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**Strategic Planning and
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23 December 2022

Dear Sir/Madam

Town and Country Planning Act 1990

APPLICATION NO: 22/00878/FUL

SITE: Land At Poole Park Road, Savage Road, Roberts Road & Roope Close

PROPOSAL: Construction of 204 dwellings (102 houses and 102 apartments, including 16 apartments for over 55s), provision of 242sqm of commercial/community floorspace, new 'Green Street', open space, remodelling of highway network and other associated works (amendments to 18/01288/FUL and 20/01787/S73) inc. demolition of remaining existing buildings

Please find enclosed the Planning Decision Notice for the above site. This permission relates to the submitted plans which are listed and the development should be carried out in accordance with the details shown unless prior consent has been obtained in writing from the Local Planning Authority. Failure to comply with the approved drawings or to comply with the conditions contravenes the Town and Country Planning Act 1990 and could result in enforcement action being taken.

CONDITIONS

Your planning permission may carry conditions. Conditions are included to enable your development proposals to be acceptable. Your Decision Notice will identify whether these conditions will need to be discharged and at what stage in the development stage this is appropriate. Please speak to the case officer if you are unsure. By not discharging your conditions in a timely manner you may come across problems later, for example if you want to sell your property. You may also face an Enforcement investigation from the Council which could result in formal Enforcement action being taken against you. All discharge of planning conditions are by application and do carry a fee.

BUILDING REGULATIONS

It is important to note that applications for approval under the Building Regulations are dealt with separately from applications for Planning Permission. You should not commence works until all necessary consents have been obtained. To ascertain if your proposed works require Building Regulations approval or to discuss any Building Regulations issues please call 01752 304343 or go to <http://www.plymouth.gov.uk/buildingcontrol>.

APPEAL

If you are aggrieved by a decision to refuse permission or to grant subject to conditions, you can appeal in writing to The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BSI 6PN

Or, online at:

Householder Planning Application - <https://www.gov.uk/appeal-householder-planning-decision>

Full Planning Application - <https://www.gov.uk/appeal-planning-decision>

For further guidance on making an appeal, to search for an appeal or general information on the appeal process, please use the below link:

<https://www.gov.uk/government/organisations/planning-inspectorate>

Appeals must be made on the correct form relating to the type of application you submitted. Information provided as part of the appeal process will be published online. In some circumstances the Planning Inspectorate may refuse to consider an appeal.

- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate at least 10 days before submitting the appeal.

Householder Planning Application

<https://www.gov.uk/appeal-householder-planning-decision>

Full Planning Application

<https://www.gov.uk/appeal-planning-decision>

Planning Appeals (Section 78 of the Town and Country Planning Act 1990).

- Householder appeals must be submitted within 12 weeks of the date of this notice
- Appeals related to shop fronts must be submitted within 12 weeks of the date of this notice
- Advertisement consent appeals must be submitted within 8 weeks of the date of this notice
- All other planning appeals must be made within 6 months of the date of this notice

Certificate of Lawfulness Appeals (Section 195 of the Town and Country Planning Act 1990)

- There is no time limit for submission of an appeal.

Listed Building Consent Appeals (Section 20 of the Planning (Listed Building and Conservation Areas) Act 1990).

- Appeals must be made within six months of the date of this notice.

If the local planning authority has failed to determine an application for express consent to display an advertisement or an appeal is being made against the grant of consent subject to conditions to which the applicant objects.

- within 6 months from the date on the decision notice, or within 6 months from the expiry of the period which the local planning authority had to determine the application.

For more information on the permitted timeframes for submitting an appeal, guidance is available online on the below link:

<https://www.gov.uk/guidance/appeals>

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 12 weeks of the date of this notice, whichever period expires earlier.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Planning Inspectorate on appeal or on reference to the application to him.

These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.

CONTACT DETAILS

If you have any enquiries please do not hesitate to contact **Mr Simon Osborne** on **01752 305522**.

Yours faithfully



Strategic Planning and Infrastructure

Dated: 23 December 2022

PLANNING DECISION NOTICE

GRANT OF CONDITIONAL PLANNING PERMISSION SUBJECT TO SECTION 106 OBLIGATION



Town and Country Planning Act 1990
The Town and Country Planning (Development Management Procedure)
(England) Order 2010

In correspondence please quote application number: **22/00878/FUL**

APPLICANT: Clarion Housing Association Limited

SITE: Land At Poole Park Road, Savage Road, Roberts Road & Roope Close

PROPOSAL: Construction of 204 dwellings (102 houses and 102 apartments, including 16 apartments for over 55s), provision of 242sqm of commercial/community floorspace, new 'Green Street', open space, remodelling of highway network and other associated works (amendments to 18/01288/FUL and 20/01787/S73) inc. demolition of remaining existing buildings

Under the provision of the above act, Plymouth City Council hereby grants permission to carry out the development described in your application dated **15 June 2022**,

The development hereby permitted shall be carried out in accordance with the following conditions;

I CONDITION: APPROVED PLANS

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

Apartment B - Proposed Floor Plans I90809 APT 02 01 Rev C received 30/05/22

Apartment B - Proposed Roof Plan I90809 APT 02 02 Rev C received 30/05/22

Apartment B - Proposed Elevations I90809 APT 02 03 Rev C received 30/05/22

Apartment C - Proposed Floor Plans I90809 APT 03 01 Rev D received 30/05/22

Apartment C - Proposed Elevations I90809 APT 03 02 Rev B received 30/05/22

Apartment D - Proposed Floor Plans I90809 APT 04 01 Rev B received 30/05/22

Apartment D - Proposed Roof Plans I90809 APT 04 02 Rev E received 30/05/22

Apartment D - Proposed Elevations I90809 APT 04 03 Rev A received 30/05/22

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Apartment E - Proposed Floor Plans I90809 APT 05 01 Rev C received 30/05/22
Apartment E - Proposed Roof Plans I90809 APT 05 02 Rev C received 30/05/22
Apartment E - Proposed Elevations I90809 APT 05 03 Rev C received 30/05/22
Apartment F - Proposed Floor Plans I90809 APT 06 01 Rev C received 30/05/22
Apartment F - Proposed Roof Plans I90809 APT 06 02 Rev C received 30/05/22
Apartment F - Proposed Elevations I90809 APT 06 03 Rev C received 30/05/22
Apartment J - Proposed Floor Plans I90809 APT 07 01 Rev C received 30/05/22
Apartment J - Proposed Roof Plans I90809 APT 07 02 Rev C received 30/05/22
Apartment J - Proposed Elevations I90809 APT 07 03 Rev C received 30/05/22
Apartment K - Proposed Floor Plans I90809 APT 08 01 Rev C received 30/05/22
Apartment K - Proposed Floor Plans I90809 APT 08 02 Rev C received 30/05/22
Apartment K - Proposed Elevations I90809 APT 08 03 Rev C received 30/05/22
Apartment L - Proposed Floor Plans I90809 APT 09 01 Rev C received 30/05/22
Apartment L - Proposed Floor Plans I90809 APT 09 02 Rev C received 30/05/22
Apartment L - Proposed Elevations I90809 APT 09 03 Rev C received 30/05/22
Apartment P - Proposed Floor Plans I90809 APT 11 01 Rev C received 30/05/22
Apartment P - Proposed Elevations I90809 APT 11 02 Rev B received 30/05/22
Proposed Street Elevations 1/3 I90809 E 01 01 Rev B received 30/05/22
Proposed Street Elevations 2/3 I90809 E 01 02 Rev B received 30/05/22
Proposed Street Elevations 3/3 I90809 E 01 03 Rev B received 30/05/22
Proposed Floor Plans I90809 HT 01A 01 Rev B received 30/05/22
Proposed Elevations I90809 HT 01A 02 Rev B received 30/05/22
Proposed Floor Plans I90809 HT 01C 01 Rev A received 30/05/22
Proposed Elevations I90809 HT 01C 02 Rev A received 30/05/22
Proposed Floor Plans I90809 HT 01D 01 - received 30/05/22
Proposed Elevations I90809 HT 01D 02 - received 30/05/22
Proposed Floor Plans I90809 HT 01E 01 - received 30/05/22
Proposed Elevations I90809 HT 01E 02 - received 30/05/22
Proposed Floor Plans I90809 HT 03 01 Rev A received 30/05/22
Proposed Elevations I90809 HT 03 02 Rev A received 30/05/22
Proposed Site Layout I90809 L 02 00 - received 30/05/22
Proposed Site Layout Phase 1 I90809 L 02 01 Rev C received 30/05/22
Proposed Site Layout Phase 2 I90809 L 02 02 Rev C received 30/05/22
House Type Key Plan Phase 1 I90809 L 02 03 Rev C received 30/05/22
House Type Key Plan Phase 2 I90809 L 02 04 Rev C received 30/05/22

