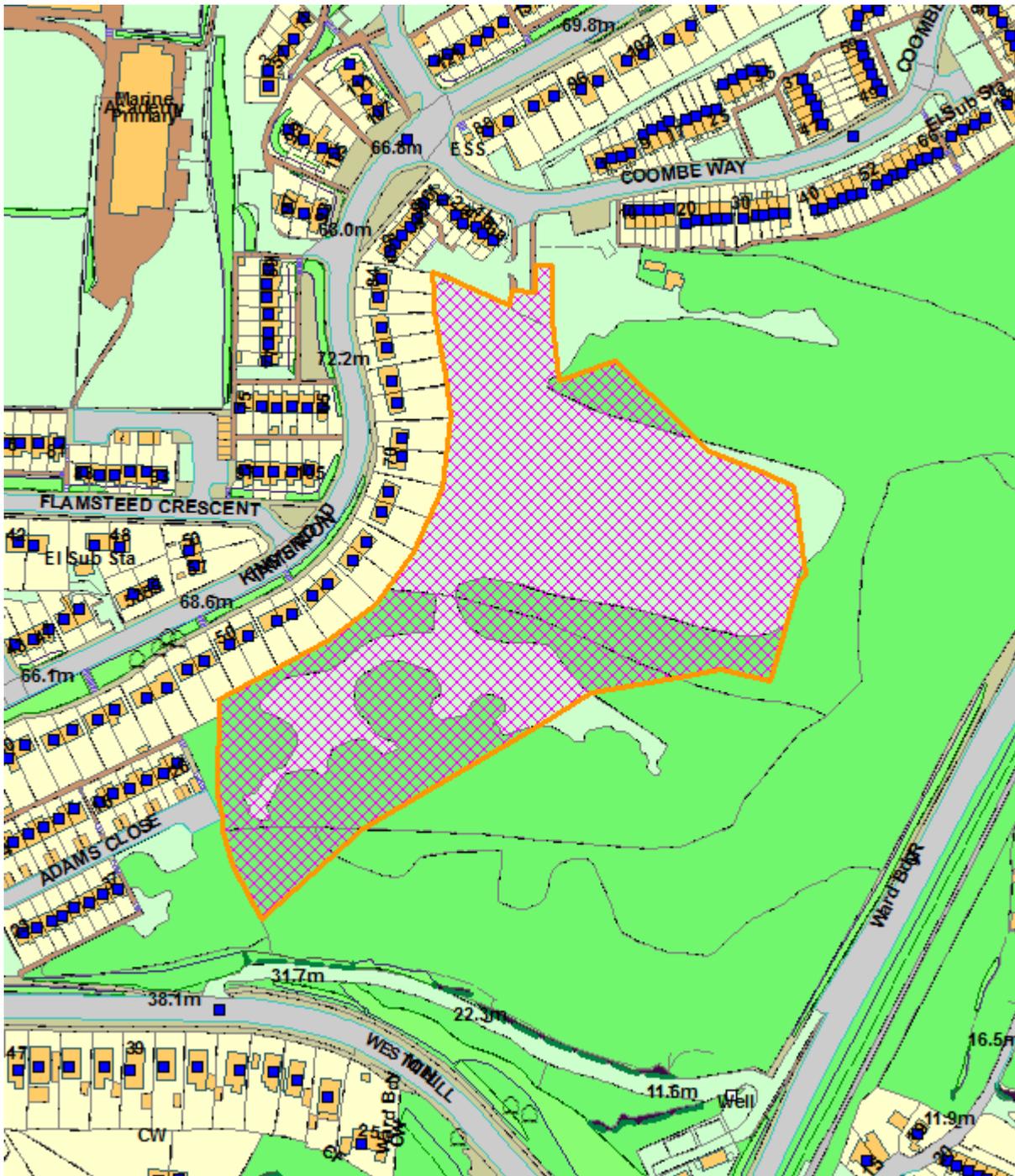


PLANNING APPLICATION OFFICERS REPORT



Application Number	21/01038/OUT	Item	03
Date Valid	09.06.2021	Ward	ST BUDEAUX
Site Address	Land Off Coombe Way Kings Tamerton Plymouth		
Proposal	Outline application for 70 affordable net zero energy homes and 1 small commercial unit (flexible use), with all matters reserved except access		
Applicant	PEC Homes		
Application Type	Outline Application		
Target Date	08.09.2021	Committee Date	09.12.2021
Extended Target Date	12.11.2021		
Decision Category	More than 15 Public Comments/Mem Refer		
Case Officer	Mr Chris King		
Recommendation	PS106 Grant subject to S106 Outline		



This application has received more than 15 letters of representation contrary to officers' recommendation, and has been referred to planning committee by Ward Cllrs.

I. Description of Site

The application site is Greenfield in character, located in the Kings Tamerton area of the St Budeaux Ward, to the north of the City Centre. Access is provided from Coombe Way via an existing road spur to the north of the site. Coombe Way links to Kings Tamerton Way, which serves as a local distributor. Adams Close (cul-de-sac) is located at the southern end but with no formal means of passage. Informal tracks have been observed 'criss-crossing' the site.

The west of the site is bounded by the rear gardens of properties along Kings Tamerton Road, the north of the site separated from a number of houses within Coombe Way, the east of the site is bounded by dense, unmanaged woodland and the south of the site adjoins Adams Close.

Measuring 2.56ha, the site undulates in numerous directions however the overriding topography is the sites slope to the east-southeast towards the St Budeaux Bypass (A3064) and Weston Mill Hill. As such, the site presents itself as a 'hillside', which can be viewed from a number of vantage points on the eastern side of the Bypass (North Prospect/Burrington Way Business Park). The site presents a mixture of unmanaged scrub-grassland, bushes, trees and hedgerows.

2. Proposal Description

Outline application for 70 affordable net zero energy homes and 1 small commercial unit (flexible use), with all matters reserved except access.

3. Pre-application Enquiry

None

4. Relevant Planning History

19/01772/OUT - Hybrid Application comprising two parts: Part 1: Full Planning Permission for the erection of 30no. Dwellings (Class C3) with associated works and infrastructure. Part 2: Outline Planning Permission for up to 38no. Affordable homes (minimum 21no.) (Class C3) with all matters reserved except access - Withdrawn as the applicant was unable to sign the S106 agreement.

18/00193/OUT - Hybrid Application comprising two parts: Part 1: Full Planning Permission for the erection of 30 Dwellings (Class C3) with associated works and infrastructure. Part 2: Outline Planning Permission for 21 Self Build Plots (Class C3) with all matters reserved except access - Withdrawn to allow the applicant to undertake further survey work relating to drainage and landscape.

87/01406/30 - Outline application to develop land for residential purposes (Regulation 4 proposal) - Granted Conditionally.

5. Consultation Responses

Economic Development - No objections, but require an Employment and Skills Plan to be submitted and approved.

Education - No comments received.

Environment Agency - No comments received.

Housing Delivery Team - No objections subject to further details reserved by conditions and S106 agreement.

Lead Local Flood Authority - No objections subject to further details reserved by conditions.

Local Highway Authority - No objections subject to further details reserved by conditions.

Low Carbon Team - No objections subject to further details reserved by conditions.

Ministry of Defence (MOD) Safeguarding - No objections.

Natural Infrastructure Team - No objections subject to further details reserved by conditions and S106 agreement.

Office for Nuclear Regulation (ONR) - No comments received.

Police Architectural Liaison Officer - No objections.

Public Health - No objections subject to financial contribution for the improvement of local health services.

Public Protection Service - No objections subject to further details reserved by conditions.

South West Water - No objection to surface water being managed in accordance with the submitted drainage strategy, subject to detailed drainage design being submitted for prior approval.

Urban Design / Historic Environment Team - No objections subject to further details reserved by conditions.

6. Representations

The Local Planning Authority received a total of 80 letters of representations; 58 of which object to the planning application and 22 offer support.

The objections are summarised as follows:

Material planning issues

Traffic, Highways and Transport

- o Kings Tamerton Road is already a danger for pedestrians with speeding cars. Introducing more cars to the area will worsen this.
- o There are a lack of safe pedestrian crossings throughout the area.
- o Large logistical vehicles for construction of new development won't fit down Kings Tamerton Road as it is narrow.
- o More cars in the area will put children's lives at risk as many of them walk to school
- o Adding more traffic onto the small entrance of Coombe Way is unsafe as this area is already congested.
- o Questions whether traffic calming could be introduced along Kings Tamerton Road.
- o Road surfaces have become increasingly worn which will get worse with more vehicles.
- o The highways survey was carried out only in February which is a generally quiet month. Regular highways surveys must be done throughout the year.
- o Access for emergency services will be restricted.
- o Inaccurate number of Coombe Way dwellings listed in the Transport Statement. This impacts the percentage increase of traffic movement at the Coombe Way junction with Kings Tamerton Road.
- o The unreliable bus service will not appeal to new residents, so they will revert back to private car use causing on-street parking issues.
- o At present there is lack of an exit road from the estate - Questions over whether a road would be formed linking the proposed estate with Weston Mill Road.

