified in the Shopping Centres SPD. The impact on both the PSA and the Primary Frontage is considered low with regards to the loss of A1 given that it is outside of this identified boundary. In this regard the site is not necessarily appropriately located to the PSA and its loss would not result in an imbalance of uses in the area as highlighted in policy DEV16 of the Joint Local Plan.

6. The Economic Development Department has stated that the change of use would result in the loss of a useful commercial building and that if the development is to be approved then mitigation to support employment generation in the local area would be appropriate. Officers have considered this request and given that the jobs are remaining within the city and the scale of the change to the local area is small the mitigation is not considered justified and would not fully meet Planning Policy Guidance tests. It is officers view that them mitigation is not required to make the proposal acceptable in planning terms and it is not considered appropriate in scale or kind.

7. The site has not been identified as a priority economic sector and officers have not been given suitable policy justification for the financial mitigation of this site in this area of the city. The proposal is considered in accordance with Policy DEV18 as the vitality and viability of the centre as a whole will retain its role in the retail hierarchy, meeting the needs of the area it serves.

8. Policy DEV14 of the JLP states that the change of use of existing employment sites will only be allowed where there are overriding and demonstrable economic, regeneration and sustainable neighbourhood / communities benefits from doing so. Policy CS05 of the LDF Core Strategy will allow the loss of employment sites if there are clear regeneration benefits or if the neighbourhood within which the site is located already has a good range of employment opportunities available for local people, or the proposal will deliver a mixed use development which continues to provide for a good range of local employment opportunities.

9. Officers are satisfied that the proposed change of use from an electrical sales store to provide open market residential flats in this area is acceptable and compliant with the NPPF and the presumption in favour of sustainable development. The site is isolated from the commercial centre and is surrounded by residential dwellings of varying size and tenure. The loss of the commercial unit in this location is considered low in the context of the development plans and the Shopping Centres SPD. The proposed housing mix will also support the objectives of Policy CS15 of the Core Strategy and DEV 7 of the JLP and will not conflict with policy CS01 of the Score Strategy.

#### Evolution of the Proposal

10. The application that was submitted to the Local Planning Authority proposed 6 flats with a total of 4 off street parking spaces. As is noted in section 6 of this report, many letters of representation were received during the consultation period primarily raising concerns over parking. Many letters have suggested that there should be a reduction in the number of units or an increase in parking provision.

11. One letter has suggested that future occupants of the site should be restricted from obtaining parking permits should a future Controlled Parking Zone (CPZ) be implemented. Officers have sought legal clarification on this position and can advise Members that this is not something the Local Planning Authority or the Local Highway Authority can do as explained below.

12. An informative attached to a planning decision notice does not carry any legal weight and as such is used solely to draw applicant's attention to other relevant matters. The Local Planning Authority could not therefore attach an informative saying that the premises would be excluded from a CPZ if one was introduced in the future as it cannot say for certain this would be the case if a CPZ was introduced. Furthermore the Local Highways Authority have advised officers that the Local Planning Authority does not have any policy basis for such an informative therefore what has been requested is factually incorrect and is unable to commit the Council in such a way.

13. The Local Highways Authority did not object to the proposal of six flats with four spaces however due to the level of resident concern officers have negotiated with the applicant to reduce the scale of the proposal. The applicant has therefore agreed to reduce the number of units to four with same level of parking spaces, i.e. a ratio of 1 to 1. Officers consider this to be proactive working and have begun a further 14 days consultation to advise local residents of the amendments to the scheme.

### Design Alterations

14. To accommodate the proposed dwellings and off street parking spaces then some parts of the existing building will be demolished. This is not considered significant and reduces the overall bulk of the site. The application now proposes four 2 bed flats spread over the ground and first floor of the building however no accommodation is proposed in the loft space of the building. Necessary internal changes are proposed to accommodate the flats resulting in four flats of adequate size and layout for future occupiers.

15. New windows are proposed in all four elevations to rationalise the building's appearance within the street scene for its new use. The increase in windows will provide good levels of light into the proposed flats. The principle access into the building will be from Percy Street in the south with a secondary access via the rear service lane through the parking and amenity area. The layout of the proposal accommodates all necessary facilities including bin store, bike store and of street parking.

16. Officers requested that a front door was inserted into the Victoria Road elevation (west) to complement the existing street scene. Due to the configuration of the apartments the applicant advised that this would result in an access directly into the lounge or kitchen area, reducing the quality of the internal space. Whilst the addition of this front door would have been preferred officers do not consider it a necessary requirement. The quality of the overall scheme is still apparent and the shared access from Percy Street and the rear service lane/parking area is considered acceptable in this instance.

17. Officers have reviewed the relevant policies of both the Local Development Framework Core Strategy (CS02, CS15 and CS34) and the Plymouth and South West Devon Joint local Plan (DEV7, DEV9, DEV10 and DEV20) and consider the scale and character of development acceptable in this location. The external changes to the building are not considered harmful and in officers view will enhance the buildings presence within the street scene.