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Tenure Plan Phase 1 190809 L 02 05 Rev C received 30/05/22
Tenure Plan Phase 2 190809 L 02 06 Rev C received 30/05/22
Accommodation Type Plan Phase 1 190809 L 02 07 Rev C received 30/05/22
Accommodation Type Plan Phase 2 190809 L 02 08 Rev C received 30/05/22
Illustrative Masterplan 190809 L 02 11 Rev B received 30/05/22
Refuse Disposal and Collection 1 of 2 190809 L 02 18 Rev B received 30/05/22
Refuse Disposal and Collection 2 of 2 190809 L 02 18 Rev B received 30/05/22
Demolition Plan 190809 L 95 01 - received 30/05/22
Proposed Floor Plans 190809 SL 01B 01 - received 30/05/22
Proposed Elevations 190809 SL 01B 02 - received 30/05/22
Proposed Floor Plans 190809 SL 01C 01 - received 30/05/22
Proposed Elevations/Sloping Terrace 190809 SL 01C 02 - received 30/05/22
Proposed Elevations 190809 SL 01C 03 - received 30/05/22
Proposed Elevations 190809 SL 03 02 Rev B received 30/05/22
Location Plan 190809 L 01 01 - received 20/05/22
Proposed Floor Plans 190809 SL 01D 01 received 30/05/22
Proposed Elevations/Sloping Terrace 190809 SL 01D 02 received 30/05/22
Proposed Elevations 190809 SL 01D 03 received 30/05/22
Proposed Floor Plans 190809 SL 03 01 Rev A received 30/05/22
Proposed Floor Plans Side Entry as 190809 HT 01B SE 03 Rev C received 21/10/22
Proposed Elevations Side Entry as 190809 HT 01B SE 04 Rev C received 21/10/22
Proposed Floor Plans Side Entry as 190809 HT 01B OP 05 Rev C received 21/10/22
Proposed Elevations Side Entry as 190809 HT 01 06 Rev C received 21/10/22
Accommodation Type Plan - Phase I 190809 L 02 07 Rev D received 21/10/22
Proposed Elevations 190809 MB 0102 Rev E received 21/10/22
Proposed Elevations 190809 MB 02 02 Rev D received 21/10/22
Proposed Floor Plans 190809 SL 01 TYPE A 01 Rev B received 21/10/22
Proposed Elevations 181201 SL 01 TYPE A 02 Rev B received 21/10/22
Typical Tree Pit in Landscape Bank 190809 D 03 17 received 21/10/22
Typical Bench Detail 190809 D 03 16 received 21/10/22
Typical Paved Step & Railing 190809 D 03 14 received 21/10/22
Typical Free Standing Brick Wall 190809 D 03 13 received 21/10/22
Typical 1m High Brick Wall with Vertical Railing 190809 D 03 12 received 21/10/22
Typical Flat Bar Railing System 190809 D 03 11 received 21/10/22
Typical Low Brick Wall with Vertical Railing 190809 D 03 10 received 21/10/22
1800m High Closed Board Timber Fence 190809 D 03 09 received 21/10/22
Typical House Bin & Bike Storage 190809 D 03 08 received 21/10/22
Typical Apartment Block Bin & Bike Storage 190809 D 03 07 received 21/10/22
Typical Tree Pit in Hard Landscape 190809 D 03 06 Rev A received 21/10/22
Typical Tree Pit in Soft Landscape 190809 D 03 05 Rev A received 21/10/22
Typical Post & Wire Fence with Hedge 190809 D 03 15 received 21/10/22
General Arrangement Plan 190809 L 02 10 Rev C received 21/10/22
Tree Protection Plan 1 of 2 190809 L 02 12 Rev C received 21/10/22

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Parking & Cycle Storage Strategy Part 1 of 2 190809 L 02 13 Rev C received 21/10/22
Phasing Plan 190809 L 02 14 Rev C received 21/10/22
Boundary Treatment Plan Part 1 of 2 190809 L 02 15 Rev C received 21/10/22
Landscape Hardworks Part 1 of 7 190809 L 02 16 Rev C received 21/10/22
Softworks Plan: Part 1 of 5 190809 L 02 17 Rev C received 21/10/22
Revised Planning Overlay 190809 L 02 20 received 21/10/22
Proposed Floor Plans 190809 MB 02 01 Rev D
Proposed Floor Plans 190809 MB 01 01 Rev D received 11/11/22
Proposed Elevations 190809 MB 01 02 Rev E received 11/11/22

Reason:

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

2 **CONDITION: COMMENCE WITHIN 3 YEARS**

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

Reason:

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

3 **CONDITION: STREET DETAILS**

PRE-DAMP PROOF COURSE (DPC)

Notwithstanding the submitted details no development shall take place above DPC level until all details of the design, layout (including wheel tracking plans), levels, gradients, materials, 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. All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved before the first occupation of the penultimate dwelling.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policy DEV29 of the Plymouth & Southwest Devon Joint Local Plan 2014-2034.

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4 **CONDITION: SURFACE WATER DRAINAGE**

PRE-DPC

No development hereby approved shall take place above DPC level until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority.

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

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

5 **CONDITION: EXTERNAL MATERIALS**

PRE-DPC

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy DEV20 of the Joint Local Plan, and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019.

6 **CONDITION: LANDSCAPING/LANDSCAPING MANAGEMENT**

PRE-DPC

The landscaping shall be implemented in accordance with the approved details.

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Prior to commencement of development above DPC level in the relevant phase a programme for the delivery of the soft and hard landscaping hereby approved shall be submitted to and approved in writing by the LPA. The landscaping shall be delivered in accordance with the approved details.

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

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

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest and to ensure that satisfactory landscaping works are carried out, in accordance with Joint Local Plan Policies SPT12 , DEV10, DEV27 & DEV28 and Government advice contained in the NPPF 2019.

7 **CONDITION: BUS INFRASTRUCTURE**

PRE-DPC

Notwithstanding the submitted details no development shall commence above DPC level until full details of the bus infrastructure provision including the location of the bus stop has been submitted to and agreed in writing by the LPA. The development shall accord with the approved details.

Reason

In order to promote bus use as an alternative to the use of private cars in

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accordance with Policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034.

8 **CONDITION: ACCESSIBLE HOUSING**

PRE-DPC

No development shall commence above DPC level in the relevant phase until details have been submitted to and approved in writing to demonstrate how where practical 18% of the dwellings hereby approved will meet national standards for accessibility and adaptability (Category M4(2) of Building Regulations) and 2% of dwellings national standards for wheelchair user homes (Category M4(3) of Building Regulations). The development shall accord with the approved details.

Reason:

To ensure that the development includes a mix of accessible housing units in accordance with policy DEV9 of the Plymouth and South West Devon Joint Local Plan 2019 and the NPPF 2019.

9 **CONDITION: FURTHER DETAILS - RAINWATER GOODS**

PRE-DPC

No development shall commence above DPC Level in the relevant phase until full details of all rain water goods including their location, have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details.

Reason:

To ensure that the rainwater goods are appropriate and do not detract from the appearance of the buildings in accordance with Policies DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan 2019 and the NPPF 2019.

10 **CONDITION: PROVISION OF ELECTRIC VEHICLE CHARGING POINTS**

PRE-DPC

No development shall commence above DPC until details of the provision of electric car charging points and passive wiring have been submitted and approved in writing by the Local Planning Authority.

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The development shall accord with the approved details.

Reason

To assist in the lowering the carbon footprint of the development in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014-2034:

11 **CONDITION: ENERGY AND SUSTAINABILITY**

PRE-INSTALLATION

Phase 1 of the development hereby permitted shall be carried out in accordance with the Energy Statement DS0032-WW-XX-XX-RP-ME-0001 Issue 7 dated October 2022.

Prior to their installation details of the all locations of the on-site renewable energy production methods shall be submitted to and approved in writing by the Local Planning Authority. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the associated dwelling and thereafter retained and used for energy supply for so long as the development remains in existence.

Prior to commencement of phase 2 (as identified on drawing I90809 L 02 14 REV C) of the development (other than demolition) an updated Energy Statement including details of how the phase 2 development shall be future proofed for connection to a Districting Heating Network shall be submitted to and approved in writing by the Local Planning Authority. The development in phase 2 shall be carried out in accordance with the approved updated Energy and Sustainability Statement

Prior to development above DPC level on phase 2 details of the locations of the on-site renewable energy production methods shall be submitted to and approved in writing by the Local Planning Authority. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the associated dwelling and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to off-set at least 20% of predicted carbon emissions for the development in accordance with Policy DEV32 of the Joint Local Plan, and NPPF.

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12 **CONDITION: PLAYSPACE DETAILS AND PROVISION**

PRE-OCCUPATION

Prior to any occupation within the relevant phase the playspaces hereby approved shall be completed in accordance with details submitted to and approved in writing by the LPA. The details shall include full details of the layout, play equipment, boundary treatment, maintenance schedule.

Reason:

To ensure the playspace areas are acceptable and delivered appropriately in accordance with policy DEV27 of the Plymouth and South West Devon Joint Local Plan 2019.

13 **CONDITION: PUBLIC ART**

PRE-OCCUPATION

Prior to any occupation of the dwellings hereby approved (Unless an alternative programme for delivery is agreed in writing) public art shall be provided in the development in accordance with details previously submitted to and approved writing by the Local Planning Authority.

Reason:

To ensure that public art is appropriately integrated into the development in accordance with policy DEV20 of the Plymouth and South West Devon Joint Local Plan.

14 **CONDITION: PROVISION OF PARKING**

PRE-OCCUPATION

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

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034.

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15 **CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

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

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth & Southwest Devon Joint Local Plan 2014-2034.

16 **CONDITION: GATES AND LOCKS**

PRE-OCCUPATION

All private pathways shall have gates with locks with key access in accordance with details previously submitted to and agreed in writing by the Local Planning Authority. The gates shall be installed before any of the residential units requiring the use of the respective private pathways are occupied.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with the policies DEV10 and DEV20 of the Plymouth & South West Devon joint local plan 2014-2034 and paragraph 12 of the National Planning Policy Framework 2019.

17 **CONDITION: DEMOLITION AND CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

The development hereby approved shall be carried out in accordance with the Construction Environmental Management Plan (Lovell).