Parking

- o Coombe Way and Kings Tamerton Road are already narrow and difficult to drive on due to parked cars.
- o Severe parking issues on Kings Tamerton Road around the primary school. These will be worsened by the new development.
- o Noted that the unsafe car parking experienced in the area was not mentioned in the Transport Statement dated 4 June 2021 submitted by the council.
- o Car parking space shouldn't be provided as people shouldn't be encouraged to have a private car.
- o On-street parking issues - no way of controlling how many cars are parked on-street per dwelling.

Residential / environmental amenity impacts

- o High buildings would cause shadowing and loss of light for existing residents.
- o Resident's properties would be overlooked by new houses and apartments causing privacy issues.

- o The proposed apartments are out of character for the area. Would negatively impact the aesthetic pleasure of the area.
- o The development will lead to an increase in air pollution which is detrimental to health.
- o Noise and disturbance.
- o The street is currently regarded as peaceful with little road noise, but it is believed the development will bring with it noise.
- o Noise disturbance during construction will decrease the standard of living for residents for many months.
- o Dirt and dust created from construction will decrease quality of life for residents.

Surface Water Drainage and Flooding

- o Drainage is already an issue. The existing infrastructure won't be able to cope with the extra volume of waste water from new development.
- o The development needs its own drainage infrastructure and cannot rely on existing drainage system.
- o The proposed drainage solution could greatly impact the nearby Ham Woods Local Nature Reserve.
- o Nearby watercourses such as Ham Brook are already poorly maintained with obstructions. Adding the run-off from 70 new homes would exacerbate issues with this.
- o The development will cause harm to Weston Mill Village due to increased water runoff leading to a risk of flooding. Flood risk in this area is already high.
- o A full survey of the capacity of existing drainage systems must be done at Weston Mill creek. From this an assessment should be made on the effect of increased discharge on houses in Weston Mill village. Measures should be put into place to mitigate against flooding in Weston Mill village.

Wildlife and biodiversity

- o The site is home to a large amount of flora and fauna and is an important habitat for many species.
- o Local wildlife such as bats, bees, birds, foxes and deer is already being disrupted by drainage works. Fears that more wildlife will leave the area due to the development.
- o Deer and foxes will walk on the roads more often, causing road traffic incidents.
- o There are limited green spaces left in the area for residents to walk in and enjoy.
- o Reduction of hedgerows is not being mitigated against within plans.
- o An area of natural beauty should not be taken away from the residents as it is vital for health and wellbeing.
- o Argued that the council should be making better use of existing housing stock or brownfield sites within Plymouth.
- o Loss of trees means higher levels of CO₂.
- o The land adjacent to the site must be designated as a Local Nature Reserve with long-term management. Without this designation and commitment to manage the site, the application cannot provide mitigation to compensate for loss of green field site. As the LNP is out of the red line boundary, it should be established and commitment to manage it should be made before grant of any permission.

Community/health facilities

- o Available spaces in schools are already low which will be made worse by the development.
- o Doctor's surgery - already overfilled so adding more residents would make it impossible to get an appointment, impacting existing residents' quality of life.
- o 3 year waiting list for the NHS dentist in the area.
- o Lack of community facilities for all ages.
- o Current bus service is very poor and needs improvement before this development is approved.

S106 and Maintenance

- o Questions over there being no mention of Section 106 agreement

- o What Section 106 contribution is the council willing to provide to the community?
- o Questions over who would maintain the proposed recreational areas and prevent vandalism and littering.

Planning History

- o It is argued that on more than one occasion planning permission has been refused for this site so there are questions as to why it has been chosen for development again.

Housing numbers, type and delivery

- o The JLP indicates a development of 40 dwellings, yet the application proposes 70. Must be showed how this is not over-development.
- o Lack of provision for the needs of the elderly (the area is diverse in age), disabled people and children.
- o Questions raised over why the housing stock is proposed to be for new starters only.
- o Argued there should be a mixture of social and private housing - Issues raised over the fact all the housing will be affordable.
- o Kings Tamerton already has enough social housing.
- o The developer has not yet proved how the properties will be net zero
- o The current application states that PEC will develop the eastern part of the site but there is uncertainty over who will develop the western site - matter of concern as there is lack of information over housing design and no reassurance for neighbouring properties
- o Building heights must be clarified.

Non-material planning issues

- o A pleasant view has been valuable to many during the pandemic.
- o House prices will drop because of construction work.
- o Perceived depreciation in value of property due to loss of view.
- o Need assurances from the council over the vetting process for the houses. The council must assure residents that only people of good behaviour live in the estate to avoid issues of ASB and crime.

The letters of support are summarised as follows:

- o The land has been identified for housing for some time and is allocated for development in the Joint Local Plan policy PLY58.3.
- o There is a recognised and urgent need for more affordable housing in line with policies DEV7 and DEV7 of the Joint Local Plan which this development will help to address.
- o Would bring wider benefits to the community by opening up access to existing green spaces and responding to needs on site including informal play areas, allotments and community spaces.
- o Other benefits include a potential car club or E-bike hire
- o Will support the Council's target of Plymouth having net zero emissions by 2030.
- o The project aims to deliver a net gain in biodiversity with potential for a local nature reserve.
- o Development of high quality eco housing should be a priority and this is a chance for Plymouth to set an example for other developers to follow.
- o Residents of net zero houses benefit from very low running costs. This means they would have more money to spend in the local economy.

The application was re-advertised following the submission of updated documents. Ten further letters were received, with the following new comments being made:

- o Development will result in a loss of biomass and will increase global warming.
- o Not enough school places.
- o Commendable to see such concern for the environment and world global
- o Warming, perhaps it might be easier to plant trees in the field.
- o Inaccurate transport survey.

- o Revisions do not address the under provision of parking.
- o Object to a commercial property in a residential area.
- o Empty buildings and brownfield sites should be prioritised over greenspaces for development.

The application was re-advertised for a third time following the submission of a viability appraisal. Four further letters have been received which make the following new observations:

- o Will help achieve the councils carbon emissions targets
- o Proposal lacks detail on Phase 2
- o Should this have been a full application, rather than an Outline so the full impact could have been assessed.
- o Land value of £1 will grate on residents.
- o £70k S106 offer seems low and will need to be explained.
- o LNR designations detail is insufficient.

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 on 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 the parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG) of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change. On 19th January 2021 MHCLG published the HDT 2020 measurement. This confirmed Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12th November 2021).

Other material considerations include the policies of the National Planning Policy Framework (NPPF), Planning Practice Guidance (PPG), National Design Guidance (2019), and the scale and urgency of the climate change emergency, and Plymouth City Council's Declaration on Climate Emergency (2019) for a carbon neutral city by 2030. Additionally, the following planning documents are also material considerations in the determination of the application:

- Plymouth and South West Devon Supplementary Planning Document 2020 (JLP SPD)
- Developer Contributions Evidence Base 2020
- The Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO)

8. Analysis

1. This application has been considered in the context of the Plymouth and South West Devon Joint Local Plan 2019 (the Joint Local Plan), the National Planning Policy Framework (the NPPF) and other material policy documents as set out in Section 7.

2. Paragraph 2 of the NPPF highlights that "planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise." Para 2 adds that the NPPF "must be taken into account in preparing the development plan, and is a material consideration in planning decisions".

3. The Joint Local Plan forms the Councils statutory development plan. This application turns upon the following strategic objectives contained within the Joint Local Plan:

- SO1 - Delivering the spatial strategy;
- SO11 - Delivering high quality development;
- SO12 - Delivering infrastructure and investment;
- SPT1 - Delivering sustainable development;
- SPT2 - Sustainable linked neighbourhoods and sustainable rural communities;
- SPT3 - Provision for new homes;
- SPT9 - Strategic principles for transport planning and strategy;
- SPT12 - Strategic approach to the natural environment;

4. The application has been assessed against the following Joint Local Plan development policies:

- PLY58.3 - Coombe Way & Kings Tamerton Road (Site allocations in the south of Plymouth);
- DEV1 - Protecting health and amenity;
- DEV2 - Air, water, soil, noise, land and light;
- 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 - Provisions for local employment and skills;
- DEV20 - Place shaping and the quality of the built environment;
- DEV23 - Landscape character;
- DEV26 - Protecting and enhancing biodiversity and geological conservation;
- DEV27 - Green and play spaces;
- DEV28 - Trees, woodlands and hedgerows;
- DEV30 - Meeting the community infrastructure needs of new homes;
- DEV32 - Delivering low carbon development;
- DEV33 - Renewable and low carbon energy (including heat);
- DEV35 - Managing flood risk and water quality impacts;
- DEL1 - Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy.

