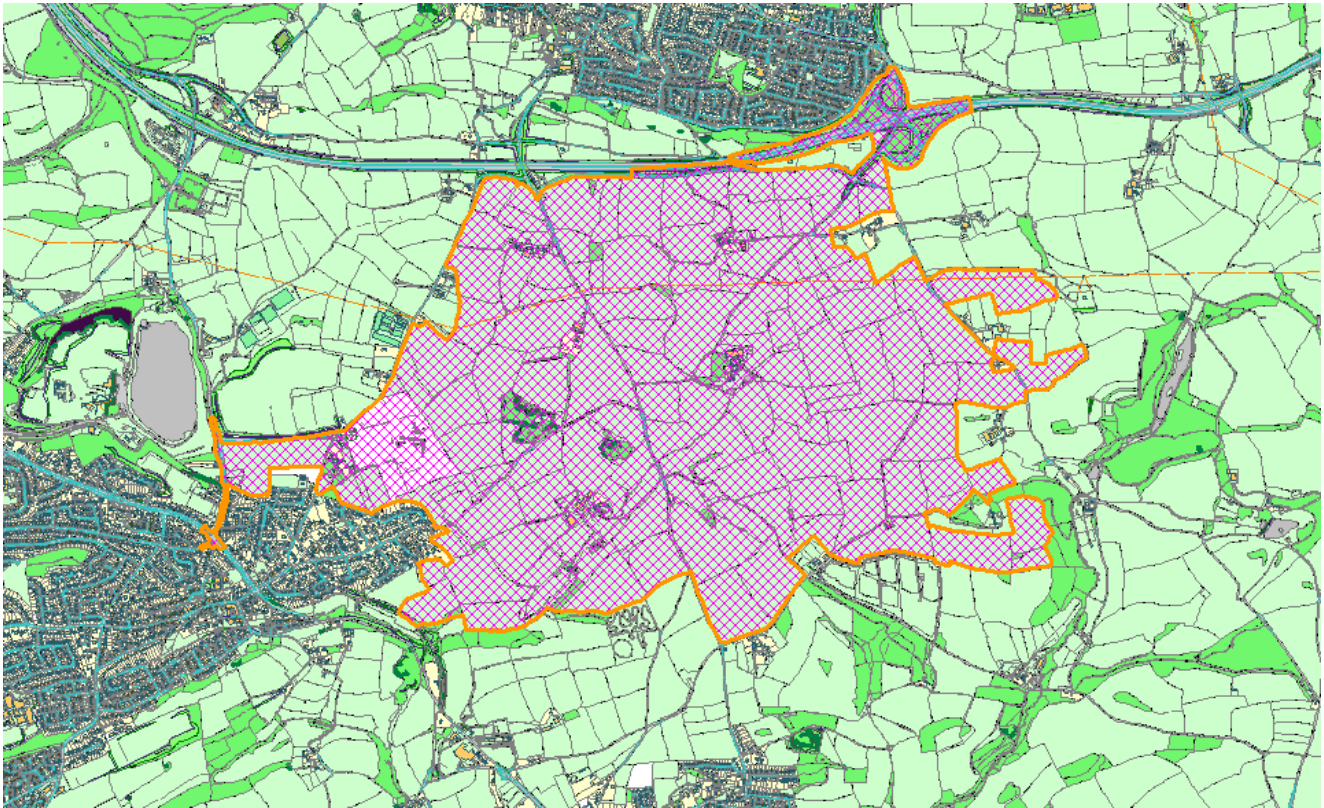


# PLANNING APPLICATION OFFICERS REPORT



|                             |  |                       |                    |
|-----------------------------|--|-----------------------|--------------------|
| <b>Application Number</b>   | 17/00998/S73   | <b>Item</b>           | <b>04</b>          |
| <b>Date Valid</b>           | 08.05.2017   | <b>Ward</b>           | PLYMSTOCK DUNSTONE |
| <b>Site Address</b>         | "Sherford New Community" Land South/Southwest Of A38 Deep Lane And East Of Hays Road Elburton Plymouth   |                       |                    |
| <b>Proposal</b>             | S73 application to remove/vary conditions 2, 5, 6, 16, 20 and 21 of PCC outline planning permission ref: 16/00247/OUT and conditions 3, 6, 12, 14, 17, 26 and 57 of SHDC outline planning permission ref: 0484/16/VAR relating to the 'Sherford New Community', including amendments to documents as listed within the approved drawings conditions in respect of the Town Code and Sustainability chapters.   |                       |                    |
| <b>Applicant</b>            | Sherford New Community Consortium  |                       |                    |
| <b>Application Type</b>     | Removal or variation of a condition  |                       |                    |
| <b>Target Date</b>          | <b>07.08.2017</b>  | <b>Committee Date</b> | <b>27.07.2017</b>  |
| <b>Extended Target Date</b> | <b>N/A</b>   |                       |                    |
| <b>Decision Category</b>    | Assistant Director of SPI  |                       |                    |
| <b>Case Officer</b>         | Mr Ian Sosnowski   |                       |                    |
| <b>Recommendation</b>       | <p>Conditionally Approve subject to cross border S106 with South Hams District Council and Devon County Council and to delegate authority to the Assistant Director of Strategic Planning and Infrastructure to:</p> <ol style="list-style-type: none"> <li>1. Agree to minor alterations and corrections of typological errors within the submitted documents;</li> <li>2. Make minor alterations to the planning conditions;</li> <li>3. Refuse if S106 isn't signed within agreed timescales</li> </ol> |                       |                    |



This application has been referred to Planning Committee by the Assistant Director of Strategic Planning and Infrastructure for public interests reasons.

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

The application site covers 490ha of greenfield land to the south west of Deep Lane junction and to the north west of Elburton within Plymouth. The site straddles the administrative boundary with South Hams District Council, and is bound by the A38 to the north, and Vinery Lane to the west. Brixton and the A379 lie approximately 3km to the South. With the exception of some former nursery glass houses to the west, and existing farm buildings, the site is mainly agricultural land. Outline planning permission exists for the development of the “Sherford” new community and a full description of the site is set out in the officer’s report under references 06/02036/OUT and 7\_49/2426/06/OUT.

Members will no doubt be aware that development at Sherford started in November 2014 and construction work for some 240 dwellings and infrastructure are currently taking place on site.

### **2. Proposal Description**

Comments raised by Officers during the initial consultation period for this application have resulted in revisions to the submitted documents, and receipt of these amended versions were re-advertised for 14 days up to the 21st July.

A further revision was received on 13th July following further discussions with Officers. The application description set out in this report relates to the revised documentation.

The application proposes to amend the manner in which the Sherford development is brought forward, by seeking to amend a number of the ‘approved plans’ that were granted as part of the original outline planning permission. The ‘accord with plans’ condition is proposed to be varied, alongside other consequential conditions which refer to the relevant documentation, to allow the development to be implemented in accordance with these new control documents. If granted, a new

outline permission will have effectively been granted, which sets out the alternative framework for shaping the reserved matters that come forward. The amendments being sought can be categorised as;

### Sherford Town Code

A new Town Code document is proposed to replace, in its entirety, the currently approved Sherford Town Code which Members will be aware was prepared on behalf of the then applicant by the Prince's Foundation for Building Community. The Town Code forms part of a two tier design code, and provides the design language and framework for future designers to work to when preparing reserved matters. The applicants propose an alternative approach in which design is governed at the outline stage, by replacing the current Code with a series of Town Wide 'principles'. The approach is to permit greater design flexibility within a detailed set of site wide principles, rather than being dictated by a number of prescribed rules. The revised Town Code also proposes that the second tier of design coding will be replaced with Neighbourhood Design Codes, and that these will be developed for a specific neighbourhood area at the appropriate time in the development programme. Neighbourhood Design Codes will replace the existing process, which involves Detailed Design Codes, when it comes to developing the detailed composition of each neighbourhood.

### Sherford Review Panel (SRP)

The applicants also propose to remove the SRP from this process. The SRP is currently the body, made up of design experts, whose role it is to determine whether the submitted Detailed Design Code complies with the Town Code. The alternative approach being sought by this application is that the Neighbourhood Design Codes will require approval directly by the Local Planning Authority via a planning condition.

There are also a number of other variations to conditions that are not related to the Town Code amendment as outlined below.

### Affordable Housing

Condition 20 will be amended by removing the words "a minimum of 32 Shared Ownership and 32 Affordable Rented homes" from the current condition. This is to reflect an earlier deed of variation to the Sherford S106 to amend the number of Affordable Housing units within the Plymouth part of the site to 59.

### Swimming Pool

Condition 21 required completion of the proposed swimming pool and playing pitches associated with it by 256 dwellings. It is proposed that this condition is removed, as it is in conflict with the S106 agreement which requires provision of these facilities by 700 dwellings.

### Sustainability

The application at the point of submission also sought to amend the section "4.d Resource Efficiency of the Built Form" from the original Masterplan. During the determination of the application, it was requested by the applicants that this amendment be removed from the proposal to allow them to consider further the nature of the amendments being sought. The terms of the original consent in this respect will continue therefore as originally approved.

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

The developers and officers have been engaged in a series of explorative workshops in reviewing the Sherford permissions. The matters which are subject of this application have formed part of those workshops, and this has since been manifested into the current application. Officers in the Sherford Delivery Team were also able to have sight of, and provided initial feedback to, the revised Town Code shortly before the application submission.

There has however, been no formal pre-application advice sought prior to submission.

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

Within the application site boundary there have been a range of planning applications for agricultural and householder proposals, none of which have any bearing on this development and are not relevant for the purposes of determining this application.

The relevant planning history for the application site within the Plymouth area is as follows:

05/01790/ESR10 – New Community at Sherford (including approximately 5500 residential units) – request for a scoping opinion for EIA - Discharged 07/11/05

06/02036/OUT – Sherford New Community (see 06/02036/OUT for full development description) – Conditional Approval

16/00247/OUT – Variation of condition 1 (approved plans) of application 06/02036/OUT (which was EIA development & accompanied by an Environmental Statement) to amend sections of main street details with revised layout and junction arrangements – Conditional Approval

The relevant planning history for this application within South Hams is as follows;

7\_49/2426/06 – Conditional Approval for “Sherford” New Community (see application for full development description).

0484/16/ARM – variation of conditions 3 & 99 (approved drawings) of 7\_49/2426/06 (an EIA development and accompanied by an Environmental Statement) to amend sections of main street details with layout and junction – Conditional Approval

### **5. Consultation responses**

#### **Transport and Highways**

No comments received at the time of writing

#### **Public Protection Service**

No comments received at the time of writing

#### **Low Carbon Team**

No comments received at the time of writing

#### **Devon County Council**

Overall the County has No Objection to the proposed design code document, although it is noted that the submitted document is no longer as prescriptive as the previously agreed Code and provides less control over the internal design. The consent granted for this development is conditional upon a series of surface water, environmental management, archaeological and highway conditions. A number of observations relating to the submitted document and the impact on the detail and control of the street design, parameters and materials are noted.

### **Devon and Cornwall Police – Police Designing Out Crime Officer**

No objection to the submitted documentation which states that each phase at Sherford will be designed to 'secure by design' standards (or equivalent).

### **Environment Agency**

No objections to the removal/variation of conditions as proposed in respect of the town code and sustainability chapters.

### **Historic England**

No detailed comments to make. Refer to local specialist advisors.

### **Brixton Parish Council**

Brixton Parish Council were consulted as part of the South Hams element of the application. The Parish supports the variation in principle but raise a number of issues to be addressed in the more detailed application with consultation with the community, including the width of the main street; the opportunity to review the connectivity from the A379; allocated parking for all houses; street trees not included in the New Town Code; an opportunity to reconsider the use of renewable energy; connectivity through footpaths: cycle paths and bridleways; percentage of construction waste recycled should be increased from 50% to 100%. Comments are also made that the new Code needs to be flexible to be able to incorporate advanced design ideas, technologies, Building Regulations and learning from similar developments (small and large) over the lifetime of the build of the new town. The housing density for the variation should remain as on the original Town Code. The Parish observed that the existing Town Code is too entrenched and out of date. The design of the new houses should meet the requirements set out in the Joint Local Plan on quality, good design and cohesive lasting styles.