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with, Joint Local Plan Policies SPT11 & DEV26 and the NPPF. Also in the interests of amenity and highway safety in accordance with DEV1 and DEV29 of the Joint Local Plan and the NPPF.

18 **CONDITION: EMPLOYMENT AND SKILLS STRATEGY**

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The development in phase 1 shall be carried out in accordance with the approved Employment and Skills Strategy (LOVELL) unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

No development shall take place in phase 2 (other than demolition) until an Employment and Skills Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Employment and Skills Strategy unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure that local people and businesses benefit from development within the City in accordance with the Council's growth agenda and Policy DEV19 of the Plymouth and South West Devon Joint Local Plan.

19 **CONDITION: CONTAMINATED LAND**

The development shall be carried out in accordance with the mitigation measures identified in the Hydrock Desk Study and Ground Investigation report dated February 2018.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

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- archaeological sites and ancient monuments;
(iii) an appraisal of remedial options, and proposal of the preferred option(s).
This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy DEV2 of the Plymouth and South West Devon Joint Local Plan 2019, and paragraphs 170, 178-183 of the National Planning Policy Framework 2019.

20 **CONDITION: BIODIVERSITY**

The development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (09 November 2022)

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Joint Local Plan Policies SPT11 & DEV26 and Government advice contained in the NPPF.

21 **CONDITION: TREE/HEDGEROWS TO BE RETAINED/PROTECTED**

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

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of 5 years from the commencement of development.

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

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

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

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policy DEV28 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework 2019.

22 **CONDITION: OVER 55's - SPECIFIED USE RESTRICTION**

The over 55's accommodation identified as Block D on drawing I90809 L 02 05 REV C hereby permitted shall be limited to occupation by persons no younger than 55 years of age and shall be used for no other purposes (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be

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made the subject of a separate application to be considered on its merits in accordance with Policy DEV 7 of the Plymouth and South West Devon Joint Local Plan.

23 **CONDITION: COMMUNITY SPACE USE RESTRICTION**

The community hub space hereby approved shall provide a maximum of 242 sqm of floor space and shall be limited to use class E and shall be used for no other purpose.

Reason:

To ensure that the uses within the community hub are appropriate in accordance with Strategic Objective SO11 and DEV18 of the Plymouth & South West Devon Joint Local Plan 2014-2034.

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/communityinfrastructurelevy>

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

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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: SUPPORTING DOCUMENTS**

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

- Air Quality Assessment 16/05/2018
- Archaeological Desk-Based Assessment 16th March 2018
- Ecological Mitigation and Enhancement Strategy (09 November 2022)
- Flood Risk Assessment 19 July 2018
- Outline Landscape Specification and Maintenance and Management Plan 2022
- Planting Schedules 170310 R03 02/B?
- Site Waste Management Plan July 2018
- Statement of Community Involvement 2018/ 2022 update
- Tree Survey September 2017
- Desk Study and Ground Investigation February 2018
- Arboricultural Impact Assessment Report; 04942- AIA. 12.11.2018.DOCX
- Design and Access Statement 170310 R 02 01 2022
- Construction Environmental Management Plan (Lovell).
- Energy Statement DS0032-WW-XX-XX-RP-ME-0001 Issue 7 dated October 2022
- Accommodation Schedule
- Employment and Skills Plan (Lovell)
- Visualisations
- Landscape Statement October 2022
- OSA Audit Form received 17/11/2022

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

4 **INFORMATIVE: SECURE BY DESIGN**

The developer is advised that they should aim to achieve a minimum Silver standard of the Secure by Design award. (Formerly known as parts 1 & 2).

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5 **INFORMATIVE: DRAINAGE**

To protect against contamination of the water environment, it is recommended that the 'Yellow Fish' scheme is used for surface water gullies and drainage features as outlined in the 'Yellow Fish Guidance Manual'.

This is required to supplement and not replace any proposed pollution prevention devices proposed for the surface water drainage system.

<http://oilcare.org.uk/wp-content/uploads/2018/11/Guidance-Manual-for-Yellow-Fish-ENGLISH.pdf>

6 **INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS**

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.

7 **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.

8 **INFORMATIVE: TRAFFIC REGULATION ORDER AND HMPE**

A Traffic Regulation Order (TRO) would be required for any closure of Wilkinson Road whilst works take place, and also for the permanent introduction of a One Way traffic flow

Areas of existing Highway Maintainable at Public Expense (HMPE), need to have the public access rights extinguished and Stopped-Up prior to any enclosure or alteration.

9 **INFORMATIVE: OFFICE FOR NUCLEAR REGULATION ADVICE**

The Office for Nuclear Regulation advises:

1. Access should be available for the delivery of stable iodine tablets (SITs) to individual properties in the development. SITs are delivered to individual homes as an urgent protective action, and it is important that a household is able to access any such delivery to their boxes

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without leaving their home. Any communal door entry system should provide a facility to allow the delivery teams to enter communal areas so deliveries can be made to individual homes.

2. All contractors, and sub-contractors, working on site during the construction phase, should be made aware of the emergency planning arrangements for the Devonport Site, by reference to the public information booklet. Facilities should be available for contractors' welfare during the construction phase, allowing them to shelter and be able to receive deliveries of SITs should an emergency occur.

K. Graham

Strategic Planning and Infrastructure

Dated: 23 December 2022

Your experience of the planning process is important, Plymouth City Council are always looking for ways to improve customer service. We may get in touch with you to find out about your experience once you have a decision on your application.

PLANNING APPLICATION OFFICERS REPORT



Application Number	22/00878/FUL	Item	
Date Valid	15.06.2022	Ward	ST BUDEAUX
Site Address	Land At Poole Park Road, Savage Road, Roberts Road & Roope Close		
Proposal	Construction of 204 dwellings (102 houses and 102 apartments, including 16 apartments for over 55s), provision of 242sqm of commercial/community floorspace, new 'Green Street', open space, remodelling of highway network and other associated works (amendments to 18/01288/FUL and 20/01787/S73) inc. demolition of remaining existing buildings		
Applicant	Clarion Housing Association Limited		
Application Type	Full Application		
Target Date	14.09.2022	Committee Date	
Extended Target Date	23.12.2022		
Decision Category	Delegated Decision		
Case Officer	Mr Simon Osborne		
Recommendation	Grant conditionally subject to S106		

I. Description of Site

The site is located in the Barne Barton area of Plymouth. The site comprises 4.65 hectares on a steep gradient falling north to south. It is generally south facing overlooking the Energy from Waste Plant, Devonport Dockyard and the Tamar Estuary to the south.

Prior to their demolition the site was made up of post war former Navel residential accommodation in the form of 228 identical two bedroom apartments arranged in 28 three storey blocks. The blocks were located on building platforms that lied either above or below the level of the existing

road levels. Wilkinson Road runs from east to west through the site and Roope Close lies immediately to the south west of Savage Road.

Adjacent homes on Poole Park Road and Roberts Road comprise mainly post-war two-storey semi-detached housing or small terraces set within front and rear gardens. Housing on the west side of Savage Road is more recent and mostly terraced. There are 10 large flat blocks to the south of Savage Road, these have pedestrian access from Savage Road beyond which is the Energy from Waste Plant.

2. Proposal Description

Construction of 204 dwellings (102 houses and 102 apartments, including 16 apartments for over 55s), provision of 242sqm of commercial/community floorspace, new 'Green Street', open space, remodelling of highway network and other associated works (amendments to 18/01288/FUL and 20/01787/S73) inc. demolition of remaining existing buildings.

The proposal would include 284 parking spaces which equates to an overall ration of 1.4 parking spaces per dwelling.

It is proposed that the development shall be delivered in two relatively equal phases.

3. Pre-application Enquiry

Background and 2018 consent

A detailed pre-application process has taken place since 2015 including extensive community consultation.

The proposal was taken to the South West Design Review Plan which included a site visit. The Panel made a series of statements and recommendations which resulted in a series of revisions.

As detailed in the Community Involvement Statement (CIS) public consultation began in November 2015 and ran until May 2018. It included a number of community/consultation events, a newsletter, Bi weekly drop in sessions ran January 2017- March 2017, and 18 formal meetings of a Residents Steering Group between July 2017 until submission of the application.

Current Proposal

Discussions were held with officers regarding amendments which were largely supported. Some concerns were raised regarding landscape, trees and biodiversity.

According to the CIS engagement with residents has continued through the monthly Resident Steering Group meetings and other events. Residents have also been sent regular update newsletters.

4. Relevant Planning History

20/01787/S73 - Variation of condition 1 (approved plans) of application 18/01288/FUL: Minor Material Amendments including the roof strategy, fenestration strategy, elevations, building footprints, internal layouts and parking spaces.- Permitted.

18/01288/FUL - Demolition of 228 apartments and construction of 204 dwellings (102 houses and 102 apartments, including 16 apartments for over 55s), provision of 116 sq m of commercial/community floorspace, new 'Green Street', open space, remodelling of highway network and other associated works - Permitted

5. Consultation Responses

Local Highway Authority - No objections subject to conditions.

Lead Local Flood Authority - No objections subject to condition.
Natural Infrastructure Team - Concerns have been raised regarding removal of some street trees/landscape trees and biodiversity net gain.
Public Protection Service - No objections subject to condition.
MOD safeguarding - No objections.
Low Carbon Team - Objection due to inadequate future proofing for connection to community heating scheme.
Police Architectural Liaison Officer- No objection subject to condition. A number of suggestions have been made.
Urban Design Officer - No objections to majority of scheme but raise concerns regarding loss of street trees from previously approved scheme.
Historic Environment Officer - No objections.
Housing Delivery Team - No objections.
Economic Development Officer - No objections.
Office of Nuclear Regulation - No objections.