5. The principle issues relating to this Outline application are considered to be:

- Access and Layout
- Transport, Highways and Parking
- Landscape, Biodiversity and Green Space
- Residential Amenity
- Housing Mix and Tenure
- Low Carbon Development and Climate
- Surface Water Drainage and Flood Risk

Principle of Development

6. This Outline application seeks consent for 70 Net-Zero dwellings spread across two phases. Phase 1 would deliver 40 dwellings whereas Phase 2 would deliver the remaining 30 dwellings. All matters have been reserved except access, which is proposed to be provided via Coombe Way.

7. The site is allocated in the Joint Local Plan, by way of policy PLY58.3. Identified as 'Coombe Way & Kings Tamerton', the policy seeks to deliver an estimated 40 dwellings as well as providing contributions towards convenient pedestrian and cycle access to the forthcoming Local Nature Reserve (LNR).

8. Although not a brownfield site, i.e. it is not previously developed land; the site is not allocated (protected) in the Joint Local Plan as Green Space (as defined through Policy DEV27). Although officers are aware of the informal use of this site by local residents, this land is not intended to provide such a function. However, and in recognition of these concerns, Policy DEV58.3 includes a requirement to improve access to the LNR. This will provide wider amenity benefits for both existing and future residents when compared to the current informal situation.

9. As such, and contrary to a number of letters of representations, the principle of residential development has been established on this site. The allocation for housing has been through the examination process, and officers note that no objections were received contesting its suitability for housing during the Regulation 19 consultation process.

10. Officers note the concerns raised within the submitted letters of representation which identify the uplift on unit numbers compared to the policy allocation within the Joint Local Plan. Notwithstanding any technical matters which will be discussed further in the report, officers have considered these concerns very closely.

11. The evidence that underpinned the allocation capacity refers to a pre-application (live at the time) that was guided by a Council Site Planning Statement (SPS) as part of the successful 'Plan for Homes' initiative. SPS' don't address all the issues which may need to be considered during the course of an application and don't establish policy, but can assist the development process by bringing together the key planning and design issues. They aren't legally binding and haven't been through a formal consultation process.

12. Having reviewed the SPS, it clearly refers to the fact that the site is constrained and the developable area is a maximum of 2Ha and a potential capacity of 41 dwellings. As such the quantum of development included in the policy allocation was informed by the SPS and not the Strategic Housing Land Availability Assessment (SHLAA) as it was considered a more detailed assessment of the developable area/quantum than the SHLAA.

13. For comparison, the capacity assumptions where developable area formulas and density assumptions are used, the SHLAA identified an unconstrained capacity of 119 dwellings but refers to a constrained capacity of 40 dwellings informed by the detailed SPS (and pre-app).

NB: a SHLAA is a technical exercise to determine the quantity and suitability of land potentially available for housing development. It is not a site allocations exercise; and its purpose is to provide a robust indication of aggregate housing capacity at local authority level.

14. Officers note that the SPS refers to 2, 3 and 4 bedroom 2 storey homes whereas this Outline application includes a significant number of apartments. The key issue therefore has been for officers to establish whether the proposal for extra homes is essentially on the same developable area. For example, and consider density per hectare (dph) 70 dwellings (houses and apartments) on 2Ha is a more efficient use of land (35dph) than 40 dwellinghouses on 2Ha (20dph).

15. The applicant has also assessed the density per hectare. They shows that the density for 40 homes (allocation figure) would be 11dph, whereas the PEC Homes application would be 20dph (or alternatively 28dph for just the red line boundary). This is below the typical density of Kings Tamerton (around 33dph) and lower than common practice on new housing schemes (35dph or above).

16. Paragraph 124 of the NPPF states that:

"Planning policies and decisions should support development that makes efficient use of land, taking into account:

a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services - both existing and proposed - as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places."

17. The Joint Local Plan champions the need for effective use of land, prioritising brownfield sites. Although not a brownfield site, it has been allocated for housing development. Increasing the quantum of development on this site is likely to reduce the burden in the future on other greenfield sites so optimising the way in which the site is developed is important at a strategic and local level, promoting sustainable development.

18. When considering the above in the context of the Illustrative Masterplan, whereby Phases of the development are annotated, it would show that a smaller development could result in an incomplete/ineffective use of the site. The principal spine road traversing the site, framed by dwellings either side, creates a pattern of development that relates to the surrounding built form connecting Coombe Way to Adams Close. Leaving the southern parcel (Phase 2) of the site undeveloped would not fulfil the entire allocation.

19. This same Masterplan presents a situation that provides strengthened buffers to the properties along Kings Tamerton Road; as well as clearly showing a significant degree of separation from the properties along Coombe Way and Adams Close. Much of the 'developable' area is being left to public amenity space, demonstrating that the proposal, if approved, could result in a well laid out scheme.

20. The figure of 40 dwellings was based on a conservative approach, assuming the site was heavily constrained. The SHLAA formulas took no regard for constraints and arrived at 119 dwellings. The applicant has thoroughly analysed the site, its context, topography, and features and has presented a scheme that sits somewhere in the middle between the constrained allocations and the unconstrained formula.

21. Officers are satisfied that the applicant has presented an acceptable density, and that the uplift in units does not result in 'overdevelopment'. Therefore the principle of 70 dwellings on this site is considered acceptable.

Illustrative Layout and Design

22. The application has been supported by a number of documents to aid the LPAs consideration of the likely suitability of a scheme. It is important however to note that these details are for illustrative

purposes and could be changed should consent be granted with detailed design and layout being reserved matters.

23. As noted, access is proposed from Coombe Way and the Illustrative plan proposes a single main spine road to Adams Close. Dwellings are arranged either side of the road, and the central point of the development is marked by a gentle bend in the road along with the placement of a small commercial/community unit. A range of greenspaces are interspersed around the site, reducing the impact of the built form. Private gardens are shown, further adding to the openness of the layout. The use of green and blue space buffers the eastern edge of the development where it meets the Greenspace/LNR.

24. As noted, the scheme now includes a small commercial facility, improving the sustainability credentials of the development whilst also providing opportunities for community space. A condition has been imposed to ensure only appropriate uses come forward.

25. The site is challenging from a topographical perspective being a hillside. The submitted sections give an idea of how the development could be cut into the site to achieve practical levels. The indicative scale of the properties are considered acceptable for the site i.e., a mix of two and three storeys. Whilst appearing feasible, officers welcome the submission of more detailed analysis as part of the reserved matters applications to ensure that building heights are kept as low as possible.

26. It is important to note that views are not protected however the Illustrative Masterplan shows that adequate separation can be achieved from existing properties when considering the JLP SPD ensuring that outlook is preserved. Reserved Matters applications will need to clearly demonstrate compliance with the JLP SPD to ensure outlook and access to light, particularly to properties along Kings Tamerton Road, is retained.

27. The Councils Urban Design officers have considered the site, its context and the illustrative masterplan and make no objections. Officers understand that the final design of the scheme will be awarded through a design competition, and this should naturally raise the standards. However, and noting that it is at Outline stage, it has been agreed to include a condition that specifies a set of design principles. Each Reserved Matters application will need to set out how it meets these ensuring the design is appropriate for the site and fits the net-zero / Energiesprong ethos that underpins the application. Furthermore, and to promote community safety, a Secure by Design condition has been imposed to ensure each Reserved Matters application makes every effort to create a safe and secure community.

28. Concerns have been raised over the level of detail provided with respect to Phase 2 however officers are satisfied that the Masterplan shows clearly how this will integrate with Phase 1; and a range of conditions have been imposed to ensure consistency across the whole development. This also includes a condition to ensure that final landscaping plans are submitted for consideration in the event Phase 2 does not come forward.

