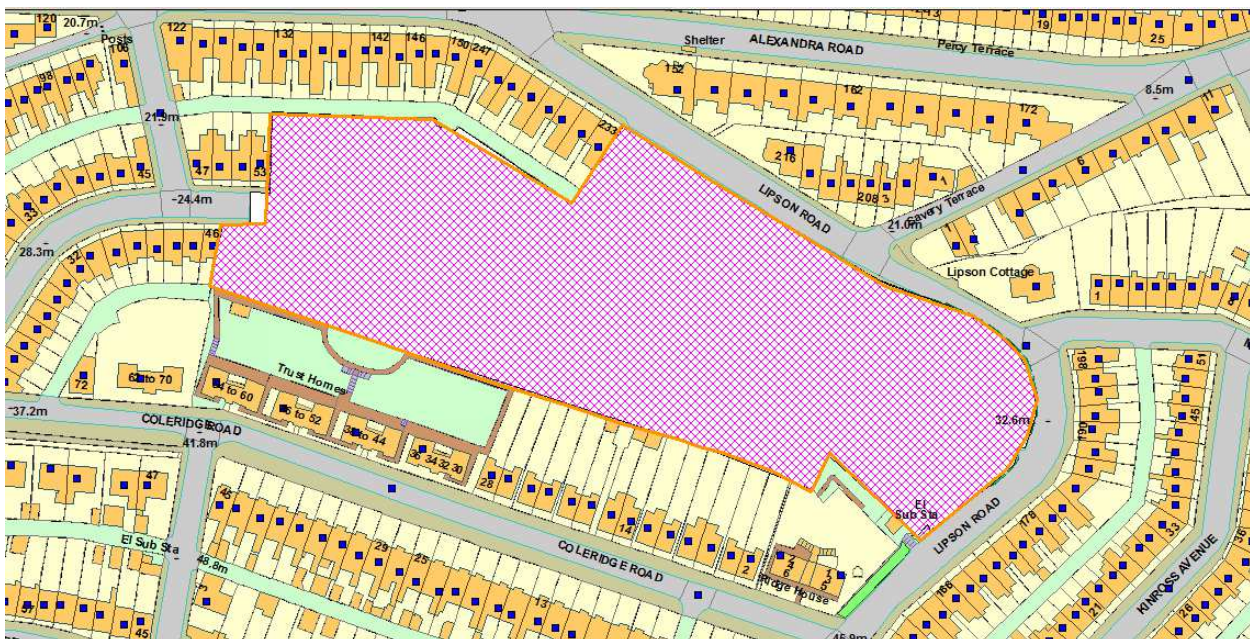


# PLANNING APPLICATION OFFICERS REPORT



<b>Application Number</b>	18/00432/FUL	<b>Item</b>	<b>04</b>
<b>Date Valid</b>	20.03.2018	<b>Ward</b>	EFFORD AND LIPSON

<b>Site Address</b>	Allotment Gardens Prince Maurice Road Plymouth PL4 7LL		
<b>Proposal</b>	Erection of 99 dwellings and 2 office units, provision of public open space, community gardens and associated works		
<b>Applicant</b>	Mr Gary Stirling		
<b>Application Type</b>	Full Application		
<b>Target Date</b>	<b>19.06.2018</b>	<b>Committee Date</b>	<b>19.07.2018</b>
<b>Extended Target Date</b>	<b>31.07.2018</b>		
<b>Decision Category</b>	Major - More than 15 Public Comments		
<b>Case Officer</b>	Mrs Katie Saunders		
<b>Recommendation</b>	Grant conditionally subject to S106 delegated to Service Director to refuse if timescales not met		



## **1. Description of Site**

The site was formerly used for allotments but it has been unmanaged for a considerable number of years. No public access has been provided in to the site.

The land is characterised by a mixture of disturbed ground with some bare rock outcrops, established 'rough grassland', dense patches of brambles and some tree cover.

The site is surrounded by dense residential development. The surrounding area is predominantly characterised by period terraced properties with one street parking and small rear gardens. There is a steep slope from the south to the north of the site of about 1 in 4. The properties to the south in Coleridge Avenue are therefore located at a significantly higher level with dwellings to the north on Alexandra and Lipson Road situated at a lower level.

An old stone wall contains the site on to Lipson Road and includes features such as a drinking fountain. An electricity substation is positioned in the south east corner.

## **2. Proposal Description**

Erection of 99 dwellings and 2 office units, provision of public open space, community gardens and associated works

The application has been amended from the original submission with the number of units being reduced from 105 to 99. The development is a mix of 1 and 2 bedroom flats and 2 and 3 bedroom houses. The scheme will also accommodate 2 small office units and shared communal gardens.

## **3. Pre-application Enquiry**

17/01454/MAJ – Positive advice was provided regarding the principle of a revised application and the design quality of the scheme. However a number of items were raised where further information would be required for example flooding/drainage and ecology/biodiversity considerations. The pre-application also included a public consultation event where feedback was sought from existing residents and ward councillors.

## **4. Relevant Planning History**

14/02352/AMD - Non-Material Minor Amendment: Minor revisions to layout to increase size of flats and substitution of house types to reduce the overall number of different house types of application 09/00134/REM – Approved

09/00134/REM - Reserved matters application for the access, appearance, landscaping, layout and scale of 74 new dwellings with associated access road, car parking and community woodland (following outline approval 04/02181/OUT) – Granted conditionally

04/02181/OUT - Outline application to develop land for residential purposes – Granted conditionally subject to S106

## **5. Consultation Responses**

Economic Development – No objections subject to condition requiring a Skills and Employment Strategy

Environment Agency – Recommend application is not determined until the LLFA has confirmed the availability of a dedicated surface water sewer and has indicated whether they are satisfied with the design and calculations of the proposed surface water drainage scheme

Highways Authority – No objections subject to conditions

Historic Environment Officer – No objections subject to archaeological condition

Housing Delivery Team – Support the proposal

Lead Local Flood Authority (LLFA)– No objections subject to conditions

Low Carbon Team – No objections subject to condition

Natural Infrastructure Team – No objections subject to conditions

Police Architectural Liaison Officer – No objections subject to conditions

Public Protection Service - No objection subject to conditions

Urban Design Officer – No objections subject to conditions

## **6. Representations**

A total of 27 letters of representation have been received objecting to the development, from 23 different people, and raising the following issues:

### Highways/Parking

- Current road is too narrow to provide access to the site
- Will add to current traffic congestion in area during peak times
- Area already a rat run
- Has potential to lead to increased risk of accidents
- Alexandra Road cannot take additional traffic
- How will bluff/steep bank along Lipson Road be retained to prevent any landslip
- May hinder emergency vehicle access in area
- Construction traffic will cause disruption
- Construction traffic should not lead to mud on the road
- Parking in surrounding streets already oversubscribed
- Inadequate parking provided as part of the development most households have 2 cars
- Where will cars go during construction both workers vehicles and cars displaced from Prince Maurice Road
- Prince Maurice Road should be made one way
- Parking permits to households should be capped
- Object to loss of existing on street parking
- H properties likely to park outside site
- Rear service lane should not be closed off and a planning gain should be secured

