

# PLANNING APPLICATION REPORT

**Case Officer:** Ian Sosnowski

**Parish:** Brixton **Ward:** Wembury and Brixton

**Application No:** 1593/17/VAR

**Agent/Applicant:**

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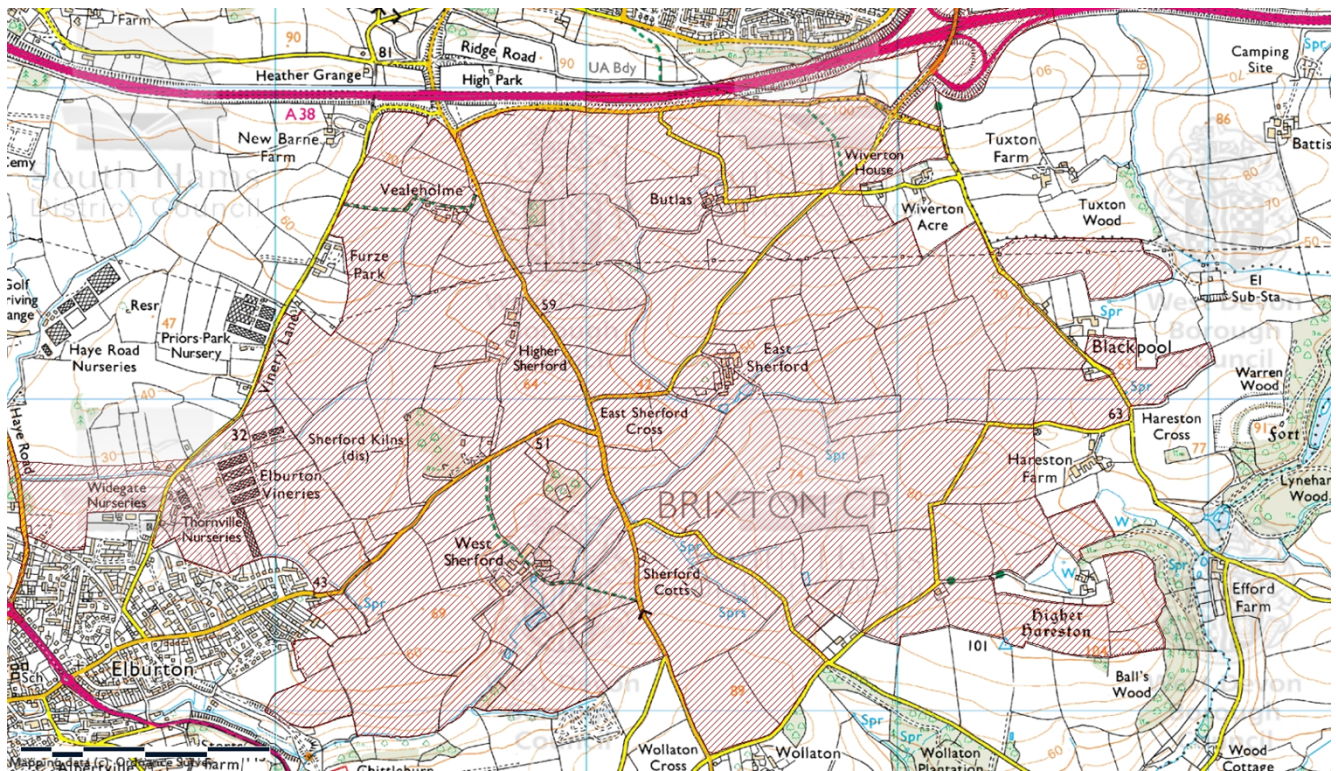
**Applicant:**

Sherford New Community Consortium  
C/O Agent

**Site Address:** Sherford New Community - Land South/South West of A38, Deep Lane and East of Haye Road, Elburton, Plymouth

**Development:** READVERTISEMENT (Revised Document Received) s73 application to remove/vary conditions 2, 5, 6, 16, 20 and 21 of PCC outline planning permission ref. 16/00247/OUT and conditions 3, 6, 12, 14, 17, 26 and 57 of SHDC outline planning permission ref. 0484/16/VAR relating to the 'Sherford New Community', including amendments to documents as listed within the approved drawings conditions in respect of the Town Code and Sustainability chapters

**Reason item is being put before Committee:** At the request of the Ward Members due to the significance of the amendment to the Sherford scheme (which had originally been considered by the Development Management Committee)



**Recommendation:** To delegate authority to the COP Lead Development Management, in consultation with the Chairman of the Development Management Committee to grant conditional approval subject to cross border S106 with Plymouth City Council and Devon County Council, and to;

1. Agree to minor alterations and corrections of typographical errors within the submitted documents;
2. Make minor alterations to the planning conditions; and
3. Refuse if S106 is not signed within agreed timescales

### **Conditions**

1. Original outline conditions imposed on 0484/16/VAR reiterated, plus amendments to reflect revised documents (see below);

#### Informatives

1. Documents and Plans (amended to reflect revised documents)
2. DRN Plans (amended to reflect revised documents)
3. S106
4. "Neighbourhoods"
5. Pro-active

#### S106 Obligation

1. Supplementary
2. Design review contribution

### **Key issues for consideration:**

The main issue for consideration relates to detailed design, and whether the relaxation of the detailed requirements of the original Town Code and its design review processes, would undermine the ability to achieve high standards of design at Sherford. The planning application seeks to replace the existing Town Code with a set of site wide principles incorporated into a revised Town Code, and this will become the means of informing the next stages of the design process. The loss of restriction will enable greater levels of architectural freedom, which would also improve the efficiency and realisation of delivering 5500 houses. However, it is necessary to ensure that this is not at the expense of good design, and indeed the vision for delivering a successful new community.