6. Representations

1 letter of representation has been received regarding this application. The comment raises queries regarding the height of the proposed units and whether the application is the same as the previous approvals.

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

On 26 March 2019 of 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 14th January 2022 the Department for Levelling Up, Housing and Communities published the HDT 2021 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 128% 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 5.97 years at end March 2022 (the 2022 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2022 (published 12th November 2022).

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

8. Analysis

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

The relevant JLP policies are SPT1 Delivering sustainable development, SPT2 Sustainable linked neighbourhoods and sustainable rural communities, SPT3 Provision for new homes, SPT12 Strategic approach to the natural environment, PLY58(15), DEVI Protecting health and amenity, DEV2 Air, water, soil, noise and land, DEV7 Meeting local housing need in the Plymouth Policy Area, DEV9 Meeting local housing need in the Plan Area, DEVI0 Delivering high quality housing, DEV20 Place shaping and the quality of the built environment, DEV26 Protecting and enhancing biodiversity and geological conservation, DEV23 Landscape Character, DEV27 Green and Play spaces, DEV28 Trees, woodland and hedgerows, DEV29 Specific provisions relating to transport, DEV32 Delivering low carbon development, DEV35 Managing flood risk and water quality impacts, and DELI Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy.

The main issues to consider are housing provision, layout, density and design, highway impacts, impacts on infrastructure, greenspace and landscape, biodiversity, public protection issues and sustainability.

Principle of development

The site was previously in residential use and the site is allocated to remain as such through Policy PLY58 (15). The site currently benefits from planning permissions for an identical scheme in terms of uses and quantum. The principle of residential development is therefore considered to be acceptable. It should be noted that the allocation policy indicates the site would be suitable for 226 units as opposed to the 204 units currently proposed. While 226 units is what has been envisaged for the site the policy does not preclude a slightly less dense scheme provided that the layout, design and other planning considerations are acceptable which is discussed below. As with the previous consents it is considered that this relatively small decrease in unit numbers still represents an efficient use of land particularly given that the scheme includes both dwellings and apartments as opposed to the existing apartment blocks.

Layout and Design

The NPPF attaches great importance to the design of the built environment. DEVI0 and DEV20 of the JLP promotes well designed developments to promote the image of the city. It is important that the layout, massing and design of the proposal is acceptable.

The layout remains largely unchanged from the previously approved schemes with the exception of a relocated apartment block and removal of dwellings from Roope Close. The site would be accessed via Poole Park Road from the east and west which forms the key route through the site. Savage Road forms the secondary road looping around the southerly border meeting Poole Park road via a revised junction in the east. Wilkinson Road is proposed as a one way street travelling from west to east and forms the tertiary route. Designed as a shared space this street features designated community and parking areas with strategically placed street furniture and trees to manage vehicle speeds.

The new green street route travels diagonally across the site from Furse Park to the proposed central square and features a cycle/ pedestrian route and has been designed to provide a step free route from Furse Park to the top of the site. The corners would be characterised by apartment blocks to define the corners with houses in-between with balconies and windows at the front to provide natural surveillances. The green street includes two play spaces and space for informal recreation.

The focal point of the scheme is the 'central square' which is enclosed by apartment blocks which includes a community space on the groundfloor of block D. Also in block D is the over 55s accommodation. The square also includes a bus stop, cycle parking and an electric car charging point.

The masterplan is generally considered of good quality and follows urban design best practice to create a coherent, walkable framework of streets and spaces which integrate successfully with the context. The topographic challenges have been responded to successfully and attractive space for congregation and movement have been created. Unlike the previous situation, there is clear definition of public and private space and consequently higher amenity value all around. It is also considered that that the layout will not prejudice the potential future regeneration of surrounding sites.

The Green Street concept is again welcomed and offers various benefits, including visual amenity, rainwater attenuation, biodiversity and play.

Design

The architectural expression proposed for the buildings is considered largely unchanged from the approved s73 application and is still considered to be of a good quality. The proposed buildings have a simple elegance and have uncluttered elevations. The use of brick is very much the exception rather than the rule in Plymouth, however, it is recognised that some brick is present in the local context. It is also acknowledged that it is an economic, affordable, low maintenance option and one that, unlike render (which is generally more characteristic of Plymouth) will weather attractively in this exposed coastal location. The use of bricks as proposed, which link to the colour and variation of Plymouth limestone, is therefore supported. As with the s73 permission the layouts and footprints have been amended to provide more functional liveable spaces. As with the s73 the proposal also includes the increased glazing and simplified elevations and roof structures which continue throughout the scheme.

The proposal includes compelling public realm, public art, lighting and landscape design concepts which will be secured and controlled by condition.

In terms of design it is considered that the proposed layout and elevational treatment comply with policies DEV10 and DEV20.

Neighbouring Amenity

The proposed developed area of the site would be surrounded by existing properties apart from the south east boundary. The development should therefore ensure the impact on privacy, light and outlook of these properties is properly considered.

The proposed dwellings on the boundary of the development fronting onto existing roads would present a standard and acceptable relationship with the existing properties. On other boundaries the dwellings are back to back or lie adjacent to parking courts or greenspace. The proposal ensures that the distances between the proposed dwellings and existing dwellings meet or exceed the guidance in the Council's adopted SPD with regard to distances between directly facing windows (21 metres) and spaces between primary windows and blank elevations (12 metres).

It is considered that the impact on existing dwellings surrounding the site is acceptable and in line with adopted guidance. In this respect the proposal is considered to comply with DEV22 of the JLP

Living Conditions

It is important that new development provides acceptable living conditions for future residents and that the relationship between the new dwellings proposed is acceptable.

All dwellings would meet the national technical space standards as required by JLP policy DEV 10 and therefore provide adequate levels of accommodation.

The layout has been designed so that all new dwellings will benefit from adequate levels of outdoor space. All but a few dwellings would exceed or be in accordance with the guidance contained within the Council's Adopted Development Guidelines SPD. The gardens that are slightly undersized are constrained by levels and existing road positions and in this case are therefore considered acceptable.

All of the proposed dwellings would be adequate distances apart to ensure amenity levels in terms of outlook, light and overlooking are acceptable.

Highway Considerations

The Highway Authority has not raised any objections in principal to the proposal with most elements remaining similar to the previously approved scheme.

Movements

The number of new dwellings would be of approximately the same order as the previously existing blocks of flats. The redevelopment and the resultant changes in tenure, including family housing, and intended shared ownership, would be likely to generate a small increase in both pedestrian and vehicular traffic. However it is considered that the local highway network and the streets of the housing estate, which are of generous proportions, would easily accommodate the increase in traffic.

Highway alterations

Highway/street alterations are required to facilitate the re-development.

The alignment of the street layout itself would remain similar to the previously existing layout following the proposed redevelopment, with the exception of Wilkinson Road, where the layout would be reconfigured, with the re-assignment of space within the street. A new route would also be created through the estate, linking Wilkinson Road to Savage Road that is referred to as the 'Green Street'. The 'Green Street' would run from and be on a similar alignment to Roope Close, continuing along the upper part of Savage Road, across Poole Park Road, and on to link with Roberts Road. The alterations to the street layouts also include 'table top' junction traffic calming features, including in Pool Park Road, which is a bus route along with shared surface street areas.

Vehicle speeds for each street have been considered in relation to the street hierarchy. Poole Park road is 6m wide to allow for bus movements, but includes regular crossing opportunities for pedestrians. Wilkinson Road is designed as a 'One Way' (for which a Traffic Regulation Order would be required) home zone with regular narrowing. Savage Road maintains its current widths, but with shared space crossing points, and dedicated on street parking areas. A focal point known as the Central Square would be created at the junction of Poole Park Road and Wilkinson Road.

Poole Park Road is served by a bus every ten minutes, and is well used by local residents. The alterations to the street and the repositioning of the bus stop would provide an opportunity to upgrade the bus infrastructure on Poole Park Road, to further encourage sustainable bus use. There is currently a bus shelter at the stop in question, and this would at least have to be re-provided. It is considered that this could be covered by condition.

The proposal has been further refined from the previous consents and a high level of detail has been submitted in this application. However, there are some minor technical discrepancies between the

Councils highway specifications, and the proposed materials and construction details submitted for the highway works. Such minor discrepancies will be resolved through the a street details condition and as part of the highway agreement technical approval process that has already started.

Parking

Parking remains largely the same as the previously consented schemes with the parking ratio of 1.4 spaces per dwelling.

The previous applications demonstrated that car parking serving the application area (prior to demolition) was quite low, with car parking largely being accommodated on-street. The proposed redevelopment would create some off-street car parking and seek to retain as much on-street parking as possible. Although some on-street parking availability would be lost to provide off-street parking it would still result on an overall gain. It is understood that the reconfigured car parking arrangement provides an increase of approximately of approximately 25% over the pre developed situation.

National census figures indicate an average car ownership level across the St Budeaux Ward of approximately 1.1 cars per household. Therefore it is considered that allowing for a slight increase in car ownership as a result of the redevelopment, increasing the overall parking provision over and above average census levels; to 1.4 spaces per dwelling should be sufficient to meet the expected associated increase in car parking demand.

Some electric car on-street charging is shown on the proposal however final details and number will be secured by condition .

Although there are a number of details that need to be addressed it is considered that these can be dealt with through the attached highways conditions and with such conditions in place the proposal is considered to comply with policy DEV 29 of the JLP.