### Residential Amenity

- Location of bin store not supported
- Development has potential to impact retaining walls of existing properties
- Properties on Coleridge road will be denied their "Right to Light"
- Heights of flats will overlook and overshadow properties on Coleridge Road
- Building A will overlook gardens and properties in Coleridge Road
- Balconies on building A are a particular concern
- Building A is too big in scale and should be located further away from the boundary with properties in Coleridge Road
- H properties will overshadow existing houses on Lipson Road

- H properties should be lower scale maybe bungalows
- Rear of properties on Alexandra Road will be overlooked
- Compensation should be paid to surrounding houses that will be affected

#### Flooding/Drainage

- Impact on sewerage and water services
- Has an appropriate flood risk assessment been undertaken
- There has been foul water flooding to properties consistently in last 2 years and potential development could exacerbate this
- Development will contribute to flooding in area
- Unsure proposed attenuation tanks will work

#### Biodiversity/Trees

- The environmental report does not take account of all wildlife on site
- Bat, barn owls, foxes, slow worms and badgers all live on the site
- Previous excavation on site has already resulted in the loss of some wildlife
- Maintenance of "bluff" may mean proposed planting cannot be implemented and impact wildlife
- More should be done to retain urban greenspaces
- Increase in units from last application reduces greenspace
- Birds will be lost from the site
- Increase in cats and dogs will disrupt wildlife
- Loss of trees
- Surely trees are protected by a preservation order

#### Other Issues

- Overdevelopment
- Area has already had large scale development including students and commercial units e.g. Tesco
- Development will impact surrounding schools which are oversubscribed
- Doctors surgeries already overstretched
- Lots of houses in city stand empty and the development is not required
- Alternative brownfield sites should be developed

- Site not suitable for people with mobility needs due to steepness of surrounding area
- No social housing proposed
- Site could contain archaeological remains
- Increase in crime
- Increase in pollution both noise, environmental and light
- Air pollution already results in dirty windows/cars
- Site acts as an air filter
- Land was given by Cllr Jinkin to be kept in perpetuity for use by local residents
- Allotments proposed will only be available for new residents
- Development will affect the setting of Listed Mount Lipstone Cottages
- Geological stability of site questioned
- Use of site for allotments would be the best
- The reduction in the number of dwellings is not sufficient

A decrease in property values has also been raised as a concern. This is not a material planning consideration.

## **7. Relevant Policy Framework**

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

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

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

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

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the

policies in the plan to the policies in the Framework, the greater the weight that may be given).

- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. It is considered to be a sound plan, consistent with the policies of the Framework, and is 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, particularly if there are no substantive unresolved objections. 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.

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 First Review 2013, Planning Obligations and Affordable Housing Supplementary Planning Document 2nd Review 2012 and Sustainable Design Supplementary Planning Document 2010.

### Housing Provision

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

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

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

For the reasons set out in the Authority's Annual Monitoring Report, when measured against the housing requirement in the adopted development plan (the Core Strategy), Plymouth cannot demonstrate at present a deliverable 5 year land supply for the period 2017-22.

It should be noted, however, the JLP is at an advanced stage of preparation having now been submitted to the Planning Inspectorate for Examination, pursuant to Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations. The submitted draft JLP sets out that a five year supply of deliverable housing sites can be demonstrated for the whole plan area, for the Plymouth Policy Area and for the Thriving Towns and Villages Policy Area, when measured against the new housing requirements set out in the JLP. Guidance on the amount of weight to be applied to the JLP is contained elsewhere in this report. It should, however, be considered that since the five year land supply elements of the JLP are likely to attract significant representations which will be considered at the Examination into the JLP, only limited weight should be given to the emerging five year land supply position.

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

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

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

For decision-taking this means:

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

As Plymouth cannot demonstrate a 5 year supply when set against the housing requirement as set out in the adopted Core Strategy, the city's housing supply policy should not be considered up-to-date. Paragraph 14 of the NPPF is therefore engaged and substantial



weight must be accorded to the need for housing in the planning balance when determining housing applications.

Due to the need to accelerate housing delivery a 2 year consent is sought for residential developments, which is in accordance with Strategic Objective 10(8)(Delivering Adequate Housing Supply) and paragraphs 10.34, 17.1 and 7.13 of the Core Strategy and Policy SPT3 of the JLP.

## **8. Analysis**

1. This application has been considered in the context of the development plan, the submitted Joint Local Plan, the Framework and other material policy documents as set out in Section 7.
2. The policies of most relevance to the consideration of this application are CS01 (Sustainable Linked Communities), CS02 (Design), CS03 (Historic Environment, CS15 (Overall Housing Provision), CS18 (Plymouths Greenspace), CS19 (Wildlife), CS20 (Sustainable Resource Use), CS21 (Flood Risk), CS22 (Pollution), CS28 (Local Highways Considerations), CS32 (Designing out Crime), CS33 (Planning Obligations) and CS34 (Planning Application Considerations) of the Local Development Framework Core Strategy 2007.
3. The policies of most relevance from the emerging Plymouth and South West Devon Joint Local Plan (JLP) are:- SPT1 (Delivering sustainable development), SPT2 (Sustainable linked neighbourhoods), SPT3 (Provision for new homes), DEV1 (Protecting health and amenity), DEV2 (Air, water, soil, noise and land), DEV7 (Meeting local housing need in the Plymouth Policy Area), DEV9 (Meeting local housing need in the Plan Area), DEV10 (Delivering high quality housing), DEV19 (Provision for local employment and skills), DEV20 (Place shaping and the quality of the built environment), DEV22 (Development affecting the historic environment), DEV28 (Protecting and enhancing biodiversity and geological conservation), DEV30 (Trees, Woodlands and Hedgerows), DEV31 (Specific provisions relating to transport) DEV32 (Meeting the community infrastructure needs of new homes), DEV34 (Delivering low carbon development), DEV35 (Renewable and low carbon energy (including heat)) and DEV37 (Managing flood risk and water quality impacts).
4. The principal issues relating to this application are considered to be flood risk; biodiversity and trees; residential amenity; design and layout; the impact towards the character of the area and highway and pedestrian safety. Other considerations include contamination and sustainable energy.

## Principle of Development

5. This site has already received planning permission for residential redevelopment providing 74 dwellings. The outline application was approved in 2004 with reserved matters approval granted in 2009. Officers can advise that work has commenced on the earlier permission and this consent could be delivered in full at any time.
  
6. The area is therefore noted as a commitment in the emerging Plymouth and South West Devon Joint Local Plan (JLP). In addition an allocation for Neighbourhood Greenspace has also been made. Officers understand that the site should not have been considered as a Neighbourhood Greenspace due to the extant planning permission. This error is likely to be rectified through the modification process for the emerging JLP.
  
7. In any case policy DEV29 of the emerging JLP does not exclude neighbourhood greenspaces from development. Development will only be resisted on sites where the functions and characteristics of the greenspace will be lost and mitigation is not possible. The measures contained in the supporting landscape strategy and ecological mitigation and enhancement strategy, which will be discussed in full below, should be sufficient to mitigate the impacts of the development on the functions and characteristics of the site as a Neighbourhood Green Space and will increase accessibility to the green spaces provided as part of the development.
  
8. Comments made in the letters of representation received suggest that the site should be safeguarded as allotments or maintained as greenspace rather than developed for housing. However the principle of residential development has been established and 74 houses could be delivered on the site currently.
  