## **6. Representations**

One letter of representation has been received. This is from the Prince's Foundation for Building Community who make a series of very detailed points relating to the revised approach to the Town Code. In summary, the Foundation object, on the basis that the amendments have the capability to erode the ability to control the form and quality of development at the detailed design stage, and cite examples of other large scale developments where this has happened. The objection therefore highlights the differences between the original Codes' intention as a regulating document which is less open to abuse/dilution, against the current application which they feel would be open to interpretation – and something that they highlight will be difficult to monitor without the Sherford Review Panel, to help raise the bar in terms of quality.

The objection letter highlights that the revised Code is visually very similar in content, but that its ability to deliver is insufficient because firstly, a rigorous process of agreeing Detailed Design Codes and review is being removed, and secondly, because of the level of prescription in the individual topics that has also been taken out. The detailed critique raises concerns about the proposed text in relation to: principles for Neighbourhood Structure; Key Spatial Features; Building Heights Strategy; Green Structure; Community Park; Street Trees; Street Lighting; Private Frontages; Block Types; Building Types; and Sustainability and Energy features. The removal of detail from these sections, particularly the Building Types and materials section is suggested will make it difficult to secure better than standard products.

The Foundation also suggest that now is the wrong time for a review, and suggest that a better understanding of the evidence to justify such a major change away from what has been consented is required.

All letters of representation and consultation responses are available to view on the Council's website.

## **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). In relation to this application the following policies are relevant: SO3 (Delivering Sustainable Linked Communities); Policies CS01 (Sustainable Linked Communities); CS02 (Design); AV8 (North Plymstock and Minerals); CS08 (Retail development considerations); CS12 (Cultural/Leisure Development considerations); SO10 (Delivering Adequate Housing Supply); CS15 (Overall Housing Provision); CS16 (Spatial Distribution of Housing Sites); SO11 (Sustainable Development); CS18 (Plymouth's Green Space); CS19 (Wildlife); CS20 (Sustainable Resource Use); CS21 (Flood Risk); CS22 (Pollution); SO12 (Delivering Future Mineral Resources); CS23 (Safeguarding Mineral Resource); SO14 (Sustainable Transport); CS27 (Supporting Strategic Infrastructure Proposals); CS28 (Local Transport Considerations); SO15 (Delivering Community well-being); CS30 (Designing out Crime); CS33 (Community benefits/ Planning Obligations); Policy CS34 (Planning application considerations);

The North Plymstock Area Action Plan (adopted 2007). In relation to this application the following policies are relevant: Objective 2 (to contribute to creating a neighbourhood at Sherford); NP05 (Sherford and Sports Hub); NP06 (Development Options north of Elburton); Objective 3 (Sustainable Transport Network); NP07 (HQPT); NP08 (Public Transport services); NP09 (Highway Infrastructure and Traffic Management); NP10 (National Cycle Network proposal); and NP11 (Countryside Park).

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 I 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 an advanced stage of preparation having now been subject to 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. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision if there are no substantive unresolved objections. However, the precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

In relation to this application the following JLP policies are relevant:

SO1 (Delivering the spatial strategy); SO2 (Strengthening Plymouth's role in the region); SO5 (Delivering growth in Plymouth's Eastern Corridor Growth Area); SO6 (Delivering a prosperous and sustainable South West Devon); SO10 (Maintaining a beautiful and thriving countryside); SO11 (Delivering high quality development); SO12 (Delivering infrastructure and investment); SPT1 (Delivering sustainable development); SPT2 (Sustainable linked neighbourhoods and sustainable rural communities); SPT3 (Provision for new homes); SPT4 (Provision for employment floorspace); SPT5 (Provision for retail development); SPT6 (Spatial provision of retail and main town centre uses); SPT7 (Working with neighbouring areas); SPT8 (Strategic connectivity); SPT9 (Strategic principles for transport planning and strategy); SPT10 (Balanced transport strategy for growth and healthy and sustainable communities); SPT11 (Strategic approach to the natural environment); SPT12 (Strategic infrastructure measures to deliver the spatial strategy); SPT13 (European Protected Sites – mitigation of recreational impacts from development); PLY2 (Unlocking Plymouth's regional growth potential); PLY5 (Safeguarding Plymouth's mineral resources); PLY48 (Sherford new community); PLY49 (Sherford Community Park Strategic Greenspace); PLY54 (Saltram Countryside Park Strategic Greenspace); PLY55 (Hazeldene Quarry Minerals Safeguarding Area and buffer zone); PLY57 (Strategic infrastructure measures for the Eastern Corridor Growth Area); DEV1 (Protecting health and amenity); DEV2 (Air, water, soil, noise and land); DEV3 (Sport and recreation); DEV4 (Playing pitches); DEV5 (Community food growing and allotments); DEV7 (Meeting local housing need in the Plymouth Policy Area); DEV9 (Meeting local housing need in the Plan Area); DEV10 (Delivering high quality housing); DEV14 (Maintaining a flexible mix of employment sites); DEV16 (Providing retail and town centre uses in appropriate locations); DEV19 (Provisions for local employment and skills); DEV20 (Place shaping and the quality of the built environment); DEV21 (Conserving the historic environment); DEV22 (Development affecting the historic environment); DEV24 (Landscape Character); DEV27 (Nationally protected landscapes); EV28 (Protecting and enhancing biodiversity and geological conservation); DEV29 (Green and play spaces); DEV30 (Trees, woodlands and hedgerows); DEV31 (Specific provisions relating to transport); DEV32 (Meeting the community infrastructure needs of new homes); DEV33 (Waste Management); DEV34 (Delivering low carbon development); DEV35 (Renewable and low carbon energy); DEV37 (Managing flood risk and water quality impacts); DEL1 (Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy).

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; Development Guidelines Supplementary Planning Document

## **8. Analysis** **Procedural**

S73

1. The application has been submitted via section 73 of the Town and Country Planning Act, and a number of comments have been raised that question the appropriateness of dealing with variations of this significance through this route. Officers have however been mindful of the Government's guidance on this and recognise that the purpose of S73 applications is to allow applicants to propose material amendments to permissions by focussing on just those elements that need to be reassessed without reopening the overall principle of the permission. S73 can only be used where there are conditions that can be amended, and where the overall nature and scale of the development does not change. As the overall scale (ie. 5500 dwellings), its basic composition, and red line location are not affected, Officers are satisfied that the amendments which affect 'how' the development is brought forward can be done this way. The legal effect of a S73 permission is that a

new standalone permission is granted, albeit on the different terms subject of the application. Public consultation is the same as if it were a normal planning application. Applications made under S73 only allow the matters being amended to be considered by the Local Planning Authority – all other elements of the proposal will remain as consented.

2. Government guidance on the use of planning conditions (NPPF para 203) also states that “otherwise unacceptable development could be made acceptable through the use of conditions”. It follows therefore that any application to vary a condition is effectively an assessment by the decision taker to re-evaluate the terms in which the permission was originally considered would make it acceptable.

#### Environmental Impact Assessment (EIA)

3. The outline application was EIA development and was accompanied by an Environmental Statement. A screening Opinion has been undertaken, as this application seeks to modify an EIA development within the meaning of the Regulations. However, it has been concluded that the proposals do not introduce any new issues that are not already covered through the outline Environmental Statement and accordingly further Environmental Information is not necessary, and a revised ES is therefore not required.

#### South Hams

4. The Sherford outline scheme comprises development that falls within two local authority areas (approximately 90% of the scheme falls within South Hams). As the principal consent was a cross border application, this amendment must be made to both Local Planning Authorities. Therefore an application has also been made to South Hams District Council under reference 1593/17/VAR.

5. Members should note that the majority of development consented within the Plymouth City Council administrative area (albeit for the proposed Sports Centre) already has reserved matters approval related to the principal permission. Therefore, the effect of the amendments sought in this application will only apply to subsequent development going forward in the South Hams area.

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

#### Strategic Context

8. The adopted policy framework supports the principle of an urban extension in this location, and outline planning permission exists through the grant of outline consents 16/00247/OUT and 7\_49/2426/06/O. The Sherford development is also allocated in the emerging Plymouth and South West Devon Joint local Plan, as Policy PLY48. This policy reiterates the development principles for the new community, which is a significant component of the housing supply to meet the needs of the Plymouth Policy Area and the Joint Local Plan area as a whole.

#### Revised Town Code

9. A Design Code is primarily a tool that can be used within the planning and design process to set the rules for the design of new developments. They are often used as a means by which the aspirations for quality and quantity of new, often large scale projects can be realised by operationalising design guidelines or standards. A Design Code is therefore a tool which helps inform subsequent detailed design. This is often essential to ensure consistency of design across a



site where there are multiple developers delivering developments over many years. It is important to note that the Code does not just provide guidance for the appearance of buildings, but also informs how most of the urban fabric should be brought forward, such as the roads and open space.

10. The need for a Design Code was a requirement of the North Plymstock Area Action Plan (AAP) policy NP06(6) and Sherford AAP policy SNC3 to secure the commitment to high quality design following the original Masterplan Enquiry by Design process led by the Prince's Foundation. The policy framework envisaged a two tier process, and the original Town Code was submitted as the top tier document to form part of the outline planning application. Delivering high quality, good locally distinctive design within the new community has been reinforced in the emerging JLP at Policy PLY48, and this is supplemented by Policy DEVI0 and DEV20 which seeks to reinforce quality within the built environment.

11. The application proposes to replace the approved Town Code with a set of 65 'Town Wide Principles', and these will become the new standards that inform the way in which design matters across the whole site will be shaped going forward. This is significantly different in approach to the current Town Code, which was intended to be much more prescriptive and instructional in the way it imposed requirements for architectural and development styles. It is noted that in terms of style, the original Town Code steers designers towards a more traditional form of architecture predominantly found in urban environments and typical of the new towns developed at the end of the 19th Century. There are no hard and fast rules setting out what a Design Code should be and what form it should take, and the original Town Code was unique for this type of development, particularly in the way it set out a very precise set of regulating and legislative rules being included as part of the outline stage. The intention was to provide certainty to all parties and to avoid uncertainty on detailed design matters, but the current applicant considers this will result in inflexibility and also makes the process of agreeing any departures cumbersome.

12. The proposals seek to remove much of this pre-determined prescription, in favour of these key principles, to enable much more architectural freedom to develop other styles throughout the site. The implications of this, could for example, mean greater choice in the style and character of buildings that are delivered, as well as allowing more flexibility over the choice of materials and construction methods. This would allow more flexibility to allow the scheme to adapt and evolve to changing practices/regulations, as well responding to market conditions such as saleability, and materials availability, over what is likely to be a 20-30 year build period. This in turn is intended to ensure that development can continue uninterrupted.

13. The landscape in which Government has prompted design through the planning system has also changed somewhat since the original application was put together. The NPPF at paragraph 56 reiterates the need to attach "great importance to the design of the built environment", but more specifically at paragraph 59 goes on to say; "local planning authorities should consider using design codes where they could help deliver high outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, materials and access". The NPPF also goes on to say that planning "decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles".

14. The National Planning Practice Guidance (NPPG), particularly in relation to its advice around design coding provides this advice "To promote speed of implementation, avoid stifling responsible innovation and provide flexibility, design codes should wherever possible avoid overly prescriptive detail and encourage sense of place and variety".

15. It is also important to note that the Coding document is a tool for shaping the subsequent detailed design stages. Decisions on detailed design will ultimately come at the point in which reserved matters are submitted, and therefore there is still the opportunity to turn away unacceptable proposals if they come forward at that stage.