Affordable Housing and Accessible Dwellings

The Housing Delivery Team welcomes the regeneration of this estate. Pre application discussions on the previous applications focussed on the need to balance the specific requirements of those households already living in the existing properties, and who some will ultimately return to live on the site, whilst also creating new forms of tenure for future residents. In particular, officers encouraged the integration of low cost home ownership tenures such as shared ownership properties with the affordable rented units that are proposed.

The application indicates that 100% of the dwellings will be affordable. Having taken into account the needs of their existing tenants, Clarion have responded to the challenge to provide new forms of tenure by proposing 51 Shared Ownership properties as part of the housing mix. This represents 25% of the 204 units that are proposed, and whilst this is perhaps a lower proportion than desired, the constraints and costs of increasing this proportion are recognised, and therefore officers are satisfied with the proposal.

It is also worth noting that the applicant has previously indicated that they may be able to increase the percentage of shared ownership in the second phase of the development. While this will not be captured in the s106, such a change would not be restricted and would be seen as a positive change to the proposal.

Although the proposal indicates 100% of the dwellings would be affordable housing, due to funding and grant issues the applicant has requested that only 30% be captured in the s106. Given that this meets the policy requirement and that a higher percentage of market housing would help to create a

more mixed community this is considered acceptable. The s106 will ensure that at least 23% of any affordable housing delivered will be shared ownership.

Although highly unlikely it is recognised that potentially this could result in the loss of approximately 167 of the previously existing affordable housing dwellings. However it is worth noting the pre demolition situation was not controlled by any planning conditions or obligations. In this regard the council is mindful of its statutory duties under the Equality Act 2010 and the recent High Court decision against Bath and East Somerset Council. It is recognised that such an outcome could have an impact on existing elderly and disabled residents. The applicant has carried out extensive rehoming of existing residents. Those that have been re-housed have all arguably been moved into far better accommodation since one of the key drivers for regeneration has been the quality of the accommodation. This includes the standard of accommodation and the suitability; a number of households were either under or over occupying and so have moved into homes far better suited to their needs. Furthermore the proposal has been specifically designed to have significantly enhanced accessibility with the Green Street creating a lesser incline level access from the top to the bottom of the site, and the properties on the whole achieving level access to the street wherever possible. As mentioned the proposal also includes a block of 16 flats specifically for older people which includes a lift and parking for mobility scooters. It is therefore considered that the potential but highly unlikely loss of affordable units will not cause discrimination issues.

The inclusion of shared ownership properties as part of this development may also provide the opportunity for a proportion of the returning tenants to buy an affordable property within the new estate themselves.

The remaining affordable dwellings will be affordable rented properties, let to either returning Residents who are seeking to remain in the area or to new tenants who are eligible to register and bid for this form of housing on the Devon Home Choice housing register.

Policy DEV 9 requires that at least 20 per cent of dwellings on all schemes of five or more dwellings (including conversions), where practicable, meet national standards for accessibility and adaptability (Category M4(2) of Building Regulations), at least 2 per cent of which should meet National standards for wheelchair user homes (Category M4(3) of Building Regulations). This has been proposed in the application and will be secured by condition.

Drainage

The site is located in Flood Zone 1, and at a low risk of flooding from fluvial and tidal sources.

Surface water flood risk mapping provided by the Environment Agency indicates a low risk of flooding to the site, however the site is located in a Critical Drainage Area where the Environment Agency considers the drainage network is at or close to capacity. Public sewer records indicate that there are SWW surface water sewers in the vicinity of the site.

The submitted surface water drainage strategy proposes unattenuated discharge for the adopted highway. Two soakaways have been proposed for parts of the site where this is appropriate that discharge a total of 0.12ha. The remainder of the site is discharged to the SWW sewer at an attenuated rate with attenuation storage provided by underground tanks. There are 15 flow controls proposed with discharge rates between 1l/s and 3l/s. The total discharge rate is 27l/s equivalent to the 1 in 10 year greenfield run of rate for the whole site minus the highway area.

Modelling results have been submitted that support the design standard of 1 in 100 year return period design standard with a 40% allowance for climate change.

Modelling results indicate infiltration through the base of the soakaways has been included.

The Lead Local Flood Authority consider the proposal is acceptable in principle subject to further details including full detail of the proposed drainage system and calculations to support the design, written confirmation from SWW that the proposals are accepted, and details of water environment protection for the life time of the development. With a further details condition and accompanying informative it is considered that the proposal complies with DEV35.

Sustainability

An Energy Statement has been submitted with the application.

This Energy Statement has outlined the measures to reduce the carbon emissions for the proposed development and resulting savings at each stage of the Energy Hierarchy.

According to the statement through the integration of the measures outlined in this strategy, the CO2 emissions arising from the building energy consumption can be reduced by a total of 58.74% beyond a compliant Part L 2021 Baseline.

A number of passive measures including improved U-Values and air permeability, energy efficient lighting, a mixed mode ventilation strategy combining natural ventilation and MEV, connection to efficient electric heating and all DHW heat requirements to be provided by integrated heat pumps within apartments, coupled with solar PV arrays for the houses and apartment blocks provide a means to reduce energy consumption and onsite CO2 emissions.

The site falls within the City Councils 'District Heating Opportunity Area', defined in our Plymouth City-Wide District Energy Strategy. The EfW operators have also recently indicated that they are keen to explore supplying heat to this development.

JLP policy DEV32 requires major developments to incorporate low carbon or renewable energy to achieve regulated carbon emissions of 20 per cent less than Building Regulations. However criterion 6 requires developments to connect to existing district heating networks or where there is a future network planned, to be designed to be capable of connection to that network.

Concerns were raised by the Council's Low Carbon officer because they did not consider the houses to be future proofed for connection to a future district heating network. Furthermore direct electric is not supported in the adopted SPD as it utilises greater grid capacity that needs to be reserved for decarbonisation of transport and heat over a wider area. Concerns were also raised over the affordability of the proposed system for future residents.

As such officers requested a different approach be adopted to allow the whole development to be future proofed for connection to a future district heating network. The applicant has suggested that the cost of such implementation will make the scheme undeliverable and provided viability information which was assessed by the Council's Viability Officer. It is recognised that the development is not a commercial scheme and is already under significant financial pressure. After considerable negotiations the applicant has agreed to revisit the energy strategy for phase 2 of the development to accommodate future proofing in that phase. This is a reflection of the condition on the previously approved schemes.

Whilst the Low Carbon Officer recognises this is an improved situation they maintain their objection to the scheme.

Officers are mindful that the previous consents offer a fallback position very similar to that now being proposed. While it is largely impossible on schemes of this type to know whether such extra cost would result in the development not coming forward it is recognised that there is significant financial pressure on the development and that this is a potential realistic outcome. Given the

benefits of the scheme outlined in this report it is therefore considered that with the condition described above in place the proposal is acceptable in low carbon terms.

Greenspace, play, Trees, landscaping

The site is located next to Blackies wood as identified in PCC's Open Space Assessment 2017(POSA) which forms the evidence base for the JLP's Green Space and play area policy (DEV27).

Part of the site is identified within the POSA as forming part of Blackies Woods open space. Although the proposal will transform part of Blackies Wood Natural and Semi-natural Green Space into residential development, the scheme proposes to re-provide and improve this green space provision within the Green Street, the North South Connection and tree and shrub planting along the streets.

Although the current scheme constitutes an overall increase in the number of trees planted from the approved scheme, a number of larger street trees have been removed or replaced with smaller trees including along Savage Rd, Poole Park Road and Roberts Road frontages. Concern has also been raised regarding the loss of trees (when compared to the previous scheme) in the area of amenity grassland to the south west of the site.

Officers requested that these trees be re-instated which has not been forthcoming. Although this is disappointing given the many benefits of the scheme it is not considered that the changes to street trees and the reduction of trees in the south west corner are so detrimental as to warrant refusal of the application.

The proposal includes two play areas, one for infant play and one for junior play both located on the green street, and a youth area located further east. A contribution has been secured towards secondary/teenager play space in a nearby location or services to this age group such as a community ambassador scheme. Whilst the previously existing play space would be lost to the development it is considered that the proposal offers acceptable levels of play space to mitigate this loss and accord with policy requirements, in accordance with DEV27.

Soft Landscaping

The overall planting concept is natural soft grasses with perennial and shrubs that are salt tolerant, provide colour and seasonal interest and form to the landscape. Semi-private front gardens provide defensible space also storage for cycle parking and bins with native hedging, low ornamental planting and turfed lawns softens the hard streetscape. The green Street then changes to a tidal planting succession inspired design concept. The soft landscaping approach is considered acceptable subject to a condition securing details of its long term management.

Biodiversity

An Ecological Mitigation and Enhancement Strategy has been submitted with the application which sets out a strategy to deliver net biodiversity gain as required by policy DEV26 of the JLP. The ecological measures include:

Planting of 167 trees (net gain of 25)

Creation of 1170m.sq. of 'Other neutral grassland' and 11067m.sq. of 'Modified grassland'

Planting of 424m of 'Species rich native hedgerow', 729m of 'Native hedgerow' and 312m of 'Hedgerow ornamental non-native.

Planting of 3250m.sq. of 'Introduced shrub'

Installation of 9 no. bat tubes.

78m.sq. of rain gardens, 470m.sq. of 'Allotments/ Community garden'

Installation of 70 no. swift boxes

Installation of 24 no. other bird boxes. Creation of crevices in retaining walls

The scheme has been calculated to result in a -14.13% change in habitat units and a +5718.95% change in hedgerow units. The Natural Infrastructure Team have raised concerns regarding compliance with policy DEV26 and the level of habitat units. The SPD states that on major applications a 10 per cent increase in biodiversity units will be considered policy compliant. The proposal clearly falls below this.