### **Financial Implications (Potential New Homes Bonus for major applications):**

There are no direct financial implications of this application, but it is noted that the overall Sherford scheme will benefit from New Homes Bonus. Under the current arrangements, this could potentially be in excess of £27m over the life of the development. There is also a S106 obligation that ensures that the development is acceptable in planning terms which delivers in the region of £110m of infrastructure.

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### **Site Description:**

The application site covers 490ha of greenfield land to the south west of Deep Lane junction and to the north west of Elburton within Plymouth. The site straddles the administrative boundary with Plymouth City Council, and is bound by the A38 to the north, and Vinery Lane to the west. Brixton and the A379 lie approximately 3km to the South. With the exception of some former nursery glass houses to the west, and existing farm buildings, the site is mainly agricultural land. Outline planning permission exists for the development of the "Sherford" new community and a full description of the site is set out in the officer's report under references 06/02036/OUT and 7\_49/2426/06/OUT.

Members will no doubt be aware that development at Sherford started in November 2014 and construction work for some 240 dwellings and infrastructure are currently taking place on site.

### **The Proposal:**

The application proposes to amend the manner in which the Sherford development is brought forward, by seeking to amend a number of the 'approved plans' that were granted as part of the original outline planning permission. The 'accord with plans' condition is proposed to be varied, alongside other consequential conditions which refer to the relevant documentation, to allow the development to be implemented in accordance with these new control documents. If granted, a new outline permission will have effectively been granted, which sets out the alternative framework for shaping the reserved matters that come forward.

Comments raised by Officers during the initial consultation period for this application have resulted in revisions to the submitted documents, and receipt of these amended versions were re-advertised for 14 days up to the 21<sup>st</sup> July.

A further revision was received on 13<sup>th</sup> July following further discussions with Officers. The application description set out in this report relates to the revised documentation.

The amendments being sought can be categorised as;

#### Sherford Town Code

A new Town Code document is proposed to replace, in its entirety, the currently approved Sherford Town Code which Members will be aware was prepared on behalf of the then applicant by the Prince's Foundation for Building Community. The Town Code forms part of a two tier design code, and provides the design language and framework for future designers to work to when preparing reserved matters. The applicants propose an alternative approach in which design is governed at the outline stage, by replacing the current Code with a series of town wide 'principles'. The approach is to permit greater design flexibility within a detailed set of site wide principles, rather than being dictated by a number of prescribed rules. The revised Town Code also proposes that the second tier of design coding will be replaced with Neighbourhood Design Codes, and that these will be developed for a specific neighbourhood area at the appropriate time in the development programme. Neighbourhood Design Codes will replace the existing process, which involves Detailed Design Codes, when it comes to developing the detailed composition of each neighbourhood.

Copies of the existing and proposed Town Code are able at Appendix 1(a) and (b) (existing) and Appendix 2 (proposed), to allow Members to see the how the two documents differ;

#### Sherford Review Panel (SRP)

The applicants also propose to remove the SRP from this process. The SRP is currently the body, made up of design experts, whose role it is to determine whether the submitted Detailed Design Code complies with the Town Code. The alternative approach being sought by this application is that the Neighbourhood Design Codes will require approval directly by the Local Planning Authority via a planning condition.

#### Sustainability

The application at the point of submission also sought to amend the section "4.d Resource Efficiency of the Built Form" from the original Masterplan. During the determination of the application, it was requested by the applicants that this amendment be removed from the proposal to allow them to consider further the nature of the amendments being sought. The terms of the original consent in this respect will therefore continue as originally approved.

## **Consultations:**

### Devon County Council

Overall the County has No Objection to the proposed design code document, although it is noted that the submitted document is no longer as prescriptive as the previously agreed Code and provides less control over the internal design. The consent granted for this development is conditional upon a series of surface water, environmental management, archaeological and highway conditions. A number of observations relating to the submitted document and the impact on the detail and control of the street design, parameters and materials are noted.

### Devon and Cornwall Police – Police Designing Out Crime Officer

No objection to the submitted documentation which states that each phase at Sherford will be designed to 'secure by design' standards (or equivalent).

Further comments have been received following receipt of the revised documents that relate to car parking, and highlights how improperly considered layouts in this respect can lead to chaotic street scenes. The comments also recognise that spaces situated too far away from dwellings, as well as insecure parking courts, can also exacerbate chaotic parking outcomes as people choose to use highway or pavement spaces.

### Environment Agency

No objections to the removal/variation of conditions as proposed in respect of the town code and sustainability chapters.

### Historic England

No detailed comments to make. Refer to local specialist advisors.

### Brixton Parish Council

The Parish supports the variation in principle but raise a number of issues to be addressed in the subsequent amendment, with consultation with the community, later in the year.

The following more detailed comments have also been raised in respect of the revised Town Code;

- Parking – welcomes the options presented within the Town Code, and accepts that car parking needs to be adequately provided within new developments. However, they have concern with 'option 2' stating that end-on-end parking is not acceptable.
- Renewable Energy and construction standards – welcomes any changes to the energy strategy through improved building technology. The Parish would also wish to see 100% of construction waste being recycled.
- Neighbourhood Design Codes – should include a requirement that civic buildings are included in such documents.
- Better clarification is sought in terms of the location and quantity of Civic Spaces, the Land Use Strategy, Green Strategy Plan, Urban Parks, Semi Natural Green Space, Community Park.
- Further more specific comments relate to apartment blocks which should be located near to open spaces, and should be allowed to have balconies as well as dwellings to have gardens. Civic buildings need to be multi-purpose and used flexibly. Shop front design should also stand the test of time.