Housing Mix and Tenure

29. The Outline application proposes 70 affordable homes (100%) and the illustrative details show the following mix across both phases:

Phase 1 - 40 dwellings

6 x 1b apartments

16 x 2b apartments

8 x 2b houses

10 x 3b houses

Phase 2 - 30 Dwellings

6 x 2b apartments

12 x 2b houses

9 x 3b houses

3 x 4b houses

30. The above shows an indicative level of 40% apartments and 60% dwellinghouses.

Affordable Housing Policy Context

31. The Joint Local Plan makes provisions to deliver at least 19,000 new homes in the Plymouth Policy Area by 2034, of which 4,550 should be affordable (Policy SPT3 Provision for new homes). The Housing Delivery Team (HDT) therefore welcomes the application and supports the principle of development.

32. The Councils policy for affordable housing delivery is set out in Policy DEV7 (Meeting local housing need in the Plymouth Policy Area) of the Plymouth and Southwest Devon Joint Local Plan Joint Local Plan 2014-34 (JLP) and supported by the JLP Supplementary Planning Document (2020) (SPD).

33. Policy DEV7 requires at least 30% of the total number of dwellings to be affordable homes on developments of more than 10 homes. In this case, at least 21 of the dwellings should be secured as Affordable Housing in perpetuity.

34. Paragraph 4.79 of the JLP Supplementary Planning Document (SPD) sets out the Council's preferred tenure mix, which is 65% social rent and 35% affordable home ownership tenures such as shared ownership.

35. Paragraph 4.80 states that it may be possible to consider affordable rent units in lieu of social rent where viability considerations reduce the proportion of AH.

36. Paragraph 64 of the National Planning Policy Framework requires 10% of the overall number of homes on major developments to be affordable home ownership tenures; although 100% affordable housing schemes are exempt from this requirement.

Housing Delivery Analysis

37. The initial proposal was for a 100% affordable rent development. Paragraph 63 of the NPPF and the aforementioned local policy requirements/guidance seek to create sustainable, mixed and balanced communities comprising a mix of market and affordable housing. As such, the officers' preference would be to see a mixed tenure development comprising indistinguishable market, affordable home ownership and rented affordable housing units integrated across the site. The applicant was challenged on the rationale behind a 100% affordable rented scheme and advised that:

- 1) Providing social rented units would add significant pressure on the viability of the scheme; and
- 2) Shared ownership, and to some extent social rent, would make it difficult for the applicant to levy the 'Energiesprong' comfort charge that is required to fund the development.
- 3) Concerns regarding enforceability of the comfort plan on shared owners could undermine the viability of the development.

38. Officer's held further discussions with the applicant and requested viability evidence to demonstrate that the development could not accommodate social rented units. Further, the HDT challenged the applicant to include a proportion of shared ownership units to contribute to creating a more sustainable, mixed and balanced community with opportunities for home ownership.

39. The applicant has responded positively by submitting a viability appraisal to the Council's Viability Officer and by agreeing to provide 7no. shared ownership dwellings. On review of the evidence, officers accept that it would not be financially viable to provide social rented units on the site. This is in part caused by the development's reliance of grant and the reduction of social rent grant rates as a result of Plymouth not being considered a priority area for the Government's 'levelling-up' agenda. Officers therefore accept affordable rent in lieu of social rent in accordance with paragraph 4.80 of the SPD.

40. The inclusion of 7no. shared ownership units results in an overall tenure mix comprising 90% affordable rent units and 10% shared ownership. However, planning policy can only require 30% affordable housing, which would generate a requirement for 21no. affordable housing units of which 7no. would be shared ownership. The balance of the dwellings (49no.) are to be provided as additional affordable homes that will make a significant contribution to meeting local housing need.

41. There is a significant need for affordable housing in Plymouth with the number of households on the register increasing by over 1,500 since the start of the pandemic.

42. Policy DEV7 also seeks to deliver a wide choice of house types and it identifies smaller (1 bedroom) dwellings and larger 4 bedroom and executive homes as areas of particular housing need. The figures below show there are currently 8,689 households in Plymouth awaiting rented affordable housing (as of 01/11/2021):

1 bed - 4,944
2 bed - 2,176
3 bed - 1,151
4 bed - 350
5 bed - 57
6 bed - 8
7 bed - 3
Total - 8,689

43. The illustrative details show that the development seeks to provide a mix of 70no. one, two, three and four bedroom homes to help meet this need. In particular, officers welcome the inclusion of 3no. four bedroom homes in the mix as there is a high demand, yet lack of supply of larger properties as stated in Policy DEV7.

44. The HDT recognises the significant additionality and innovation that this development provides over and above planning policy and Building Regulations, which includes levels of affordable housing far in excess of policy and net zero carbon homes. If built, this will be a flagship development that will help to deliver the Council's Climate Emergency Action Plan commitments and to lead the way on Plymouth's journey to net zero.

Affordable Housing Summary

45. Officers consider that the proposal accords with, and far exceeds, the requirements of Policy DEV7, and the development justifies minor relaxation of the SPD guidance on preferred tenure mixes in order to achieve innovative and sustainable development and to meet local housing need. Officers acknowledge the concerns raised within the letters of representation and have secured some homeownership within the scheme. The inclusion of further shared ownership or open market dwellings is not considered necessary to make the development acceptable.

Accessible Homes

46. Policy DEV9 (Meeting local housing need in the Plan Area) of the JLP requires at least 20% of dwellings to meet national standards for accessibility and adaptability (Category M4(2) of Building

Regulations) on developments of five or more homes; and at least 2% to meet national standards for wheelchair user homes (Category M4(3)) on developments of 50 or more dwellings.

47. The application details initially provided limited information on M4(2) and M4(3) provision. However, a policy compliant level of accessible housing has been secured through the S106 agreement, full details of which will be secured by condition.

Low Carbon Development

48. The applicant PEC has developed a design brief based on the principles of One Planet Living, Building for Life and the Energiesprong New Build Performance Specification. The Accompanying Design and Access Statement sets out PEC Homes ambitions:

49. "PEC Homes wants to bring forward affordable, high quality, well designed, cooperative and sustainable housing. It has a framework of design principles that embody these values and will be used to steer the design decisions on its development projects. PEC Homes' ability to achieve much of these will depend on its ability to implement a range of best practice solutions already being used elsewhere. But the need to deliver zero carbon housing in a replicable and affordable manner means it has to disrupt and innovate. To do things differently PEC Homes intends to use the 'Energiesprong' approach.

The Energiesprong ('energy leap') approach was initiated by the Dutch Government in 2010 and developed by Dutch housing, construction and manufacturing industries. Since 2015, over 12,500 net zero homes have been delivered in the Netherlands, including retrofit and new build. The approach has been adapted and is being used in France, Germany, Italy and the UK, with the support of governments and the EU.

Over 100 net zero home retrofits have been completed or commissioned so far in the UK (including 16 in Devon), and an 11 home new build project is underway in Scotland. The Kings Tamerton project will be the first new build project in England and is therefore a flagship project of national significance."

50. The proposal is clearly innovative and is an excellent approach to tackling the Councils Climate Emergency Declaration and ambitions of being carbon neutral by 2030.

51. In relation to Policy DEV32, the applicants have provided an Energy Statement, setting out the general approach as the development will be procured through a performance specification approach (Energiesprong) to achieve net zero energy. At this stage however it cannot determine the precise levels of renewable energy generation on site in relation to fabric measures. The applicants propose not to use gas infrastructure, so that the development will be electrically led, as government has proposed for all new housing from 2025.

52. In overall terms the development will significantly exceed the requirements set out in policy DEV32, in particular meeting DEV32.3- DEV32.5, and is therefore compliant and supported.

53. As the application is at Outline stage, further details will be available at the Reserved Matters application stage and should be provided, via condition to confirm the carbon emissions reductions and the mix of renewable energy and fabric to achieve this (over and above building regulations), but also the associated solar modelling, once the layout details and orientation are fixed.

Access

54. The DMPO defines 'Access' as "the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network."

55. The Local Highway Authority (LHA) considers Access to be satisfactory in principle. In considering access, the associated accessibility of the site, and traffic impacts, also need to be taken

into account. Notwithstanding a perhaps relatively low vehicle multi-modal trip assignment, and forecast, the LHA considers accessibility and traffic impacts associated with 70 dwellings to be satisfactory in principle and unlikely to result in a demonstrably harmful impact.

56. The LHA notes that the site is located in the residential area of Kings Tamerton, with a few local amenities, a local shop, and schools, within a reasonable and convenient walking distance of the application site. The site is approximately 1.3 kilometres away (uphill) from the local shopping centre in St Budeaux Square, and approximately 5.5 kilometres from the City Centre, via North Prospect Road. In considering accessibility, and sustainable travel, the surrounding hilly topography of the site location would be likely to discourage some forms of sustainable travel such as walking and cycling, which must be reasonably be taken into account.