9. The Council has regarded this as a "stalled" site for a number of years and has made every effort to try and bring forward the consented development. A number of developers have tried to develop the site but have been unable to produce a financially viable scheme due to the steep topography and change in levels. The site has therefore remained stalled and undeliverable.
  
10. In 2016 the Council acquired the site with Homes England Starter Homes funding with the purpose of securing development at the earliest opportunity.

## Design and Layout

11. The plans take forward some of the principles of the earlier scheme with the main access road extending from Prince Maurice Road in a central position. The proposals also seek to make best use of the steeply sloping nature of the site, and changing ground levels with a number of split level properties.

12. Advice has been provided both at pre-application stage and during the course of the application to inform the form and layout of the development. The architect has fully engaged and responded to the comments made in a positive and proactive manner.
13. Officers are generally supportive of the form and scale of the different residential units proposed and do not consider that the amount of development proposed is excessive for the site. Buildings D and E will frame the entrance in to the site and respond to the scale of existing properties. Building D will be 4 storeys and Building E has been reduced to 3 storeys in order to ensure the relationship with existing properties is acceptable.
14. As you progress further in to the site there is Terrace C to the south which will provide garages on the ground floor and living accommodation provided over three floors above. The main living accommodation is accessed from a raised walkway and concern was raised at pre-application stage that the lack of active frontage from these units and the creation of potential "dark" spaces could support antisocial behaviour. Officers appreciate that garages are required to meet parking requirements and also make best use of the levels, furthermore the level of overhang has been reduced to try and address the concerns raised. However, officers consider further opportunity could be taken to review the detailing of the raised walkway and a lighter weight structure could be more appropriate. Officers consider this matter can be addressed through an appropriate condition.
15. Building F, situated north of the access road provides split level, terraced properties, accessed from ground floor level. Bedrooms will be provided at both first and lower ground floor level. Balconies will serve the living accommodation on the ground floor with the garden accessed from the lower ground floor.
16. In the central portion of the site will be two larger, feature buildings. Building A to the south will be built in to the slope and extend up to five storeys high. The sensitive design of the property ensures the building does not appear out of character and will not be unduly prominent when viewed from neighbouring properties or from vantage points outside of the site.
17. Building B to the north is formed from two curved buildings encompassing a circular community space. Concern was raised at pre-application stage about the proposed height of these structures and a storey has been removed.
18. Three bedroom terraced properties will form buildings G and K and again have been designed to make best use of the levels.

19. Officers acknowledge that the northern portion of the site will incorporate a high level of under build, which requires careful consideration in order to ensure the overall appearance of the development is acceptable. The application has been accompanied by a landscaping strategy which seeks to screen and minimise the appearance of these works. Officers acknowledge that the high level landscaping proposals do address the underbuild of building B but further assessment in relation to block G is warranted. The green roofs to buildings A and B will also help the building sit comfortably in to the environment. Full landscaping details will be requested by condition and officers consider these matters can be adequately addressed through this process.

20. The end of the cul-de-sac will incorporate a roundabout with public art feature in the centre. The roundabout has been reduced in scale following officer feedback, with the semi-detached properties encompassing it repositioned a greater distance away from the boundary of the site. These units also now incorporate on-plot parking reducing the dominance of vehicles on the street.

21. Access through the site has been improved again following officer feedback. Pedestrian links have been provided to the north and east on to Lipson Road and to the northwest on to the rear service land of Alexandra Road. The stepped nature of these routes is not ideal however officers understand the topography of the site is challenging. The links will provide easier access to local services and facilities.

22. A variety of house types will be incorporated in to the development and this will add interest to the development. All adopt a modern design approach and include a range of materials such as brick, render, slate, cedar shingles and timber cladding. Officers consider this design approach is acceptable and will create a high quality appearance and sense of place. Further design and material details will be requested by condition to ensure the longevity of the development.

23. The site is highly visible from the wider townscape and currently provides a green break within the townscape. Following initial feedback an outline landscape strategy has been submitted, which sets out a high quality vision for the streetscape, community garden and communal gardens. This incorporates measures such as landscaping to soften the appearance of the roundabout, re-envisioning of the community garden, 32 large trees and provision of planted area to the community square. Officers welcome all these enhancements.

24. Officers consider the proposals are in accordance with Policy CS02 of the Core Strategy and DEV20 of the emerging JLP.

## Highways and Parking

### *Trip Generation*

25. The Local Highways Authority acknowledge that consent for 74 residential units on the site was granted in 2009, therefore whilst the Transport Assessment looks at the traffic impacts of all 99 units now proposed, it could be argued that the up-lift in trips should only be in relation to the 25 extra units being the difference between the two schemes.

26. Based upon a trip rate of 0.45 trips per unit (which is considered to be overly robust on the basis of many of the units being flats), the 99 units would generate in the region of 45 two-way trips during the am and pm peak traffic hours. The only area of concern in respect of the impact of these trips would be on the operation of the local road network is at the signal controlled junction of Lipson Road/Alexandra Road/Ashford Hill.

27. Currently, some delay and queuing is experienced at this junction during the peak hours and clearly the extra development trips would add to these existing problems. In order to help address this issue, it is recommended that a financial contribution is secured towards works to upgrade this junction which shall include the installation of MOVA (Micro Processor Optimised Vehicle Actuation). MOVA allows the traffic lights to respond to actual vehicle levels as opposed to the traffic lights simply being on a timer. The installation of such (along with upgrading existing infrastructure) would allow the junction to operate more efficiently and address the existing issues experienced in terms of its operation. Officers understand that the Council has secured money to fully upgrade the junction which will not only help to mitigate the impacts of this development but will ease existing difficulties.

### *Car Parking*

28. A total of 108 car parking spaces are proposed to serve the 99 units which equates to a car parking standard of 1.10 spaces per unit. In view of the relatively accessible location of the site and the fact that some of the units are flats with only 1 bedroom where levels of car ownership are lower, such a level of car parking, whilst being relatively low for a development of this size, is still considered to be acceptable.

29. In order to replace the 4 existing Controlled Parking Zone spaces on Prince Maurice Road that will be removed in order to create the vehicular access into the site, 4 replacement spaces have been shown immediately to the south as you first enter the development. These spaces will need to be subject to a Traffic Regulation Order (TRO) relating to the Controlled Parking Zone (CPZ). It should also be noted that the development will be excluded from obtaining permits for the CPZ that is in operation within the area.

30. A total of 74 secure and covered cycle parking spaces are proposed. For those buildings containing flats, cycle parking should be provided within the building itself whereas

properties which have garages would not necessarily need to provide specific cycle parking. The level of cycle parking proposed is generally considered acceptable.

### *Layout*

31. The developer is proposing a Home Zone for the internal layout of the roads/footways serving the site, with a shared surface space which extends from building-line to building-line. The concept of such is considered appropriate for this site and whilst the general layout of such is acceptable, further details will need to be submitted and agreed as part of the Section 38 Agreement process.

32. It should be noted that car parking spaces shown to be located within the adopted highway cannot then be allocated to individual properties. Furthermore any landscaping/trees located within the highway will require a commuted sum to cover the cost of future maintenance.

33. A new pedestrian link is shown from the site onto Lipson Road in the south eastern corner of the site. For highway safety reasons it is recommended that a build-out be provided at the point where this link meets Lipson Road and that this should incorporate a dropped kerb tactile paving crossing point so that pedestrians can safely cross to the existing footway on the eastern side of Lipson Road. These works would need to be subject to a Section 278 Agreement and secured by a Grampian Condition.

