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11 October 2017

Dear Sir/Madam

Town and Country Planning Act 1990

APPLICATION **17/01246/FUL**
NO:
SITE: **Land Off Barton Road Turnchapel Plymouth PL9 9RH**
PROPOSAL: **Erection of 7 dwellings & associated works**

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.

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/planningandbuildingcontrol/buildingcontrolandregulations>

OFFICIAL

APPEAL

If you are aggrieved by a decision to refuse permission or to grant it subject to conditions you can appeal to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at

<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.

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 or Conservation Area 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 Robert McMillan** on **01752 304965**.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R McMillan', written in a cursive style.

Strategic Planning and Infrastructure

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Town and Country Planning Act 1990 Planning (Listed Building & Conservation Areas) Act 1990

In correspondence please quote application number: **17/01246/FUL**

APPLICANT: Yacht Haven

**SITE: Land Off Barton Road Turnchapel Plymouth PL9
9RH**

PROPOSAL: Erection of 7 dwellings & associated works

Under the provision of the above act, Plymouth City Council hereby grants permission to carry out the development described in your application dated **12 June 2017,**

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

1 CONDITION: APPROVED PLANS

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

Site Location Plan 928-941-0000 Rev A received 12/06/17
Site plan 928-941-0001 - received 09/06/17
Existing Sections 928-941-0201 - received 09/06/17
Streetscape 928-942-0203 - received 09/06/17
Plans and Elevations 928-942-A-1001 - received 09/06/17
Plans and Elevations 928-942-B-1002 - received 09/06/17
Plans and Elevations 928-942-C-1003 - received 09/06/17
Tree Constraints Plan 04691TCP Rev B received 09/06/17
Topographical Survey 6855 - received 09/06/17
Proposed Site Plan 928-941-0002 Rev D received 19/07/17
Proposed Sections 928-942-0201 Rev A received 19/07/17

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Proposed Sections 928-942-0202 Rev A received 19/07/17
Flooding Details H101 Rev P1 received 16/08/17
Drainage H100 Rev P2 received 16/08/17

Reason:

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

2 **CONDITION: COMMENCE WITHIN 2 YEARS**

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

Reason:

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

3 **CONDITION: CONTAMINATED LAND**

PRE-COMMENCEMENT

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

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Section 1. Site Characterisation

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

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

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

Section 2. Submission of Remediation Scheme

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

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Section 3. Implementation of Approved Remediation Scheme

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

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

Section 4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of section 1 of this condition, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of section 2, which is subject to the approval in writing of the Local Planning Authority.

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

Reason:

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

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Justification: This needs to be a pre-commencement condition to ensure that risks from land contamination to users of neighbouring land are minimised during the construction phase.

4 **CONDITION: CONTRACTORS ACCESS**

PRE-COMMENCEMENT

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

Reason:

To ensure an adequate road access at an early stage in the development in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 17 and 32 of the National Planning Policy Framework 2012.

Justification: To ensure that there is a safe and convenient access for contractors' vehicles at the start of the construction phase.

5 **CONDITION: ARCHAEOLOGY**

PRE-COMMENCEMENT

No development shall be commenced until details of a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority and the applicant/developer has secured a programme of archaeological work (to include an archaeological watching brief) in accordance with the approved details. The development shall be carried out in accordance with the approved details and programme of archaeological work.

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Reason:

The site may contain archaeological deposits which would warrant appropriate investigation and/or recording in accordance with Policy CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, emerging policies DEV21 and DEV 22 of the Plymouth and South Hams Joint Local Plan and paragraph 128 of the National Planning Policy Framework 2012.

Justification: To ensure that any archaeological deposits on the site are not destroyed so that they can be recorded and, if feasible, retained in situ.

6 **CONDITION: ARBORICULTURAL METHOD STATEMENT**

PRE-COMMENCEMENT

No development shall commence on plots 1, 2 and 3 until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority in relation to the protection of tree 263 Sycamore during the construction of plot 2. The statement shall detail how the tree is to be protected during construction of retaining wall and steps on the western boundary of plot 2. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 Trees in relation to Design, Demolition and Construction - Recommendations. The measures contained in the approved statement shall be fully implemented and shall remain in place until construction work has ceased.

Reason:

To ensure that the trees on site are protected during construction work in accordance with Policy CS18 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61,109 and 118 of the National Planning Policy Framework 2012.

Justification: To ensure that the protected Sycamore is protected throughout the construction phase.