16. In policy terms, the aspirations of the proposed document would meet the requirements of both the adopted policy and that of the emerging JLP. The question surrounding this alternative version really therefore comes down to the acceptability of the overall perception of increasing flexibility governed by a set of principles, and whether this can still guarantee delivery of the high quality design aspiration. The Prince's Foundation, the authors of the original Code, challenges the LPA's ability to control design proposals without predefined mandates, as principles, they suggest, are open to interpretation and therefore fall to a subjective opinion at the time a decision is taken. This they argue should be seen as an attempt to water down the scheme, and in turn throws into doubt whether they would still want to endorse the project. Mindful of the guidance referred to above, this is really a matter of balance, and whether it is appropriate to dictate precise design requirements at this outline stage, and indeed whether or not the vision will really be undermined by being less prescriptive at this point in time. Providing that the Town Wide Principles that are being proposed are sufficiently clear at this stage, and can properly guide the next level of design work, it could actually be considered that greater levels of freedom would be better for all of those users of the Code.

### The Site Wide Town Principles

17. The submitted document runs into 77 pages, and in total there are 65 'design principles' which will effectively control and shape the future design stages. In general, the document does not change any of the fundamental principles established by the original Code; for example, the town plan principles, neighbourhood structure, key fixes diagram, land uses strategy and density requirements all remain the same. It was however, originally intended that the revised Code would only cover those headline topics, in favour of leaving much of the detailed guidelines to be provided through the 2nd tier stage. Officers have however, felt that this was unacceptable, and have sought to return much of the original topics, to ensure adequate levels of detail have been included to achieve sufficient benchmarking for each heading. As outlined earlier, broad principles can be fairly meaningless, and therefore it has been appropriate to ensure each of the principles are backed up with enough explanation that identifies what is being sought and/or what should be avoided. The applicants have been forthcoming in addressing the concerns raised by Officers, and much of the topics and information contained within the previous code, albeit with less detailed prescription, has been retained. This goes some of the way to resolving some of the omissions that were raised by the Foundation, although without the levels of prescription that may have been contained within their original draft. The document therefore covers a range component topics, all of which would influence and shape the character of the place, including guidelines for informing, street design, civic spaces, building heights, open space, block types, private frontages, parking and building character, as well as guidelines on material palettes to ensure that local distinction is retained.

18. In terms of overall headlines, the information contained within the revised Code is very similar to the original Code. There are however, a number of instances where the information in what has been proposed, may result in a different form of development to that which was originally permitted. The more significant of these are as outlined below.

#### Building Height

19. The existing Town Code contains a section entitled Massing of the Built Form and illustrates the storey heights established on the Sherford Masterplan. These are identified as falling within 2-5 storey ranges. Although not expressly set out in writing, the storey heights identified on the associated plan, relate to the towns different spaces, and route hierarchies. Generally the taller

buildings are reserved for the more important routes, town and neighbourhood centres, parks and town edges, with the smaller routes allowing for lower buildings.

20. It is immediately obvious that the 5 storey range has been omitted in the proposed Town Code. Buildings of this height were envisaged to be part of the entrance gateway to the town from the eastern approach but also could relate to other streets in specific locations. It is considered that the loss of this highest parameter is acceptable. Buildings of this height are not common in market towns in the area. Whilst there are also fewer height bands proposed in the revised Town Code, the document does provide a written framework for building heights and applies these parameters to a certain space or route type. These combined changes are therefore considered to provide an acceptable framework to set the scene for the subsequent design stage.

#### Building Types

21. Building Types and Building Character are dealt with under the same section of the existing Town Code. Within it, it sets out: an illustrative matrix of 8 building types with images depicting examples of each type styled with formal to informal character; a series of instructions to control the degree of formality or informality of the building character for example rules about proportion; hierarchy; the degree of enrichment; and then a series of basic specifications for each building type.

22. The revised Code contains all of these elements but is less instructional when it comes to the building character rules for what would constitute a formal or informal arrangement. The principles of the guidance is still included but it can be more flexibly interpreted. Also some of the specifications for the building types have been adjusted or combined and largely strip out detail relating to appearance. An additional plan has been provided as an illustration of what would be required through the 2nd tier design work. It shows how the formal/informal rules would be applied relative to street or space hierarchy. It is considered that although there is greater flexibility in manner in which building types are controlled, there is still sufficient instruction to ensure that the design of buildings could be well designed according to established design rules and can contribute towards a collective sense of legibility across the town.

#### Materials

23. Materials are covered in detail within their own section within the existing Town Code. A reference is also made within the Building Character section in terms of their hierarchy of use. The main materials section approaches materials by listing those that are local to the area and region and then looks at each building element, such as walls, roofs, doors etc. more closely. Adaptability, which includes building durability, ability to change between uses, and the sourcing and recycling of materials are also covered within this section.

24. The proposed Town Code contains an overarching principle that materials and designs should be in keeping with the character of the local vernacular and then takes excerpts from the existing Town Code to explain how the main materials are to be used in walls and roofs. Sourcing and the use of recycled materials are also included. The more detailed parts of the existing Code where this relates to rain water goods, chimneys, ventilation doors, door surrounds, vegetated roofs etc. are not included. The passage on durability is also excluded. This omission is likely to enable timber frame construction methods which by their nature tend to be faster, but in terms of design and appearance can be essentially quite similar.

25. It is considered that the overall approach to this is acceptable as the appropriate hooks are in place to ensure that the development has the capacity to be designed in a manner that is reflective of the local character of the area but also may provide developers with the opportunity to speed the delivery of homes.

## Parking arrangements

26. The existing Town Code contained rules for parking associated with different block types, but this has now been replaced with a series of parking scenarios relating to house types arrangements. In this instance the existing Town Code specifically excluded on plot parking at the front of dwellings to avoid a sub-urbanising effect on the street scene. This can also affect densities. The new Code includes a statement that requires all parking typologies to be arranged so that parking areas and their driveways are not a prominent component of the street. This addition should provide sufficient instruction to require future designers to mitigate the visual impact of vehicles. Where higher densities are required this will tend to exclude the more sub-urban arrangements anyway.

27. Given the nature of the topic, the Code is rightly of significant size and includes large levels of technical design detail. Upon receipt of the latest draft version, Officers are now satisfied that the document achieves an appropriate balance, therefore containing sufficient clarification in which to ensure that there is not too much room for interpretation when it comes to the next level of design work.

28. If Members are minded to grant permission, it is recommended that delegated authority is given to the Assistant Director of Planning and Infrastructure to agree to any subsequent amendments that are needed to address typographical or terminology inconsistencies that exist within the latest version.

## Neighbourhood Design Codes

29. The second tier of coding is proposed to be dealt with through Neighbourhood Design Codes. The role of the second tier of design codes is to begin putting what is specified at the first tier into detailed spatial instruction for a specific area or neighbourhood. These would be typically prepared prior to Reserved Matters applications, and effectively helps to provide context, and in this case, instruction to designers who are preparing these. Without such a document, it would be very difficult to deal with reserved matters applications on sites of this size as there would be no context to compare their acceptability. The Neighbourhood Design Code will replace what is set out in Part III of the original Code, in respect of Detailed Design Codes and Regulating Plans.

30. To a lesser extent, the type of information provided would be largely the same as it is at this stage that detailed proposals for the individual neighbourhoods are started to be prepared. In fact, the Neighbourhood Design Code will need to have more information in it, given that there is less prescription contained within the top tier document. To this end, Officers have sought to ensure that the Town Code includes a Neighbourhood Design Code Specification to ensure that those who are tasked with preparing one are clear what topics of information are required.

31. The current Detailed Design Codes are required to go through a compliance process before a Reserved Matters application can be submitted. This process is currently set out within the S106. A Sherford Review Panel (SRP) would then be tasked to deem whether Detailed Design Codes are compliant or not. The latest application seeks to remove this from the S106, and makes the process of agreeing Neighbourhood Codes via a planning condition which would require LPA approval, not the SRP, prior to reserved matters submission. This approach is considered acceptable.

## Sherford Review Panel (SRP)

32. The SRP is currently made up of officers from the three authorities as well as an independent Urban Design Specialist (currently the Prince's Foundation). The role of this body is to determine 'compliance' of the Detailed Design Codes referred to above, against the original Town Code. There is an important distinction here in that it is 'compliance' rather than 'approval', as this process

set out within the original Town Code and included within the S106, was more matter of fact given the nature of the original Code. As the Neighbourhood Code will involve more subjective decision making in respect of the future character of neighbourhoods, then it follows that the approval of these should be a Local Planning Authority decision. The applicants therefore propose to remove the current SRP involvement as the process envisaged by the revised Town Code no longer has a role for it. The applicants have however proposed that funding is available through the S106 to enable the LPAs to fund independent design review opinion of each emerging Neighbourhood Design Code.

### Sustainability

33. The application upon submission included proposals to amend the 'Resource Efficiency in the Built Form' chapter of the Masterplan. The applicants have chosen to remove this element of the application, following discussions with Officers, to give further consideration as to the form the amendments should take. Many of the consultation responses commented upon this element of the application, and therefore these are no longer relevant. The application will therefore continue along the lines of that previously consented, in this respect.

34. The Sherford Masterplan included a section called the "Sustainability Checklist". This is predominantly a sign-posting document that assists users to locate how sustainability indicators were being addressed within the application. This will need to be amended, as it cross references the Town Code, and therefore the latest version of the Code will need to be referenced. This does not change the proposed development, and is considered a consequential amendment.

### Conditions

35. Condition 20 of the outline permission stated that; "Detailed plans and particulars of the Reserved Matters within Areas 1 and 2 referred to in conditions 3 and 5 above shall include, in combination with 06/02036/OUT, provision of in the region of 320 dwellings at 40-50 dwellings/hectare, including detailed locations of a minimum of 32 Shared Ownership homes and 32 Affordable Rented homes, within phase 1 of the development. The total number of affordable housing delivered within each of the Areas 1 and 2 shown on plan KDI attached shall be in proportion with the total housing proposed in those areas. All the 320 dwellings in these Areas shall be built to at least Eco Homes 'Excellent' standard. A minimum of 20% dwellings shall be built to full Lifetime Homes standards"

36. The applicants have applied to remove the words "of a minimum of 32 Shared Ownership and 32 Affordable Rented Homes" and "The total number of affordable housing delivered within each of the Areas 1 and 2 shown on plan KDI attached shall be in proportion with the total housing proposed in those areas".

37. The amended wording is considered acceptable, as a S106 variation agreed in December 2016 amended the affordable housing provision from the 64 identified above, to 59. The proposed wording therefore aligns with the S106 as amended.

38. Condition 21 of the outline permission stated that; "Development shall not commence to build more than 256 dwellings in Areas 1 and 2 referred to in condition 3 and 5 above until the swimming pool and playing pitches associated with the Sports Centre have been substantially completed and the Greenway Buffer Zone has been substantially landscaped to the satisfaction of the local planning authority in accordance with details having the prior written approval of the local planning authority. Links to the Community Park shall be provided to the satisfaction of the local planning authority prior to the commencement of development of more than 100 dwellings in these Areas unless otherwise agreed through the Implementation Plan".

39. The applicants has sought to delete the condition in its entirety. This is deemed acceptable as the condition is contrary to the S106, which states that the Swimming Pool would be required by 700 homes. The inconsistency was initially generated as it was thought that the initial phases of Sherford would begin in South Hams, and therefore the trigger of 254 would have been correct once development moved into the Plymouth area. In actual fact, development has begun in Plymouth, which meant the condition is no longer consistent with the S106, which has always presumed that the Pool would be delivered by the 700th home. The deletion is therefore considered acceptable to ensure consistency.