57. However, the pedestrian and cycle initiatives are considered positive in supporting and maximising opportunities for sustainable travel. With some filtered permeability providing access for pedestrians and cyclist between the new street and Adams Close. Furthermore, the Illustrative Masterplan indicates walking and cycling access points to the east and south providing increased connectivity and permeability for pedestrians and cyclists between large parts of Kings Tamerton and Ham Woods LNR, and a connection to the traffic free cycle path along St Budeaux Bypass. Although the topography might be steep, an extension of the foot / cycle path toward St Budeaux Bypass would be welcomed and would also support the application aims to realise the ten One Planet Living Principles.

58. The site is located close to a convenient bus service (No 16) on Kings Tamerton Road. The service is half hourly during the working day, with one bus every two hours during the evenings, Monday to Saturday, and one per hour on Sundays. Referring to the JLP SPD Accessibility diagram, the site location has an accessibility level of approximately 40% by bus. In terms of sustainability, the location is considered to be no more, or less sustainable, than any of the other nearby surrounding houses where new occupiers may be expected and likely to establish similar means and patterns of transport and travel.

59. It is noted that traffic flows along Kings Tamerton Road, including for busses are constrained by the long lines of informal on-street car parking that occurs both sides along the street. A situation that in order to ensure adequate and safe access for, emergency vehicles, refuse collection lorries, and deliveries, should not be replicated by the under provision of car parking in the new streets of the development.

60. In response to some matters raised on the LHA's initial consultation response the applicant sought to provide further detail. This information now also includes '1 small commercial unit, for flexible use', along with amended illustrative parking details. These further details indicate that the level of off-street car parking would be increased from the initial proposal of 118 parking spaces, up to 125 parking spaces (which includes substituting 12 integral garages, with car-ports, to create usable parking spaces). This would bring the proposed off-street car parking provision up to twelve parking spaces below the indicative maximum number. Referring to the application details, and taking into account the sustainable initiatives including the proposed Car Club, and electric cycle provision/charging points, then on balance the slightly below maximum off-street parking provision could be supportable and has been secured through the S106 agreement.

61. Officers note that concerns have been raised over the adequacy of the transport information. The Local Planning Authority (LPA) is aware that some of the imagery used in the Transport Statement is 'out of date'. However, planning decisions and transport assessments are based on data, not photos. Photos are a snapshot in time which can paint a misleading or inaccurate picture of, in this case, highway conditions. The images were included as an illustration of the character of the

surrounding streets and accord with the site visits that were undertaken in 2018. They have no influence on the traffic surveys.

62. To add further, the traffic survey at the junction of Coombe Way with Kings Tamerton Road was undertaken on 19 February 2018 between 0800 and 0900 hours as indicated in paragraph 3.1 of the Transport Statement. Although this data is now approximately three and a half years old, Local Authorities are hesitant to accept surveys during the COVID period as they are not a representative of normal traffic flows. And in this case there are no other adjacent new development(s) that would change travel patterns. As such, the data has been accepted by the LHA as representing a valid picture of the traffic situation.

63. It is important to note that the LHA has not raised an objection to the documents submitted and as such, the officers are satisfied with what has been submitted in terms of traffic assessment. In addition, officers have visited the site at both peak AM and PM periods, both to observe traffic and drive within it. The 'severe' situation described in many of the letters was not observed.

64. Para 111 of the NPPF states that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." In this case the impacts of the development are not considered unacceptable or severe.

65. Finally, consideration has been given by officers to the suggestions of an additional access in the south of the site, linking to Weston Mill Hill. Such an access is considered unviable due to the topography and the significant impact this would have on the Greenspace and trees.

66. Much of the detailed highway works will be included through the Reserved Matters applications or conditions. However, and as baseline position, officers are satisfied that the access, indicative parking and sustainable travel initiatives will ensure that the development accords with Policy DEV29 of the Joint Local Plan and will not result in a severe impact.

Surface Water Drainage and Flood Risk

67. The proposed 2.47ha greenfield site is located in Flood Zone 1 and at a low risk from fluvial and tidal flooding.

68. Surface water flood risk mapping provided by the Environment Agency indicates a low risk of flooding to the site itself from a 1% AEP (1 in 100 year return period) flood event. There is a flow route identified in Coombe Way that has the potential to impact on the site through the access road to the proposed development.

69. The site is located in a Critical Drainage Area where the Environment Agency considers the drainage network is at or close to capacity.

70. Environment Agency LiDAR indicates that the south part of the site slopes steeply from north west to south east at a slope of approximately 1 in 8. BRE365 recommends infiltration drainage is not used for sites sloping greater than 1 in 10 due to the risk of re-emergence. Public sewer records indicate that there are no surface water sewers in the vicinity of the site.

71. A Flood Risk Assessment (FRA) has been submitted for the proposed development. Infiltration tests have been completed that show two rates within the site with 1.7×10^{-4} m/s recorded for the top half of the site and 4.9×10^{-6} m/s for the lower half of the site. The FRA states that the difference in these rates is due to different geological formations, and concludes that infiltration drainage would be unsuitable due to the risk of surface water re-emergence and failure.

72. The surface water strategy is to dispose surface water to a SWW sewer at an attenuated rate of 10l/s with attenuation storage provided by tanks and ponds and swales.

73. The connection point shown on the drainage strategy plan indicates a SWW foul sewer in Adams Close. An alternative connection point to a surface water sewer in Weston Mill Hill is also described but not confirmed. Modelling results have been submitted that support the design standard of 1 in 100 year return period with a 40% allowance for climate change. An additional increase in rainfall of 10% is also included as an allowance for urban creep.

74. The Lead Local Flood Authority has considered the drainage solution, as set out above, and concluded that the proposal would accord with policy DEV35 of the Joint Local Plan subject to further information reserved by condition.

75. Any further assessment of the drainage solutions will of course take account of both on and off site flooding addressing the concerns highlighted in the letters of representations. For example, in an extreme event that exceeds the design standard, the applicant will need to demonstrate a surface water exceedance flow route 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. These exceedance flows will need to 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

76. Furthermore, details will need to be submitted showing how and when the drainage system is to be managed and maintained, and any future adoption proposals should be submitted. This will ensure that measure are put in place over the long term to prevent future issues as a result of deign failure.

77. Finally, the applicant will need to demonstrate to the Lead Local Flood Authority that South West Water has been consulted on the design and has agreed the proposed connections and rates.

Natural Infrastructure

78. The application site is a Greenfield site; and whilst not allocated Green Space it does sit adjacent to Kings Tamerton South Neighbourhood Green Space with the Ham Woods LNR within a short distance. In accordance with local and national policy, the development is required to deliver 10% Biodiversity Net Gain (BNG). In addition, and as set out on the Joint Local Plan site allocation, development will need to provide convenient pedestrian and cycle access to the adjacent (forthcoming) Local Nature Reserve. Finally, and as part of the LPAs assessment of this Outline application, landscaping, visual impact and trees have been considered.

Biodiversity Net Gain (BNG)

79. The BNG EcIA Addendum seeks to deliver 14.93% net gain in area habitat units and 4.39% net gain in hedgerow units through on-site and off-site measures. Together officers consider the scheme to meet the SPD requirement of delivering a 10% net gain. The off-site delivery will be secured through a S106 contribution to deliver 15.78 biodiversity units uplift.

80. In line with 'Land off Coombe Way: BNG EcIA Addendum (dated 22/10/2021)' we require the delivery of the off-site BNG to commences within the first appropriate planting season preceding the main construction. To ensure the scheme delivers against it BNG ambitions a number of conditions have been imposed.

Green Space

81. As stated previously officers consider the proposed landscaped edge to the development, as shown in the Illustrative Masterplan, to provide an appropriate edge treatment to the adjoining

Green Space and welcome the inclusion of the various entry points into the Kings Tamerton South green space.

82. In line with JLP policy PLY58.3 the scheme is required to deliver convenient pedestrian and cycle access to Ham Woods Local Nature Reserve. The current scheme proposes access into the adjoining Neighbourhood Green Space, but does not demonstrate wider connectivity on the submitted Illustrative Master Plan.

83. However the previously submitted Ecological Impact Assessment (EclA) and the newly submitted BND EclA addendum refer to the delivery of a new Local Nature Reserve (LNR) within Kings Tamerton South Neighbourhood Greenspace including potential access routes. The Addendum note includes an indicative phasing in relation to the delivery of the LNR and its habitat improvements. To address the access requirements the LPA has secured a S106 contribution to deliver the LNR access routes, to ensure the scheme complies with JLP policy PLY58 point 3.