### Amenity

18. The relationship of the proposed flats with the surrounding properties is considered acceptable with little impact on neighbouring amenity. The property on the opposite side of the service lane is the closest (9m away) elevation however this is a blank elevation, and the flats have other windows facing north and south thus providing outlook. The relationship with the dwellings on the south side of Percy Street is considered a normal street relationship, with a distance of circa 12m and this is consistent with rest of the street. The layout of the properties to the north dictates that there will not be any significant or demonstrable loss of amenity.

19. The relationship of the flats with each other is also considered acceptable with adequate privacy and shared facilities proposed. The impact of the proposed new windows within the building is not considered significant and is reflected in the fact that only one letter of representation raises privacy and overlooking as a concern. Officers have reviewed the Development Guidelines SPD and are satisfied that the development will not harm adjacent

residents due to the layout of the proposed development and its relationship with its closest neighbour.

20. Officers have reviewed the internal sizes of the four flats and they exceed the standards set on the Development Guidelines SPD and the Nationally Described Space Standards and as such accord with policy DEV10 of the JLP. It should be noted that the reduction from six flats to four flats has seen a positive increase in internal amenity space. Some of the previously proposed 1 bedroom flats were marginal in size, although on balance they would have been acceptable.

21. Paragraph 2.8.27 of the Development Guidelines SPD recommends a minimum of 50m<sup>2</sup> private amenity space for developments proposing flats however this application provides only 20m<sup>2</sup>. The application site is in close proximity to public amenity space at the eastern end of Percy Street which includes play facilities and an area of green space. Due to reduction in number of units, the increased internal size of the flats and the proximity to public amenity area officers consider that proposal is acceptable. This is also not considered significantly out of character for the area when considering the low level of outdoor amenity space that adjacent dwellings are afforded.

22. Officers consider that the change in use of the site will result in a less disruptive situation for existing residents. There will be less activity during the daytime hours resulting in better amenity for local residents. There may be more activity during the evening hours; however the impact of only four new dwellings in this location is not considered severe and their associated noise will not cause a loss of amenity. The proposal is therefore considered to accord with Policies CS15 and CS34 of the Core Strategy and DEV1, DEV10 and DEV20 of the Joint Local Plan.

#### Local Highways Considerations

23. The commercial property has a frontage with Victoria Road and Percy Street with a rear courtyard accessed from the rear service lane. A garage door exists, with a dropped kerb, onto Percy St. The applicant intends on converting the property into 4 residential units, and by way of demolishing the garage / store will provide a parking area for 4 cars.

24. The historical business use at the property would have generated a level of traffic and associated parking during operational hours. However, the majority of this parking would have occurred when on-street parking demand associated with adjoining dwellings would be lower. As such the proposed parking will be required to serve the development and its provision must be ensured by way of a planning condition.

25. Under current guidance the garage dropped kerb access would not be permitted as it is too close to the service lane entrance. However, as the vehicle crossover is existing its use is established and therefore there are no objections to it being used to serve the proposed parking area.

26. The parking spaces must be surfaced and drained so as not to allow loose material or surface water to be deposited or to flow on to the adjoining highway. The spaces must be



provided prior to occupation of the unit they serve and they shall only be used for the parking of vehicles. In accordance with the Council's Development Guidelines SPD the applicant proposes to provide a cycle store, which would appear to be secure and covered. The store should be provided and controlled by way of a condition.

27. The proposal is likely to reduce the number of trips made to and from the premises and the proposed level of parking is considered to meet the likely parking demand of the residential use. The Development Guidelines SPD recommends a maximum of 2 spaces for a dwelling and in this instance 1 space per dwelling is considered adequate given the sustainable nature of this location (proximity to shops, services and public transport). Each unit will be provided with access to cycle storage. As such, subject to conditions, there are no objections to the proposal with regards to highway safety and parking provision from the Local Highways Authority.

28. Officers therefore consider that the proposal accords with policies CS28 and CS34 of the Core Strategy and policy DEV10 of the JLP as the application has clearly demonstrated that it is self-sufficient with regards to parking provision that will not adversely impact the local highway and general amenity as suggested by residents.

#### Public Protection / Land Contamination

29. This application has been accompanied by a Phase 1 land contamination report which has been reviewed by the Public Protection Service. A suitable land contamination condition has been imposed due to the level of ground disturbance required as part of the proposed works.

#### Drainage

30. The applicant has submitted a drainage strategy which proposes the discharge of Surface Water and Foul Water to separate systems. The Local Flood Authority is happy with this position and its implementation will be conditioned in accordance with policy CS22 of the Core Strategy and policy DEV37 of the Joint Local Plan.