40. As a S73 permission, it is necessary to reiterate all of the remaining outline conditions not amended by this application, to ensure that the revised consent could stand alone. Therefore all previous conditions attached to the outline will need to be re-imposed. However, as the site has commenced and a number of the pre-start conditions have been discharged, it is therefore necessary to amend those conditions to enable the new permission to be carried out in accordance with those previously agreed details.

### **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**

If the S73 permission does not change the liability to the levy then the most recently commenced scheme remains liable for the levy. In this case there is no increase in floorspace so there is no new liability. The CIL liability therefore remains with the original permission.

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

### **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.

The proposal will require a supplementary deed to tie the new permission back to the original S106 agreement. However, consequential amendments will also be required to bring the amendments set out above into effect. The draft planning obligation submitted alongside the application proposes to remove all of the current obligations set out within Schedule 10 (Design Codes and Sherford Review Panel) of the principal S106. These are considered acceptable if Members are minded to grant as the current application removes the existing Detailed Design Code process and also therefore removes the need for the SRP and those associated obligations. The applicant's proposal for £20,000 to resource design review of the Neighbourhood Design Codes would therefore need to be captured within the supplemental deed.

## **12. Equalities and Diversities**

There are no implications

## **13. Conclusions**

The main consideration raised by this application concerns the acceptability of the revised documents in helping to ensure that Sherford is an attractive and successful place. In order to allow the scheme to evolve and adapt in the future, the applicants are proposing greater levels of flexibility, in favour of the more rigid compliance regime provided by the existing code. The revised Code certainly aims to deliver upon the high aspirations required at the new community, and therefore the key question is whether there is sufficient control within it to secure those successful design outcomes without becoming too restrictive. It is recommended however, that the revised documentation contains an appropriate level of guidance in which to secure an acceptable balance.

The other conditions that have been proposed to be varied by this application are consequential, and therefore these are recommended to be acceptable.

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 is therefore recommended for conditional approval subject to a S106.

## **14. Recommendation**

In respect of the application dated **08.05.2017** it is recommended to **Conditionally Approve subject to cross border S106 with South Hams District Council and Devon County Council and to delegate authority to the Assistant Director of Strategic Planning and Infrastructure to:**

- 1. Agree to minor alterations and corrections of typological errors within the submitted documents;**
- 2. Make minor alterations to the planning conditions;**
- 3. Refuse if S106 isn't signed within agreed timescales**

## **15. Conditions / Reasons**

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

### **I      CONDITION: ITERATION OF OUTLINE PERMISSION**

This permission authorises amendments to planning permission reference I6/00247/OUT and therefore the original conditions remain in force and are repeated below insofar as they remain applicable to development of the masterplan site and for the avoidance of doubt, triggers points referred to herein shall be read together and in combination across the masterplan site and not separately.

Reason:

To ensure that the development is carried out as envisaged, save in relation to this amendment, and in recognition that development under the original consents has commenced and is 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: PLANS**

This planning permission is for the construction of part of the proposed 'Sherford' settlement comprising residential development (in the region of 320 new dwellings); a community sports hub; recreation and open space facilities and detailed approval for highway improvements to Stanborough Cross; the construction of a new junction with Haye Road and the construction of part of a Main Street link road to serve 'Sherford' and the development hereby permitted shall only be carried out in accordance with the information submitted in support of this application and application reference 06/02036/OUT and 16/00247/OUT listed below, except in so far as the submitted information is amended by the conditions specified below.

- Planning Application Form (dated 15/12/2006,)

- Approved Documents

Masterplan Book (January 2008) as amended by addendum report (May 2009 and April 2017), Town Code July 2017 rev3, Main Street: Deep Lane Junction to Stanborough Cross (January 2008 and Addendum (May 2009), Transport Assessment (November 2006, Addendum (October 2007) including fig 2.8 revision 4 July 2009, and Addendum 2 (May 2009), Retail Impact Assessment (November 2006), Environmental Statement (November 2006, Addendum (October 2007) and Addendum 2 (May 2009) including supplementary information 7.12.07 and May 2009 and 30th June 2009 in respect of ecology and nature conservation following discussions with Natural England, Environmental statement Non-Technical Summary (November 2006) and Addendum (May 2009), Report to Inform and Appropriate Assessment Addendum (October 2007), Flood Risk Assessment (November 2006) and Addendum (October 2007), Figure 1 Key Fixes (drawing DRN2), KDI, 038-111/11.1001 Rev OPA/1 Sherford Town Plan (DRN1)

and in relation to amendments herewith, in accordance with the following information; BARTON WILLMORE 25142\_BRL\_PL003\_Rev B Landscape General Arrangement, S73 Application; 25142\_BRL\_PL004\_Rev B Landscape Proposals Plan Colour, S73 Application;

25142\_BRL\_PL202\_Rev B Planting Plan and Schedule, S73 Application; 25142\_BRL\_PL005\_Rev B Streetscape General Arrangement & Planting, Sheet 1 S73; 25142\_BRL\_PL006\_Rev B Streetscape General Arrangement & Planting, Sheet 2 S73; 25142\_BRL\_R001\_Landscape Management Plan including Maintenance Schedule; 25142/A5 Rev 06 – Detailed Design Code Compliance report Feb 2016 (updated May 2016); 25142\_9906\_Rev A Proposed Site Plan Section 73 Application

BROOKBANKS 10334-003-001 Traffic Management Context Plan; 10334-010-001 CDM Responsibilities; 10334-100-201\_C School Access General Arrangement; 10334-100-211\_A School Access Vehicle Tracking Sheet 1; 10334-100-212\_A School Access Vehicle tracking Sheet 2; 10334-120-201\_C School Access Location Plan; 10334-150-201\_A School Access Standard Details Sheet 1; 10334-150-202\_B School Access Standard Details Sheet 2; 10334-150-203 School Access Standard Details Sheet 3; 10334-500-201\_E School Access Drainage; 10334-500-220 Surface Water Overland Flows Layout; 10334-510-201\_A School Access Catchment Areas;



I0334-700-201\_B School Access Paving & Kerbing; I0334-800-201\_A School Access Long Sections

I0334-1400-201\_B School Access Lighting Design; I0334-SK-213\_A School Junction Arrangement; I0334-SK-214\_A School Junction Arrangement; C151321-S-L-13 T2;

I0334TN06Rv0 – Technical Note: Response to Highway Comments; I0334TN07Rv0 – Technical Note: Primary School Entrance; I0334TN08Rv0 – Technical Note: The Square Operation

Sherford LPA EA Drainage comments Rev2; Sherford LPA DCC Drainage comments Rev1

Stage 1 RSA Sherford with design response comments; I0376 FRA-ADD01 Rev 2 Flood Risk Assessment with Appendices; I0376 TS01 Rev3 Transport Statement; I0376 Rev 1 Construction, Environmental and Management Plan (CEMP); I0334 TN03 Rev 1 Lighting Statement

Reason:

To define the permission and to ensure the permission is implemented in all respects in accordance with the submitted details, in accordance with Policy CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 61-66 of the National Planning Policy Framework 2012.

### **3 CONDITION: RESERVED MATTER SUBMISSIONS - AREAS**

The submission of all Reserved Matters and the implementation of the development hereby permitted shall be carried out in accordance with the mix and disposition of land uses, outlined within the approved Masterplan, and the implementation strategies contained therein, and in broad conformity with the layouts identified on the Sherford Town Plan (Ref:DRN1) and Key Fixes diagram (Ref:DRN2) and as submitted by details pursuant to application reference 15/00479/AMD, or any subsequent amendment to either plan which may be subsequently approved in writing by the Local Planning Authority. The position of the Main Street, the Community Park, the Greenway Buffer Zone, the Sports Centre boundary and the urban edge (the external boundary of development within this application site) shall be where delineated on the approved Town Plan and Key Fixes diagram unless otherwise agreed with the Local Planning Authority through details previously submitted pursuant to Conditions 6. For the purposes of this decision notice:

- o Area 1 shall be the area west of the local authority boundary and east of the external boundary of development within this application site area and north of the proposed Main Street, as indicated on the attached drawing KDI.
- o Area 2 (phase 1) shall be the area west of the local authority boundary and east of the external boundary of development within this application site area and south of the proposed Main Street, as indicated on the attached drawing KDI.
- o Area 2 (phase 3) shall be the area west of the local authority boundary and east of the external boundary of development within this application site area and north of Sherford Road, as indicated on the attached drawing KDI.
- o Area 3 shall be the Sports Centre within the Key Fixes boundary within this application site.

o Area 4 shall be the Greenway Buffer Zone north and south of the proposed Main Street and that area east of Vinery Lane and existing premises fronting Vinery Lane and north-east of Elburton within this application site area (see the attached drawing KDI).

Reason:

To set a framework for the submission of full and adequate reserved matter details and for the assessment of the proposed development for particular areas

#### **4 CONDITION: APPROVAL OF RESERVED MATTERS**

Approval of the details of the siting, layout, scale, and external appearance of the buildings, the means of access thereto, and the hard and soft landscaping of the site (hereinafter called "the reserved matters" for each of the Areas mentioned in condition 3 above) shall be obtained from the Local Planning Authority in writing before any development comprised within that Area is commenced (excepting the provision of the wildlife corridor required by condition 8 below). The development shall be carried out in accordance with those approved details.

Reason:

Application was made in outline only under Section 92 of the Town and Country Planning Act and approval of the details specified is still required

#### **5 CONDITION: SUBMISSION OF RESERVED MATTERS**

Detailed plans and particulars of the Reserved Matters within each Area referred to in condition 3 above shall be in compliance with the Neighbourhood Design Code for each Area as described in condition 6. All Reserved Matters applications shall comply with the principles of the Masterplan Book (January 2008) as amended by addendum report (May 2009 and April 2017) contained therein and each application shall demonstrate how the principles of the Masterplan Book (January 2008) as amended by addendum report (May 2009 and April 2017) have been applied. The submissions shall include detailed design and scaled planting plans and elevations, finished floor levels and existing and proposed ground levels in relation to a fixed datum, and scaled cross-sections through the proposed buildings and across the Main Street and also across the application site to neighbouring development and the Hazeldene Quarry screening bunds. Development shall then be carried out strictly in accordance with those approved details.

Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority within Area 2 (phase 1) and pursuant to Condition 10 shall include a detailed phasing plan. The phasing plan shall set out the timescale for implementation and delivery of all land uses located within that site relative to the phasing of the proposed sports centre.

Reason:

To ensure that full and adequate details are provided to enable assessment of the proposed development, including assessment of the relative heights of ground and buildings in relation to the

streetscape, the proposed development and the existing structures within and bordering the application site. Area 2 is to be developed in two phases and construction work on the sports centre may impact upon development within Area 2 (phase 1).

## **6      CONDITION: SUBMISSION OF RESERVED MATTERS - NEIGHBOURHOOD DESIGN CODE**

Prior to the submission of a reserved matters application within each Neighbourhood there shall first be submitted a Neighbourhood Design Code and indicative Detailed Masterplan prepared in accordance with the requirements of Principle 15 and the tables contained therein of the Town Code book July 2017rev3, which shall be approved by the local planning authority prior to the submission of any reserved matters application within that Neighbourhood. All applications for Reserved Matters shall be accompanied by a design statement which shall explain how the proposal conforms to the requirements of the relevant Neighbourhood Design Code.

Reason:

To ensure that full and adequate details are provided to enable assessment of the proposed development, including assessment of the townscape, streetscape and landscape qualities of the proposed development relative to the standard proposed across the new community and the scale and design of proposed buildings and public places in relation to the proposed development and existing development bordering the application site, and 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

## **7      CONDITION: TIME LIMIT FOR SUBMISSION**

All applications for approval of reserved matters which relate to development within phase 3 shall be submitted by 13th November 2017.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and the need to phase the development in association with proposed neighbouring development, in the interests of public safety, convenience and amenity.