34. In order to provide a highway that can be adopted the access road should be no steeper than 1:10 at any point.

35. It is noted that some concern has been raised regarding the integrity of the stone wall that bounds the site on Lipson Road. The applicant is not proposing alterations to this structure and engineering details will take this in to account.

### *Travel Plan*

36. Whilst a Travel Plan has been submitted for the site it includes very little in terms of actual measures that will deliver a modal shift (the only meaningful measure being the creation of a welcome pack for residents). Further consideration should be given to funding the purchase of travel vouchers which could either be used for purchasing cycle or public transport season tickets. This will be addressed through an appropriate condition.

37. Officers consider the development complies with Policies CS28 and CS34 of the Core Strategy and DEV31 of the emerging JLP.

## Drainage and Flooding

38. A Preliminary Flood Risk Assessment and Drainage Statement (FRA & DS) has been submitted for the development. This describes the site as being at a low risk from flooding, and contains possible surface water drainage proposals for the site.

39. The challenging topography of the site results in slopes of around 1:4. As a result groundwater seepage from the site has been observed from the north wall.

40. Initial testing has ruled out infiltration drainage due to the slope of the site and evidence of groundwater emergence from the rock/wall north of the site. Sustainable Urban Drainage guidance recommends soakaways should not be used in slopes greater than 1:10.

41. With the absence of any watercourses, or separate surface water sewers in the area, the proposed drainage strategy is to discharge at an attenuated rate to two SWW combined sewers.

42. Officers note that the Environment Agency has raised concern about a connection to the combined sewer however officers accept this is the only drainage solution for the site. The applicant has carefully considered the drainage strategy and looked to manage surface water as carefully as possible. The proposed discharge rates correspond with 1 in 10 year greenfield run off rates, and modelling results have been submitted that indicate the proposed drainage strategy has been designed for a 1 in 100 year return period (1% AEP) event with a 40% allowance for climate change. The extant planning permission, which could be developed at any time, would not control surface water to such a high level and could have a greater impact on the area.

43. Surface water will be split between two systems one discharging to a sewer in Prince Maurice Road and the other to Lipson Road. Attenuation is provided through large tanks which are accommodated in the lower ground floor areas of the buildings proposed. Flows to the sewer will be controlled by a hydrobrake.

44. The drainage strategy has assumed that the entire site will be impermeable which will not be the case and therefore additional attenuation capacity has been accommodated. Exceedance flows have also been considered proposals include provision to maintain these flows within the site.

45. Discussion has taken place with SWW and they have confirmed that they are happy with the approach proposed.

46. A condition is required to ensure details are provided on how the water environment will be protected during the construction process.

47. The details are considered to comply with Policy CS21 of the Core Strategy and DEV37 of the emerging JLP.

#### Standard of Accommodation

48. The applicant has carefully consider the form and design of the development in order to make best use of the levels and ensure the properties created will have function and useable space and make best use of views out of the development.

49. As explained above this site has been stalled for many years and is only now being bought forward as a result of the active involvement of the Council. Emerging policy DEV10 requires new dwellings to meet nationally described space standards in order to provide a good standard of accommodation. These standards are significantly higher than the previous internal size guidelines in the Development Guidelines SPD particularly in relation to one and two bedroom flats. The standard for a one bedroom flat has increased from 40 to 50 sq.m and for a two bedroom flat from 55 to 61 or 70 sq.m.

50. These changes are significant and whilst for new developments the Council will be seeking compliance with these increased figures the extant planning permission at this site will not comply with these standards and is a considerable fall back position. If the Local Planning Authority were to insist on the development meeting the national space standards then the applicant has confirmed that the deliverability of the site will be affected. Officers accept this position taking in to account that the site has been stalled for several years.

51. The proposed dwellings generally comply with or in many cases exceed the internal sizes within the Development Guidelines SPD and officers consider they will provide a good standard of accommodation. Sixteen one-bed flats are proposed, four will be 35 sq.m which is below both the national space standards and the Development Guidelines SPD however the remainder will either be 40 or 43 sq.m. The two bedroom flats will be 55, 58 or 62 sq.m. The applicant has indicated that all the two bedroom flats will be 2 bedroom four person, and should therefore be 70 sq.m, however after reviewing the floor plans officers would suggest that some are 3 person properties and are therefore just below the 61 sq.m standard. The three bedroom properties are 84, 85, 92 and 110 sq.m. These are all in excess of the 82 sq.m. requirement in the Development Guidelines SPD.

52. In terms of outside amenity space there will be private gardens to serve the proposed houses, which will comply with the recommended standards in the Development Guidelines SPD. Communal gardens and areas of public open space will be provided to serve the flats.



53. Feedback was provided at pre-application stage regarding the impacts of retaining structures on the properties to the south of the access road. The development has been reviewed in the context of these comments however only limited changes could be made as retaining structures are essential due to the topography of the site. The habitable windows are south facing and should still enjoy sufficient levels of natural light.

54. The proposals have also adequately considered refuse provision with dwellings being provided with designated areas for bins and flats having communal areas.

55. A condition will also be necessary to ensure 20% of the units comply with Part M4(2). It is noted that for schemes of 50 or more dwellings emerging policy DEV9 seeks 2% of units to meet Part M4(3) and be suitable for wheelchair users. Again given the sloping nature of the site and engineering works that are involved this has not been possible.

56. Officers consider the proposals comply with Policy CS15 of the Core Strategy and Policies DEV9 and DEV10 of the emerging JLP.

#### Residential Amenity

57. A number of representations have been received from existing residents who live on Coleridge Road, Lipson Road and Alexandra Road.

58. Properties on Coleridge road are particularly concerned regarding the size and scale of Building A and suggest that it will cause unreasonable overlooking of their properties. However officers consider this relationship is acceptable, taking in to account the topography of the site properties in Coleridge Road are located at a significantly higher ground level. The properties in Coleridge Road have long rear gardens and the new properties will be located at least 27m away, in excess of recommended distances within the Development Guidelines SPD. Boundary treatment and landscaping will further reduce any overlooking

59. The semi-detached properties at the east of the development have been repositioned slightly further away from the boundary. The landscape plan proposes a green edge around the site and will screen the development. Officers do not consider that the proposal will have an unreasonable impact on properties on Lipson Road.

60. The impact on properties to the north on Alexandra Road has been carefully considered and a storey has been removed from block E in order to ensure the dwellings do not appear dominating and overbearing. Officers note that the pattern of development in the area is dense with terraced properties separated by rear service lanes. The relationship proposed between the development and existing properties is similar to the relationships that already exists in the area with separation distances of around 16-17m. Officers note that

this distance is less than the 21m advised in the Development Guidelines SPD however taking in to account the existing pattern of development and the change in ground levels it is not considered that there will be an unreasonable loss of privacy, outlook or light.

61. Some concern has been raised regarding the proximity of the bin store adjacent to building D and the impact this may have on existing properties. Officers consider any impact could be controlled through ensuring the building is well designed and as such further details will be requested by condition.

62. Taking in to account the form and design of the properties and that a number of the dwellings are flats it is not considered that a permitted development rights need to be removed.