#### Biodiversity

31. Developments of this size are not required to provide full landscaping details however in this case minor hard landscape improvements will be made to the rear courtyard to more the overall amenity of the site. The Natural Infrastructure Team have reviewed the proposal and are satisfied that bats are unlikely to be present as the building is in current use and the roof space is in good condition.

### **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 Community Infrastructure Levy liability (CIL) for this development is: £0.00, which includes potentially qualifying existing floorspace which is to be reused as part of the development. This information is based on the CIL information form submitted with the application. There is no negotiation of CIL. The Levy is subject to change and will be index-linked. The applicant should check the current rates at the time planning permission first permits development, see [www.plymouth.gov.uk/cil](http://www.plymouth.gov.uk/cil) for guidance

## **11. Planning Obligations**

None Applicable

## **12. Equalities and Diversities**

The number of units falls below the threshold requiring a provision of Part M4(2) Accessible and Adaptable Dwellings.

## **13. Conclusions**

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 specifically the Local Development Framework Core Strategy 2007. In addition to this the proposal accords with the adopted Plymouth and South West Devon Joint Local Plan and is therefore recommended for conditional approval.

## **14. Recommendation**

In respect of the application dated **16.01.2017** it is recommended to **Grant Conditionally**

## **15. Conditions / Reasons**

The development hereby permitted shall be carried out in accordance with the following approved plans:

### **1. CONDITION – APPROVED PLANS**

Site Location Plan 1773[S-]01 Version: 1 received 31/10/16

Plans - Existing 1773[S-]02 Version: 1 received 31/10/16

Plans - Proposed 1773[PL-]01.A Version: 2 received 17/02/17

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.

## 2) CONDITION: 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 Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

## 3) CONDITION: CONTAMINATED LAND

### PRE-COMMENCEMENT

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 take place until sections 1 to 3 of this condition 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 section 4 of this condition has been complied with in relation to that contamination.

### Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination; (ii) an assessment of the potential risks

to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
- adjoining land
- groundwaters and surface waters o ecological systems
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's

'Model

Procedures for the Management of Land Contamination, CLR 11'.

#### Section 2. Submission of Remediation Scheme

A detailed remediation 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 must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. 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 remediation.

#### Section 3. Implementation of Approved Remediation Scheme

The approved remediation 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. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in the replaced PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

#### Section 4. 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 shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, 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 must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with section 3.

#### Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

Justification: To ensure that risks to health through contamination are properly considered and addressed before building works commence.

#### 4) CONDITION: CYCLE PROVISION

##### PRE-OCCUPATION

No dwelling shall be occupied until space has been laid out within the site in accordance with the approved plans for 4 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

##### Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policies DEV20 and DEV31 of the Plymouth and South West Devon Joint Local Plan and paragraph 32 of the National Planning Policy Framework 2012.

#### 5) CONDITION: NOISE

##### PRE-OCCUPATION

All dwellings shall be constructed in accordance with BS8233:1999 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 30 dB Laeq for living rooms (0700 to 2300 daytime) and 30 Db Laeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided. Levels of 45 dB Laf.max shall not be exceeded in bedrooms (2300 to 0700 night-time).

##### Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policies DEV1, DEV2 and DEV20 of the Plymouth and South West Devon Joint Local Plan and paragraph 17 and 123 of the National Planning Policy Framework 2012.

#### 6) CONDITION: PROVISION OF DRAINAGE WORKS

##### PRE-OCCUPATION

No unit of accommodation hereby approved shall be occupied until surface water drainage and foul water drainage have been implemented in accordance with the submitted Drainage Strategy Statement unless otherwise agreed in writing

##### Reason:

To ensure that satisfactory drainage infrastructure works are provided in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policy DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012

## 7) CONDITION: PROVISION OF PARKING AREA

### PRE-OCCUPATION

Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space shall not be used for any purpose other than the parking of vehicles.

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, policies DEV20 and DEV31 of the Plymouth and South West Devon Joint Local Plan and paragraph 32 of the National Planning Policy Framework 2012.

### **Informatives**

1) **INFORMATIVE: (NOT CIL LIABLE) DEVELOPMENT IS NOT LIABLE FOR A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION**

The Local Planning Authority has assessed that this development, due to its size or nature, is exempt from any liability under the Community Infrastructure Levy Regulations 2010 (as amended).

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

3) **INFORMATIVE: CODE OF PRACTICE**

The development hereby approved should be carried out in accordance with the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and should consider the following:-

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for

site traffic and HGVs, and a scheme to encourage public transport use by contractors;  
and

c. Hours of site operation, dust suppression measures and noise limitation  
measures

4) 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.

5) INFORMATIVE: SUPPORTING DOCUMENTS

The following supporting documents have been considered in relation to this application:

Design and Access Statement; Envirocheck Report; Drainage Strategy Statement; Phase 1 Land Contamination Report