

PLANNING APPLICATION OFFICERS REPORT



Application Number	19/00775/FUL	Item	01
Date Valid	24.05.2019	Ward	MOORVIEW
Site Address	Land Adj. To 5 Darklake Close Plymouth PL6 7TJ		
Proposal	Erection of 2x industrial buildings (Class B2/B8)		
Applicant	Mr Tony Carson		
Application Type	Full Application		
Target Date	23.08.2019	Committee Date	10.10.2019
Extended Target Date	12.10.2019		
Decision Category	Councillor Application		
Case Officer	Mr Simon Osborne		
Recommendation	Conditional approval subject to an agreed S106 planning obligation with delegated authority to Service Director for Strategic Planning and Infrastructure to refuse if not signed within agreed timeframes.		



1. Description of Site

The site is situated on the southern side of Darklake Close, which is a spur road running off the northern side of Darklake View in the Estover Industrial Estate.

The 0.5 hectares site slopes down from south to north and is currently vegetated by trees and scrubs. It lies between existing industrial units and includes the existing turning area. The eastern boundary of the site includes a hedgerow of trees and scrubs which is covered by a group Tree Preservation Order (TPO).

2. Proposal Description

The proposal is for the erection of 2 industrial buildings (Class B2/B8). Due to the sloping topography each building would be located on a separate platform with separate accesses. The lower most northerly platform would contain a terrace of 8 units with an overall footprint of 565 sqm (1 unit 56.5 sqms and 7 units 72.5 sqm). The units would have a mezzanine increasing the total usable area to 972 sqm. The building would be clad in grey composite metal cladding with blue brick on the ground floor. Each individual unit would contain a roller shutter on the southern elevation powder coated in various colours. Each unit would have 2 car parking spaces at the front with a further 20 spaces opposite the building.

The higher southern platform would contain a larger single unit building with a footprint of 445sqm. The building would again be clad in composite metal and blue brick. It would contain 6 roller shutters in total, 2 on the south, east and west elevations to allow flexibility for future subdivision. The building would be served by 16 parking spaces and a large storage/area at the rear.

The building would have an option of a mezzanine floors increasing the usable floor area to 615sqm

3. Pre-application Enquiry

A pre application enquiry was made for development comprising of 16no small to medium sized industrial units resulting in the potential for 2,100sqm of floor space. (ref: 18/00405/MAJ). Officers considered that the principle of the proposal was likely to be supported.

4. Relevant Planning History

None

5. Consultation Responses

Highways - No objections subject to conditions

Lead local Flood Authority -No objections subject to a condition

Natural Infrastructure Team- No objections subject to conditions

Economic Development - Supports the proposal.

Public Protection - No objections subject to conditions.

6. Representations

Two letters of objection have been received regarding this application. The issues raised are:

1. Removal of the turning head will cause chaos and issues on the road.
2. Inadequate parking provision which will result in many more vehicles parked along Darklake Close.

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. For the purposes of

decision making, as of March 26th 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park).

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: Development Guidelines SPD.

8. Analysis

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

2. The main Joint Local Plan policies to consider are SPT1 (Delivering Sustainable Development), SPT2 (Sustainable Neighbourhoods), SPT4 (Provision for Employment Floorspace), SPT12 (Strategic Approach to Natural Environment), PLY2 (Unlocking Growth Potential), DEV2 (Air, Water, Soil, Noise and Land), DEV14 (Maintaining a Flexible Mix of Employment Sites), DEV20 (Place Shaping), DEV26 (Protecting and Enhancing Biodiversity), DEV27 (Green and Play Spaces), DEV28 (Trees), DEV29 (Transport), and PLY45 (Plym Valley Strategic Greenspace).

3. The main issues to consider are the impact on the character and appearance of the area, highway considerations, ecology, and the impact on trees.

The principle of the use and employment issues

4. The site is located within an established industrial estate and therefore the proposal for an employment use (B2/B8) is supported in principle.