63. Officers consider the development complies with Policy CS34 of the Core Strategy and DEV1 of the emerging JLP.

#### Affordable Housing

64. One of the letters of representation received suggests that no affordable housing is being proposed on site. The development is actually proposing to deliver 44 starter homes. These are properties that will be offered for sale at 80% of their market value to first time buyers between the ages of 23 and 40.

65. The government has committed to building 200,000 high quality starter homes by 2020. The Housing and Planning Act 2016, enacted on the 12th May 2016, sets out the statutory framework for the delivery of starter homes with the draft Revised NPPF, which was published for consultation in March 2018, including starter homes in the definition of affordable housing. Starter Homes will not be officially recognised as an affordable housing product until the revised NPPF is formally published later this year. Plymouth are at the forefront of delivery for this new housing product.

66. The proposed development will deliver 42% affordable housing. This exceeds the policy requirement to provide at least 30% affordable housing as set out in policy CS15 of the Core Strategy and DEV8 of the emerging Joint Local Plan.

#### Biodiversity and Trees

67. Despite work commencing on the consented 74 unit development the site is currently undeveloped and contains a number trees alongside shrub cover. The site is identified as a stepping stone site within the City's Biodiversity Network.

68. Policy CS19 of the Core Strategy, supported by paragraph 117 of the NPPF, states that the council will promote effective stewardship of the City's wildlife through maintaining a citywide network of local wildlife sites and wildlife corridors, links and stepping stones between areas of natural greenspace.

69. An updated Ecological Mitigation and Enhancement Strategy (EMES) has been supplied dated June 2018 which has been informed by the appropriate protected species surveys.

70. Officers are satisfied that the mitigation proposed including a minimum of 26 bat/bird boxes

- Correct application reference on the front cover.
- The potential locations for the bat and bird boxes are shown on the landscape strategy (drawing number 1811/01 Rev.P2) and tally with the EMES. A minimum of 26 will be provided, with the intention to provide more.
- The EMES has been update to include recommendations for the provision of hibernaculae within the communal wildlife garden for reptiles and hedgehogs as set out on the Outline Landscape Strategy.

71. Due to the aforementioned the EMES should now be considered to be appropriate to ensure the delivery of a Biodiversity Net Gain and should therefore be considered to be in accordance with JLP policy DEV28.

72. The site currently contains a number of trees however these are not subject to tree preservation orders. Further comments have been submitted from the applicant's tree consultant in response to officer comments.

73. Officers acknowledge that without the details of the impact of the extensive engineering works required to achieve the levels for the roads and buildings that it is not possible to accurately assess the impact on the existing trees on site and therefore the normal requirement to submit a detailed Arboricultural Impact Assessment is not reasonable. It is clear that the extent of development and slope of the site mean that few, if any, of the existing trees will be able to be retained on the site. The Outline Landscape Strategy Plan indicates the intention to retain shrub/tree cover where possible on the northern and eastern boundaries and this is welcomed.

74. Approximately 85-100 trees will be lost, effectively removing all the existing canopy cover on the site. Policy DEV30 aims to achieve net canopy cover gain. To achieve this, a comprehensive tree planting scheme is proposed as indicated in the outline Landscape Strategy Plan.

75. Further details of each area to be planted will be required giving species, sizes, and number of trees. The preference is for the majority of the trees to be in publically accessible areas and communal gardens to ensure their long term retention and management.

76. The 32 extra heavy and heavy standard trees proposed for the street planting and the species indicated will provide good canopy cover. Officers consider that it will be important to ensure that trees planted in the Community Wildlife Garden and low maintenance slopes comprise a range of ages and are native as indicated on the Outline Landscape Strategy.

77. To conclude, it would appear that if conditions are applied requiring details of the planting, maintenance and management of the areas as indicated on the Outline Landscape Strategy, that the tree planting associated with the scheme should provide adequate mitigation for the loss of canopy cover.

78. The standard tree protection condition is recommended to ensure that any shrubs and trees it is possible to retain are adequately protected during construction.

### Sustainability

79. The application has been supported by an Energy Statement to address the carbon reduction requirement of Policy DEV34 of the emerging JLP. The report concludes that a system of photovoltaic panels, serving each dwelling or a portion of which, where located in multi-residency building, will realise an offset of the developments carbon emissions. Furthermore the development will adopt a fabric first approach, with u-values bettering those required under Part L, and reduced air permeability values. The use of SAP compliant equipment and plant will further ensure a compliant energy efficient servicing strategy is adopted.

80. Further detailed information will be required following design stage assessments. Additional information will be requested by condition.

### Other Issues

81. The Design and Access Statement incorporates a Statement of Community Involvement. A public consultation event took place on 21st November 2017 and was well attended, whilst some negative comments were received from existing residents, similar to those received in the letters of representation some positive comments were also made. Local ward councillors have not objected to the application.

82. The site has been supported by a Phase 1 Land Quality Report which recommends further Phase 2 intrusive investigations. The Public Protection Service supports the conclusions of the Phase 1 and therefore a condition requesting the additional testing will be utilised.

83. The Public Protection Service did raise initial concerns that the application was not accompanied by an air quality assessment. The application has since been reduced in scale and taking in to account that parking levels proposed are not at maximum levels officers have received confirmation that this is not required.

84. The site is surrounded by existing residential properties that will be impacted by the construction process. In order to manage the impacts of the development officers consider a code of practice condition would be appropriate.

85. This proposal is within an area which has previously been identified as having potential for archaeological remains including those of the Civil War. Officers consider that pre-commencement evaluation will allow the correct degree of archaeological mitigation, if required, to be applied. Officers do not consider that the development will have a detrimental impact on the setting of Grade II Listed Mount Lipstone Cottages.

86. The Police Architectural Liaison Officer has not raised concerns regarding the development and advice provided during the pre-application has been taken in to account. A condition regarding lockable gates is recommended and the applicant will be advised to obtain secure by design accreditation. The development will meet the requirements of CS32 and DEV10 of the emerging JLP.

87. The development will provide two small office units in the lower ground floor of building B. Officers welcome the inclusion of the commercial units which could support residents on site and the wider community. The remainder of the building will be used for residential purposes and officers consider the office use would not create amenity issues for future occupiers. In order to prevent an undesirable change of use a planning condition will be required to limit the use to offices. In accordance with Policy DEV19 of the emerging JLP an Employment and Skills Strategy will be requested by condition.

## **9. Human Rights**

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and

weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

## **10. Local Finance Considerations**

The 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).

## **11. Planning Obligations**

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

Planning obligations have been sought towards secondary education provision and local greenspace. The following heads of terms have been agreed:

- £223,349 towards the additional places required in secondary schools for the Secondary Basic Need project
- £62,043 towards improvements to Mount Gould Park/Play Area

A management fee of £3335 has been secured for the monitoring of the S106.

It is noted that some of the representations received raise concerns about the impact on GP surgeries. The NHS were consulted and have not requested a S106 contribution.

The S106 will also secure the 44 starter home proposed.

## **12. Equalities and Diversities**

The development will provide 44 starter homes which will help a number of young people to purchase a home at 80% of market value and get on the property ladder for the first time.

The proposals will also ensure the provision of M4(2) units which could be adapted to meet a range of needs.

### **13. Conclusions and Reasons for Decision**

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 the completion of a S106 agreement.

