



Appeal Decision

Hearing held on 4 May 2017

Site visit made on 3 May 2017

by Neil Pope BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 May 2017

Appeal Ref: APP/N1160/W/16/3157475

Land adjacent to Plumer Road, Plymouth, Devon, PL6 5DZ.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Anthony Gal against the decision of Plymouth City Council.
 - The application Ref.16/00163/FUL, dated 27 January 2016, was refused by notice dated 17 June 2016.
 - The development proposed is 42 open market apartments and 19 affordable housing apartments with associated parking and ancillary spaces.
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Decision

1. The appeal is allowed and planning permission is granted for 61 apartments with associated parking and ancillary spaces at land adjacent to Plumer Road, Plymouth, Devon, PL6 5DZ. The permission is granted in accordance with the terms of the application Ref.16/00163/FUL, dated 27 January 2016, subject to the conditions listed in the Schedule below.

Preliminary Matters

2. Prior to the determination of the application officers from the Council and the applicant's agent discussed and agreed that it would be preferable to include a financial contribution towards the off-site provision of affordable housing. In submitting the appeal the appellant reverted to his original position of wishing to provide some on-site affordable housing. This resulted in an exchange of correspondence between the two main parties.
 3. At the Hearing, the appellant's agent informed me that a financial contribution towards the costs of off-site affordable housing provision should be provided via the completed planning obligation (unilateral undertaking) under the provisions of section 106 of the above Act. The main parties subsequently agreed an Addendum to the Statement of Common Ground (SoCG) setting out why, in this instance, an off-site contribution towards affordable housing provision should be made (Document 2). Whilst I shall return to this obligation below, it would be more accurate to describe the proposed development as the provision of 61 apartments with associated parking and ancillary spaces.
 4. The Council accepts that it is unable to demonstrate a five-year supply of housing as required by the National Planning Policy Framework (the Framework). From the evidence before me, it would appear that the Council only has about two years supply.
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5. At the Hearing, the Council informed me that it did not have any concerns regarding the impact of the proposed development upon the character or appearance of the area and the reference to "*general amenity*" within its first reason for refusal was an error. I was also informed that there was an error in one of the plans listed in the decision notice. The second reference to plan 2301A should have been 2302A instead.
6. Amongst other things, the SoCG also states that policies within the emerging Plymouth and South West Devon Joint Local Plan (JLP) have limited weight. I have not been provided with copies of any policies from this Plan and both main parties informed me that the JLP was not determinative to the outcome of this appeal. I also note from the SoCG that as the proposal includes a contribution towards the cost of the Derriford Transport Scheme (DTS) the Council has removed its third reason for refusal (impact on highway network).
7. The Council also informed me that the extracts from the emerging Plymouth Plan, which had been provided, were now superseded by the provisions of the JLP and should not be taken into account in determining the appeal.
8. With the agreement of both main parties and following the submission of an updated bat survey, I closed the Hearing in writing on 8 May 2017.
9. Applications for costs were made by both main parties against each other. These applications are the subject of separate Decisions.

Main Issues

10. The two main issues are: firstly, whether any adverse impacts of the development, having particular regard to the likely impact upon the living conditions of neighbouring residents, would significantly and demonstrably outweigh the benefits of the proposal and; secondly, whether the proposed car parking arrangements would compromise public safety.

Reasons

Planning Policy

11. The development plan includes the Plymouth Core Strategy 2006-2021 (CS) which was adopted in 2007. The most relevant policies to the determination of this appeal are: CS02 (design); CS15 (housing provision); CS28 (transport) and CS34 (planning considerations). I concur with both main parties that these policies are broadly in accordance with the provisions of the Framework.
12. My attention has also been drawn to various supplementary planning documents (SPD) adopted by the Council. These include its Planning Obligations and Affordable Housing Second Review SPD which was adopted in 2012, and its Development Guidelines First Review SPD adopted in 2013.

Benefits

13. The proposed development would provide a number of benefits. Those identified by the appellant include: increasing the choice and supply of housing within the City; helping to address the considerable shortfall in housing land supply within Plymouth; helping to meet the housing needs of the local community by providing a financial contribution towards the off-site provision of affordable housing; support for the construction industry and; the more efficient use of brownfield urban land for housing in preference to the use of

greenfield sites. I agree with both main parties that the totality of these benefits should be given significant weight in the overall planning balance.