## **Representations:**

Two letters of representation have been received. The first is from the Prince's Foundation for Building Community who make a series of very detailed points relating to the revised approach to the Town Code. In summary, the Foundation object, on the basis that the amendments have the capability to erode the ability to control the form and quality of development at the detailed design stage, and cite examples of other large scale developments where this has happened. The objection therefore highlights the differences between the original Codes' intention as a regulating document which is less

open to abuse/dilution, against the current application which they feel would be open to interpretation – and something that they highlight will be difficult to monitor without the Sherford Review Panel, to help raise the bar in terms of quality.

The objection letter highlights that the revised Code is visually very similar in content, but that its ability to deliver is insufficient because firstly, a rigorous process of agreeing Detailed Design Codes and review is being removed, and secondly, because of the level of prescription in the individual topics that has also been taken out. The detailed critique raises concerns about the proposed text in relation to; principles for Neighbourhood Structure; Key Spatial Features; Building Heights Strategy; Green Structure; Community Park; Street Trees; Street Lighting; Private Frontages; Block Types; Building Types; and Sustainability and Energy features. It is suggested that the removal of detail from these sections, particularly the Building Types and materials section, will make it difficult to secure better than standard products.

The Foundation also suggest that now is the wrong time for a review, and suggest that a better understanding of the evidence to justify such a major change away from what has been consented is required.

The second letter of representation has come from Red Tree, who were the original promoters of the site, and who also object to this application. Red Tree state that exceptional design was a critical component of the proposal to develop Sherford and to overcome local opposition, and was therefore a key focus of many years of work and investment. They question why this is all being sacrificed so early in the development.

In terms of the proposed Code, it is suggested that by removing all of the prescription, there is no reference point, or clear set of rules in which to guide proposals and enforce against when the next level of design work takes place. They highlight a number of areas where the prescription is removed, notably street scene, trees, set-backs, parking, roof pitch, building materials, window openings, ceiling heights, distribution of mandatory retail, build types etc, but do not highlight everything they believe to have been stripped out. Red Tree suggest that it would be better to address, specific issues individually within the context of the current Code framework, rather than by making such fundamental changes.

Red Tree also suggest that removing the SRP will mean that a dedicated body that can advise both developers and the LPA on design will be lost. It also questions whether the Councils have the resources and skills on this complex matter, to be able to deliver high quality design outcomes particularly if much of the prescription is lost.

All letters of representation and consultation responses are available to view on the Council's website.

### **Relevant Planning History**

Within the application site boundary there have been a range of planning applications for agricultural and householder proposals, none of which have any bearing on this development and are not relevant for the purposes of determining this application.

The relevant planning history for the application site within the Plymouth area is as follows:

05/01790/ESR10 – New Community at Sherford (including approximately 5500 residential units) – request for a scoping opinion for EIA - Discharged 07/11/05

06/02036/OUT – Sherford New Community (see 06/02036/OUT for full development description) – Conditional Approval

16/00247/OUT – Variation of condition 1 (approved plans) of application 06/02036/OUT (which was EIA development & accompanied by an Environmental Statement) to amend sections of main street details with revised layout and junction arrangements – Conditional Approval

The relevant planning history for this application within South Hams is as follows;

7\_49/2426/06 – Conditional Approval for “Sherford” New Community (see application for full development description).

0484/16/ARM – variation of conditions 3 & 99 (approved drawings) of 7\_49/2426/06 (an EIA development and accompanied by an Environmental Statement) to amend sections of main street details with layout and junction – Conditional Approval

## **ANALYSIS**

### Procedural

#### Section 73 (S73)

1. The application has been submitted via Section 73 of the Town and Country Planning Act, and a number of comments have been raised that question the appropriateness of dealing with variations of this significance through this route. Officers have however been mindful of the Government’s guidance on this and recognise that the purpose of S73 applications is to allow applicants to propose material amendments to permissions by focussing on just those elements that need to be reassessed without reopening the overall principle of the permission. S73 can only be used where there are conditions that can be amended, and where the overall nature and scale of the development does not change. As the overall scale (ie. 5500 dwellings), its basic composition, and red line location are not affected, Officers are satisfied that the amendments which affect ‘how’ the development is brought forward can be done this way. The legal effect of a S73 permission is that a new standalone permission is granted, albeit on the different terms which are subject of this application. Public consultation is the same as if it were a normal planning application. Applications made under S73 only allow the matters being amended to be considered by the Local Planning Authority – all other elements of the proposal will remain as consented.

2. Government guidance on the use of planning conditions (NPPF para 203) states that “*otherwise unacceptable development could be made acceptable through the use of conditions*”. It follows therefore that any application to vary a condition is effectively an assessment by the decision taker to re-evaluate the terms in which the permission was originally considered to make it acceptable.

#### Environmental Impact Assessment (EIA)

3. The outline application was subject to an EIA, and was accompanied by an Environmental Statement. A screening Opinion has been undertaken, as this application seeks to modify an EIA development within the meaning of the Regulations. However, it has been concluded that the proposals do not introduce any new issues that are not already covered through the outline Environmental Statement and accordingly further Environmental Information is not necessary, and a revised ES is not required.