The application will ensure the delivery of 99 new homes on a site which has been stalled for many years, contributing to the 19,000 new homes the City needs.

The applicant and architect has worked in a positive and proactive way with the Local Planning Authority in order to create a high quality development that will not result in demonstrable harm to existing residents.

A range of supporting information has been supplied in order to demonstrate that the impact on the highways network, wildlife and flooding and drainage will be acceptable. Suitable conditions are recommended to control and request further details of different aspects of the development.

Officers consider the development will comply with relevant policies of both the adopted and emerging local plan and the application is therefore recommended for approval.

### **14. Recommendation**

In respect of the application dated 20.03.2018

it is recommended to Grant conditionally subject to S106

### **15. Conditions / Reasons**

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

#### **1      **CONDITION: APPROVED PLANS****

Building D - Flats - Front Elevation 240-AAA(Building D)010 Rev A received 09/05/18

Building D&E - First/Second Floors 240-AAA(Building D&E)-002 Rev A received  
09/05/18

M4(2) Planning Requirements SK005 - received 09/05/18

Proposed Site Elevation 02 - Zone 1 240-P(--)-212 Rev A received 09/05/18

Proposed Ground Plan - Zone 2 - Ground 240-P(--)-201 Rev A received 09/05/18

Proposed Site Plan - Zone 3 - Ground 240-P(--)-202 Rev A received 09/05/18

Proposed Section BB 240-P(--)-021 Rev A received 09/05/18

Proposed Section EE 240-P(--)-024 Rev A received 09/05/18

Proposed Section FF 240-P(--)-026 Rev A received 09/05/18

Proposed Site Elevations 01 240-P(--)-027 Rev A received 09/05/18

Proposed Section AA & GG 240-P(--)-020 Rev A received 09/05/18

Building E - Flats - Front Elevation 240-AAA(Building E)010 - received 09/05/18

Building E - Flats - Rear Elevation 240-AAA(Building E)011 - received 09/05/18

Building E - Flats - Elevations 03 240-AAA(Building E)012 - received 09/05/18

Building D - Flats - Rear Elevation 240-AAA(Building D)011 Rev A received 09/05/18

Building B - Ground Floor 240-AAA(Building B)002a Rev A received 09/05/18

Building B - First Floor 240-AAA(Building B)002b - received 09/05/18

Building D - Flats - Elevations 03 240-AAA(Building D)012 Rev A received 09/05/18

Building A - Ground Floor Plan 240-AAA(BUILDING A)001 - received 12/03/18

Building A - Second Floor Plan 240-AAA(BUILDING A)001 - received 12/03/18

Building A - Third Floor Plan 240-AAA(BUILDING A)004 - received 12/03/18

Building A - Fourth Floor Plan 240-AAA(BUILDING A)005 - received 12/03/18

Building A - Roof Plan 240-AAA(BUILDING A)006 - received 12/03/18

Building A - Elevation 1 240-AAA(BUILDING A)010 - received 12/03/18

Building A - Elevation 2 240-AAA(BUILDING A)011 - received 12/03/18

Building A - Elevation 3 240-AAA(BUILDING A)012 - received 12/03/18

Building A - Elevation 4 240-AAA(BUILDING A)013 - received 12/03/18

Building B - Lower Ground Community Unit 240-AAA(BUILDING B)001 - received 12/03/18

Building B - Penthouse Floor 240-AAA(BUILDING B)003 - received 12/03/18

Building B - Roof Plan 240-AAA(BUILDING B)004 - received 12/03/18

Building B - Elevation 1 240-AAA(BUILDING B)010 - received 12/03/18

Building B - Rear Elevation 240-AAA(BUILDING B)012 - received 12/03/18

Building B - Front Elevation 240-AAA(BUILDING B)011 - received 12/03/18

Building C - Floor Plans 240-AAA(BUILDING C)001 - received 12/03/18

Building C - Elevations 240-AAA(BUILDING C)010 - received 12/03/18

Building D and E - Ground Floor Plan 240-AAA(BUILDING D&E)001 - received 12/03/18

Building D and E - Flats Third Floor 240-AAA(BUILDING D&E)003 - received 12/03/18

Building D and E - Flats Roof Plan 240-AAA(BUILDING D&E)004 - received 12/03/18



Building E - Flats Lower Ground Plan 240-AAA(BUILDING E)000 - received 12/03/18  
Building F - Floor Plans 240-AAA(BUILDING F)001 - received 12/03/18  
Building F - Elevations 01 240-AAA(BUILDING F)010 - received 12/03/18  
Building F - Elevations 02 240-AAA(BUILDING F)011 - received 12/03/18  
Building G - Floor Plans 240-AAA(BUILDING G)001 - received 12/03/18  
Building G - Elevations 240-AAA(BUILDING G)010 - received 12/03/18  
Building H - Floor Plans 240-AAA(BUILDING H)001 - received 12/03/18  
Building H - Roof Plan 240-AAA(BUILDING H)002 - received 12/03/18  
Building H - Elevations 240-AAA(BUILDING H)010 - received 12/03/18  
Building K - Floor Plans 240-AAA(BUILDING K)001 - received 12/03/18  
Building K - Elevations 240-AAA(BUILDING K)010 - received 12/03/18  
Existing Section AA 240-L(-- )020 - received 12/03/18  
Existing Section BB 240-L(-- )021 - received 12/03/18  
Existing Section CC 240-L(-- )022 - received 12/03/18  
Existing Section DD 240-L(-- )023 - received 12/03/18  
Existing Section EE 240-L(-- )024 - received 12/03/18  
Existing Section FF 240-L(-- )025 - received 12/03/18  
Site Location Plan 240-L(-- )1000 - received 12/03/18  
Proposed Section CC 240-P(-- )022 - received 12/03/18  
Proposed Section DD 240-P(-- )023 - received 12/03/18  
Proposed Site Elevation 02 - Zone 2 240-P(-- )213 Rev A received 09/05/18  
Proposed Site Elevation 01 - Zone 1 240-P(-- )209 Rev A received 09/05/18  
Proposed Site Elevation 01 - Zone 2 240-P(-- )210 - received 09/05/18  
Proposed Site Elevation 02 - Zone 3 240-P(-- )214 Rev A received 09/05/18  
Proposed Site Elevation 01 - Zone 3 240-P(-- )211 Rev A received 09/05/18  
Proposed Section AA - Zone 3 240-P(-- )205 Rev A received 09/05/18  
Proposed Section GG - Zone 1 240-P(-- )206 Rev A received 09/05/18  
Proposed Section GG - Zone 3 240-P(-- )208 Rev A received 09/05/18  
Proposed Site Plan - Zone 1 - Ground 240-P(-- )200 Rev A received 09/05/18  
Outline Landscape Strategy 1811/01 Rev P2 received 02/07/18  
Level 01 Proposed Lower Ground Site Plan 240-P(-- )100-Level-01 Rev B received 02/07/18  
Level 00 Proposed Ground Site Plan 240-P(-- )101-Level00 Rev C received 02/07/18  
Level 01 Proposed First Floor Site Plan 240-P(-- )102-Level01 Rev B received 02/07/18

Level 01 Proposed Second Floor Site Plan 240-P(--)-103-Level02 Rev B received 02/07/18

Level 01 Proposed Site Plan Roof 240-P(--)-110 Rev B received 02/07/18

Reason:

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

## **2      **CONDITION: COMMENCE WITHIN 2 YEARS****

The development hereby permitted shall be begun before the expiration of two years beginning from the date of this permission.