Living Conditions

14. The Council's concerns are limited to the impact of the proposed development upon the outlook from the gardens of the terraces of houses at The Limes and any inconvenience caused to existing residents through an increase in demand for on-street car parking.

Outlook

15. The proposed southern apartment block would vary in height between six storeys at the southern end of the site and four storeys adjacent to 1 The Limes. The northern flank wall of this block would be between 16-17 metres¹ from the side (south) elevation of this neighbouring house and would project beyond the rear building line of the terrace of three storey houses. The proposed northern apartment block would vary in height between three storeys adjacent to No. 9 and four storeys at the northern end of the site adjacent to 10 The Limes. The southern flank of this block would be separated from No.9 by an electricity pylon and would be approximately 11.5 m away. The Council has calculated that the northern flank of this block would be 7.5 metres from the side wall² of No.10. This apartment block would also extend beyond the rear building line of the existing terrace of houses.
16. The proposed apartment blocks would be readily apparent from the rear gardens of The Limes. By virtue of the siting and scale, these new buildings would change the outlook from these existing external amenity spaces. Whilst this would not be a positive change, the appellant's architect has given careful consideration to the alteration in levels across the site and the relationship with these adjacent properties so as to limit the impact.
17. As set out within the Design and Access Statement, the proposed apartment blocks would be designed to reflect building heights within the local area and would create a "*natural curve of massing*" across the site with the lowest roofs adjacent to Nos 1 and 9 The Limes and a stepping up at the southern end of the site towards Plumer House. The gaps provided by the pylon and the existing pedestrian access at the end of the turning head in The Limes would provide meaningful separation between the existing terraces of houses and the proposed blocks. The provision of some windows in the northern flanks of the southern and northern blocks and the architectural detailing, including the mixed pallet of materials, would assist in breaking up the mass of the new buildings when seen from the rear gardens of The Limes.
18. On balance, the change in outlook from these neighbouring gardens would not be so great as to justify withholding permission. In this regard, I note that following a detailed assessment of the submitted drawings, the Council's officers advised members of the Planning Committee that the proposal would not have an unacceptable impact upon the outlook of neighbouring residents.
19. The development would also change the outlook for some residents in Hunter Close. However the proposed buildings would be set back an adequate distance so as to avoid any significant or harmful loss of outlook.

¹ The Council's officers calculate the distance to be "approximately 16m" and the appellant specifies 16.975m.

² The Planning Appeal Supporting Information specifies this distance as 7.952m.

Car Parking

20. The proposal would include on-site parking for about 73 cars. This is less than the maximum specified within the Council's adopted car parking standards. However, these are maximum standards and the appeal site is within an area that is very well served by public transport (buses) with frequent services to and from the City Centre and other parts of the Plymouth, including the nearby Derriford Hospital. The site is also near local shops and educational facilities.
21. Some residents of the proposed buildings are likely to own more than one motor vehicle. However, given the convenient access to services and facilities, some others may chose not to own a car. It is by no means certain that the proposal would result in an increase in demand for on-street car parking. However, if it did, it is very far from certain that this would cause such inconvenience to existing residents that it would justify withholding permission.
22. I note the concerns of local residents and their elected representatives regarding the pressure for on-street parking within this part of Plymouth. In the main, it appears that this is largely caused by those working in nearby offices or staff employed at the hospital who are either unable or unwilling to park at the hospital or are 'pushed' into this part of the City due to parking charges or restrictions in and around the hospital. I appreciate the frustration experienced by some residents who may have to park further from their homes than they would like. Nevertheless, unless specifically provided for, there is no right to park on the highway.
23. During my visit, on a weekday afternoon, there was some spare capacity for on-street parking along Hunter Close. This suggests to me that the pressures for on-street car parking may not be as great as argued. Moreover, office workers and many staff employed at the hospital that park on-street during the week (daytime) would be unlikely to be in competition for on-street parking with occupiers of the proposed apartments, many of whom would be out during the day using their cars. Whilst I heard some anecdotal evidence regarding parking difficulties within Plymouth this was not specific to this part of the City.
24. I recognise that local residents have greater experience of car parking pressures along the local highway network and that my visit represents only a 'snapshot' in time. However, the Council's transport officer, who visited the site at different times of the day and who could reasonably be expected to have familiarity with the local highway network, was mindful of the local objections regarding on-street parking and advised the Council that given the good accessibility of the site by public transport the Highway Authority could not insist on the maximum parking standards being sought. The appellant's detailed Transport Assessment also found that the proposed off-street car parking would be appropriate and would not detract from the existing provision for residents.
25. There is no cogent evidence before me, including any calculations on the quantum of on-street parking that the Council consider could arise from the proposal or the results of any parking surveys, to support fears that existing residents would be seriously inconvenienced. It has not been demonstrated that the proposal would result in such an increase in demand for on-street parking within this part of the City that permission should be withheld. There is a much greater weight of evidence to support the appellant's argument that the proposal accords with CS policy CS28 and the provisions of the 2013 SPD.