Design

5. The designs would be typical of well-designed industrial units which officers consider to be appropriate for this location. The proposed materials are considered to respect the materials on existing buildings and will be controlled by condition. The height and scale are also considered to be appropriate.

Transport

6. The site is located on the edge of the city and is therefore not a particularly sustainable location, however it is located within an existing industrial estate and therefore the Local Highway Authority (LHA) has not raised any objections in principal to the proposal.

7. Each proposed platform would have a separate access point with the lower level access directly off and taking in part of the existing turning head. Although the site will not be adopted by the Local Highway Authority (the industrial estate is under the management and maintained by PCC) the application indicates that it would be constructed to Local Highway Authority standards. Details of construction and the accesses will be secured through a planning condition.

8. The application is accompanied by a Transport Statement which considers associated traffic generation and impacts of the proposed development, and refers to the nationally recognised and accepted TRICS data base to establish traffic impacts. The development is likely to generate a total of 33 two-way movements (or about one vehicle every two minutes) in the AM peak hour and 22 two-way trips (about one vehicle every three minutes) in the PM peak hour. This is a relatively low level of additional traffic movements compared to the daily peak hour flows on the network. However parts of the local road network can be congested at peak periods and therefore a financial contribution to mitigate these impacts has been requested. The LHA considers that with such a contribution the impact of the proposal on the network will be acceptable.

9. The application originally proposed a total of 56 parking spaces to serve the units, however due to concerns regarding the impact on the protected trees 3 have now been removed. Each unit also includes cycle parking/storage areas. The LHA considers that this level of parking provision exceeds the parking standards found within the SPD and is acceptable to serve the proposed units.

10. With reference to the objections raised, to avoid any detriment resulting in the loss of the dedicated turning head, a condition has been included to secure the long term public use of the new northernmost entrance for the turning of vehicles coming and going in Darklake Close.

Residential and neighbouring amenity

11. The site is located a considerable distance away and is screened from residential dwellings by the adjacent woodland and therefore the proposal does not raise any direct amenity issues.

Trees, Ecology, and landscape

12. The site is adjacent, but not in, a site allocated in the JLP as PLY45 Plym Valley Strategic Greenspace and is identified as a Biodiversity Network Feature

13. An Ecological Mitigation and Enhancement Strategy (EMES) has been provided which demonstrates net biodiversity gain as required by policy DEV26. The EMES does not include a Construction Environmental Management Plan or a Landscape Management Ecology Plan which will both be secured by condition. A sensitive lighting scheme will also be secured by condition to avoid light spill on boundary features.

14. The site forms part of the backdrop to a Landscape Character area: Plymbridge Wooded Valley. The proposal seeks to retain important tree groups including the boundary hedge and proposes planting of 4 additional Rowans. Given that the site is located on an industrial site officers do not consider that the proposal would have unreasonable wider landscape impacts. A landscaping details condition is recommended.

15. The eastern boundary of the site is covered by TPO no 270 and is relatively close to an area of Ancient Semi-Natural Woodland (Hatshill/Holtwood). A tree survey has been submitted which confirms that important tree/hedge groups are to be retained. In accordance with officer advice the proposal has been amended to protect the hedgerow by removing 3 parking spaces adjacent to the boundary. This area will also be constructed using a no dig method the details of which will be secured by condition. A condition to prohibit any parking outside of the marked parking spaces has also been added to avoid any impact on trees.

16. The Forestry Commission's Standing Advice has been consulted which indicates that development should generally be at least 15 metres away from veteran trees and ancient woodland. The proposal is not within this distance and therefore the impact is considered acceptable.

Drainage

17. The site is located in flood zone 1 and is considered to be a low risk from fluvial or tidal flooding. Surface water flood risk mapping indicates the site is at a low risk of flooding from a 1 in 100 year return period event.

18. A Drainage Statement has been submitted for the proposed development that proposes to discharge surface water to the existing surface water sewer in Darklake Close. However a discharge rate has not been confirmed. A condition has therefore been added to ensure the drainage scheme provides 1% AEP plus 40% allowance for climate change as required by policy.