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7 **CONDITION: FURTHER DETAILS**

PRE-COMMENCEMENT

No development shall take place until details of the following aspects of the development have been submitted to and approved in writing by the Local Planning Authority: elevations of plot 1 to ensure that they are consistent with the cross section drawings that show a plinth/under-build. The works shall conform to the approved details.

Reason:

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

Justification: To ensure that the elevation drawings are consistent with the cross section drawings in the interests of accuracy.

8 **CONDITION: LANDSCAPE DESIGN PROPOSALS**

PRE-DPC

No development shall take place above damp proof course level until full details of both hard and soft landscape works and a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc., indicating lines, manholes, supports etc.); retained historic landscape features and proposals for

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restoration, where relevant; planting plans including the location of all proposed plants their species, numbers, densities, type (i.e bare root/container grown or root balled, girth size and height (in accordance with the HTA National Plant specification), planting specification including topsoil depths, soiling operations, cultivation, soil ameliorants and all works of ground preparation, and plant specification including handling, planting, seeding, turfing, mulching and plant protection.

Reason:

To ensure that satisfactory landscape works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

9 **CONDITION: DETAILS OF TREE PLANTING**

PRE-DPC

The plans and particulars of the landscaping works submitted in accordance with condition 7 shall include details of the size, species and positions or density of all trees to be planted as replacements for those to be removed, and the proposed time of planting.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

10 **CONDITION: GROUND LEVELS**

PRE-DPC

Details of any changes to the ground levels not shown on the approved drawings shall be submitted to and approved in writing by the local

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planning authority before the commencement of development above damp proof course level. The development shall be carried out in accordance with these approved details.

Reason:

To ensure that the character and appearance of the site and surrounding and living conditions of the occupiers of the existing and proposed dwellings are not harmed in accordance with policies CS01, CS02 and CS34 of the adopted City of Plymouth Core Strategy development plan document 2007 and paragraphs of 17, 56 and 58 of the National Planning Policy Framework 2012.

11 **CONDITION: EXTERNAL MATERIALS**

PRE-DPC

No development shall take place above dam proof course level until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. These details shall include natural slate for all of the roofs of the buildings as agreed in writing by the applicant. Development shall be carried out in accordance with the approved details.

Reason:

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

12 **CONDITION: SURFACE WATER DRAINAGE**

PRE-OCCUPATION

The surface water drainage infrastructure shall be completed in

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accordance with the submitted drawings and information comprising the: Drainage strategy report, Surface water drainage network, Drainage strategy layout, Proposed drainage strategy drawing H100 Rev P2, Exceedance flow routes and Flood risk response email from Jubbs dated 15 August 2017 before any one of the dwellings is occupied

Reason:

To ensure that there will be no increased risk of flooding on and of site to comply with policy CS21 of the adopted City of Plymouth Core Strategy development plan document 2007 and paragraph 103 the National Planning Policy Framework 2012.

13 **CONDITION: NOISE VERIFICATION REPORT**

PRE-OCCUPATION

Details of verification report demonstrating that the dwellings hereby permitted meet the internal noise levels in condition 20 shall be submitted to and approved in writing by the local planning authority before any one of the dwellings is occupied.

Reason:

To ensure that the noise insulation standards are met in order that the proposed dwellings achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 17 and 123 of the National Planning Policy Framework 2012.

14 **CONDITION: PEDESTRIAN ACCESS**

PRE-OCCUPATION

None of the units hereby proposed shall be occupied until a means of access for pedestrians (including the block-paved footway along the

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frontage of the site and virtual footway on Boringdon Road) have been constructed in accordance with the approved plans and retained permanently.

Reason:

To ensure that an appropriate and safe access for pedestrians is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 29, 30 and 32 of the Framework.

15 **CONDITION: PEDESTRIAN ACCESS DETAILS**

PRE-OCCUPATION

Details of how the pedestrian access between Barton Road and Boringdon Road will be achieved permanently shall be submitted to and approved in writing by the local planning authority before and of the dwellings hereby permitted is occupied. The development shall be carried out in accordance with these details and retained permanently.

Reason:

To ensure that an appropriate and safe access for pedestrians is provided in the interests of public safety, convenience and amenity in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 29, 30 and 32 of the Framework.

16 **CONDITION: PROVISION OF PARKING AREA**

PRE-OCCUPATION

Each parking space shown on the approved plans shall be constructed, drained, surfaced and made available for use before the unit of accommodation that it serves is first occupied and thereafter that space

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shall not be used for any purpose other than the parking of vehicles.