26. I conclude on the first main issue that the limited adverse impacts of the development upon the living conditions of neighbouring residents do not significantly and demonstrably outweigh the benefits of the proposal.

Public/Highway Safety

27. The Council is also concerned that the proposal would result in the drivers of some vehicles stopping on the highway whilst residents and their visitors unloaded before moving off to find a parking space. Whilst there is always the potential for this type of activity to occur, there is no cogent evidence to substantiate the Council's fears that this would be a common occurrence or that it would pose a serious risk to highway safety interests.

28. No highway safety concerns, which could not be addressed by way of planning condition, were identified by the Council's Transport officer. Furthermore, the appellant's Transport Assessment, which also included an analysis of the accident data along the local highway network, did not identify any road safety issues arising from the appeal scheme. There is nothing of substance to substantiate the fears of the Council and some local residents on this matter.

29. I conclude on the second main issue that the proposed car parking arrangements would not compromise public safety.

Other Matters

30. The proposed development would be of a very different design to neighbouring dwellings. However, as I saw during my site visit, the surrounding area includes a variety of building types, such as terraces of two and three storey houses, the substantial five storey office block known as Plumer House, the large concrete panelled divisional headquarters of the local constabulary and a sizeable portal frame retail store.

31. The proposed contemporary design of the buildings with variation in roof heights, flat roofs, modern fenestration, use of brick cladding, render and colour cladding panels, would add interest to the area and be an appropriate response to the mixed character and appearance of this part of the City. The proposal would also be a positive response to the site's prominent position alongside a key arterial route (A386) into the City Centre. I also note that the design was amended to take account of the comments from the Devon Design Review Panel in respect of a previous application for 78 apartments on the site. These matters lend weight to the arguments for granting planning permission.

32. The proposal would entail the loss of 16 'Category B'³ and 3 'Category C' trees growing within the site. This would be unfortunate as these assist in 'greening' the local environment and are a pleasing feature of the area. Removing these trees, especially the mature Lime tree at the northern end of the site and some of the Norway Maple growing adjacent to the footway along Hunter Close, would have an adverse effect upon the character and appearance of the area. This weighs against an approval.

33. However, none of these trees are the subject of a preservation order and the proposal includes a net gain in tree planting. The Council's Tree Officer did not object and commented that the tree planting would help complement the new build and partly compensate for the loss of the trees that would be removed.

³ As defined in BS 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'.

Overall, when weighed with the above design matters, I find, on balance, that the proposal would respect the character, identity and context of the townscape and would accord with the provisions of CS policies CS02.

34. I also note the concerns of some residents regarding overlooking and the loss of light. However, the proposed flats would be sited and designed so as to avoid any serious loss of privacy for neighbouring residents and as demonstrated in the appellant's Shadow Study, the proposal would be unlikely to result in any significant loss of light for those living alongside.
35. The proposed northern building, in common with 9 The Limes, would be in close proximity the pylon carrying high voltage electricity cables across this part of the City. However, Western Power Distribution has no objection to the proposal and separate legislation exists to ensure that the development is constructed safely. It is reasonable to expect that those undertaking the works would be familiar with the statutory clearances for high voltage lines and to ensure that the building is not perceived as a 'ladder' by those acting in an anti-social way and minded to attempt any unauthorised access to the pylon.
36. Given all of the above, I find that the proposal would properly address the general planning considerations contained within CS policy CS34.