Public Protection Issues

19. Due to the location, scale and scope of the proposed development, the Public Protection Service (PPS) have no major concerns in terms of land quality, however in case unexpected soil conditions such as made or polluted ground are encountered during construction an unexpected contamination condition is recommended.

20. PPS recognise that the site is within an industrial estate and not in close proximity to residential dwellings. However they have recommended a condition regarding hours of construction to protect the amenity of other industrial premises. The hours stipulated would be within the standard working day and therefore officers do not consider this is necessary.

21. An Hours of Use condition has also been recommended however for the reasons given above this is not considered justified.

22. An informative regarding the councils code of construction has been added.

Sustainability

23. Policy DEV32 requires all developments to achieve 20% carbon savings. An energy statement has been submitted which proposes Photo Voltaic Panels to be located on the roofs to achieve this requirement. Further details of these and their implementation will be secured 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. With the proposed new

10. Local Finance Considerations

None

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 2019 are met.

The Local Highway Authority has requested a financial contribution to mitigate the impacts of the development on the Highway Network. Negotiations with the applicant are currently on-going and an update will be provided in an addendum report.

12. Equalities and Diversities

This planning application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and has concluded that the application does not cause discrimination on the grounds of gender, race and disability.

13. Conclusions and Reasons for Decision

The employment provided by the proposal is welcomed. Subject to conditions and a potential s106 contribution, the proposal is not considered to have an unreasonable impact on the highway network, the character of the area, ecology or the protected trees. 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 an agreed S106 planning obligation with delegated authority to Service Director for Strategic Planning and Infrastructure to refuse if not agreed within agreed timeframes.

14. Recommendation

In respect of the application dated 24.05.2019 it is recommended to Conditional approval subject to an agreed S106 planning obligation with delegated authority to Service Director for Strategic Planning and Infrastructure to refuse if not signed within agreed timeframes.

15. Conditions / Reasons

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

1 **CONDITION: APPROVED PLANS**

Site Location Plan 2134-MAL-00-A-100-01 Rev P00 received 14/05/19
Elevations & Sections 2134-MAL-00-XX-XX-A-109 Rev P1 received 14/05/19
Elevations & Sections 2134-MAL-00-XX-XX-A-110 Rev P1 received 14/05/19
Elevations & Sections 2134-MAL-00-XX-XX-A-111 Rev P1 received 14/05/19
Plans 2134-MAL-00-XX-XX-A-112 Rev P1 received 14/05/19
Site Development Roof Plan 2134-MAL-00-XX-XX-A-113 Rev P2 received 13/08/19
Aerial View 29082019 - received 29/08/19
Tree Protection Plan and AIA 05225-TPP-07.08.19 - received 21/08/19
Tree Constraints Plan 05225-TCP-07.08.19 Rev A received 21/08/19
Site Development Plan Landscape 2134-MAL-00-XX-XX-A-107 Rev P3 received 23/09/19
Site Development Plan 2134-MAL-00-XX-XX-A-108 Rev P3 received 23/09/19
Site Development Plan Vehicle Tracking 2134-MAL-00-XX-XX-A-114 Rev P1 received 29/08/19

Reason:

For the avoidance of doubt and in the interests of good planning, in accordance with the Plymouth & South West Devon Joint Local Plan 2014–2034 (2019).

2 **CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

To comply with Section 51 of the Planning & Compulsory Purchase Act 2004.

3 **CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

PRE-COMMENCEMENT

Prior to the commencement of development hereby approved a detailed Construction Environment Management Plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To protect general amenity, and the environment from any harmful polluting effects during construction works and avoid conflict with policies DEV2 and DEV26 of the Plymouth and South West Devon Joint Local Plan 2019 and NPPF 2019.

Pre-commencement justification: To ensure adequate management is in place before any construction begins.