84. Officers require the applicant to complete Open Space Audit Forms for every proposed new green space within the site, and this has been conditioned as they will be dependent on the landscape detail design. Officers also expect all new open spaces to meet their respective size and typology value and quality threshold (as set out in the SPD and the Plymouth and Plymouth Urban Fringe Open Space Assessment for further detail).

Landscape, Visual Impact and Drainage

85. The Illustrative Masterplan and Design and Access statement provide a good standard of design. However we feel there are certain issues that require further detailed design, however we are happy for these issues to be addressed through appropriately worded conditions. The areas of concern are the following:

- * further information on how levels will be addressed on this site especially in phase I
- * stronger Landscape mitigation measures including the need for tree planting within open space and along the streets.
- * Further integration of SuDS measures, such as the use of tree pits as bio-retention areas.

86. Subject to the above details, officers are satisfied that the Illustrative Masterplan shows a promise in how the development can integrate into the landscape.

Trees, Woodlands and Hedgerows

87. The Arboricultural Impact Assessment (AIA) identifies that due to the limited number of trees of quality within the site, a detailed impact assessment is not considered necessary. Officers agree with this approach.

88. To facilitate the development, tree removals entail approximately 20 metres of 'U' quality hedge (G15) and one tree (T6), and two 'C' quality trees (T2 and T5) all of which is a negligible impact. Additionally, there is a hedge group of 'B' quality holly within the garden of plot 12 which are also proposed for removal because it would be impracticable to keep them within the garden.

89. The AIA identifies good potential for new tree planting within the site and there is an opportunity to lay and replenish the hedgebank (G16) on the west boundary.

90. The privately owned ash tree, (T4) in the northwest corner has deteriorated in physiological health since a previous assessment in 2018; showing symptoms indicative of ash dieback so is likely to be removed in the next few years. Furthermore, the hedge G16 will probably require pruning on a regular basis but this would be low impact, therefore the overall potential for future problems associated with trees is low.

91. Following the comments made in the AIA, post site clearance updated tree constraints information and an updated tree protection plan has been conditioned with no tree removal to take place until this information has been provided.

92. Requirements for new tree planting has been included within the soft landscape proposals for the LNR and the various reserved matters and shall offer mitigation for the number of trees lost on site in accordance with JLP SPD as a minimum so as to accord with policy DEV28 of the Joint Local Plan. This has been reinforced with an informative.

Summary

93. Following amendments to the scheme the Natural Infrastructure Team no longer object to the application providing the appropriate mitigation is secure. At Outline stage, and subject to conditions, the proposal is therefore considered to accord with Strategic Objectives SPT2 SPT11 & SPT12; and Policies DEV20, DEV23, DEV26, DEV27 and DEV28 of the Joint Local Plan and the NPPF.

94. Contrary to the letters of representation, this development will facilitate local open space improvements making access to adjacent Green Space more convenient. When compared to the current unmanaged, inaccessible fields/scrubland, the community benefits are clear.

95. Furthermore, the onsite measures set out in the supporting documents indicates a high level of outside greenspace, including allotments, orchards, informal play, and blue space creating a positive landscape response to the this important local site.

S106 Agreement and Viability

96. Policy DEL1 of the Joint Local Plan states that the LPA "will take a positive and strategic approach to the use of their powers in relation to planning consents, planning obligations or agreements and, for Plymouth, the Community Infrastructure Levy (CIL), in order to accelerate the delivery of development and secure developer contributions to meet the infrastructure needs of the city."

97. Policy DEL1, point 4 adds that the LPA will maximise "the effectiveness of developer contributions secured through prioritising their use as a match funding / gap funding source, linked to other infrastructure funding, and through programming spend in accordance with a 'Plan for Investment and Infrastructure'."

98. Point 5 adds that the LPA will require "robust viability evidence to be submitted where a developer contends that planning obligations sought, including for affordable housing, would make a proposal economically unviable. The LPAs will seek an open book approach in these cases. In determining whether or not to grant planning permission, the LPAs will have regard to the overall economic, social and environmental benefits of the development and whether, on balance, some relaxation of planning obligations is justified."

99. Having undergone a detailed Viability Appraisal (VA), the conclusion is that the viability and deliverability of the scheme is entirely dependent upon grant funding. All planning 'asks' place an additional burden on the deliverability of the scheme, but it is still reasonable to require necessary contributions to ensure that the LPA is satisfied that the balance of material planning considerations is acceptable. The applicant has offered to secure £202,378 of S106 contributions towards the Local Nature Reserve, Biodiversity Net Gain and Health. Any additional contributions will place significant additional risk that the scheme cannot be delivered.

100. Officers are of the view that this represents a fair and reasonable agreement to mitigate the impacts of the development, whilst retaining confidence that such obligations will not prevent the proposed development from being delivered. Officers are also of the view that this addresses the

concerns raised in the letters of representation over the impacts of the development on the community.

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).

In addition, officers are aware that the land is owned by Plymouth City Council and the Viability Appraisal shows a land value of £1.

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.

In the context of Policy DEL1, and the conclusions officers' have drawn from the submitted VA, it has been agreed with the applicant to secure £202,378 of financial obligations through a S106 agreement to mitigate the impacts of the development:

- £87,166 Contribution towards the delivery of footpaths within the proposed LNR in line with JLP policy PLY58.3. This will assist in the delivery of formalised routes within the proposed LNR
- £84,529 Contribution for off-site BNG delivery to be policy compliant. This will include the delivery of habitat improvements (including measures to slow worm receptor site) within the proposed LNR to ensure the development delivers a sufficient net gain in accordance with JLP policy DEV26
- £30,683 Contribution for the development of the Health and Wellbeing Hub situated at the Jan Cutting Healthy Living Centre ensuring local improvements towards health care infrastructure.

In addition to the financial contributions, all of the Affordable Housing and Accessible Dwellings will be secured within the S106 agreement; as well as the number car parking spaces. A S106 management fee of £8,004 has been secured to cover the ongoing management of the agreement.

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. The application actively seeks to provide a range of accommodation types and tenures, including accessible housing thus meeting the varied needs of the community.

13. Conclusions and Reasons for Decision

The principle of development has been established through the adoption of the Joint Local Plan; and although this presents an uplift on the site allocation estimate, officers are comfortable that the impacts are not severe and have been adequately mitigated (through both conditions and financial contributions).

The proposal represents sustainable development, delivering a wide range of Affordable Housing whilst responding positively to the Climate Emergency and Plymouth City Councils ambition of being Carbon Neutral by 2030. The enhancements to public Greenspace and the LNR will provide wider community benefit, not just those living in the new dwellings.

Therefore, and having taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and officers conclude that the proposal accords with policy and national guidance and is therefore recommended for conditional approval subject to the signing of a S106 agreement.

14. Recommendation

In respect of the application dated 09.06.2021 it is recommended to PS106 Grant subject to S106 Outline.

15. Conditions / Reasons

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

1 **CONDITION: APPROVED PLANS**

Impermeable Area and Drainage Designation Plan 1719 0120 Rev P2 received 04/06/21

Drainage Layout Sheet 1 1719 0500 Rev P2 received 04/06/21

Drainage Layout Sheet 2 1719 0501 Rev P2 received 04/06/21

Drainage Layout Sheet 3 1719 0502 Rev P2 received 04/06/21

Site Location Plan 200106 L 01 01 - received 04/06/21

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: APPROVAL OF RESERVED MATTERS**

PRE-COMMENCEMENT

Approval of the details of layout, scale, appearance, and landscaping, (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason:

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

3 CONDITION: SUBMISSION OF RESERVED MATTERS

Plans and particulars of the reserved matters referred to in condition (2) above, relating to the layout, scale, appearance and landscaping; shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason:

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

4 CONDITION: TIME LIMIT FOR SUBMISSION

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990.

5 CONDITION: TIME LIMIT FOR COMMENCEMENT

The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

To comply with Section 92 of the Town and Country Planning Act 1990 and Section 51 of the Planning and Compulsory Purchase Act 2004.

6 CONDITION: SURFACE WATER DRAINAGE

PRE-COMMENCEMENT

No development shall take place until the following Surface Water Drainage system details have been submitted to and approved in writing by the Local Planning Authority:

- a) Public sewer records indicate that the proposed connection for the surface water drainage is a foul sewer. The LLFA only supports surface water discharge to a surface water sewer. Discharge of surface water to a foul or combined sewer is not supported by the LLFA unless written confirmation from SWW of the connection and the discharge rate is submitted.
- b) 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
- c) 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 and demolition phases.
- d) Details should be submitted of how and when the system is to be managed and maintained, and any future adoption proposals should be submitted.