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004 and in accordance with Core Strategy Objective 10(8) (Delivering Adequate Housing Supply) and Policy SPT3 of the Plymouth and South West Devon Joint Local Plan

## **3      **CONDITION: CONTAMINATED LAND****

### PRE-COMMENCEMENT

Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation shall not take place until sections 1 to 3 of this condition have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until section 4 of this condition has been complied with in relation to that contamination.

#### Section 1. Site Characterisation

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

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
  - o human health
  - o property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes
  - o adjoining land
  - o groundwaters and surface waters
  - o ecological systems
  - o archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

## Section 2. Submission of Remediation Scheme

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

## Section 3. Implementation of Approved Remediation Scheme

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

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

## Section 4. Reporting of Unexpected Contamination

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

necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

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

Reason:

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

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

#### **4      **CONDITION: PROGRAMME OF ARCHAEOLOGICAL WORK****

##### PRE-COMMENCEMENT

No development shall commence until the applicant (or their agent or successors in title) has completed a programme of archaeological work, to include archaeological trial trench evaluation, in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme.

Reason:

The site is considered likely to contain archaeological deposits that warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV21 and DEV 22 of the Plymouth and South Hams Joint Local Plan and paragraphs 131, 132 and 133 of the National Planning Policy Framework 2012.

Justification: To ensure that important archaeological features are properly protected / recorded before construction commences.

## **5      CONDITION: EMPLOYMENT AND SKILLS PLAN**

### PRE-COMMENCEMENT

No development shall commence until an Employment and Skills Plan has been submitted to and approved in writing by the Local Planning Authority. The Employment and Skills Plan should demonstrate how local people and local businesses will benefit from the development in terms of job opportunities, apprenticeship placements, work experience opportunities, business supply chain opportunities and other employment and skills priorities. The Employment and Skills Plan should cover the groundworks phases as well as the construction phase of the development.

The development shall thereafter be carried out in accordance with the approved Employment and Skills Plan unless a variation to the strategy is agreed in writing by the Local Planning Authority.

Reason:

In order to ensure local people are provided with sufficient job opportunities in accordance with Policy CS04 of the Core Strategy, Policy DEV19 of the emerging JLP and paragraphs 18-20 of the NPPF.

Justification: In order to support the provision of construction jobs for local people.

## **6      CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

### PRE-COMMENCEMENT

No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall accord with the approved Ecological Mitigation and Enhancement Strategy (dated June 2018). The CEMP shall include the following:

- i. Risk assessment of potentially damaging construction activities.
- ii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- iii. The times during construction when specialist ecologists need to be present on site to monitor works to ensure compliance with the CEMP: Biodiversity, and the actions that will be undertaken.
- iv. Responsible persons and lines of communication.

v. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.

vi. Method statements to demonstrate how the new drainage system and water environment is protected during the construction phase

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details unless otherwise agreed in writing by the local planning authority.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34, Joint Local Plan Policies SPT11 & DEV28 and Government advice contained in the NPPF paragraphs 109, 118.

Justification: To ensure that wildlife habitats are adequately protected from the development.

## **7      **CONDITION: BIODIVERSITY****

### PRE-COMMENCEMENT

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (June 2018).

Prior to commencement of development a site for translocation of reptiles shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Core Strategy policies CS01, CS19, CS34, Joint Local Plan Policies SPT11 & DEV28 and Government advice contained in the NPPF paragraphs 109, 118.

Justification: To ensure that wildlife habitats are adequately protected from the development.

## 8 **CONDITION: LANDSCAPE DETAILS**

### PRE-COMMENCEMENT

No development shall take place until the details of the landscape works have been submitted to and approved in writing by the local planning authority. The landscape works shall accord with the approved Outline Landscape Strategy (drawing number 1811/01 Rev.P2) and the approved EMES (date June 2018). The landscape works shall include:

Soft landscape details: to include:

Full soft landscape specification for both the green roof and green walls including (but not limited to); plant species and size (to HTA standards), soil/roof build-up details, planting spec and establishment care.

the arrangement of proposed soft landscape elements and soil layouts/elevations (min 1:200 scale). Plans should include a planting schedule for reference.

Planting details (1:20 scale or as appropriate) including roof build-ups and green wall details etc.

a commitment to replace and dead or defective planting stock for a period of 5 years

Hard Landscape Details: to provide:

Drawings identifying the arrangement of proposed hard landscape elements including street furniture and boundary treatment materials (min 1:200 scale) (e.g. ground floor treatment of public realm). Plans should include a specification of the hard landscape materials (e.g. paving materials), street furniture and any boundary treatments.

Boundary treatment details (1:20 scale or as appropriate)

All landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Core Strategy Policies CS18 and CS34 and Draft JLP DEV10 and DEV24.

Justification: To ensure the landscaping can be properly incorporated within the development proposals.

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

### PRE-COMMENCEMENT

Before any other works are commenced, 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 with 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 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.

Justification: To ensure that the development can ensure the safety of road users and pedestrians can be maintained.

## 10 **CONDITION: CODE OF PRACTICE**

### PRE-COMMENCEMENT

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

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policy CS22 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV31 of the emerging JLP and paragraphs 120 -123 of the National Planning Policy Framework 2012 .

Justification: To ensure that the construction phase does not unduly impact on local amenity such as disturbance to local residents or disruption to traffic and parking.



## 11 **CONDITION: STREET DETAILS**

### PRE-DAMP PROOF COURSE (DPC) LEVEL

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

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

## 12 **CONDITION: LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN**

### PRE-DPC LEVEL

A Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority prior to commencement of the development. The content of the LEMP shall include the following

- i. Description and evaluation of features to be managed.
- ii. Ecological trends and constraints on site that might influence management.
- iii. Aims and objectives of management for both the landscape elements and the biodiversity features.
- iv. Set out maintenance operations for the first year following implementation of the scheme and for a further 4 years following establishment for achieving aims and objectives.
- v. Preparation of a work schedule.
- vi. Body or organisation responsible for implementation of the plan.
- vii. Monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally

approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest and to ensure that satisfactory landscaping works are carried out, in accordance with Core Strategy policies CS01, CS19, CS18 & CS34, Joint Local Plan Policies SPT11, DEV10, DEV24 & DEV28 and Government advice contained in the NPPF paragraphs 109, 118.

### 13 **CONDITION: EXTERNAL MATERIALS**

#### PRE-DPC LEVEL

No development above damp proof course (DPC) level shall take place until details, including samples, of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV20 of the emerging JLP and paragraphs 61 to 66 of the National Planning Policy Framework 2012.

### 14 **CONDITION: FURTHER DETAILS**

#### PRE-DPC LEVEL

No development shall take place above DPC-level until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority;

- raised walkway to block C
- public art feature
- material junctions, reveals and overhangs

The works shall conform to the approved details.

Reason:

To ensure that these further details are acceptable to the Local Planning Authority and that they are in keeping with the standards of the vicinity in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61-66, 109, 110 and 123 of the National Planning Policy Framework 2012 .