## **8      CONDITION: RESERVED MATTERS - WILDLIFE BAT CORRIDOR**

The Wildlife Bat Corridor as outlined on plan ref KDI (attached and marked 'bat corridor'), Lavigne Lonsdale sheets 12, 13, and 14 included within the Main Street book and with the proposals submitted with details in the Environmental Statement referred to in condition 12 below and in accordance with the details referred to Natural England and the Local Planning Authority on the 7th December 2007, 27th May 2009 and 30th June 2009 shall be completed prior to the substantial

completion of the residential development within Phase I of the site to the satisfaction of the Local Planning Authority. The Wildlife Bat Corridor shall be completed in accordance with the details and particulars submitted to and approved pursuant to application reference 15/00258/CDM, or other such details as may be subsequently agreed in writing with the Local Planning Authority.

Reason:

To ensure that features of the natural environment and public open space envisaged by the outline application, and specifically those elements proposed as part of the Environmental Statement and Environmental Statement Addendum documents to reduce the ecological and other effects of the development, are planned in a satisfactory manner as an integral part of the overall development, and to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 117 and 118 of the National Planning Policy Framework 2012.

## **9      CONDITION: SUBMISSION OF RESERVED MATTERS - AREA I**

Detailed plans and particulars of the Reserved Matters within Area I referred to in conditions 3 and 5 above shall include detailed plans and elevations of the design, appearance, materials, energy saving and private amenity features and access arrangements for all the proposed dwellings, submitted together, including details of the access from Main Street and frontages to all streets including Main Street and to the Greenway Buffer Zone. Details of the proposed design, layout, levels, gradients, materials and method of construction, drainage, lighting, street furniture and tree planting of all urban spaces should also be submitted with details of the proposed parking arrangements that demonstrate sufficient space for vehicles to turn so that they may enter and leave the external parking areas in forward gear onto the public highway. Detailed plans and particulars of the Reserved Matters shall include landscape details of the treatment of the boundary with the Greenway Buffer Zone and any links or barriers with that area, and cross sections should demonstrate the relationship of the residential area with the play areas and Hazeldeane Quarry bund to the east and the measures proposed to reduce the risk of disturbance to residential amenities.

The development shall be carried out in accordance with those approved details.

Reason:

To ensure that adequate details of the buildings, streetscape and access are provided to enable assessment of the proposed development in the interests of visual amenity and safety and to enable assessment of the relative heights of ground and buildings in the area and to ensure that the details of development within Area I are in accordance with sustainability principles and the approved and intended disposition of public space, recreation areas and transport links and in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

## 10 **CONDITION: SUBMISSION OF RESERVED MATTERS - AREA 2**

Detailed plans and particulars of the Reserved Matters referred to in conditions 3 and 5 above within Area 2 shall include details of any proposed premises for future B1 and A4 uses, and all the street and pedestrian path frontages. Detailed Plans and particulars of landscaped play and amenity areas and landscaped links with the nearby proposed Sports Centre, recreation areas, allotment gardens to the west, the neighbourhood centre and school sites to the east; and Community Park to the south shall also be submitted with the Reserved Matters application, if necessary, and required by the approved Design Code, Landscape Plan (Ref: DRN6) and Key Fixes Diagram (Ref: DRN2).

Detailed plans and elevations shall be submitted of the design, appearance, materials, energy saving and private amenity features and access arrangements for all of the proposed buildings, submitted together, for any Reserved Matter's site falling within this Area (with the exception of the Sports Centre).

Detailed plans shall include details of the access from Main Street and frontages to all streets including Main Street and to the Greenway Buffer Zone. Details of the proposed design, layout, levels, gradients, materials and method of construction, drainage, lighting, street furniture and tree planting of all urban spaces should also be submitted with details of the proposed parking arrangements that demonstrate sufficient space for vehicles to turn so that they may enter and leave the external parking areas onto the public highway in forward gear. Detailed plans and particulars of the Reserved Matters shall include landscape details of the treatment of the boundary with the Greenway Buffer Zone and any links or barriers with that area, and cross-sections should demonstrate the relationship of the residential area with the play areas and wildlife corridor and Elburton to the east and the measures proposed to reduce the risk of disturbance to residential amenities and the wildlife corridor.

The development shall be carried out in accordance with those approved details.

Reason:

To ensure that adequate details of the buildings, streetscape and access are provided to enable assessment of the proposed development in the interests of visual amenity and safety and to enable assessment of the relative heights of ground and buildings in the area and to ensure that the details of development within Area 2 are in accordance with sustainability principles and the approved and intended disposition of public space, recreation areas and transport links and in accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 34, 35, 61 to 66, 70 and 73 of the National Planning Policy Framework 2012.

## 11 **CONDITION: SUBMISSION OF RESERVED MATTERS - AREA 3**

Detailed plans and particulars of the Reserved Matters for the Sports Centre shall include detailed plans and elevations of the design, appearance, materials, energy saving and amenity/public realm features, landscaping, drainage and access arrangements for the complex, and shall be submitted together with all Reserved Matters details of the recreation play areas in Area 4. Notwithstanding the 'boundary areas' illustrated on the approved Key Fixes Diagram, the Sports Centre shall be sited

at the location shown on the Town Plan unless it is in accordance with the Neighbourhood Design Code for Area 2 and the location has the prior written approval of the local planning authority.

Detailed plans shall include details of the Main Street frontage and the frontage to the Greenway Buffer Zone and the provisions made for landscaped pedestrian path and cycle links with the nearby recreation areas to the west and the proposed school sites to the east; and the Community Park and Elburton to the south. Detailed plans shall include details of the entrance details and details of the servicing arrangements and parking areas. Scaled cross sections should demonstrate the relationship of the Sports Hub complex with the residential areas to the east and the wildlife corridor and Elburton to the west and south and the measures proposed to reduce the risk of disturbance to residential amenities and the wildlife corridor.

The detailed plans shall demonstrate, unless otherwise agreed in writing by the Local Planning Authority, that the Sports Centre, should be capable of achieving an 'Excellent' BREEAM rating. Applications for Reserved Matters approval of the Sports Centre shall demonstrate how it will be provided in phase with adjacent residential development.

The development shall be carried out in accordance with those approved details.

Reason:

To ensure that adequate details of the building complex, streetscape and access are provided to enable assessment of the proposed development in the interests of visual amenity and safety and to enable assessment of the relative heights of ground and buildings in the area and to ensure that the details of development within Area 3 are in accordance with the sustainability principles and approved and intended disposition of public space, recreation areas and transport links. In accordance with Policies CS02 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 34, 35, 61 to 66, 70, 73 and 95 of the National Planning Policy Framework 2012.

## **12      CONDITION: SUBMISSION OF RESERVED MATTERS - AREA 4**

Detailed plans and particulars of the Reserved Matters referred to in condition 3 and 5 above within Area 4 shall include details of all the play, formal and informal recreation areas, including sports pitches associated with the Sports Centre, and the proposed allotment garden together with details of all the amenity/public realm features, the landscaping and proposed boundary treatments, drainage and all the access arrangements between the Area and the Sports Centre, Community Park; proposed and existing residential areas; and King George V playing fields. Detailed plans shall include details of the Main Street frontage and the landscape treatment to the external boundary of development and the edge of Elburton. Scaled cross sections should demonstrate the relationship of the recreation areas with the residential areas to the east, west and south with the wildlife corridor required by condition 8 above and the measures proposed to reduce the risk of disturbance to residential amenities and the wildlife corridor. The development shall be carried out in accordance with those approved details.

Reason:

To ensure that adequate details are provided to enable assessment of the proposed development in the interests of visual and residential amenities and safety and to enable assessment of the mitigation measures proposed to safeguard protected species and to ensure that the details of development within Area 4 are in accordance with the sustainability principles and approved and intended disposition of public space, recreation areas and transport links. In accordance with Policies CS02 CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 34, 35, and 61 to 66 of the National Planning Policy Framework 2012.

### **13      CONDITION: LANDSCAPE DESIGN PROPOSALS**

Applications for Reserved Matters approval within any Area outlined within condition 3 (excepting the provision of the wildlife corridor in Area 4 required by condition 8 above) shall be accompanied with full details of landscape works to be provided within that Reserved Matters site. Details submitted shall include proposed finished levels, means of enclosure, pedestrian access and circulation areas, hard surfacing materials, street furniture and retained historical features where relevant. Details of soft landscape works shall be included within that submission and these shall include planting plans at a scale of 1:500 indicating the proposed location, number, species, variety, stock size at planting, and density of new planting.

The details are to include written specifications of planting operations including ground preparation, subsoiling, topsoiling, cultivation, soil improvement, mulching, and aftercare. Detailed sections shall be submitted at a minimum scale of 1:20 specifying tree planting pit proposals. The development shall proceed in accordance with the approved scheme.

Reason:

To ensure that satisfactory landscaping works are carried out and subsequently maintained in accordance with Policies CS18 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021 and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

### **14      CONDITION: TREE PLANTING, PROTECTION AND REPLACEMENT**

All trees planted alongside Main Street and along the urban edge of Sherford (the external boundary of urban development within this application site) shall be either Semi-Mature specimens or Heavy Standards unless otherwise agreed in writing by the local planning authority (there should be a mix of Whips, Standards and Semi-Mature trees elsewhere) and existing hedgerows and trees to be retained in Area 4 shall be protected during construction operations in accordance with BS 5837:2005 and shall be maintained to that standard until development has been completed or the Local Planning Authority has confirmed in writing that the fencing can be removed.

Any trees comprised within the landscaping schemes, which are not subject to a maintenance and management strategy having the prior written approval of the local planning authority, and within a period of 10 years from the completion of the development die, are removed or become seriously

damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out and subsequently maintained in accordance with Policies CS18 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

## **15      CONDITION: LANDSCAPE MANAGEMENT PLAN**

A Landscape Management Plan for each Reserved Matter site, including long term objectives, management responsibilities and maintenance schedules for all landscape areas within each Area 1 and 2 other than small, privately owned, domestic gardens, shall accompany the Reserved Matters application for that part of the development. A Landscape Management Plan shall also be produced for Area 4 in its entirety which shall be submitted to and approved by the Local Planning Authority prior to the commencement of any residential development within the Application Site. The landscape management plans shall be in compliance with the Implementation Plan (described in Condition 15) and shall be carried out as approved.

Reason:

To ensure that satisfactory landscaping works are carried out and subsequently maintained in accordance with Policies CS18 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

## **16      CONDITION: NATURAL ENVIRONMENT VISION STATEMENT AND RESERVED MATTERS**

The development hereby approved shall be carried out in strict accordance with the details and timescales set out within the Natural Environment Vision Statement (hereafter referred to as the 'Vision Statement') as submitted to and approved pursuant to application reference

15/00258/CDM.

Any subsequent revision or iteration of the Vision Statement shall describe the aims and objectives, key design characteristics and location and layout for all proposed landscape and biodiversity features as outlined in the Masterplan Book (January 2008) as amended by addendum report (May 2009 and April 2017), Town Code (July 2017rev3), Environmental Statement and Landscape Masterplan. As such, the Vision Statement shall form an integrated cohesive vision for the whole Sherford site and shall include the following components:

- Buffer Zones
- Key Wildlife Corridors (Sherford Quarry Wood and A38 corridors)



- 'Other' Wildlife Corridors (e.g. Minerals and Landscape corridors such as that shown on KDI attached))
- Sherford Quarry Wood Buffer strip
- Greenways
- Water bodies
- Semi-natural green space
- Wildlife foraging areas
- Bat Road Crossings (i.e. those points at the intersection of roads and wildlife corridors)
- 70 hectares of Woodland planting
- The Community Park

All of the above features shall be shown on a colour 1:2000 scale plan with detailed extracts where appropriate.

The Vision Statement shall provide a timetable showing how implementation of the above components are to be matched to and delivered through the various phases of development. A clear distinction shall be made between those works that are necessary to be carried out during that phase of the development, and those that shall be undertaken in subsequent phases or to be considered as part of the details submitted pursuant to the Reserved Matters or other individual schemes.