#### Plymouth City

4. The Sherford outline scheme comprises development that falls within two local authority areas (approximately 90% of the scheme falls within South Hams). As the principal consent was a cross border application, this amendment must be made to both Local Planning Authorities. Therefore an application has also been made to Plymouth City Council under reference 17/00998/S73.

### Strategic Context

5. The adopted policy framework supports the principle of an urban extension in this location, and outline planning permission exists through the grant of outline consents 06/02036/OUT and 7\_49/2426/06/O. The Sherford development is also allocated in the emerging Plymouth and South

West Devon Joint local Plan, as Policy PLY48. This policy reiterates the development principles for the new community, which is a significant component of the housing supply to meet the needs of the Plymouth Policy Area and the Joint Local Plan area as a whole.

### Revised Town Code

6. A Design Code is primarily a tool that can be used within the planning and design process to set the rules for the design of new developments. They are often used as a means by which the aspirations for quality and quantity of new, often large scale projects can be realised by operationalising design guidelines or standards. A Design Code is therefore a tool which helps inform subsequent detailed design. This is often essential to ensure consistency of design across a site where there are multiple developers delivering developments over many years. It is important to note that the Code does not just provide guidance for the appearance of buildings, but also informs how most of the urban fabric should be brought forward, such as the roads and open space.

7. The need for a Design Code was a requirement of the North Plymstock Area Action Plan (AAP) policy NP06(6) and Sherford AAP policy SNC3 to secure the commitment to high quality design following the original Masterplan Enquiry by Design process led by the Prince's Foundation. The policy framework envisaged a two tier process, and the original Town Code was submitted as the top tier document to form part of the outline planning application. Delivering high quality, good locally distinctive design within the new community has been reinforced in the emerging JLP at Policy PLY48, and this is supplemented by Policy DEV10 and DEV20 which seeks to reinforce quality within the built environment.

8. The application proposes to replace the content of the approved Town Code with a set of 65 'Town Wide Principles', and these will become the new standards that inform the way in which design matters across the whole site will be shaped going forward. This is significantly different in approach to the current Town Code, which was intended to be much more prescriptive and instructional in the way it imposed requirements for architectural and development styles. It is noted that in terms of style, the original Town Code steers designers towards a more traditional form of architecture predominantly found in urban environments and typical of the new towns developed during the 18<sup>th</sup> and 19<sup>th</sup> Century. There are no hard and fast rules setting out what a Design Code should be and what form it should take, and the original Town Code was unique for this type of development, particularly in the way it set out a very precise set of regulating and legislative rules being included as part of the outline stage. The intention was to provide certainty to all parties and to avoid uncertainty on detailed design matters, but the current applicant considers this results in inflexibility and also makes the process of agreeing any departures cumbersome.

9. The proposals seek to remove much of this pre-determined prescription, in favour of these site wide key principles, to enable much more architectural freedom to develop other styles throughout the site. The implications of this, could for example, mean greater choice in the style and character of buildings that are delivered, as well as allowing more flexibility over the choice of materials and construction methods. This would allow more flexibility to enable the scheme to adapt and evolve to changing practices/regulations, as well responding to market conditions such as saleability, and materials availability, over what is likely to be a 20-30 year build period. This in turn is intended to ensure that development can continue uninterrupted.

10. The landscape in which Government has prompted design through the planning system has also changed somewhat since the original application was put together. The NPPF at paragraph 56 reiterates the need to attach "*great importance to the design of the built environment*", but more specifically at paragraph 59 goes on to say; "*local planning authorities should consider using design codes where they could help deliver high outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, materials and access*". The NPPF also goes on to say that "*decisions should not attempt to impose architectural styles or particular tastes and they should not stifle*

*innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles”.*

11. The National Planning Practice Guidance (NPPG), particularly in relation to its advice around design coding provides this advice *“To promote speed of implementation, avoid stifling responsible innovation and provide flexibility, design codes should wherever possible avoid overly prescriptive detail and encourage sense of place and variety”.*

12. It is also important to note that the Coding document is a tool for shaping the subsequent detailed design stages. Decisions on detailed design will ultimately come at the point in which reserved matters are submitted, and therefore there is still the opportunity to turn away unacceptable proposals if they come forward at that stage.

13. In policy terms, the aspirations of the proposed document would meet the requirements of both the adopted policy and that of the emerging JLP. The question surrounding this alternative version really therefore comes down to the acceptability of the overall perception of increasing flexibility governed by a set of principles, and whether this can still guarantee delivery of the high quality design aspiration. The Prince’s Foundation, the authors of the original Code, challenges the LPA’s ability to control design proposals without predefined mandates, as principles, they suggest, are open to interpretation and therefore fall to a subjective opinion at the time a decision is taken. This they argue should be seen as an attempt to water down the scheme, and in turn throws into doubt whether they would still want to endorse the project. The second letter of objection, from the original site promoters, reiterate similar points. Mindful of the guidance referred to above, this is really a matter of balance, and whether it is appropriate to dictate precise design requirements at this outline stage, and indeed whether or not the vision will really be undermined by being less prescriptive at this point in time. Providing that the town wide principles within the revised Town Code that are being proposed are sufficiently clear at this stage, and can properly guide the next level of design work, it could actually be considered that greater levels of freedom would be better for all of those users of the Code.

14. There have been no individual representations from the public in respect of these amendments. Brixton Parish Council raise a number of observations, some which are addressed below, but are generally supportive of the route this application proposes. Comments relating to the red line boundary, Main Street, Connectivity to the A379 and A38 and wider footpath areas are not considered to be relevant to this application. This is because they are aspects that are already covered by the outline planning permission and are not being reassessed within the documents seeking to be varied.