Prior to the occupation of each phase 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 approved details. 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; and 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 in accordance with Policy DEV35 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

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.

7 CONDITION: FURTHER DETAILS

PRE-COMMENCEMENT

Prior to the commencement of each Phase of the development hereby approved, details in accordance with the Councils SPD of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority, viz: Car Parking Provision and Layout, Provision of Electric Vehicle Charging Points, and Cycle Parking. 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 DEV29 of the Plymouth and South West Devon Joint Local Plan 2014 - 2034 (2019) and the National Planning Framework.

Justification: Necessary to ensure the development meets the needs of residents in terms of parking, cycling and EVCP.

8 CONDITION: STREET DETAILS

PRE-COMMENCEMENT

Prior to the commencement of each Phase of the development hereby approved, 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 DEV20 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Framework.

Justification: To ensure that adequate street details are provided to meet the needs of all highway users.

9 **CONDITION: CODE OF PRACTICE/ CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

PRE-COMMENCEMENT

Prior to the commencement of each Phase of the development hereby approved, a detailed Code of Practice and Construction Traffic Management Plan (CTMP) shall be submitted to the Local Planning Authority for written approval. The documents shall include details relating to the detailed programme of works, details of construction vehicle movements including number, type and size of vehicles; construction operation hours; routes being used by construction vehicles and contractors parking arrangements. The highway works hereby proposed shall be carried out strictly in accordance with the approved CTMP.

Reason:

To protect the residential and general amenity of the area from any harmfully polluting effects during construction works and avoid conflict with Policies DEV1, DEV2 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

Justification: To ensure that a suitable construction method is established that minimises disruption and adverse impact to local residents.

10 **CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)**

PRE-COMMENCEMENT

No development shall take place (including demolition, ground works, and vegetation clearance) until a Construction Environmental Management Plan has been submitted to and approved in writing by the local planning authority. The CEMP shall take account of the measures outlined within LAND OFF COOMBE WAY, KINGS TAMERTON - ECOLOGICAL IMPACT ASSESSMENT (dated 04/06/21) and shall include the following:

- a. Risk assessment of potentially damaging construction activities.
- b. Identification of 'biodiversity protection zones'.
- c. 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).
- d. The location and timing of sensitive works to avoid harm to biodiversity features. This includes the use of protective fences, exclusion barriers and warning signs.
- e. 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.
- f. Responsible persons and lines of communication. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- g. Method statements to demonstrate how the new drainage system and water environment is protected during construction.

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 Policies SPT11, DEV26 and DEV35 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

Justification: To ensure that environment is adequately protected during the construction phase.

11 CONDITION: HIGHWAY DILAPIDATION SURVEY

PRE-COMMENCEMENT

No works shall commence on-site until the applicant has undertaken a highway dilapidation survey in consultation with the Local Highway Authority. The survey shall assess the existing condition of all highway infrastructure adjoining the site which will be impacted upon through the construction activities associated with the development hereby approved. This shall also include routes to and from the site being used by construction traffic.

Reason:

To ensure that any damage to the existing highway infrastructure arising from the construction of the proposed development is properly recorded and addressed by the developer on completion of the works in the interests of the safety of all users of the highway in accordance with Policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework

Justification: Necessary to ensure that any damage to the local highway network is reported and rectified.

12 CONDITION: ADAPTABLE AND ACCESSIBLE DWELLINGS

PRE-COMMENCEMENT

Unless otherwise agreed in writing and prior to the commencement of each Phase, a plan shall be provided which shows the location of the Adaptable and Accessible Dwellings and access details which demonstrate that they are accessible.

Prior to the occupation of each of the accessible dwellings an independent verification report shall be provided which confirms that the properties have been constructed to the required specification. The report shall also set out the qualifications of the examiner to undertake the verification.

The properties shall remain as M4(2) and or M4(3) compliant in accordance with the approved details.

Reason:

To provide a range of housing types to meet the needs of local residents in accordance with Policy DEV9 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

Justification: To ensure adequate accessible housing is delivered and retained.

13 CONDITION: ENERGY STRATEGY

PRE-COMMENCEMENT

Prior to the commencement of each Phase of the development hereby approved, evidence shall be provided to the Local Planning Authority for written approval to confirm the carbon emissions reductions and the mix of renewable energy and fabric (over and above Part L of the building regulations), to meet the strategy set out in PEC Homes supporting Energy Statement (dated

28/05/2021). This shall include details of the associated solar modelling, and confirmation of the how the design meets the Energiesprong New Build Performance Specification and Net Zero.

The approved strategy shall be implemented prior to the occupation of the first dwelling of that Phase.

Reason:

To ensure that adequate low carbon measures are incorporated into the details design in accordance with Policy DEV32 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

Justification: To ensure that development achieves the necessary carbon reductions.

14 **CONDITION: LANDSCAPE DETAILS**

PRE-COMMENCEMENT

No development shall take place within each phase of the development until the details of the landscape works for that phase have been submitted to and approved in writing by the local planning authority. The landscape works shall accord with the biodiversity net gain measures and phasing as outlined within the 'LAND OFF COOMBE WAY: BNG ECIA ADDENDUM (dated 22/10/2021)'.

The proposals shall be fully coordinated with proposed underground service, explore means of integrating SuDS measures into the development and incorporate tree planting along the streets and within the areas of public open space to reduce landscape visual impacts from the development. The landscape works shall include:

1. Soft landscape details:
 - a. Full soft landscape specification including all plant species and their size (to HTA standards), soil details, implementation specification, establishment care and defects period.
 - b. The arrangement of proposed soft landscape elements and soil layouts/elevations (min 1:200 scale). Plans should include a planting schedule for reference. We expect plans to demonstrate sufficient rooting volume for all proposed trees and prove there is no conflict with proposed services.
 - c. Planting details (1:20 scale or as appropriate) including (but not limited to) tree pit details and level details surrounding existing tree demonstrating how the RPA of the tree will be protected.
2. Hard Landscape Details:
 - a. Drawings identifying the arrangement of proposed hard landscape elements including (but not limited to) paving materials, street furniture, play equipment and boundary treatment materials (min 1:200 scale) and proposed and existing site levels
 - b. A specification of the hard landscape materials (e.g. paving materials), street furniture, play equipment and any boundary treatments.
 - c. Boundary treatment details (1:20 scale or as appropriate) including (but not limited to) the boundary treatment of the rear gardens backing onto Blackies Wood, rear garden fences including hedgehog passages, and front garden boundary treatments.
3. Sections (min 1:200 scale) demonstrating how the various parts of the design come together. All sections shall include proposed levels and shall show existing ground levels in a red dashed line.
4. A phasing plan showing when the various parts of the design will be delivered.

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. Any dead, dying, severely damaged or diseased planting shall be replaced with a period of 5 years.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

Justification: Necessary to ensure the landscaping details are agreed early so as not to result in degradation of the design.

15 **CONDITION: UPDATED ARBORICULTURAL SURVEY**

PRE-COMMENCEMENT

No development beyond scrub clearance shall take place until an updated Arboricultural survey, tree constraints plan and tree protection plan has been submitted to and approved in writing by the Local Planning Authority. The survey and the plans shall detail how trees are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations and will set out the required mitigation planting to mitigate any tree loss on site.

The measures contained in the approved information shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance Policy DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

Justification: Necessary to reduce the impact of the development trees.

16 **CONDITION: EMPLOYMENT AND SKILLS PLAN**

PRE-CONSTRUCTION

Prior to any construction works commencing on each Phase hereby approved, an Employment and Skills Plan shall be 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 DEV19 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework 2019.

17 **CONDITION: LANDSCAPE ECOLOGICAL MANAGEMENT PLAN**

PRE-DAMP PROOF COURSE (DPC)

Each Phase hereby approved shall not proceed beyond DPC level until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include the following;

- a. Description and evaluation of features to be managed.
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management for both the landscape elements and the biodiversity features.
- d. 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.
- e. Preparation of a work schedule.
- f. Body or organisation responsible for implementation of the plan.
- g. 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 (we expect at least a 30year funding plan to be included). 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 and the required Biodiversity net gain. 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 Policies SPT12, DEV20, DEV23 & DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

18 **CONDITION: GREEN SPACE DELIVERY WITHIN THE DEVELOPMENT BOUNDARY**

PRE-DPC

Each Phase hereby approved shall not proceed beyond DPC level until completed open space assessment forms for each proposed green space within that phase (excluding private gardens) have been submitted to and approved in writing by the local planning authority. The forms shall be completed in line with the adopted SPD and Plymouth's Policy Area Open Space Assessment and shall demonstrate that the proposed spaces will meet both value and quality thresholds for their typology and size thresholds unless otherwise agreed in writing with the LPA. The assessment process should inform the detailed design and maintenance of the green spaces.