Reason:

To enable vehicles used by occupiers or visitors to be parked off the public highway so as to avoid damage to amenity and interference with the free flow of traffic on the highway in accordance with Policies CS28 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraph 32 of the National Planning Policy Framework 2012.

17 **CONDITION: SURFACING OF DRIVEWAY/PARKING AREAS**

PRE-OCCUPATION

Before the development hereby permitted is occupied, the driveway and parking area shall either be (a) constructed using a permeable construction or (b) hard paved for a distance of not less than 1m from the edge of the highway and drained to a private soakaway; and shall thereafter be maintained to ensure satisfactory access to the adjoining highway, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure that no private surface water or loose material is deposited onto the adjoining highway in the interests of highway safety in accordance with Policy CS28 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 29, 30 and 32 of the Framework.

18 **CONDITION: LANDSCAPE WORKS IMPLEMENTATION**

PRE-OCCUPATION

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

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programme agreed with the Local Planning Authority.

Reason:

To ensure that satisfactory landscaping works are carried out in accordance with Policies CS18 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 61, 109 and 118 of the National Planning Policy Framework 2012.

19 **CONDITION: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN**

The development shall be carried out in accordance with the submitted construction environmental management plan during the construction phase of the development.

Reason:

To protect the local environment in particular the water environment of the Cattewatwer and Hooe Lake, surface water drainage infrastructure, the protected trees and vegetation to be retained and to reduce disturbance to local residents and on the highways to comply with policies CS01, CS18, CS19, CS21, CS22, CS28 and CS34 of the adopted City of Plymouth Core Strategy development plan document 2007 and paragraphs 17, 32, 103, 105, 109, 118 and 123 of the National Planning Policy Framework 2012.

20 **CONDITION: INTERNAL SOUND LEVELS**

All dwellings shall be constructed in accordance with BS 8233:2014 so as to provide sound insulation against externally generated noise. The good room criteria shall be applied, meaning there must be no more than 35 dB LAeq for living rooms (0700 to 2300 daytime) and 30 dB LAeq for bedrooms (2300 to 0700 night-time), with windows shut and other means of ventilation provided.

Reason:

To ensure that the proposed dwellings hereby permitted achieve a

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satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 17 and 123 of the National Planning Policy Framework 2012.

21 **CONDITION: GLAZING SPECIFICATIONS**

All glazing on the North façade of the properties facing Turnchapel Wharf industrial area, shall be Pilkington Optiphon™ double glazing at a minimum specification of "6 mm / 16 mm argon / 6.8 mm Pilkington Optiphon™".

Reason:

To ensure that the proposed dwellings hereby permitted achieve a satisfactory living standard and do not experience unacceptable levels of noise disturbance to comply with policies CS22 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 17 and 123 of the National Planning Policy Framework 2012.

22 **CONDITION: BIODIVERSITY**

The development shall be carried out in accordance with the Ecology Mitigation & Enhancement Plan (contained in the Preliminary Ecological Appraisal dated June 2017) for the site.

Reason:

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

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

In this condition "retained tree or hedgerow" means an existing tree or

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hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 5 years from the commencement of development.

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

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

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

Reason:

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

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24 **CONDITION: BOUNDARY WALLS, STONE PIER AND TUNNEL**

The existing natural stone boundary walls including the Admiralty boundary stones, natural stone pier on Boringdon Road and, if feasible, the blocked tramway tunnel in the southern boundary wall shall be retained permanently. If any parts of the walls collapse or are removed they shall be replaced in natural stone and mortar to match the existing materials and method of construction.

Reason:

To retain the heritage assets of the site to comply with policies CS01, CS02 and CS03 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007 and paragraphs 17, 58 and 128 of the National Planning Policy Framework 2012.

25 **CONDITION: RESTRICTIONS ON PERMITTED DEVELOPMENT**

Notwithstanding the provisions of Article 3 and Classes A, B C, E and F of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no enlargements, improvements or other alterations, roof alterations, curtilage buildings, structures, enclosures or pools shall be constructed to the buildings or in the curtilages of the houses hereby approved.

Reason:

In order to safeguard the living conditions of existing and proposed occupiers and character and appearance of the area in accordance with Policies CS01, CS02, CS03 and CS34 of the Plymouth Local Development Framework Core Strategy (2006-2021) 2007, and paragraphs 17 and 120-123 of the National Planning Policy Framework 2012.