#### The Site Wide Town Principles

15. The submitted document runs into 77 pages, and in total there are 65 ‘Town Wide Principles’ which will effectively control and shape the future design stages. In general, the document does not change the fundamental principles established by the original Code and Masterplan; for example, the town plan principles (Principles 1 – 12), neighbourhood structure (Principle 13), key fixes diagram (Principle 16), land uses strategy plan (Principle 22) and density requirements (Principle 23) maintain continuity as to what was originally set out. The key plans still form part of the approved Masterplan book, as well as being referenced within the planning permission. It was however, originally intended by the applicants, that the revised Code would only cover those headline topics, in favour of leaving much of the detailed guidelines to be provided through the 2nd tier stage. Officers felt that this was unacceptable, and have sought to return many of the original headline topics, to ensure adequate levels of detail have been included to achieve sufficient benchmarking for each heading. As outlined earlier, broad principles can be open to wide interpretation, and therefore it has been appropriate to ensure the principles are supplemented with supporting guidance or standards to clarify and inform subsequent stages of design where necessary. The applicants have been forthcoming in addressing the concerns raised by Officers, and many of the topics and information contained within the previous code, reappear in their original or similar form in the proposed document. Whilst the application should be considered on its own merits, the document does cover a range of component topics, all of which would influence and shape the character of the place, including guidelines for informing, street design, civic spaces,



building heights, open space, block types, private frontages, parking and building character, as well as guidelines on material palettes, and these are based on the same themes as the original Code.

16. The detailed comments that have been received suggest that there are several key omissions from the original Code that are not now included within the submitted documents. It is however noted that these comments were based upon the initial submission. The version that is now proposed seeks to overcome these omissions by providing guidelines on those key Sherford features. In this respect; Legibility has been provided at Principle 14; Street Design provided at Principle 17, 18 and 19; Greenways and Semi-natural Greenspace, Civic Spaces and buildings at Key Principle 21, 25, 26, 27, 28, 29, 30, and 54; Land use Strategy at Principle 22; Energy and Resource Efficiency at Principle 58, 59, 60, and 61; Private Frontages at Principle 43; Parking at section 2.19; Utilities, and Servicing and refuse at Principle 44 and 57. It is also noted that a number of the omitted details do not necessarily need to be covered within the Code, as these are also included within the S106 and planning conditions. This is relevant in terms of the key plans such as the Key Fixes diagram, and Land use strategy which, as stated above, as well as the phasing plan, are already referenced elsewhere within the outline permission, whereas Street Tree's, Open Space specifications, Lifetime Homes are detailed within the S106. A number of the points raised by the Parish Council, are also relevant in this respect, as the S106 provides the framework for what should be delivered in terms of quantum.

17. It is also recognised that some of the topic areas of the original Code are no longer appropriate to regulate. Standards for street lighting, a function that is undertaken by the highway authority specify what is required (therefore this is not within the developers gift), as too are other areas that fall within adoptable space. Therefore some flexibility to work within the requirements of the adopting authorities must also be allowed for as this is something that also changes over time. Other matters such as the Dual Use of school pitches, will ultimately be a decision for a school promoter and the education authority. The arrangements for this are covered within the S106.

18. It is however recognised that not all areas of the proposed Code follow the original intention in terms of what was envisaged by the original Code. Some of these may therefore result in a different form of development to that which was originally permitted. The more significant of these are as outlined below.

#### Building Height

19. The existing Town Code contains a section entitled Massing of the Built Form and illustrates the storey heights established on the Sherford Masterplan. These are identified as falling within 2-5 storey ranges. Although not expressly set out in writing, the storey heights identified on the associated plan, relate to the towns different spaces, and route hierarchies. Generally the taller buildings are reserved for the more important routes, town and neighbourhood centres, parks and town edges, with the smaller routes allowing for lower buildings.

20. It is immediately obvious that the 5 storey range within Key Principle 28 has been omitted in the proposed Town Code. Buildings of this height were envisaged to be part of the entrance gateway to the town from the eastern approach but also could relate to other streets in specific locations. It is considered that the loss of this highest parameter is acceptable. Buildings of this height are not common in market towns in the area. Whilst there are also fewer height bands proposed in the revised Town Code, the document does provide a written framework for building heights and applies these parameters to a certain space or route types. These combined changes are therefore considered to provide an acceptable framework to set the scene for the subsequent design stage.

#### Building Types

21. Building Types and Building Character are dealt with under the same section of the existing Town Code 91-95. Within it, it sets out: an illustrative matrix of 8 building types with images depicting examples of each type styled with formal to informal character; a series of instructions to control the degree of formality or informality of the building character for example with rules about proportion; hierarchy; the degree of enrichment; and then a series of basic specifications for each building type.

22. The revised Code covers these matters within Key Principles 45 to 54 by setting out specifications for Building Types, and rules for Building Character. It is less instructional when it comes to the building character rules for what would constitute a formal or informal arrangement though. The principles of the guidance are still included, but it can be more flexibly interpreted. Also, some of the specifications for the building types have been adjusted, or combined, and largely strip out the finer detail relating to appearance. An additional plan has been provided as an illustration of what would be required through the 2nd tier, Neighbourhood Design Code work. It shows how the formal/informal rules would be applied relative to street or space hierarchy. It is considered that although there is greater flexibility in the manner in which building types are controlled, there is still sufficient instruction to ensure that the design of buildings could be well designed according to established design rules and can contribute towards a collective sense of legibility across the town.