Reason:

To ensure an appropriate standard of green space provision is delivered in accordance with Policies SPT2 and DEV27 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

19 CONDITION: RESIDENT'S BIODIVERSITY INFORMATION PACK

PRE-OCCUPATION

No Part of each phase of the development shall be occupied until a Resident's Biodiversity Information Pack and a programme for its distribution for that phase have been submitted to and approved in writing by the local planning authority. The information pack shall provide information on:

- o What biodiversity measures have been included in the properties and why e.g. which species are they meant to attract;
- o How to best care for these measures; and
- o Advice on how to increase wildlife value in your property

The programme shall outline how the information packs will be distributed amongst future residents. The approved resident's Biodiversity Information Pack shall be distributed in accordance with the approved programme.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest in accordance with Policies SPT11 and DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

20 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 cars.

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 Policy DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

21 CONDITION: SECURE BY DESIGN

PRE-OCCUPATION

Each reserved matters application shall be accompanied by a Secure by Design Statement. Each phase of the development shall be constructed to achieve compliance of the Secured by Design Gold award. (Previously known as part 1), and shall not be occupied until evidence has been submitted to the Local Planning Authority for writing approval.

Reason:

To ensure that satisfactory measures are put in place to design out crime, in accordance with Policy DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

22 **CONDITION: ECOLOGICAL MITIGATION**

Unless otherwise previously agreed in writing with the Local Planning Authority, the development shall be carried out in accordance with reptile mitigation strategy and Protected / Notable Species Enhancements as detailed within the 'LAND OFF COOMBE WAY, KINGS TAMERTON - ECOLOGICAL IMPACT ASSESSMENT (dated 04/06/21)' and the biodiversity net gain measures and phasing as outlined within the 'LAND OFF COOMBE WAY: BNG ECIA ADDENDUM (dated 22/10/2021)'.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance Policies SPT11 & DEV26 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

23 **CONDITION: PHASE 2 NON DELIVERY COMPLETION WORKS**

In the event that a Reserved Matters application relating to Phase 2 of the development hereby approved is not submitted and agreed by the Local Planning Authority within the given time frame as required by Condition 4 of this permission; or in the event that an application for Reserved Matters has been submitted and approved for Phase 2 but is not implemented within given time frame as required by Condition 5 of this permission then the applicant, developer or their successor shall submit and implement a detailed Landscaping scheme to complete address the land between Phase 1 and Adams Close.

Reason:

To ensure that these areas are finished to a high standard using good quality materials in accordance with Policies DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

24 **CONDITION: DESIGN PRINCIPLES**

Each Reserved Matters application shall be accompanied by a design statement setting out how it accords with following design principles:

- o Architecture, including housing type, mix and relationship to the streets and spaces/ gardens.
- o Materials and local distinctiveness.
- o Street design principles, including hard and soft/ lighting/ car parking/ managing speeds/ shared surface.
- o Open space design principles- including hard and soft/ drainage/ play.
- o Incorporating green elements into the design (e.g. green roofs/walls, PV panels)
- o Working with the Mobility Hubs team to develop the site indicated in the Illustrative Masterplan.

Reason:

To ensure that the development is delivered to highest standard of design with guaranteed consistency across all phases, in accordance with Policies DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

25 **CONDITION: SPECIFIED USE RESTRICTION - FLEXIBLE COMMERCIAL SPACE**

The proposed commercial premises shall be used for Classes E(a), E(b), E(f), F2(a) and F2(b) and for no other purposes (including any other purpose in Classes E and F; 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). For avoidance of doubt, the permitted uses are as follows:

- E(a) Display or retail sale of goods, other than hot food
- E(b) Sale of food and drink for consumption (mostly) on the premise
- E(f) Crèche, day nursery or day centre (not including a residential use)
- F2(a) Shops (mostly) selling essential goods, including food, where the shop's premises do not exceed 280 square metres and there is no other such facility within 1000 metres
- F2(b) Halls or meeting places for the principal use of the local community

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 Policies DEV1, DEV2, DEV16, DEV20 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

26 CONDITION: EXISTING TREE/HEDGEROWS TO BE RETAINED/ PROTECTED

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

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

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

C: The erection of barriers and ground protection for any retained tree or hedgerow shall be undertaken in accordance with the approved plans and/or 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 the trees on site are protected during construction work in accordance with Policy DEV28 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework 2019.

27 **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 environment, future users of the land and neighbouring land are minimised, to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors; and to avoid conflict with Policies DEVI (Protecting health and amenity) and DEV2 (Air, water, soil, noise, land and light) of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) and the National Planning Policy Framework.

INFORMATIVES

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

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

Further information on CIL can be found on our website here:

<https://www.plymouth.gov.uk/planninganddevelopment/planningapplications/communityinfrastructuralevy>

More information and CIL Forms can be accessed via the Planning Portal:

https://www.planningportal.co.uk/info/200126/applications/70/community_infrastructure_levy/5

More detailed information on CIL including process flow charts, published by the Ministry of Housing, Local Communities and Government can also be found here:

<https://www.gov.uk/guidance/community-infrastructure-levy>

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

3 INFORMATIVE: ILLUSTRATIVE DETAILS

In granting this outline planning permission, the Local Planning Authority has had regard to the details shown for illustrative purpose on the submitted plans and drawings, and would expect the principles shown to be reflected in any subsequent application for the approval of reserved matters.

4 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.

5 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.

6 INFORMATIVE: TREE PLANTING

The applicant is advised that the quantum of tree replacement to mitigate the loss of trees being felled for development, as shown in the Tree Survey Schedule within the Arboricultural Impact Assessment 18.15.2.AIA, will need to accord with the Table 28 of the Plymouth and South West Devon Supplementary Planning Document 2020.

7 INFORMATIVE: BATS AND BIRDS

Bats and birds are protected under the Wildlife & Countryside Act 1981 and the Countryside and Rights of Way Act 2001, it is an offence to deliberately or recklessly disturb them or damage their roosts or habitat. Therefore, close inspection of the trees should be undertaken prior to the commencement of works to determine if any bats or birds reside in the trees. No works should occur while birds are nesting which may be at any time between the month of March to September

inclusive; if bats are present works should cease until the applicant has obtained further advice from Natural England on 0845 601 4523 or email wildlife@naturalengland.org.uk. Further advice on bats is available from The Bat Conservation Trust 0845 1300 228.

8 INFORMATIVE: SUPPORTING DOCUMENTS

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

- SK202021 ILLUSTRATIVE MASTERPLAN
- 200106 L 0203 Rev H ILLUSTRATIVE CAR PARKING
- 200106 SE 0201 Rev C INDICATIVE CROSS SECTIONS
- 200106 L 02 02 Rev C INDICATIVE HOUSING MIX
- 200106 L 02 05 Rev C INDICATIVE LANDSCAPE & DRAINAGE PLAN
- 21.3310.1.TAP TREE CONSTRAINTS APPRAISAL
- 21.3310.1.TPP TREE PROTECTION PLAN
- BNG CALC 03
- ARBORICULTURAL IMPACT ASSESSMENT
- COMMUNITY INVOLVMENT
- ECOLOGICAL IMPACT ASSESSMENT
- ENERGY STATEMENT
- FLOOD RISK ASSESSMENT
- GROUND INVESTIGATION REPORT
- HOUSING STATEMENT
- KINGS TAMERTON DESIGN AND ACCESS STATEMENT
- LANDSCAPE AND VISUAL APPRAISAL
- LANDSCAPE AND VISUAL APPRAISAL - APPENDICIES
- PEC HOMES RESPONSE LETTER
- PRELIMINARY ENVIRONMENTAL RISK ASSESSMENT/PHASE I DESK SURVEY
- SECURED BY DESIGN STATEMENT
- ARBORICULTURAL APPRAISAL
- BNG ECIA ADDENDUM
- TRANSPORT STATEMENT
- COOMBE WAY BNG ECIA ADDENDUM 2
- EXPLANATORY NOTES TO ACCOMPANY FINANCIAL VIABILLITY SUMMARY
- VIABILITY APPRAISAL