Planning Obligations

37. As set out within the 2012 SPD, affordable housing is one of the most important issues to be addressed in the City. As provided for within CS policy CS15, such housing is central to achieving Plymouth's growth ambitions.
38. There is an acute shortage of affordable housing provision within Plymouth. The use of planning obligations, including off-site provision, is identified within the development plan and the 2012 SPD as an essential mechanism to help meet the demand for affordable housing. Whilst the preference within policy CS15 is for on-site provision, I note the contents of the Addendum to the SoCG which, amongst other things, include reference to an urgent need for bespoke retirement age affordable housing within this part of the City.
39. The likely housing management difficulties of including affordable housing for people of retirement age within the proposed development and the service charge setting could affect the overall function of the buildings that are aimed at offering a mix of social rent, intermediate and open market dwellings. I agree with the main parties that, in this instance, the practical difficulties of including on-site affordable housing justify an off-site contribution instead. The proposal accords with the provisions of CS policy CS15 and the 2012 SPD.
40. The spreadsheet provided by the Council's Housing Delivery Officer and agreed by the appellant sets out the calculation for an off-site contribution. This appears to be soundly based and identifies a reasonable commuted sum. The proposed off-site contribution of £672,233 accords with the provisions of paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure (CIL) Levy Regulations 2010 (as amended). I have therefore taken this obligation into account in determining the appeal.
41. The completed unilateral undertaking includes contributions towards the cost of providing and maintaining: local green space at Widey Woods (£23,883); children's play space at Bladder Meadow off Boniface Lane (£10,103); playing

pitches at Chaucer Way (£43,323); strategic green space at Bircham Valley Local Nature Reserve/Pool Farm (£53,269) and; the DTS (£80,250).

42. The evidence submitted in support of the obligations, including the details of the DTS, demonstrate that they accord with the provisions of paragraph 204 of the Framework and Regulation 122 of the CIL Levy Regulations 2010 (as amended). I also note from the Council's CIL Compliance Statement that none of these obligations would exceed the 'five obligation limit' to which Regulation 123(3) applies. I have therefore also taken these obligations into account.

Planning Conditions

43. Given the shortfall in housing land supply within the City I agree with the main parties that there is considerable urgency in securing the delivery of new housing. A two year period for the commencement of development would therefore be necessary. In the interests of certainty a condition would be necessary specifying the approved plans.
44. To limit the disturbance to neighbouring residents during the construction phase a condition requiring the works to proceed in accordance with an approved management plan would be necessary.
45. To safeguard the character and appearance of the area conditions would be necessary requiring: an Arboricultural Method Statement; a scheme of landscape planting, including replacement tree planting; samples of the external materials to be used on the buildings; details of the materials to be used for the surface of external areas; details of hard and soft landscape works; provision for replacement planting should any trees die/fail; details of the management of the maintenance and cleaning of the external elevations of the buildings and; a landscape management plan.
46. In the interests of public safety a condition would be necessary to address any land contamination. In the interests of highway safety and to limit the increase in demand for on street parking, conditions would be necessary requiring: details of the proposed access road during the construction phase; details of the proposed junction onto the public highway; the provision of approved access for pedestrians and bicycles before the apartments are occupied; the provision of car and cycle parking; the submission of a car parking management strategy and separate Travel Plan and; details for consultation on a possible extension of double yellow lines along Hunter Close.
47. To reduce the risk of crime, a condition would be necessary requiring secure access to the site. In the interests of biodiversity, a condition would be necessary requiring the submission of an Ecological Mitigation and Enhancement Strategy. To avoid land drainage problems a condition would be necessary regarding the proposed surface water drainage. To ensure the development is able to meet the needs of different members of the community a condition requiring a percentage of the dwellings to be built to the equivalent of the Lifetime Homes standards would be necessary.
48. To provide adequate living conditions for residents of the proposed buildings a condition would be necessary requiring the buildings to provide adequate insulation from road traffic noise. As discussed and agreed by both main parties at the Hearing, it would be appropriate to require the buildings to be constructed in accordance with the recommendations of the submitted noise

assessment. Finally, in the interests of securing the sustainability credentials of the development, a condition would be necessary requiring the provision of the proposed on-site renewable energy scheme.