#### Materials

23. Materials are covered in detail within their own section within the existing Town Code (pages 73-77). A reference is also made within the Building Character section in terms of their hierarchy of use. The main materials section approaches materials by listing those that are local to the area and region and then looks at each building element, such as walls, roofs, doors etc. more closely. Adaptability, which includes building durability, ability to change between uses, and the sourcing and recycling of materials are also covered within this section.

24. The proposed Town Code contains an overarching principle that materials and designs should be in keeping with the character of the local vernacular and then takes excerpts from the existing Town Code to explain how the main materials are to be used in walls and roofs. Sourcing and the use of recycled materials are also included. The more detailed parts of the existing Code where this relates to the materials styles and form of building components such as rain water goods, chimneys, ventilation doors, door surrounds, vegetated roofs etc. are not included within the new code. As the application is seeking to enable greater flexibility in terms of building styles, it would therefore not be necessary to include the same level of prescription on matters such as door types or the use of heritage colours. This would be something that will need to be fixed at the 2<sup>nd</sup> tier stage of the design process, once the building styles proposed for that area are considered. The loss of prescribed detail within this section, particularly on the building materials, could also allow, for example, more efficient forms of construction.

#### Parking arrangements

25. The existing Town Code contained rules for parking associated with different block types (pages 116-117), but this has now been replaced within the revised Town Code with a series of parking scenarios relating to house type arrangements (page 54). In this instance the existing Town Code specifically excluded on plot parking at the front of dwellings to avoid a sub-urbanising effect on the street scene and the reduction of densities. The new Code includes a statement that requires all parking typologies to be arranged so that parking areas and their driveways are not a prominent component of the street. This addition should provide sufficient instruction to require future designers to mitigate the visual impact of vehicles. Where higher densities are required this will tend to exclude the more sub-urban arrangements anyway.

26. Given the nature of the topic, the Code is rightly of a significant size and includes large levels of technical design detail. The fundamental rules that shape the new community in terms of spatial expression are retained, and it is important that these are not lost. Clearly the main issue surrounds the loss of the finer controlling restrictions that were contained in the original Town Code, but this needs to be balanced against the longer term interests of securing the efficient delivery of 5500 homes where there may be opportunity to be flexible and reach solutions on a case by case basis. Upon receipt of the latest draft version, Officers are now satisfied that the document achieves an appropriate balance, containing sufficient clarification and certainty when it comes to the next level of design work.

27. If Members are minded to grant permission, it is recommended that delegated authority is given to the Community of Practice Lead of Development Management, in consultation with the Chairman of

the Development Management Committee, to agree to any subsequent amendments that are needed to address typographical or terminology inconsistencies that exist within the latest version.

### Neighbourhood Design Codes

28. The second tier of coding is proposed to be dealt with through Neighbourhood Design Codes. The role of the second tier of design codes is to begin putting what is specified at the first tier into detailed spatial instruction for a specific area or neighbourhood. These would be typically prepared prior to Reserved Matters applications, and effectively help to provide context, and in this case, instruction to designers who are preparing these. Without such a document, it would be very difficult to deal with reserved matters applications on sites of this size as there would be no context to compare their acceptability. The Neighbourhood Design Code will replace what is set out in Part III of the original Code, in respect of Detailed Design Codes and Regulating Plans.

29. To a lesser extent, the type of information provided would be largely similar. In fact, the Neighbourhood Design Code will need to have more information in it, given that there is less prescription contained within the top tier document. To this end, Officers have sought to ensure that the Town Code includes a Neighbourhood Design Code Specification to ensure that those who are tasked with preparing a Neighbourhood Design Code are clear what topics of information are required.

30. The current Detailed Design Codes are required to go through a compliance process before a Reserved Matters application can be submitted. This process is currently set out within the S106. The Sherford Review Panel (SRP) is tasked through this process to deem whether Detailed Design Codes are compliant or not. The latest application seeks to remove this from the S106, and makes the process of agreeing Neighbourhood Codes via a planning condition which would require LPA approval, not the SRP, prior to reserved matters submission. This method does represent the more conventional approach to design coding on large developments, and therefore would be considered acceptable.

### Sherford Review Panel (SRP)

31. The SRP is currently made up of officers from the three authorities as well as an independent Urban Design Specialist (currently the Prince's Foundation). The role of this body is to determine 'compliance' of the Detailed Design Codes referred to above, against the original Town Code. There is an important distinction here in that it is 'compliance' rather than 'approval', as this process set out within the original Town Code and included within the S106, was more matter of fact given the regulating nature of the original Code. As the Neighbourhood Code will involve more subjective decision making in respect of the future character of neighbourhoods, then it follows that the approval of these should be a Local Planning Authority decision. The applicants therefore propose to remove the current SRP involvement as the process envisaged by the revised Town Code no longer has a role for it. The applicants have however proposed that funding is available through the S106 to enable the LPAs to fund independent design review opinion of each emerging Neighbourhood Design Code.

32. The current approach permitted through the S106 allows for amendments to the Town Code to be made, where these have the support of the SRP. The objectors to the scheme suggest that any specific concerns that the applicants have, should therefore go through this process rather than propose wholesale changes direct to the planning authority. This way, the amendments can be validated by the independent review panel and consensus reached over the solution. This is however, not relevant to the determination of the application.

### Sustainability

33. The application upon submission included proposals to amend the 'Resource Efficiency in the Built Form' chapter of the Masterplan. The applicants have chosen to remove this element of the application, following discussions with Officers, to give further consideration as to the form the amendments should take. Many of the consultation responses commented upon this element of the

application, and therefore these are no longer relevant. The application will therefore continue along the lines of that previously consented, in this respect.