The Vision Statements shall also include a public access statement identifying how public access to each of the components will be permitted, restricted and managed. Furthermore, the Vision Statements shall also include maintenance specifications for each of the above components. The Vision Statements shall also outline how land remaining outside of areas already built or under construction will be managed so as not to fall redundant or derelict. In particular the schemes shall also ensure that land referred to as NP06 on plan KDI shall be managed so as not to fall redundant or derelict.

The Reserved Matters for proposals within the application site shall demonstrate compliance with the latest version of the Vision Statement as approved by the Local Planning Authority, or with the latest set of ecological update assessments (see condition 18).

They shall include provision of scaled drawings and cross-sections at 1:100, for all planting, habitat and hard and soft landscaping works required to deliver all mitigation, compensation, enhancement and creation measures relating to that specific component. They shall specifically set out the proposed layout, location, boundary treatment and access provisions and including the detailed parking arrangements and delivery arrangements for the allotment to be provided in Area 4, including toilets, water supply and composting facilities. The details shall also include the detailed drawings of the proposed Cycle routes; Footpaths; Bridleways and Trim Trails affecting the site including links to King George V playing fields and Elburton Details shall be submitted of the Informal and Formal Play areas and areas for recreation and facilities associated with the sports pitches within Area 4 together with details of public art; meeting points, shelters, signs; furniture, bins, gates and stiles; gateways and lighting.

The long term, management and maintenance for all structural landscaping within Area 4 shall be carried out in accordance with the details approved by the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out and subsequently maintained in accordance with Policies CS18, CS19 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021 and paragraphs 117 and 118 of the National Planning Policy Framework 2012.

## **17      CONDITION: IMPLEMENTATION PLAN - BIODIVERSITY**

The Reserved Matters shall include;

- a) A detailed Arboricultural survey (including information about trees and hedges that are to be lost/protected/replaced) for the site to which this application relates including wildlife corridors; b) Detailed mitigation and management proposals for site specific species and habitats (including those protected by legislation) including appropriate timing of works
- c) Details of any wildlife protective measures proposed during construction
- d) Definition of areas within Area 4 available for habitat creation and enhancement with nature conservation objectives for these areas and details of proposed long term management.
- e) Confirmation of suitably qualified personnel responsible for overseeing the implementation of the mitigation proposals.
- f) A strategy for monitoring the effective implementation of the biodiversity protection and enhancement plans with details of the arrangements for the periodic reviews of the objectives.

Reason:

To ensure that satisfactory biodiversity works are carried out and subsequently maintained in accordance with Policies CS19 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021 and paragraphs 117 and 118 of the National Planning Policy Framework 2012.

## **18      CONDITION: ECOLOGICAL UPDATE ASSESSMENTS AND REVIEW OF THE VISION STATEMENT**

On going ecological surveys and monitoring as required by condition 19 shall be read in conjunction and monitored against the bat survey information submitted to and agreed pursuant to application reference 15/00011/CDM. A rolling programme for ecological update surveys, as outlined in the ES and ES Addendum documents (November 2006, October 2007 and May 2009), shall be carried out in accordance with the details submitted to and agreed pursuant to application reference 15/00258/CDM, unless other such details are subsequently submitted to and approved in writing by the Local Planning Authority.

The agreed update survey programme must ensure that necessary surveys are undertaken in advance of the development of a particular part of the site (e.g. as may be covered by a Reserved Matters

applications or other individual scheme) and with sufficient lead in time to fully inform the preparation of such applications.

The ecological update surveys shall be carried and the results submitted to the Local Planning Authority for agreement in writing, accompanied by a comprehensive assessment to identify changes, if any, in the conservation status, abundance or distribution of Protected Species and their habitats likely to be affected by later phases of development.

The Vision Statement approved pursuant to Condition 16 shall be reviewed and updated in light of the results of the above ecological update assessments to confirm the Vision Statement's continued relevance to remaining phases as development progresses. Such updates to the Vision Statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that satisfactory biodiversity enhancement works are carried out and subsequently updated to be effective in accordance with Policies CS18, CS19 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021 and paragraph 118 of the National Planning Policy Framework 2012.

## **19      CONDITION: ECOLOGICAL MONITORING AND REMEDIATION MEASURES**

Notwithstanding the details and particulars submitted and agreed pursuant to application reference 15/00258/CDM in the approved document Pre-commencement conditions for ecology Rev5, all subsequent details and particulars pursuant to condition 16, if any, shall include an ecological monitoring strategy. Each such strategy shall set out the proposed scope for a series of monitoring reports that shall be submitted through the course of development and how these will relate to the pre-commencement ecological information approved pursuant to condition 18. The strategy shall also set out when individual reports shall be submitted and shall describe in appropriate detail the monitoring methods to be used, to a specified timetable, in order to ensure that all ecological measures, management practices and retained corridors are functioning appropriately (e.g. meeting stated conservation objectives as set out in the Natural Environment Vision Statement).

To do this the strategy shall identify appropriate success criteria, thresholds, triggers and targets against which the efficacy of the various measures can be judged.

The monitoring shall be carried out in accordance with the approved strategy and the results of the ongoing individual reports submitted in a report to the Local Planning Authority for agreement in writing. Where the results from monitoring show that aims and objectives are not being met, the report shall also set out how remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning components set out in the Vision Statement.

Reason:

To ensure that satisfactory biodiversity enhancement works are carried out and subsequently updated to be effective in accordance with Policies CS18, CS19 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021 and paragraphs 117 and 118 of the National Planning Policy Framework 2012.

## **20      CONDITION: HOUSING**

Detailed plans and particulars of the Reserved Matters within Areas 1 and 2 referred to in conditions 3 and 5 above shall include, in combination with I6/00247/OUT, provision of in the region of 320 dwellings at 40-50 dwellings/hectare, including detailed locations of all affordable homes, within phase 1 of the development. All the 320 dwellings in these Areas shall be built to at least Eco Homes 'Excellent' standard. A minimum of 20% dwellings shall be built to full Lifetime Homes standards.

Reason:

To ensure a satisfactory relationship between the proposed development of the application site with that proposed on adjoining land and in accordance with CS01 and CS15 of the adopted City of Plymouth Local Core Strategy 2006-2021, NP05 of the adopted North Plymstock Area Action Plan and paragraphs 50, 52 and 54 of the National Planning Policy Framework 2012.

## **21      CONDITION: MEDIA AND COMMUNICATION STRATEGY**

Detailed plans and particulars of the Reserved Matters shall include specifications for High Bandwidth communication infrastructure into each building.

Reason:

In the interests of contributing to the development of a sustainable community in accordance with CS01 and CS29 and of the adopted City of Plymouth Local Core Strategy 2006-2021, NP05 of the adopted North Plymstock Area Action Plan and paragraphs 42 and 43 of the National Planning Policy Framework 2012

## **22      CONDITION: ENERGY STRATEGY**

Proposals for monitoring the implementation of the Energy Strategy as set out within the approved Masterplan Book and Masterplan Book Addendum 2009 shall be carried out in strict accordance with the details submitted to and approved pursuant to application reference I5/00124/CDM, unless other such details are subsequently submitted to and approved in writing by the Local Planning Authority. Reserved Matter applications shall clearly indicate how the proposed development would contribute to meeting the agreed targets

Reason:

In the interests of contributing to the development of a sustainable community and in accordance with objectives SO1 and SO11, and policy CS20 of the adopted City of Plymouth Local Core Strategy 2006-2021, and paragraphs 93, 95 and 97 of the National Planning Policy Framework 2012

## **23 CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLANS (CEMPS)**

The development hereby approved shall be carried out in accordance with the Generic CEMP as submitted to and approved pursuant to application reference 15/00011/CDM.

Prior to the commencement of development in any Reserved Matter site, a Site Specific CEMP shall be submitted to and approved in writing by the Local Planning Authority, and these shall include details for the management of waste arising from the construction process, siting and design and drainage arrangements for any temporary construction offices, buildings and storage compounds/areas and measures proposed to mitigate against adverse effects of noise and dust during the construction of the proposed development and shall indicate:-

- a. the proposed hours of operation of construction activities;
- b. the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, concrete production and dredging operations;
- c. sound attenuation measures to be incorporated to reduce noise at source;
- d. details of measures to be taken to reduce the generation of dust; and
- e. details of temporary lighting.

The approved CEMPs shall be strictly adhered to during all stages of the construction of the proposed development.

Reason:

In the interests of visual and residential amenities of the area and to protect the residential and general amenity of the area from any harmfully polluting effects during construction work in accordance with CS22 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021 and NP05 of the adopted North Plymstock Area Action Plan and paragraphs 120 -123 of the National Planning Policy Framework 2012.

## **24 CONDITION: DRAINAGE (HAZARDOUS MATERIALS)**

The development shall be carried out such that:

1. No oils, fuels or chemicals shall be stored on the site unless details of the storage facility, including measures for containing accidental releases to the environment, have been submitted to and approved in writing by the Local Planning Authority, and until such storage facility has been implemented in accordance with the approved details.
2. No sewage or trade effluent (including cooling water containing additives, vehicle washing effluent and steam cleaning effluent) shall be discharged to the surface water management system and
3. Vehicle loading or unloading bays and storage areas involving chemicals or other polluting matter shall not be connected to the surface water management system.

Reason:

To ensure that water courses are safeguarded from pollution in accordance with CS22 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021, NP05 of the adopted North Plymstock Area Action Plan and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

## 25 **CONDITION: CONSTRUCTION MANAGEMENT PLAN**

The development hereby approved shall be carried out strictly in accordance with the Traffic CEMP as submitted to and approved pursuant to application reference 15/00989/CDM, or any subsequent version thereof which has been submitted to and approved in writing by the Local Planning Authority.

Any subsequent version of the Traffic CEMP shall include construction vehicle movements, construction operation hours, construction vehicle routes to and from the site with distance details, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts and a travel plan for contractors, a detailed traffic management plan to control the volume of through traffic on minor routes during the construction phases.

The development shall be carried out in such a manner as to ensure that;

- o No access for construction traffic shall be achieved off Sherford Road
- o no extra traffic (in numerical terms) is introduced on to Sherford Road or Vinery Lane south
- o means of calming traffic in Sherford Road and Vinery lane south of the King George V playing fields shall be introduced such that any extra traffic is avoided
- o access for construction vehicles shall be initially off Vinery Lane and from the north only
- o the link road to the north of King George V playing fields shall be constructed to an adoptable standard within the first 12 months/12 months from commencement in accordance with approved details
- o The proposed link road to the north of King George V playing fields shall be brought into public use no later than the occupation of 170 dwellings in the Masterplan site or 21 months after commencement whichever is sooner unless local highway conditions require that it be brought into use sooner to the reasonable requirement of the local planning authorities and highway

authorities.

- o before the occupation of 170 dwellings in the Masterplan site the existing Sherford Road from a point adjacent to the Quarry shall be linked to the link road to the north of King George V playing fields so that Sherford Road traffic is diverted on to it
- o monitoring of traffic in all roads immediately adjacent to the development shall be undertaken prior to and during the works, and measures taken if, in the view of the local planning authorities and highway authorities, highway conditions require it
- o traffic management measures are taken on all routes leading to the development, including Vinery Lane, Ridge Road, to accommodate the extra construction traffic
- o easy and direct access for public transport to the site incorporating turning facilities, and a convenient loop through the development
- o convenient and safe access for pedestrians and cyclists to and from the completed blocks

Reason:

To protect the residential and general amenity of the area from any harmful polluting effects during construction work in accordance with CS22 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021, NP05 of the adopted North Plymstock Area Action Plan and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

## **26      **CONDITION: ACCESS (CONTRACTORS)****

Before any other works are commenced on each Reserved Matter site, an adequate road access for contractors with a proper standard of visibility shall be formed to the satisfaction of the Local Planning Authority and connected to the adjacent highway in a position and a manner to be agreed in writing by the Local Planning Authority.