49. I concur with the main parties that conditions to the above effect would accord with the provisions of paragraph 206 of the Framework. In the interests of concision and to avoid any unnecessary repetition, I have modified some of the suggested planning conditions.

Planning Balance / Overall Conclusion

50. I have found that the removal of a number of mature trees within the site would have an adverse impact. I also do not set aside lightly the concerns of some residents and their elected representatives. However, when this is weighed with the benefits of the appeal scheme and my findings above in respect of the main issues and the other matters, there is greater force in the argument for granting planning permission. The proposal accords with the provisions of the development plan as a whole and would satisfy the social, economic and environmental dimensions to sustainable development as set out within the Framework. I therefore conclude that the appeal should succeed.

Neil Pope

Inspector

Richborough Estates

APPEARANCES

FOR THE APPELLANT:

Mr N Jillings BSc (Hons), MA, MRTPI Jillings Heynes Planning

Mr A Duffill BA (Hons), MArch AWW Architects

FOR THE LOCAL PLANNING AUTHORITY:

Ms K Saunders Planning Officer

Miss C Francis Major Developments Manager

Mrs J Jackson Housing Delivery Officer

Mr C Oakes Transport Consultant AECOM

Cllr Mrs M Bridgeman Plymouth City Council

Cllr S Davey Plymouth City Council

INTERESTED PERSONS:

Mrs E James Local resident

Ms J Stanley Local resident

Mr J Willcocks Local resident

Mr G Weekes Local resident

DOCUMENTS SUBMITTED AT THE HEARING OR DURING THE ADJOURNMENT:

Document 1 – The Council's affordable housing assessment

Document 2 – Addendum to the SoCG

Document 3 - Updated Bat Survey

SCHEDULE OF PLANNING CONDITIONS

1. The development hereby permitted shall be begun before the expiration of two years beginning from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1998B Site Location Plan, 1099A Block Plan; 2200A South Block Ground/Car Park; 2202A South Block First Floor; 2203A South Block Second Floor; 2204A South Block Third Floor; 2205A South Block Fourth Floor; 2206A South Block Fifth Floor; 5201 South Block Roof Plan; 2300A North Block Ground Car Park; 2301A North Block First Floor; 2302A North Block Second and Third Floor; 5200 North Block Roof Plan; 4200 North and South Block Sections; Utilities Map Plumer Road 03.03; 3353 3200D South

Block Elevations 1; 3353 3201D South Block Elevations 2; 3353 3202D South Block Elevations 3; 3353 3300D North Block Elevations 1; 3353 3301D North Block Elevations 2; 3353 3302D Site Elevations; Outline Soft Landscape Plan OS1147 15.1A; Tree Constraints Plan OS1147 15.2A.

3. Prior to the commencement of the development a detailed management plan for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved management plan.
4. No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall detail how those trees that are shown to be retained are to be protected during construction. It shall include measures for protection in the form of barriers to provide a 'construction exclusion zone' and ground protection in accordance with Section 6.1 of BS: 5837:2012 'Trees in relation to design, demolition and construction – Recommendations'. The measures contained in the approved Statement shall be fully implemented and shall remain in place until construction work has ceased.
5. Unless otherwise agreed by the Local Planning Authority (LPA), 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 LPA in writing until section 4 of this condition has been complied with in relation to that contamination.

Section 1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the LPA. 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 LPA.

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, 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'.

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

Section 3. Implementation of Approved Remediation Scheme

The approved remediation scheme shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the LPA. The LPA 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 LPA.

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 LPA. 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 LPA.

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 LPA in accordance with section 3.