34. The Parish Council have specifically referred to wording around a requirement within this chapter which states that 50% of construction waste should be recycled, and have requested that this amended to 100%. This text is actually taken from the original masterplan book and is not therefore a 'new' proposal from the developer. As the amended chapter has now been withdrawn from this application, the development would continue as originally approved.

35. The Sherford Masterplan included a section called the "Sustainability Checklist". This is predominantly a sign-posting document that assists users to locate how sustainability indicators were being addressed within the application. This will need to be amended, as it cross references the Town Code, and therefore the latest version of the Code will need to be referenced. This does not change the proposed development, and is considered a consequential amendment.

### Conditions

36. If the amended documents are accepted, it would be necessary to amend the existing planning conditions to reflect the new documentation. The variations sought by the conditions listed in the development description are affectively consequential amendments resulting from this application.

37. As a S73 permission, it is also necessary to reiterate all of the remaining outline conditions not amended by this application, to ensure that the revised consent could stand alone. Therefore all previous conditions attached to the outline will need to be re-imposed. However, as the site has commenced and a number of the pre-start conditions have been discharged, it is therefore necessary to amend those conditions to enable the new permission to be carried out in accordance with those previously agreed details.

### S106 Obligations

38. 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.

39. The proposal will require a supplementary deed to tie the new permission back to the original S106 agreement. However, consequential amendments will also be required to bring the amendments set out above into effect if they are accepted. The draft planning obligation submitted alongside the application proposes to remove all of the current obligations set out within Schedule 10 (Design Codes and Sherford Review Panel) of the principal S106. These are considered acceptable if Members are minded to grant as the current application removes the existing Detailed Design Code process and also therefore removes the need for the SRP and those associated obligations. The applicant's proposal for £20,000 to resource design review of the Neighbourhood Design Codes would therefore need to be captured within the supplemental deed.

40. Other than the changes that are necessary to make this amendment take effect, no other obligation under the principal S106 is being sought as part of this application.

### Historic Environment

41. Applications relating to the Sherford outline consent are routinely advertised as affecting the setting of Listed Buildings. This is due to the number and proximity of Listed Buildings situated within, and near the site boundary. When considering such applications, it is necessary to give special regard to the desirability of preserving buildings or their setting or any features of special architectural or historic interest. As there are no new issues in this respect raised by this application,

it is therefore not necessary to give any further consideration over setting, noting that an outline permission already exists.

## Conclusion

42. The main consideration raised by this application concerns the acceptability of the revised documents in helping to ensure that Sherford is an attractive and successful place. In order to allow the scheme to evolve and adapt in the future, the applicants are proposing greater levels of flexibility, in favour of the more rigid compliance regime provided by the existing Code. The revised Town Code certainly aims to deliver upon the high aspirations required at the new community, and therefore the key question is whether there is sufficient control within it to secure those successful design outcomes without becoming too restrictive. It is recommended however, that the revised documentation contains an appropriate level of guidance in which to secure an acceptable balance.

*This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 Planning (Listed Buildings and Conservation Areas) Act 1990.*

## **Planning Policy**

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.

The relevant development plan policies are set out below:

The South Hams Local Development Framework Core Strategy (adopted December 2006). In relation to this application, the following policies are relevant: CS1 (Location of Development); CS2 (Housing Provision); CS3 (Employment Land Provision); CS4 (Sherford New Community); CS6 (Affordable Housing); CS7 (Design); CS8 (Infrastructure Provision); CS9 (Landscape and the Historic Environment); CS10 (Nature Conversation); CS11 (Climate Change) and CS12 (Tourism).

The Sherford New Community Area Action Plan (adopted August 2007). In relation to this application, the following policies are relevant: SNC1 to SNC17.

The South Hams Local Development Framework Development Policies Development Plan Document (adopted July 2010). In relation to this application, the following policies are relevant: DP1 (High Quality Design); DP2 (Landscape Character); DP3 (Residential Amenity); DP4 (Sustainable Construction); DP5 (Conversation and Wildlife); DP6 (Historic Environment); DP7 (Transport, Access and Parking); DP8 Open Space, Sport and Recreation); DP9 (Local Facilities); DP11 (Housing Mix and Tenure); and DP12 (Tourism and Leisure).

The South Hams Local Development Framework Affordable Housing Development Plan Document (2008). In relation to this application, the following policies are relevant; AH1 and AH4.

## **Emerging Joint Local Plan**

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the Core Strategy and other Plymouth Development Plan Documents as the statutory development plan for Plymouth once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For Plymouth's current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at an advanced stage of preparation having now been subject to a six-week period for representations, pursuant to Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations. It is also considered consistent with the policies of the Framework, as well as based on up to date evidence. It is therefore considered that the JLP's policies have the potential to carry significant weight within the planning decision if there are no substantive unresolved objections. However, the precise weight will need to be determined on a case by case basis, having regard to all of the material considerations as well as the nature and extent of any unresolved objections on the relevant plan policies.