4 BIODIVERSITY - SENSITIVE LIGHTING SCHEME

PRE SLAB LEVEL

No development shall commence above slab level until a sensitive lighting scheme has been submitted and approved in writing by the LPA. The scheme shall ensure that the boundary features around the site remain dark and unlit at night. Any external lighting required should be directed away from the boundaries with light levels as low as guidelines permit. Where lighting is required, in order to minimise the impact of lighting on bats, accessories such as hoods, cowls, shields or louvers must be used on all external lighting to ensure these features are not lit beyond 0.5 lux. In areas where lighting must be installed timers should be used to reduce the hours lit.

N.B. The use of low or high pressure sodium lamps instead of mercury or metal halide lamps is preferred due to the UV filtration characteristics or modern lighting solutions such as LED, highly directional, and/or light on demand.

Reason

To minimise disturbance to bats, which are species protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats, &c.) Regulations 1994 (as amended) and accordance with policy DEV26 of the Joint Local Plan.

5 CONDITION: CONSTRUCTION DETAILS - TREE PROTECTION

PRE-COMMENCEMENT

Notwithstanding the submitted details no development shall take place until full details of the construction of the eastern end of the northern platform within the root protection zone of the protected trees have been submitted to and approved in writing by the Local Planning Authority. The construction should be a no-dig method. The details shall include a no dig method statement, full construction details and details of materials.

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

Reason:

To ensure the impact on the protected trees on the eastern boundary is acceptable in accordance with Policy DEV28 of the Plymouth and South West Local Plan 2019 and the NPPF 2019.

Pre commencement justification:

To ensure the proposal and its construction does not have an unreasonable impact on the root systems of the protected trees.

6 CONDITION: LANDSCAPE DESIGN PROPOSALS

PR SLAB LEVEL

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

The development shall be carried shall be delivered in accordance with the approved details prior to the occupation of any of the units hereby approved.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies DEV20 and DEV28 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework 2019.

7 CONDITION: DRAINAGE

PRE- COMMENCEMENT

No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority. The details shall include:

a)

A surface water drainage strategy or flood risk assessment should be submitted that demonstrates that the proposed drainage system, including any attenuation, can provide a 1% AEP standard of protection plus a 40% allowance for climate change. Calculations and modelling results should be produced in support of any drainage design. Details are required for all proposed drainage features prior to planning approval.

b)

Details should be provided that confirm that the water environment is protected from pollution from the highway and parking areas. Reference should be made to the pollution risk matrix and mitigation indices in the CIRIA SuDS Manual to minimise pollution during use.

c)

In an extreme event that exceeds the design standard, a surface water exceedance flow route should be identified on a plan that shows the route exceedance flows will take both on and off site from the point of surcharge, and demonstrating that these flows do not increase the risk of flooding to properties on and off the site and or to Third Party Land including the Public Highway. Exceedance flows should be intercepted and contained on site as far as this is reasonably practicable and safe to do so, ensuring that flows are directed away from public access areas.

d)

A construction environment management plan incorporating method statements should be submitted to demonstrate how the new drainage system and water environment is protected during the construction phase.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Local Planning Authority that relevant parts of the scheme have been completed in accordance with the 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 DEV35 of the Plymouth and South West Devon Joint Local Plan and National Planning Policy Framework 2012.

Justification:

Necessary because of the essential need to ensure the drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure and water environment.

8 CONDITION: EXTERNAL MATERIALS

PRE- SLAB LEVEL

No development shall take place above Slab Level until details 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 DEV20 of the Plymouth and South West Devon Joint Local Plan 2019 and the National Planning Policy Framework 2019.

9 CONDITION: PROVISION OF SIGHT LINES

PRE SLAB LEVEL

No development shall take place above slab level until details of the sight lines to be provided at the junction between the means of access and the highway have been submitted to and approved in writing by the Local Planning Authority. The approved sight lines shall be provided before the development is first brought into use.

Reason:

To provide adequate visibility for drivers of vehicles at the road junction in the interests of public safety in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2019 and the NPPF.