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with CS22 and CS34 of the adopted City of Plymouth Local Core Strategy 2006-2021, NP05 of the adopted North Plymstock Area Action Plan and paragraphs 32 and 120-123 of the National Planning Policy Framework 2012.

## **27      **CONDITION: MAIN STREET DETAILS****

Notwithstanding details submitted on the Main Street and High Street drawings all guardrailing, stone walling, ironwork, street lighting, surface materials, tree grills, kerbing, details and dimensions of kerb upstands, dimensions of pedestrian refuges and bus platforms, bus stops and shelters (including provision for RTI), seating, cycle stands, cycle parking facilities, litter bins, carriageway markings, signs, drainage and methods of construction shall be carried out in accordance with the details and particulars submitted to and approved pursuant to application reference number 15/01287/CDM in respect of Stage I of the Main Street, or in accordance with details which shall have been submitted

to and approved in writing by the Local Planning Authority prior to commencement of Stages of Stages 2 or 3 of the Main Street.

Reason:

To ensure a sense of place is achieved for the Main Street by the careful use of materials and layout and in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 29, 34, 35, 56, 57 and 59 of the National Planning Policy Framework 2012.

## **28      CONDITION: LINKS OFF SITE WITH ELBURTON**

The development shall take place in accordance with details submitted to and approved pursuant to application reference 15/01348/CDM, in respect of the proposed improvement works for the improvement of the local highway infrastructure on Sherford Road and Vinery Lane south of Main Street.

The first residential occupation of the development shall not take place until the approved works are implemented in accordance with details approved in writing by the local planning authority.

Reason:

In order that the development promotes public transport, walking and cycling and limits the reliance on car based travel and to protect residential amenities in the area and in the interests of highway safety in accordance with Policies CS28 and CS34 of the Plymouth City Council Local Development Framework Core Strategy Adopted April 2007 and paragraphs 34 and 35 of the National Planning Policy Framework.

## **29      CONDITION: STREET DETAILS (OTHER THAN MAIN STREET)**

No residential development shall commence in a Reserved Matter site in either Area 1, Area 2 or Area 3 until details of the design, layout, levels, gradients, materials, method of construction, street lighting, drainage of all roads, parking areas, cycleways and footways forming any part of the site (excepting that comprising Main Street referred to in condition 27 above) and any TRO's required, for that Reserved Matters Site have been submitted to and approved in writing by the local planning authority. No part of the development 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 street pattern that secures a safe and convenient environment to a satisfactory standard in accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 34 and 35 of the National Planning Policy Framework 2012.



### **30      CONDITION: LOCAL MATERIALS**

The development hereby approved shall wherever practicable and unless otherwise agreed with the local planning authority be constructed with materials sourced as follows;

- a)      Up to 65% of bulk materials (by mass) and in any event no less than 35% of bulk materials (by mass) shall be derived from local sources (within 50 miles by road) of the development; b)   The materials used in the construction of road and external hard surfaces within the development hereby approved shall utilise a 30% recycled content from local (within 50 miles by road) reclaimed or recycled sources;
- c)      All bulk building materials to be used within the construction of the development hereby approved shall include 15% (as a percentage of the value of materials used) recycled content;
- d)      100% of construction timber used in the construction of the development hereby approved shall be Forest Stewardship Council certified or equivalent and preference shall be given to renewable locally sourced and milled timber from within the South West.

Reason:

To reduce the distance building materials to the site are required to make in the interests of sustainability, and also the local economy in accordance with Policy CS20 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 32, 142 and 143 of the National Planning Policy Framework 2012.

### **31      CONDITION: CYCLE PROVISION/STORAGE - SPORTS HUB**

Before the Sports Centre is first brought into use, secure spaces for cycle parking shall be provided in accordance with details previously submitted to and approved in writing by the local planning authority.

The secure areas for the storing of cycles shown on the approved plan shall remain available for their intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

To ensure that there are secure storage facilities available for occupiers of or visitors to the building in order to promote cycling as an alternative to the use of private cars in accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012.

### **32      CONDITION: CYCLEWAY**

Phasing and Construction details of the Rural Edge Cycleway and link from the Rural Edge Cycleway to the NCN cycle route 2 are to be submitted to the local planning authority for approval prior to the commencement of residential occupancy within this Application Site. The works within the Application Site shall be completed in accordance with the approved plans and timetable.

Reason:

To promote cycling as a principle mode of travel both to and from and within the site in the interests of sustainability in accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012.

### **33      CONDITION: CAR PARKING STRATEGY**

Applications for Reserved Matters approval shall each be accompanied with a Car Parking Strategy. The strategy shall detail maximum provision across the Application Site for each use class (requiring maximum 2 spaces for residential properties in areas 1 and 2 on the attached KDI plan), opportunities for shared use, management and maintenance of public car parking areas, operation regime including waiting restrictions.

The standards and proposals contained within the approved Parking Strategy (or any variation of it agreed in writing with the Local Authority) shall be implemented strictly in accordance with the Parking Strategy

Reason:

In order to limit car parking serving the development in order to encourage the shift to sustainable modes of transport as an alternative to the private car and hence reduce vehicular trips on the highway network in accordance with Policy CS28 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012.

### **34      CONDITION: BUS STOPS**

Detailed plans and particulars for all applications for Reserved Matters approval shall include details, locations and accesses to bus stops within the area within that Reserved Matters application. No development approved pursuant to such application shall be occupied until all bus stops within that Reserved Matters area have been provided to a specification which shall have been previously agreed in writing by the Local Planning Authority. Details shall also be submitted for bus stops on the Main Street adjacent to the Sports Centre. Occupation of the Sports centre shall not take place until the adjacent bus stops have been provided to the agreed standard unless otherwise agreed in writing with the Local Planning Authority.

Reason:

In the interest of highway safety and amenity and to encourage greater use of public transport for journeys to and from the development, in accordance with Policy CS28 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012.

### **35      CONDITION: PROVISION OF PARKING AREA**

Each parking space 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interferences with the free flow of traffic on the highway and paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012.

### **36      CONDITION: CAR PARKING RESTRICTION**

No part of the site shall at any time be used for the parking of vehicles other than that part of the site particularly shown for that purpose on the approved plan.

Reason:

The level of car parking shall be limited in order to assist the promotion of more sustainable travel choices in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012.

### **37      CONDITION: SERVICE ROADS**

No B1 or A4 use shall be occupied within Area 2, and the Sports Hub shall not be made available for use, until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraphs 32 and 34 of the National Planning Policy Framework 2012.

### **38      CONDITION: USE OF LOADING UNLOADING AREAS**

The land indicated on the approved plans for the loading and unloading of vehicles shall not be used for any other purposes unless an alternative and equivalent area of land within the curtilage of the site is provided for loading and unloading with the prior consent in writing of the Local Planning Authority.

Reason:

To ensure that space is available at all times to enable such vehicles to be loaded and unloaded off the public highway so as to avoid:-

- a. damage to amenity;
- b. prejudice to public safety and convenience, and
- c. interference with the free flow of traffic on the highway.

In accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraph 32 of the National Planning Policy Framework 2012.

### **39      CONDITION: LOADING AND UNLOADING PROVISION**

Before any Reserved Matter development hereby permitted within Areas 1, 2 and 3 is first brought into use, adequate provision shall be made to enable goods vehicles to be loaded and unloaded within the Reserved Matter site in accordance with details previously submitted to and approved in writing by the Local Planning Authority.

Reason:

To enable such vehicles to be loaded and unloaded off the public highway so as to avoid:-

- (i) damage to amenity;
- (ii) prejudice to public safety and convenience; and
- (iii) interference with the free flow of traffic on the highway.

In accordance with Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007 and paragraph 32 of the National Planning Policy Framework 2012.

#### **40      **CONDITION: PROVISION OF SIGHT LINES****

No development shall commence within Reserved Matter sites in Areas 1, 2 or 3 which require means of access onto the Main Street until details of the sight lines to be provided at the junction between the means of access and the Main Street highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the first development within the Reserved Matter site is occupied.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

#### **41      **CONDITION: CAR PARKING PROVISION - SPORTS CENTRE****

The Sports Centre shall not be made available for use until space has been laid out within the site in accordance with the approved plan for a maximum of 120 cars to be parked and for the loading and unloading of vehicles and for vehicles to turn so that they may enter and leave the site onto the public highway in forward gear.

Reason:

In the opinion of the Local Planning Authority, although some provision needs to be made, the level of car parking provision should be limited in order to assist the promotion of sustainable travel choices in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012.

#### **42      **CONDITION: BAT CROSSING POINT AT VINERY LANE****

The Bat crossing situated to the east of Vinery Lane as shown on drawing D109975-711 Rev E shall be provided in accordance with the details and particulars submitted to and approved pursuant to application reference 15/00258/CDM, and delivered in accordance with the timescales set out within the approved Vision Statement.

Reason:

To ensure a satisfactory provision is made for bats in harmony with highway integrity and safety and to comply with Policies CS19 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 117 and 118 of the National Planning Policy Framework 2012.

#### **43      CONDITION: KGV / HAYE ROAD LINK ROAD**

The Haye Road Link Road shall be delivered in accordance with the details submitted to and approved pursuant to application reference 15/01287/CDM, and shall have been completed in accordance with the approved details to an adoptable standard within 1 year from commencement of development and shall be brought into public use no later than 21 months after commencement of development.

Reason:

To ensure that appropriate and safe access is provided in accordance with Policy CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, paragraphs 32, 34 and 35 of the National Planning Policy Framework 2012 and in the interests of visual amenity.

#### **44      CONDITION: DETAILS OF VEHICULAR ACCESS RESTRICTION TO ELBURTON**

The method in which vehicular access to Elburton along Sherford Road to ensure that current daily traffic levels are not exceeded, shall be in accordance with the details submitted to and approved pursuant to application reference 15/00806/CDM, unless another scheme is submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of highway and pedestrian safety and in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

#### **45      CONDITION: JUNCTION IMPROVEMENT (STANBOROUGH CROSS)**

The highway improvements at Stanborough Cross shall be carried out in accordance with the details submitted to approved pursuant to application reference number 17/01287/CDM.

The agreed works shall be completed within 12 months of Commencement of development and no more than 5 dwellings hereby approved shall be occupied until the agreed works at Stanborough Cross have been completed in accordance with the approved details.

Reason:

To ensure that appropriate and safe access is provided in accordance with Policy CS28 and CS34 and paragraph 32 of the National Planning Policy Framework 2012.

#### **46      CONDITION: NOISE ATTENUATION MEASURES**

The development hereby permitted shall be carried out in accordance with the details submitted to and approved pursuant to application reference 15/00011/CDM. Applications for approval of reserved matters in accordance with conditions 3 and 5 shall include the details and particulars as required by the strategy and shall ensure that the building envelopes of the developments hereby approved shall be constructed so as to provide sound attenuation against external noise to the extent that, with windows shut and other means of ventilation provided, the noise levels within the bedrooms and living rooms in residential properties post construction shall not exceed 30dB (A) between the hours of 23:00 and 07:00 and 45dB (A) at all other times.

Reason:

To ensure adequate mitigation measures in the interest of residential amenities in accordance with CS22 of the adopted City of Plymouth Core Strategy and paragraph 123 of the National Planning Policy Framework 2012

#### **47      CONDITION: NOISE IMPACT ASSESSMENT (CLASS B1 AND A4)**

Noise Impact Assessments shall accompany Reserved Matter applications for premises to be occupied by B1 and A4 uses unless otherwise agreed in writing by the local planning authority, and development shall not commence unless in strict accordance with any approved details of such premises.