However Officers are mindful of the previous consents which offer a reasonably realistic fall-back position. Although considered under the same policy BNG calculations were not required to be submitted on applications at the time of the previous consent. The application has therefore calculated and submitted the biodiversity units of the consented scheme for comparison. The previous scheme has been calculated to result in a -21.32% change in habitat units and a +3470.5% change in hedgerow units.

The BNG assessments undertaken show that the revised scheme will provide more habitat and hedgerow units, and therefore greater enhancements for biodiversity than the previous approved scheme. It is also noted the bat and bird roosting and nesting provision integrated into the buildings will also provide a net gain for biodiversity which is not measurable within the parameters of the Metric.

Given the proposal is an improvement on the fallback consent and given the wider benefits of the scheme on balance the proposal is considered acceptable in biodiversity terms.

Public Protection Issues

A phase I contamination report has been submitted with the application. The council's Public Protection Service is satisfied with its findings and has recommended an unexpected contaminated land condition.

Other issues

As mentioned above the proposal includes a community space of 242 sqm of Class E use in the proposed square. It is recognised that these are town centre uses and therefore the impact on existing centres needs to be considered. No sequential test has been submitted with the application to demonstrate that there are not sequentially preferable sites within or on the edge of existing centres. However as with the previous consent in this case given the small size of the unit even if it was accepted that there are sequentially preferable sites within existing centres which is likely, the proposed space contributes to the sustainability of the scheme by providing services to the community and helps to create a sense of place within the heart of the scheme. Therefore the provision of a small community space is welcomed and considered acceptable.

The Office for Nuclear Regulation have made some recommendations regarding Emergency Planning which will be added in an informative.

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).

It should be noted that affordable housing can claim exemption from CIL.

11. Planning Obligations

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

The development would result in a net loss of units and therefore there will be no significant impact on infrastructure requiring mitigation. However as mentioned above a s106 is required to secure affordable housing and appropriate mitigation towards secondary play provision through a contribution of £24,825. Should the mitigation be in the form of off site play facilities then a commuted sum for future maintenance has also been secured.

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 highly unlikely but potential loss of affordable housing units has been addressed in the analysis section above.

13. Conclusions and Reasons for Decision

While the energy strategy, loss of certain trees from the consented scheme, and biodiversity net gain issues identified in this report are not ideal it is still considered that the proposed re-development will significantly improve the standard of housing stock in the area and create a much improved living environment for future residents. On balance the proposal is therefore welcomed and considered acceptable.

Officers have taken account of the NPPF and S38(6) of the Planning and Compulsory Purchase Act 2004 and concluded that the proposal accords with policy and national guidance and recommended for conditional approval.

14. Recommendation

In respect of the application dated 15.06.2022 it is recommended to Grant conditionally subject to S106.

15. Conditions / Reasons

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

I CONDITION: APPROVED PLANS

- Apartment B - Proposed Floor Plans 190809 APT 02 01 Rev C received 30/05/22
- Apartment B - Proposed Roof Plan 190809 APT 02 02 Rev C received 30/05/22
- Apartment B - Proposed Elevations 190809 APT 02 03 Rev C received 30/05/22
- Apartment C - Proposed Floor Plans 190809 APT 03 01 Rev D received 30/05/22
- Apartment C - Proposed Elevations 190809 APT 03 02 Rev B received 30/05/22
- Apartment D - Proposed Floor Plans 190809 APT 04 01 Rev B received 30/05/22
- Apartment D - Proposed Roof Plans 190809 APT 04 02 Rev E received 30/05/22
- Apartment D - Proposed Elevations 190809 APT 04 03 Rev A received 30/05/22

Apartment E - Proposed Floor Plans 190809 APT 05 01 Rev C received 30/05/22
Apartment E - Proposed Roof Plans 190809 APT 05 02 Rev C received 30/05/22
Apartment E - Proposed Elevations 190809 APT 05 03 Rev C received 30/05/22
Apartment F - Proposed Floor Plans 190809 APT 06 01 Rev C received 30/05/22
Apartment F - Proposed Roof Plans 190809 APT 06 02 Rev C received 30/05/22
Apartment F - Proposed Elevations 190809 APT 06 03 Rev C received 30/05/22
Apartment J - Proposed Floor Plans 190809 APT 07 01 Rev C received 30/05/22
Apartment J - Proposed Roof Plans 190809 APT 07 02 Rev C received 30/05/22
Apartment J - Proposed Elevations 190809 APT 07 03 Rev C received 30/05/22
Apartment K - Proposed Floor Plans 190809 APT 08 01 Rev C received 30/05/22
Apartment K - Proposed Floor Plans 190809 APT 08 02 Rev C received 30/05/22
Apartment K - Proposed Elevations 190809 APT 08 03 Rev C received 30/05/22
Apartment L - Proposed Floor Plans 190809 APT 09 01 Rev C received 30/05/22
Apartment L - Proposed Floor Plans 190809 APT 09 02 Rev C received 30/05/22
Apartment L - Proposed Elevations 190809 APT 09 03 Rev C received 30/05/22
Apartment P - Proposed Floor Plans 190809 APT 11 01 Rev C received 30/05/22
Apartment P - Proposed Elevations 190809 APT 11 02 Rev B received 30/05/22
Proposed Street Elevations 1/3 190809 E 01 01 Rev B received 30/05/22
Proposed Street Elevations 2/3 190809 E 01 02 Rev B received 30/05/22
Proposed Street Elevations 3/3 190809 E 01 03 Rev B received 30/05/22
Proposed Floor Plans 190809 HT 01A 01 Rev B received 30/05/22
Proposed Elevations 190809 HT 01A 02 Rev B received 30/05/22
Proposed Floor Plans 190809 HT 01C 01 Rev A received 30/05/22
Proposed Elevations 190809 HT 01C 02 Rev A received 30/05/22
Proposed Floor Plans 190809 HT 01D 01 - received 30/05/22
Proposed Elevations 190809 HT 01D 02 - received 30/05/22
Proposed Floor Plans 190809 HT 01E 01 - received 30/05/22
Proposed Elevations 190809 HT 01E 02 - received 30/05/22
Proposed Floor Plans 190809 HT 03 01 Rev A received 30/05/22
Proposed Elevations 190809 HT 03 02 Rev A received 30/05/22
Proposed Site Layout 190809 L 02 00 - received 30/05/22
Proposed Site Layout Phase 1 190809 L 02 01 Rev C received 30/05/22
Proposed Site Layout Phase 2 190809 L 02 02 Rev C received 30/05/22
House Type Key Plan Phase 1 190809 L 02 03 Rev C received 30/05/22
House Type Key Plan Phase 2 190809 L 02 04 Rev C received 30/05/22
Tenure Plan Phase 1 190809 L 02 05 Rev C received 30/05/22
Tenure Plan Phase 2 190809 L 02 06 Rev C received 30/05/22
Accommodation Type Plan Phase 1 190809 L 02 07 Rev C received 30/05/22
Accommodation Type Plan Phase 2 190809 L 02 08 Rev C received 30/05/22
Illustrative Masterplan 190809 L 02 11 Rev B received 30/05/22
Refuse Disposal and Collection 1 of 2 190809 L 02 18 Rev B received 30/05/22
Refuse Disposal and Collection 2 of 2 190809 L 02 18 Rev B received 30/05/22
Demolition Plan 190809 L 95 01 - received 30/05/22
Proposed Floor Plans 190809 SL 01B 01 - received 30/05/22
Proposed Elevations 190809 SL 01B 02 - received 30/05/22
Proposed Floor Plans 190809 SL 01C 01 - received 30/05/22
Proposed Elevations/Sloping Terrace 190809 SL 01C 02 - received 30/05/22
Proposed Elevations 190809 SL 01C 03 - received 30/05/22
Proposed Elevations 190809 SL 03 02 Rev B received 30/05/22
Location Plan 190809 L 01 01 - received 20/05/22
Proposed Floor Plans 190809 SL 01D 01 received 30/05/22
Proposed Elevations/Sloping Terrace 190809 SL 01D 02 received 30/05/22
Proposed Elevations 190809 SL 01D 03 received 30/05/22