10 CONDITION: SUSTAINABILITY

PRE SLAB LEVEL

No development shall take place above Slab level until an Energy Strategy has been submitted to and approved in writing by the Local Planning Authority detailing how the proposed PV panels will achieve regulated carbon emission levels of 20% less than that required to comply with building regulations.

Reason:

To ensure that carbon emissions are reduced in accordance with policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2019 and the NPPF.

11 CONDITION: BIODIVERSITY

PRE-OCCUPATION

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 ref TE0248/EMES/A.

Prior to occupation of the unit hereby approved a Landscape Ecology Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be managed in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with policy DEV26 of the Plymouth and South West Joint Local Plan and Government advice contained in the NPPF.

12 CONDITION: SERVICE ROADS

PRE OCCUPATION

No building shall be occupied until that part of the service road which provides access to it and shall not be steeper than 1 in 10 at any point has been constructed in accordance with the approved plans.

Reason:

To ensure that an appropriate and safe access is provided in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014 - 2034.

13 CONDITION: CYCLE PROVISION

PRE OCCUPATION

The building shall not 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 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 DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014 - 2034.

14 CONDITION: CAR PARKING PROVISION

PRE OCCUPATION

The building shall not be occupied until the car parking area shown on the approved plans has been drained and surfaced in accordance with the approved details and that area shall not thereafter be used for any purpose other than the parking of vehicles.

No vehicles shall be parked other than in parking spaces shown on the approved Site Layout Plan.

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 and to protect the root system of protected or protected trees in accordance with Policies DEV28 and DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014 - 2034.

15 CONDITION: UNEXPECTED CONTAMINATION

In the event that contamination of ground conditions is found when carrying out the approved development that was not previously identified, expected or anticipated, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

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

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

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

Where remediation is necessary a remediation scheme must be prepared, which 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.

Following completion of measures identified in the approved remediation scheme, a verification 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.

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 DEV2 of Plymouth and South West Joint Local Plan 2019 and the National Planning Policy Framework 2019.

16 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 the approved plans and particulars 05225 - TPP 07.08.19 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 Policy DEV28 of the South West Devon Joint Local Plan 2019 and the National Planning Policy Framework 2019.

17 CONDITION: BARRIERS AND GATES

The new junction entrance and access road that serves the 8 units on the northernmost platform hereby approved shall not be closed off with gates or barriers or otherwise obstructed, but shall be kept open and available at all times for the turning of vehicles using Darklake Close.

Reason:

In order to provide a practical turning area for vehicles and mitigate the loss of the dedicated turning head in accordance with policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2019 and the NPPF 2019.

INFORMATIVES

1 INFORMATIVE: (£0 CIL LIABILITY) DEVELOPMENT DOES NOT ATTRACT A COMMUNITY INFRASTRUCTURE LEVY CONTRIBUTION

The Local Planning Authority has assessed that this development, although not exempt from liability under the Community Infrastructure Levy Regulations 2010 (as amended), will not attract a levy payment, due to its size or nature, under our current charging schedule. The Levy is subject to change and you should check the current rates at the time planning permission first permits development (if applicable) see www.plymouth.gov.uk/cil for guidance.

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 the National Planning Policy Framework 2019, the Council has worked in a positive and pro-active way with the Applicant including pre-application discussions and has negotiated amendments to the application to enable the grant of planning permission.

3 INFORMATIVE: CODE OF CONSTRUCTION

The developer is advised that the development should be carried out in accordance with the Council's Code of Practice for Construction and Demolition Sites which is available from: <http://www.plymouth.gov.uk/homepage/environmentandplanning/pollution/noise/construction.htm>

4 INFORMATIVE: WALES AND WEST UTILITIES

The developer's attention is drawn to the comments and/or requirements of Wales and West Utilities, a copy of which can be found on the Council's planning website.

5 INFORMATIVE: SUPPORTING DOCUMENTS

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

Ecological Mitigation and Enhancement Statement TE0248/EMES/A

Energy Statement

Secure by Design Statement

Transport Statement April 2019

Tree Survey received August 2019

Vehicle Tracking Correspondance

and accompanying Design and Access Statement.