Reason:

As the application is in outline and the location of the premises is undefined - to ensure that adequate details are provided to enable assessment of the proposed development and any mitigation measures in the interests residential amenities in accordance with CS22 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraph 123 of the National Planning Policy Framework 2012.

#### **48      CONDITION: AIR QUALITY**

The development hereby permitted shall be carried out strictly in accordance with the Air Quality monitoring strategy as submitted to and approved pursuant to application reference 15/00806/CDM.

Reason:

In the interests of residential amenity in accordance with CS22 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraph 123 of the National Planning Policy Framework 2012.

#### **49      CONDITION: RESTRICTION ON A4 RETAIL USES**

Unless otherwise agreed in writing by the Local Planning Authority, with the exception of such ancillary A4 uses that may be approved within the Sports Centre, the remaining development in combination with I6/00247/OUT shall include provisions of no more than two buildings with a maximum floorspace of 250sqm each (gross external area) for A4 uses (the Town and Country Planning Use Classes Order 2005) and such shall be located in Area 2 in accordance with details having the prior written approval of the local planning authority.

No such building within the site shall be occupied for trading until fume extraction and mechanical ventilation equipment has been installed in accordance with details that shall have been first submitted to and approved in writing by the Local Planning Authority. The equipment shall thereafter be retained and operated in its approved form for so long as the approved use of the building continues. The proposed opening hours shall also be part of the Reserved Matters submissions

Reason:

So as not to undermine the retail health and viability of other centres in the locality and in the interests of providing a development compatible with its surroundings in accordance with CS34 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 20, 21, 23 and 123 of the National Planning Policy Framework 2012

#### **50      CONDITION: RESTRICTIONS ON B1 USES**

In combination with I6/00247/OUT, no more than a maximum of a 2,000 sqm (gross external area) should be developed for B1 uses (the Town and Country Planning Use Classes Order 2005) with a minimum of 50% being within small units (less than 235sqm) and this shall be located in Area 2 in accordance with details having the prior written approval of the local planning authority. The proposed hours of operation shall also be part of the Reserved Matters submission.

Reason:

In the interests of providing a balanced mixed development compatible with its surroundings in accordance with NP05 (10) and CS34 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 20, 21, and 123 of the National Planning Policy Framework 2012.

#### **51      CONDITION: RECORDING OF HISTORIC FEATURES**

A programme for the recording of features that will be destroyed or damaged in the course of the works to which this consent relates, shall be secured and implemented in accordance with the Written Scheme of Investigation as submitted to and approved pursuant to application reference I5/00124/CDM.



Reason:

To ensure that a record of such features is made and kept available for inspection in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012

## **52      CONDITION: HIDDEN HISTORIC FEATURES**

If, during the course of the works of development, presently hidden features are revealed, the owner shall immediately stop work and inform the Local Planning Authority, and shall not continue with the works until agreement has been reached as to the retention or recording of those features.

Reason:

To ensure that a record of such features is made and kept available for inspection, and that any revealed features of importance may be retained if necessary in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

## **53      CONDITION: EXPLORATORY WORK (ARCHAEOLOGY)**

Development hereby permitted shall take place in accordance with the programme for exploratory excavation in accordance with the Written Scheme of Investigation submitted to and approved pursuant to application reference 15/00124/CDM. No works shall be permitted on site until the approved programme has been implemented for that area, and provision has been made for the retention or recording of any hidden features revealed.

Reason:

To ensure that a record of such features is made and kept available for inspection, and that any revealed features of importance may be retained if necessary in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

## **54      CONDITION: ACCESS FOR OBSERVATION/ RECORDING**

The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority and shall allow him to observe the excavations and record items of interest and finds.

Reason:

In accordance with Policy CS03 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

## **55      CONDITION: PROGRAMME OF ARCHEOLOGICAL WORK**

A programme of archaeological work shall be secured and implemented in accordance with the Written Scheme of Investigation as submitted to and approved pursuant to application reference 15/00124/CDM.

Reason:

In accordance with Policy CS03 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

## **56      CONDITION: CONTAMINATED LAND**

Prior to the commencement of works within a Reserved Matters site, the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include all the following elements unless specifically excluded, in writing by the Local Planning Authority;

- a) A preliminary risk assessment/desk study identifying:
  - i) All previous uses
  - ii) Potential contaminants associated with those uses
  - iii) A conceptual model of the site indicating sources, pathways and receptors
  - iv) Potentially unacceptable risks arising from contamination at the site;
- b) A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site;
- c) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason:

To protect public safety and prevent pollution in accordance with CS22 and CS34. of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

## **57      CONDITION: CONTAMINATED LAND - REMEDIATION**

Where the risk assessment identifies unacceptable risks a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants and or gases when the Reserved Matter site is developed. Any remediation scheme for contamination shall be fully implemented before the development within that Reserved Matter site commences. Any variation to the scheme shall be agreed in writing with Plymouth City Council in advance of works being undertaken.

Reason:

To protect public safety and prevent pollution in accordance with, CS22 and CS34 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

## **58      CONDITION: CONTAMINATED LAND - VERIFICATION REPORT**

Prior to the occupation of any part of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the local planning authority.

Reason:

To protect public safety and prevent pollution in accordance with CS22 and CS34. of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 120 - 123 of the National Planning Policy Framework 2012.

## **59      CONDITION: UNSUSPECTED CONTAMINATION**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason:

To protect public safety and prevent pollution in accordance with CS34 and CS22 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 120 – 123 of the National Planning Policy Framework 2012.

## 60 **CONDITION: SURFACE WATER DRAINAGE**

Applications for Reserved Matters approval shall include a detailed scheme for the provision of surface water management, on and off the site. The detailed scheme shall accord with the principles of the Surface Water Drainage Strategy in the Masterplan book and shall incorporate SUDs and take into account overland flow routes and measures to avoid exceedance of the systems design capacity. The scheme shall be constructed and completed in accordance with the approved specification and timetable submitted with the proposed details.

Reason:

In the interests of amenity and to avoid pollution of the environment and water supply in accordance with CS22 and CS34 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 94 and 100 - 103 of the National Planning Policy Framework 2012.

## 61 **CONDITION: FOUL DRAINAGE**

Applications for Reserved Matters approval shall include details of the main and foul water drainage for the Reserved Matter. The details shall accord with the Foul Water Drainage Strategy outlined within the approved Masterplan Book and will be fully implemented prior to occupation of any building within the Reserved Matter site.

Reason:

In the interests of amenity and to avoid pollution of the environment and water supply in accordance with CS22 and CS34 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 94 and 100 - 103 of the National Planning Policy Framework 2012.

## 62 **CONDITION: SEWAGE TREATMENT**

No residential development shall take place in Area 2 (phase 3) referred to in condition 3 and indicated on the attached drawing KDI until written notice is received from the local planning authority that a sewage treatment works or additional capacity in the system to serve the development has been constructed and brought into use to the satisfaction of the local planning authority.

Reason:

In the interests of amenity and to avoid pollution of the environment and water supply. In accordance with CS22 and CS34 of the adopted City of Plymouth Core Strategy 2006-2021 and paragraphs 94 and 100 - 103 of the National Planning Policy Framework 2012.

**63      CONDITION: DIRECTION SIGNING STRATEGY**

A signing strategy shall be submitted to, and have the signed agreement of, the Local Planning Authority prior to the first residential occupation of any part of the application site. The strategy shall detail how destinations within and external to the site are to be signed to vehicular, pedestrian and cycle traffic and how Sherford as a destination is to be signed from outside the site. All the recommendations contained within the Signing Strategy shall be implemented in accordance with the timetable contained therein. Thereafter the development shall operate the Signing Strategy or any variation of it agreed in writing with the Local Planning Authority.

Reason:

In order to reduce unnecessary journeys resulting from misdirection, reduce pollution and to reduce unnecessary street clutter due to the proliferation of signs in accordance with policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 32, 34 and 67 of the National Planning Policy Framework 2012.

**64      CONDITION: AS DIRECTED BY THE HIGHWAYS AGENCY: PARK & RIDE  
500**

No more than 1300 dwellings shall be occupied within the Sherford Masterplan Area (in Plymouth as defined by Planning Application 06/02036/OUT, 16/00247/OUT and 17/00998/S73 and South Hams District as defined by Planning Application 7\_49/2426/06/O, 0484/16/VAR and 1593/17/VAR) until a Park and Ride facility comprising of at least 500 car parking spaces is operational and has been confirmed as being so, in writing, by the Local Planning Authority. The Park and Ride facility shall be sited broadly in the location identified on the Key Fixes Diagram Ref: DRN2.

Reason:

To ensure that the development is phased appropriately in association with neighbouring development to reduce highway congestion in the interests of public safety, convenience and amenity.

**65      CONDITION: AS DIRECTED BY THE HIGHWAYS AGENCY: PARK & RIDE  
1000**

No more than 4000 dwellings shall be occupied within the Sherford Masterplan Area (in Plymouth as defined by Planning Application 06/02036/OUT, 16/00247/OUT and 17/00998/S73 and South Hams District as defined by Planning Application 7\_49/2426/06/O, 0484/16/VAR and 1593/17/VAR) until a park and ride facility comprising of least 1000 car parking spaces is operational and has been confirmed as being so, in writing, by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the development is phased appropriately in association with neighbouring development to reduce highway congestion in the interests of public safety, convenience and amenity.

## **66      CONDITION: AS DIRECTED BY THE HIGHWAYS AGENCY: DEEP LANE WESTBOUND SIGNALS**

Prior to the commencement of construction of any dwelling or community facility, improvement works to the existing west bound on and off slip road junction, that shall include provision of traffic signals, as set out in the details and particulars submitted to and approved pursuant application reference 15/00394/CDM shall be completed and made operational.

Reason:

To ensure that the development is phased appropriately in association with neighbouring development in the interests of highway safety

## **67      CONDITION: AS DIRECTED BY THE HIGHWAYS AGENCY: A38 DEEP LANE JUNCTION**

Notwithstanding the details shown on submitted drawings D108 875-700D, D108 875-702B and D108 875-703D as set out in the Main Street: Deep Lane to Stanborough Cross Addendum May 2009 no more than 1300 dwellings shall be occupied within the Sherford Masterplan Area (in Plymouth as defined by Planning Application 06/02036/OUT, 16/00247/OUT and 17/00998/S73 and South Hams District as defined by Planning Application 7\_49/2426/06/O, 0484/16/VAR and 1593/17/VAR) until the highway works to A38 Deep Lane junction as shown on the Scott Wilson drawing D108 875-SKH200B (received by the Highways Agency on the 10th November 2011) or an acceptable alternative, are in place, are operational and have been confirmed as being so by the Local Planning Authority and the Highways Agency . In addition to the details shown on the drawings referred to in this condition, the highway works to A38 Deep Lane junction mentioned in this condition shall also incorporate appropriate facilities for pedestrians to cross the west bound A38(T) on-slip at its junction with the B3416 and such shall be installed concurrently with the highway works to the written satisfaction of the Local Planning Authority and Highways Agency.

Reason:

To ensure that the development is phased appropriately in association with neighbouring development in the interests of highway safety.

## **Informatives**

### **1 INFORMATIVE: EUROPEAN PROTECTED SPECIES - LICENSING**

Where any species listed under Schedule 2 or 4 of the Conservation of Habitat and Species Regulations 2010 is present on the site and where an offence under Regulation 41 is likely to occur in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place which are likely to cause an offence under Regulation 41 unless a licence to affect any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.

### **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 considered the Environment Statement and 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: COMMENCEMENT OF DEVELOPMENT**

This decision notice should be read in conjunction with the S106 agreement with the applicants dated 26 October 2016 and 12 November 2013 however the 'commencement of development' defined in the S106 agreement refers to the requirements of that S106 agreement and not to the requirements of this decision notice.

### **4 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](http://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 any precommencement conditions are satisfied.