Proposed Floor Plans 190809 SL 03 01 Rev A received 30/05/22
Proposed Floor Plans Side Entry as 190809 HT 01B SE 03 Rev C received 21/10/22
Proposed Elevations Side Entry as 190809 HT 01B SE 04 Rev C received 21/10/22
Proposed Floor Plans Side Entry as 190809 HT 01B OP 05 Rev C received 21/10/22
Proposed Elevations Side Entry as 190809 HT 01 06 Rev C received 21/10/22
Accommodation Type Plan - Phase I 190809 L 02 07 Rev D received 21/10/22
Proposed Elevations 190809 MB 0102 Rev E received 21/10/22
Proposed Elevations 190809 MB 02 02 Rev D received 21/10/22
Proposed Floor Plans 190809 SL 01 TYPE A 01 Rev B received 21/10/22
Proposed Elevations 181201 SL 01 TYPE A 02 Rev B received 21/10/22
Typical Tree Pit in Landscape Bank 190809 D 03 17 received 21/10/22
Typical Bench Detail 190809 D 03 16 received 21/10/22
Typical Paved Step & Railing 190809 D 03 14 received 21/10/22
Typical Free Standing Brick Wall 190809 D 03 13 received 21/10/22
Typical 1m High Brick Wall with Vertical Railing 190809 D 03 12 received 21/10/22
Typical Flat Bar Railing System 190809 D 03 11 received 21/10/22
Typical Low Brick Wall with Vertical Railing 190809 D 03 10 received 21/10/22
1800m High Closed Board Timber Fence 190809 D 03 09 received 21/10/22
Typical House Bin & Bike Storage 190809 D 03 08 received 21/10/22
Typical Apartment Block Bin & Bike Storage 190809 D 03 07 received 21/10/22
Typical Tree Pit in Hard Landscape 190809 D 03 06 Rev A received 21/10/22
Typical Tree Pit in Soft Landscape 190809 D 03 05 Rev A received 21/10/22
Typical Post & Wire Fence with Hedge 190809 D 03 15 received 21/10/22
General Arrangement Plan 190809 L 02 10 Rev C received 21/10/22
Tree Protection Plan 1 of 2 190809 L 02 12 Rev C received 21/10/22
Parking & Cycle Storage Strategy Part 1 of 2 190809 L 02 13 Rev C received 21/10/22
Phasing Plan 190809 L 02 14 Rev C received 21/10/22
Boundary Treatment Plan Part 1 of 2 190809 L 02 15 Rev C received 21/10/22
Landscape Hardworks Part 1 of 7 190809 L 02 16 Rev C received 21/10/22
Softworks Plan: Part 1 of 5 190809 L 02 17 Rev C received 21/10/22
Revised Planning Overlay 190809 L 02 20 received 21/10/22
Proposed Floor Plans 190809 MB 02 01 Rev D
Proposed Floor Plans 190809 MB 01 01 Rev D received 11/11/22
Proposed Elevations 190809 MB 01 02 Rev E received 11/11/22

Reason:

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

2 CONDITION: COMMENCE WITHIN 3 YEARS

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

Reason:

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

3 CONDITION: STREET DETAILS

PRE-DAMP PROOF COURSE (DPC)

Notwithstanding the submitted details no development shall take place above DPC level until all details of the design, layout (including wheel tracking plans), levels, gradients, materials, 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. All roads and footways forming part of the development hereby permitted shall be completed in accordance with the details approved before the first occupation of the penultimate dwelling.

Reason:

To provide a road and footpath pattern that secures a safe and convenient environment and to a satisfactory standard in accordance with Policy DEV29 of the Plymouth & Southwest Devon Joint Local Plan 2014-2034.

4 **CONDITION: SURFACE WATER DRAINAGE**

PRE-DPC

No development hereby approved shall take place above DPC level until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Local Planning Authority.

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

Reason:

To reduce the risk of flooding to and from the development, and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory surface water management and disposal during and after development. The drainage provisions within the development are adequately provided for before development commences and does not cause undue problems to the wider drainage infrastructure in accordance with policy DEV35 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework.

5 **CONDITION: EXTERNAL MATERIALS**

PRE-DPC

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

Reason:

To ensure that the materials used are in keeping with the character of the area in accordance with Policy DEV20 of the Joint Local Plan, and paragraphs 124, 127 and 130 of the National Planning Policy Framework 2019.

6 **CONDITION: LANDSCAPING/LANDSCAPING MANAGEMENT**

PRE-DPC

The landscaping shall be implemented in accordance with the approved details. Prior to commencement of development above DPC level in the relevant phase a programme for the delivery of the soft and hard landscaping hereby approved shall be submitted to and approved in writing by the LPA. The landscaping shall be delivered in accordance with the approved details.

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

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

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest and to ensure that satisfactory landscaping works are carried out, in accordance with Joint Local Plan Policies SPT12 , DEV10, DEV27 & DEV28 and Government advice contained in the NPPF 2019.

7 CONDITION: BUS INFRASTRUCTURE

PRE-DPC

Notwithstanding the submitted details no development shall commence above DPC level until full details of the bus infrastructure provision including the location of the bus stop has been submitted to and agreed in writing by the LPA. The development shall accord with the approved details.

Reason

In order to promote bus use as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034.

8 CONDITION: ACCESSIBLE HOUSING

PRE-DPC

No development shall commence above DPC level in the relevant phase until details have been submitted to and approved in writing to demonstrate how where practical 18% of the dwellings hereby approved will meet national standards for accessibility and adaptability (Category M4(2) of Building Regulations) and 2% of dwellings national standards for wheelchair user homes (Category M4(3) of Building Regulations). The development shall accord with the approved details.

Reason:

To ensure that the development includes a mix of accessible housing units in accordance with policy DEV9 of the Plymouth and South West Devon Joint Local Plan 2019 and the NPPF 2019.

9 CONDITION: FURTHER DETAILS - RAINWATER GOODS

PRE-DPC

No development shall commence above DPC Level in the relevant phase until full details of all rain water goods including their location, have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the approved details.

Reason:

To ensure that the rainwater goods are appropriate and do not detract from the appearance of the buildings in accordance with Policies DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan 2019 and the NPPF 2019.

10 CONDITION: PROVISION OF ELECTRIC VEHICLE CHARGING POINTS

PRE-DPC

No development shall commence above DPC until details of the provision of electric car charging points and passive wiring have been submitted and approved in writing by the Local Planning Authority.

The development shall accord with the approved details.

Reason

To assist in the lowering the carbon footprint of the development in accordance with Policy DEV29 of the adopted Plymouth & Southwest Devon Joint Local Plan 2014-2034:

11 CONDITION: ENERGY AND SUSTAINABILITY

PRE-INSTALLATION

Phase 1 of the development hereby permitted shall be carried out in accordance with the Energy Statement DS0032-WW-XX-XX-RP-ME-0001 Issue 7 dated October 2022.

Prior to their installation details of the all locations of the on-site renewable energy production methods shall be submitted to and approved in writing by the Local Planning Authority. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the associated dwelling and thereafter retained and used for energy supply for so long as the development remains in existence.

Prior to commencement of phase 2 (as identified on drawing I90809 L 02 I4 REV C) of the development (other than demolition) an updated Energy Statement including details of how the phase 2 development shall be future proofed for connection to a Districting Heating Network shall be submitted to and approved in writing by the Local Planning Authority. The development in phase 2 shall be carried out in accordance with the approved updated Energy and Sustainability Statement

Prior to development above DPC level on phase 2 details of the locations of the on-site renewable energy production methods shall be submitted to and approved in writing by the Local Planning Authority. The on-site renewable energy production methods shall be provided in accordance with

these details prior to the first occupation of the associated dwelling and thereafter retained and used for energy supply for so long as the development remains in existence.

Reason:

To ensure that the development incorporates onsite renewable energy production equipment to offset at least 20% of predicted carbon emissions for the development in accordance with Policy DEV32 of the Joint Local Plan, and NPPF.

12 **CONDITION: PLAYSPACE DETAILS AND PROVISION**

PRE-OCCUPATION

Prior to any occupation within the relevant phase the playspaces hereby approved shall be completed in accordance with details submitted to and approved in writing by the LPA. The details shall include full details of the layout, play equipment, boundary treatment, maintenance schedule.

Reason:

To ensure the playspace areas are acceptable and delivered appropriately in accordance with policy DEV27 of the Plymouth and South West Devon Joint Local Plan 2019.

13 **CONDITION: PUBLIC ART**

PRE-OCCUPATION

Prior to any occupation of the dwellings hereby approved (Unless an alternative programme for delivery is agreed in writing) public art shall be provided in the development in accordance with details previously submitted to and approved writing by the Local Planning Authority.

Reason:

To ensure that public art is appropriately integrated into the development in accordance with policy DEV20 of the Plymouth and South West Devon Joint Local Plan.

14 **CONDITION: PROVISION OF PARKING**

PRE-OCCUPATION

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

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with DEV29 of the Plymouth & South West Devon Joint Local Plan 2014-2034.

15 **CONDITION: CYCLE PROVISION**

PRE-OCCUPATION

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

Reason:

In order to promote cycling as an alternative to the use of private cars in accordance with Policy DEV29 of the Plymouth & Southwest Devon Joint Local Plan 2014-2034.

16 CONDITION: GATES AND LOCKS

PRE-OCCUPATION

All private pathways shall have gates with locks with key access in accordance with details previously submitted to and agreed in writing by the Local Planning Authority. The gates shall be installed before any of the residential units requiring the use of the respective private pathways are occupied.

Reason:

To ensure that satisfactory measures are put in place to help design out crime, in accordance with the policies DEV10 and DEV20 of the Plymouth & South West Devon joint local plan 2014-2034 and paragraph 12 of the National Planning Policy Framework 2019.

17 CONDITION: DEMOLITION AND CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN

The development hereby approved shall be carried out in accordance with the Construction Environmental Management Plan (Lovell).

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with, Joint Local Plan Policies SPT11 & DEV26 and the NPPF. Also in the interests of amenity and highway safety in accordance with DEV1 and DEV29 of the Joint Local Plan and the NPPF.

18 CONDITION: EMPLOYMENT AND SKILLS STRATEGY

The development in phase 1 shall be carried out in accordance with the approved Employment and Skills Strategy (LOVELL) unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

No development shall take place in phase 2 (other than demolition) until an Employment and Skills Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved Employment and Skills Strategy unless a variation to the strategy is agreed in writing in advance by the Local Planning Authority.

Reason:

To ensure that local people and businesses benefit from development within the City in accordance with the Council's growth agenda and Policy DEV19 of the Plymouth and South West Devon Joint Local Plan.

19 CONDITION: CONTAMINATED LAND

The development shall be carried out in accordance with the mitigation measures identified in the Hydrock Desk Study and Ground Investigation report dated february 2018.