6. No works shall commence on site until an Ecological Mitigation and Enhancement Strategy (which shall include provision for a built-in bird box in each building, a Construction Environment Management Plan and a Landscape Ecology Management Plan) has been submitted to and agreed by the Local Planning Authority. The development shall be undertaken in accordance with the agreed Strategy.
7. Before any other works commence, details of an access road onto the highway for contractors, including visibility splays, shall be submitted to and approved in writing by the Local Planning Authority. The approved access road shall be provided before the commencement of any other construction works.
8. No development shall commence until details of the junction between the proposed vehicular access points to the car parks and the highway (including sight lines) have been approved in writing by the Local Planning Authority; and the buildings shall not be occupied until those junctions have been constructed in accordance with the approved details.
9. No development shall commence until details of the proposals for the disposal

of surface water have been submitted to and approved in writing by the Local Planning Authority (LPA). This shall include:

- drainage during the construction phase;
- a final drainage scheme;
- provision for exceedance pathways and overland flow routes;
- a timetable for construction;
- a construction quality control procedure;
- a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site, written approval shall be sought and obtained from the LPA that the relevant parts of the scheme have been completed in accordance with the approved details and timetable. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the LPA.

10. The development shall be completed in accordance with the M&E Sustainability Statement dated January 2016, prepared by Method Consulting LLP, which includes the use of Solar Photovoltaic Cells. Unless otherwise agreed previously in writing with the Local Planning Authority (LPA), no development above dpc-level shall take place until details of the locations of the Photovoltaic Cells have been submitted to and approved in writing by the LPA. The on-site renewable energy production methods shall be provided in accordance with these details prior to the first occupation of the development and thereafter retained and used for energy supply for so long as the development remains in existence.
11. Notwithstanding the details on the approved plans, no development above dpc-level shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority:
 - i) samples of the materials to be used in the construction of the external surfaces of the development;
 - ii) details of all materials to be used to surface external areas;
 - iii) hard and soft landscape works, including a programme for implementation, proposed finished levels or contours, means of enclosure, minor artefacts and structures (e.g. furniture, 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.), planting plans including the planting of not less than 29 trees and the location of all proposed trees and 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.Development shall be carried out in accordance with the approved details.
12. Neither of the buildings shall be occupied until all of the following have been provided:
 - i) the approved means of access for pedestrians and cyclists;
 - ii) space laid out within the site for a minimum of 73 cars to be parked and for vehicles to be able to turn so that they can enter and leave the site in a forward gear, in accordance with details previously approved in writing by the Local Planning Authority (LPA);

- iii) details of a car parking management strategy, previously approved in writing by the LPA, including information relating to the allocation of all off-street car parking spaces and how those spaces and the dedicated visitor spaces are to be managed;
- iv) space laid out within the site for a minimum of 61 bicycles to be securely parked, in accordance with details previously submitted to and approved in writing by the LPA;
- v) a Travel Plan, submitted to and approved in writing by the LPA, that seeks to encourage residents and visitors to use modes of transport other than the private car to get to and from the site and the arrangements for monitoring the operation of the Travel Plan;
- vi) the results of a consultation exercise relating to the possible extension of double yellow lines on Hunter Close up to and including the development frontage and, depending upon the outcome of that consultation, details for undertaking any alterations to the existing double yellow lines that may be agreed with the Highway Authority;
- vii) secure electronic access doors and a fob access system, which shall have been previously submitted to and approved in writing by the LPA;
- viii) details for managing the maintenance and cleaning of the elevations of the buildings, which have previously been approved in writing by the LPA;
- ix) a landscape management plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, including the sedum roofs.

Unless otherwise agreed in writing by the LPA, the buildings shall be managed/maintained in accordance with the approved details and Plan and the car/cycles spaces shall remain available for their intended purposes.

- 13. Unless otherwise agreed in writing by the Local Planning Authority, at least 20% of the apartments shall be compliant with Part M4(2) of the 2015 Building Regulations/ Lifetime Homes standards and shall be retained as accessible, adaptable dwellings thereafter.
- 14. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
- 15. The buildings/apartments shall be constructed in accordance with the noise mitigation measures set out within the Environmental Noise Planning Assessment from Ion Acoustics Ltd dated 29 January 2016.