## 15 **CONDITION: SUSTAINABILITY**

### PRE-DPC LEVEL

The development shall be completed in accordance with the principals of the submitted Energy Statement prepared by SDS Plymouth (dated 30th April 2018). This proposes the use of Solar Photovoltaic Cells as the preferred method of incorporating onsite renewable energy production together with the proposed installation size circa 77.7kWp. The carbon savings which result from this will be above and beyond what is required to comply with Part L Building Regulations.

Unless otherwise agreed previously in writing with the Local Planning Authority, prior to any development taking place above DPC level, the applicant shall provide to the Local Planning Authority details of the size and locations of the on-site renewable energy production methods (in this case Photovoltaic Cells) for approval. The on-site renewable energy production methods shall be provided in accordance with these details prior to first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 15% of predicted carbon emissions for the development in accordance with Policy CS20 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV34 of the emerging JLP and relevant Central Government guidance contained within the NPPF.

16 **CONDITION: ACCESS/HIGHWAY IMPROVEMENTS (GRAMPIAN)**

PRE-DPC LEVEL

None of the residential units hereby approved shall be occupied until the pedestrian build-out and crossing point on Lipson Road has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to work extending above DPC-level.

Reason:

In the interests of highway and pedestrian safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and Policy DEV31 of the emerging Plymouth and South West Devon JLP March 2017.

17 **CONDITION: LOCKABLE GATES**

PRE-OCCUPATION

All side and rear gates to dwellings shall have gates with locks with key access. Details of these shall be submitted to, and approved in writing by the Local Planning Authority. The gates and locks shall be installed in accordance with the approved details before any of the residential units required to use the respective gates are occupied.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with Policy CS32 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, Policy DEV20 of the emerging JLP and paragraph 58 of the NPPF.

18 **CONDITION: PROVISION OF PARKING AREA**

PRE-OCCUPATION

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

Reason:

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

Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

## 19 **CONDITION: CYCLE PROVISION**

### PRE-OCCUPATION

No dwelling shall be occupied until space has been laid out within the site in accordance with details previously submitted to and approved in writing by the Local Planning Authority for 74 bicycles to be securely parked. The secure area for storing bicycles shown on the approved plan shall remain available for its intended purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason:

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

## 20 **CONDITION: TRAVEL PLAN**

### PRE-OCCUPATION

No dwelling hereby permitted shall not be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The said Residential Travel Plan shall seek to encourage residents and visitors to use modes of transport other than the private car to get to and from the site. It shall also include measures to promote the use of sustainable modes of transport as an alternative to the private car; arrangements for monitoring the use of provisions available through the operation of the Travel Plan; and the name, position and contact telephone number of the person responsible for its implementation. From the date of occupation the occupier shall operate the approved Travel Plan.

Reason:

The Local Planning Authority considers that such measures need to be taken in order to reduce reliance on the use of private cars (particularly single occupancy journeys) and to assist in 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 and 34 of the National Planning Policy Framework 2012. The applicant should contact Plymouth Transport and Infrastructure for site-specific advice prior to preparing the Travel Plan.

## 21 **CONDITION: SURFACE WATER DRAINAGE**

### PRE-OCCUPATION

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the surface water drainage scheme have been completed in accordance with the approved details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy CS21 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, policy DEV37 of the Plymouth and South West Devon Joint Local Plan and paragraphs 94 and 100-103 of the National Planning Policy Framework 2012.

## 22 **CONDITION: TRAFFIC REGULATION ORDER**

### PRE-OCCUPATION

Prior to any occupation of the development hereby permitted the developer shall fund and begin the process to extend the existing Traffic Regulation order (TRO) in Prince Maurice Road to secure the provision of the four replacement parking spaces in the residents parking scheme . All associated costs are to be borne by the applicant.

Reason:

To preserve the function and safety of the Local highway Network and convenience to the public in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007.

## 23 **CONDITION: TREE/HEDGEROWS TO BE RETAINED/PROTECTED**

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

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

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

C: The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with Section 6.2 of BS 5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority.

Reason:

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

#### **24      **CONDITION: PART M (ACCESSIBLE AND ADAPTABLE DWELLINGS)****

Unless previously agreed in writing by the Local Planning Authority 20% of the dwellings hereby approved shall be constructed to comply with Part M4(2).

Reason:

To ensure that 20% of the dwellings on site are built to the equivalent of Lifetime Homes standards to comply with policy CS15 of the adopted City of Plymouth Core Strategy 2007, Policy DEV9 of the emerging JLP and Government advice contained in the NPPF.

#### **25      **CONDITION: SPECIFIED USE RESTRICTION****

The two office units hereby approved shall be used for Class B1a and for no other purposes (including any other purpose in Class B1 of the Schedule to the Town and Country Planning

(Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61 and 123 of the National Planning Policy Framework 2012.

## **Informatives**

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

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

### **2 INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATION**

In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 and paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and proactive way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.



### **3      **INFORMATIVE: RESIDENT PARKING PERMIT SCHEME****

The applicant should be made aware that the property lies within a resident parking permit scheme which is currently over-subscribed. As such the development will be excluded from obtaining permits and purchasing visitor tickets for use within the scheme.

### **4      **INFORMATIVE: PROPERTY RIGHTS****

Applicants are advised that this grant of planning permission does not over-ride private property rights or their obligations under the Party Wall etc. Act 1996.

### **5      **INFORMATIVE: SECURE BY DESIGN****

The applicant is advised that the development should seek to meet the Secured by Design Silver Award in order to create a safe environment free from the fear of crime.

### **6      **INFORMATIVE: EMPLOYMENT AND SKILLS PLAN****

The applicant/developer is advised to make early contact with Emma Hewitt, Building Plymouth Skills Co-ordinator ([economicdevelopment@plymouth.gov.uk](mailto:economicdevelopment@plymouth.gov.uk)) for guidance on preparing your Employment and Skills Plan along with confirmation of the KPI targets which will relate to the type and build value of your development, based on the CITB National Skills Academy for Construction Client-Based Approach.

### **7      **INFORMATIVE: PUBLIC HIGHWAY ENGINEERING****

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

### **8      **INFORMATIVE: PUBLIC HIGHWAY APPROVAL****

This planning permission does not authorise the applicant to carry out works within the publicly maintained highway. The applicant should contact Plymouth Highways for the necessary approval. Precise details of all works within the public highway must be agreed

with the Highway Authority and an appropriate Permit must be obtained before works commence.

## **9      INFORMATIVE: HIGHWAY ADOPTION**

If the streets of the development are to be offered for adoption as public highway then the developer must ensure that all highway layout details and specifications are in accordance with Council Policy, and comply with the Councils Design Guide, 'Highways in Residential and Commercial Estates', 'Manual for Streets' and the Department of Transport's, 'Specification for Highway Works'. It should be noted that the Council will not accept the use of plastic manholes within the adoptable highway areas of the development, their use would be likely to exclude the street from being eligible for adoption.

## **10     INFORMATIVE: SUPPORTING DOCUMENTS**

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

- Comments from JP Associates dated 2nd July 2018
- Comments from Claire Foxford Landscape Architects dated 1st July 2018
- Arboricultural Constraints Report ref: D14 351 01 02
- Transport Assessment ref: JP/TA/199/17/revA
- Flood Risk Assessment and Drainage Report ref: 10911 P1
- Affordable Housing Statement
- Phase 1 Desk Study Report ref: RP6725-A
- Design and Access Statement