The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

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

(ii) an assessment of the potential risks to:

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

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

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

Where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with policy DEV2 of the Plymouth and South West Devon Joint Local Plan 2019, and paragraphs 170,178-183 of the National Planning Policy Framework 2019.

20 CONDITION: BIODIVERSITY

The development shall be carried out in accordance with the Ecological Mitigation and Enhancement Strategy (09 November 2022)

Reason:

In the interests of the retention, protection and enhancement of wildlife and features of biological interest, in accordance with Joint Local Plan Policies SPT11 & DEV26 and Government advice contained in the NPPF.

21 **CONDITION: TREE/HEDGEROWS TO BE RETAINED/PROTECTED**

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

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

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

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

Reason:

To ensure that trees or hedgerows retained are protected during construction work and thereafter are properly maintained, if necessary by replacement, in accordance with Policy DEV28 of the Plymouth and South West Devon Joint Local Plan and the National Planning Policy Framework 2019.

22 **CONDITION: OVER 55's - SPECIFIED USE RESTRICTION**

The over 55's accommodation identified as Block D on drawing I90809 L 02 05 REV C hereby permitted shall be limited to occupation by persons no younger than 55 years of age and shall be used for no other purposes (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason:

The Local Planning Authority considers that, in the particular circumstances of the case, the use of the premises for the purpose specified is appropriate but that a proposal to use the building for any other purposes would need to be made the subject of a separate application to be considered on its merits in accordance with Policy DEV 7 of the Plymouth and South West Devon Joint Local Plan.

23 **CONDITION: COMMUNITY SPACE USE RESTRICTION**

The community hub space hereby approved shall provide a maximum of 242 sqm of floor space and shall be limited to use class E and shall be used for no other purpose.

Reason:

To ensure that the uses within the community hub are appropriate in accordance with Strategic Objective SO11 and DEV18 of the Plymouth & South West Devon Joint Local Plan 2014-2034.

INFORMATIVES

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

The Local Planning Authority has assessed that this development will attract an obligation to pay a financial levy under the Community Infrastructure Levy Regulations 2010 (as amended). Details of the process can be found on our website at www.plymouth.gov.uk/CIL. 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: SUPPORTING DOCUMENTS

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

- Air Quality Assessment 16/05/2018
- Archaeological Desk-Based Assessment 16th March 2018
- Ecological Mitigation and Enhancement Strategy (09 November 2022)
- Flood Risk Assessment 19 July 2018
- Outline Landscape Specification and Maintenance and Management Plan 2022
- Planting Schedules 170310 R03 02/B?
- Site Waste Management Plan July 2018
- Statement of Community Involvement 2018/ 2022 update
- Tree Survey September 2017
- Desk Study and Ground Investigation February 2018
- Arboricultural Impact Assessment Report; 04942- AIA. 12.11.2018.DOCX
- Design and Access Statement 170310 R 02 01 2022
- Construction Environmental Management Plan (Lovell).
- Energy Statement DS0032-WW-XX-XX-RP-ME-0001 Issue 7 dated October 2022
- Accommodation Schedule
- Employment and Skills Plan (Lovell)
- Visualisations
- Landscape Statement October 2022
- OSA Audit Form received 17/11/2022

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

4 INFORMATIVE: SECURE BY DESIGN

The developer is advised that they should aim to achieve a minimum Silver standard of the Secure by Design award. (Formerly known as parts 1 & 2).

5 INFORMATIVE: DRAINAGE

To protect against contamination of the water environment, it is recommended that the 'Yellow Fish' scheme is used for surface water gullies and drainage features as outlined in the 'Yellow Fish Guidance Manual'.

This is required to supplement and not replace any proposed pollution prevention devices proposed for the surface water drainage system.

<http://oilcare.org.uk/wp-content/uploads/2018/11/Guidance-Manual-for-Yellow-Fish-ENGLISH.pdf>

6 INFORMATIVE: PUBLIC HIGHWAY ENGINEERING DETAILS

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.

7 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.

8 INFORMATIVE: TRAFFIC REGULATION ORDER AND HMPE

A Traffic Regulation Order (TRO) would be required for any closure of Wilkinson Road whilst works take place, and also for the permanent introduction of a One Way traffic flow

Areas of existing Highway Maintainable at Public Expense (HMPE), need to have the public access rights extinguished and Stopped-Up prior to any enclose or alteration.

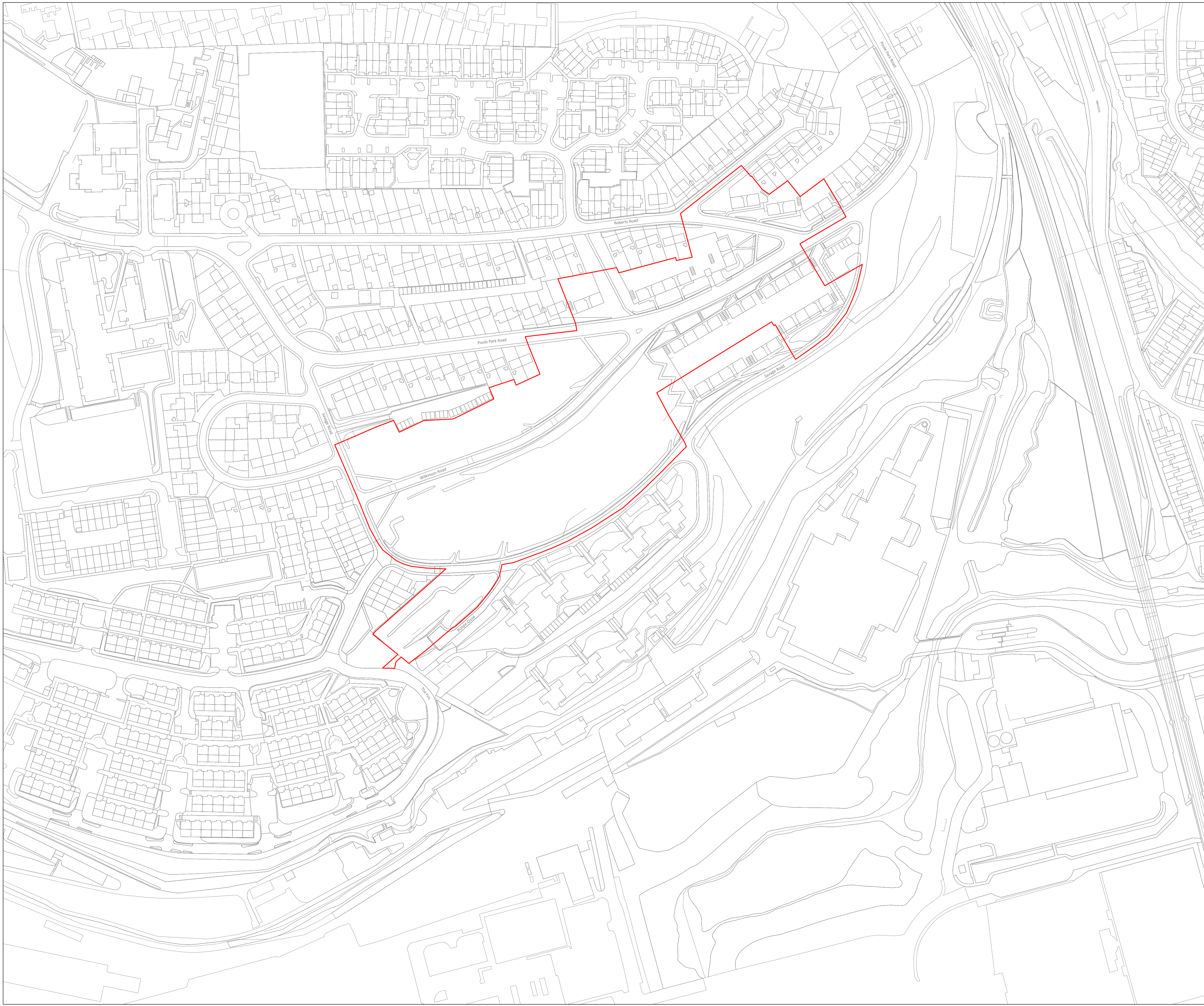
9 INFORMATIVE: OFFICE FOR NUCLEAR REGULATION ADVICE

The Office for Nuclear Regulation advises:

1. Access should be available for the delivery of stable iodine tablets (SITs) to individual properties in the development. SITs are delivered to individual homes as an urgent protective action, and it is important that a household is able to access any such delivery to their boxes without leaving their home. Any communal door entry system should provide a facility to allow the delivery teams to enter communal areas so deliveries can be made to individual homes.

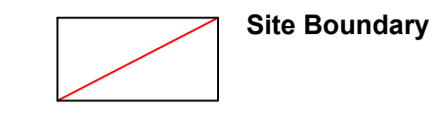
2. All contractors, and sub-contractors, working on site during the construction phase, should be made aware of the emergency planning arrangements for the Devonport Site, by reference to the

public information booklet. Facilities should be available for contractors' welfare during the construction phase, allowing them to shelter and be able to receive deliveries of SITs should an emergency occur.



NOTES:

Key



REV	NOTES	DATE
-	Barne Barton, Plymouth Location Plan	MS / DE
190809 L 01 01	1:1250 @ A1	April 22

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DRAWING—STATUS Planning

CONTRACTORS MUST CHECK ALL DIMENSIONS ON SITE. ONLY FIGURED DIMENSIONS ARE TO BE WORKED FROM. THIS DRAWING IS COPYRIGHT.