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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.

2 **INFORMATIVE: CONDITIONAL APPROVAL NEGOTIATION**

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

3 **INFORMATIVE: PROPERTY RIGHTS**

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

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4 **INFORMATIVE: CODE OF PRACTICE**

The management plan shall be based upon the Council's Code of Practice for Construction and Demolition Sites which can be viewed on the Council's web pages, and shall include sections on the following:

- a. Site management arrangements including site office, developer contact number in event of any construction/demolition related problems, and site security information;
- b. Proposed hours of operation of construction activities and of deliveries, expected numbers per day and types of all construction vehicles and deliveries, routes of construction traffic to and from the site (including local access arrangements, timing of lorry movements, and weight limitations on routes), initial inspection of roads to assess rate of wear and extent of repairs required at end of construction/demolition stage, location of wheel wash facilities, access points, location of car parking for contractors, construction traffic parking, details of turning facilities within the site for site traffic and HGVs, and a scheme to encourage public transport use by contractors; and
- c. Hours of site operation, dust suppression measures and noise limitation measures.

5 **INFORMATIVE: MARINE MANAGEMENT OFFICE**

The private sewer that is proposed to be upgraded has an outfall that is below Mean High Water Spring level, so any works to the outfall, and possibly the connecting sewer might need approval by the Marine Management Office (MMO). It is recommended that the applicant consult with the MMO to confirm whether a licence is required. The applicant/developer should also consult with the MMO on the Construction Environmental Management Plan to check if it raises any other licence issues under MMO legislation. The contact details are:

Marine Management Office
Lancaster House
Hampshire Court
Newcastle upon Tyne

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NE4 7YH

Email: info@marinemanagement.org.uk
MMO helpline: 0300 123 1032

<https://www.gov.uk/government/organisations/marine-management-organisation>

6 **INFORMATIVE: BARTON ROAD ACCESS 1**

The local planning authority (LPA) understands that Barton Road is a private road. It provides a more convenient vehicular access to Turnchapel for emergency vehicles. The applicant and owner of Barton Road is encouraged to continue the current arrangements where: the emergency services' vehicles have full means of access over Barton Road to and from Boringdon Road at all times in the interests of health, safety and convenience; and large vehicles, including refuse vehicles, have full means of access over Barton Road to and from Boringdon Road during normal working hours in the interests of highway safety and convenience.

7 **INFORMATIVE: BARTON ROAD ACCESS 2**

The local planning authority (LPA) understands that Barton Road is a private road and since the applicant acquired ownership of Barton Road has usually kept it open for general public vehicular use apart from occasions when the gates needed to be closed for safety or maintenance reasons. The LPA understands that this is a privilege and not a right provided by the goodwill of the owner which it could withdraw. The LPA would encourage the applicant and owner to maintain the current arrangements where the public normally have vehicular access over Barton Road to and from Boringdon Road in the interests of highway safety and convenience.

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8 **INFORMATIVE: MATERIALS**

The applicant is advised that if it wishes to change the palette of materials to include local natural stone and/or slate hanging particularly with plot 1, the local planning authority would welcome such a revision.

9 **INFORMATIVE: SUPPORTING DOCUMENTS**

The following supporting documents that were taken into account in the determination of the application are:

- Contamination Report
- Acoustic Report
- Updated Noise Report
- Letter from Michael Latham Acoustics
- 4 Day Monitoring Information
- Design and Access Statement
- Drainage Strategy Report
- Surface Water Drainage Network
- Construction Environment Management Plan
- Archaeology Report 170708
- Heritage Statement
- Arboricultural Impact Assessment and;
- Site Survey Data and Ecology Report

10 **INFORMATIVE: PROXIMITY TO EMPLOYMENT SITE**

The applicant/developer and agents for the sale of the properties are advised to advise potential buyers that the properties are close to an employment site, boatyard and working marine environment and that the level of general amenity is different from that associated with a quiet suburban area.

PLANNING DECISION NOTICE



GRANT OF PLANNING PERMISSION

11 **INFORMATIVE: LOCKABLE GATES**

The applicant/developer is advised that the occupiers of the properties might wish to install lockable gates to the side stepped paths to plots 2-7 in the interests of security and designing out crime.

A handwritten signature in black ink, appearing to read "E. Afanir", is positioned above the name of the department.

Strategic Planning and Infrastructure

Dated: 11 October 2017

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.