In relation to this application the following JLP policies are relevant:

SO1 (Delivering the spatial strategy); SO2 (Strengthening Plymouth's role in the region); SO5 (Delivering growth in Plymouth's Eastern Corridor Growth Area); SO6 (Delivering a prosperous and sustainable South West Devon); SO10 (Maintaining a beautiful and thriving countryside); SO11 (Delivering high quality development); SO12 (Delivering infrastructure and investment); SPT1 (Delivering sustainable development); SPT2 (Sustainable linked neighbourhoods and sustainable rural communities); SPT3 (Provision for new homes); SPT4 (Provision for employment floorspace); SPT5 (Provision for retail development); SPT6 (Spatial provision of retail and main town centre uses); SPT7 (Working with neighbouring areas); SPT8 (Strategic connectivity); SPT9 (Strategic principles for transport planning and strategy); SPT10 (Balanced transport strategy for growth and healthy and sustainable communities); SPT11 (Strategic approach to the natural environment); SPT12 (Strategic infrastructure measures to deliver the spatial strategy); SPT13 (European Protected Sites – mitigation of recreational impacts from development); PLY2 (Unlocking Plymouth's regional growth potential); PLY5 (Safeguarding Plymouth's mineral resources); PLY48 (Sherford new community); PLY49 (Sherford Community Park Strategic Greenspace); PLY54 (Saltram Countryside Park Strategic Greenspace); PLY55 (Hazeldene Quarry Minerals Safeguarding Area and buffer zone); PLY57 (Strategic infrastructure measures for the Eastern Corridor Growth Area); DEV1 (Protecting health and amenity); DEV2 (Air, water, soil, noise and land); DEV3 (Sport and recreation); DEV4 (Playing pitches); DEV5 (Community food growing and allotments); DEV7 (Meeting local housing need in the Plymouth Policy Area); DEV9 (Meeting local housing need in the Plan Area); DEV10 (Delivering high quality housing); DEV14 (Maintaining a flexible mix of employment sites); DEV16 (Providing retail and town centre uses in appropriate locations); DEV19 (Provisions for local employment and skills); DEV20 (Place shaping and the quality of the built environment); DEV21 (Conserving the historic environment); DEV22 (Development affecting the historic environment); DEV24 (Landscape Character); DEV27 (Nationally protected landscapes); DEV28 (Protecting and enhancing biodiversity and geological conservation); DEV29 (Green and play spaces); DEV30 (Trees, woodlands and hedgerows); DEV31 (Specific provisions relating to transport); DEV32 (Meeting the community infrastructure needs of new homes); DEV33 (Waste Management); DEV34 (Delivering low carbon development); DEV35 (Renewable and low carbon energy); DEV37 (Managing flood risk and water quality impacts); DEL1 (Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy).

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

### **Proposed conditions**

1. This permission authorises amendments to planning permission reference 0484/16/VAR and therefore the original conditions remain in force and are repeated below insofar as they remain applicable to development of the masterplan site and for the avoidance of doubt, trigger points referred to herein shall be read together and in combination across the masterplan site and not separately.
2. All applications for the approval of all of the Reserved Matters (as required by **condition 4** below) for all parts of the masterplan site (referred to as “Reserved Matters sites”) shall be submitted to the Local Planning Authority for approval by no later than 14<sup>th</sup> August 2030.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended) in recognition that the site will be phased over many parcels of development and to ensure that the suitability of the development may be reviewed against the provisions of the prevailing development plans.

### **Approved Drawings**

3. The development hereby permitted shall be carried out in accordance with the submitted drawings and documentation which are hereby approved, unless otherwise provided for in any other conditions attached to this permission. A schedule of the submitted drawings and documentation are set out in the “Informatives” section of this Decision Notice.

Reason: To ensure that the proposed development is carried out as envisaged by the application to which this approval relates and that there is a clear framework for the submission of any of the details as required by the following conditions.

### **Reserved Matters**

4. With the exception of development comprising the Main Street, no development pursuant to this outline permission shall commence on any part of the site until the approval of the details of the appearance, layout and scale of the buildings, the means access thereto, and the hard and soft landscaping (hereinafter called the “Reserved Matters”) for that part of the site has been obtained in writing from the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

Reason: The application is for outline planning permission with approval of the specified details still required in accordance with Section 92 of the Town and Country Planning Act 1990 (as amended).

5. Detailed plans and particulars of the Reserved Matters required by **condition 4** above, shall be submitted together for each Reserved Matters site (unless otherwise agreed in writing by the Local Planning Authority) and shall include finished floor levels and existing and proposed ground levels in relation to a fixed datum, and scaled cross-sections through the Reserved Matters site and adjacent land. Development shall be carried out strictly in accordance with those approved details. No Reserved Matters site shall consist of more than 200 dwellings unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that full and adequate information is provided to enable proper assessment of the proposed development.

6. The submission of all Reserved Matters and the implementation of the development hereby permitted shall be carried out in accordance with the mix and disposition of land uses, outlined within the approved Masterplan Book and Masterplan Book Addendum May 2009 and April 2017, and the implementation strategies contained therein, and in broad conformity with the layout identified on the Sherford Town Plan (Ref: DRN1) and Key Fixes diagram (Ref: DRN2) as amended by details submitted pursuant to application reference 7\_49/0587/15/MIN, or in accordance with any Neighbourhood Design Code submitted pursuant to the requirements of the Town Code and

Town Code July 2017rev3 (or any subsequent amendment to the Sherford Town Plan or Key Fixes diagram which may be subsequently approved in writing by the Local Planning Authority).

Reason: To ensure that there is a clear framework for both the development and for the submission of applications for Reserved Matters approval.

7. Unless otherwise agreed in writing by the Local Planning Authority, the Main Street, Wind Turbines and external boundary of the urban development hereby approved shall be where located or delineated on the approved Key Fixes diagram (Ref: DRN2). Furthermore, without exceeding the proposed Key Building boundary and unless subsequently approved through details and particulars submitted to the Local Planning Authority pursuant to conditions attached to this permission, all fixes (including buildings and landscaping) as specified on the Key Fixes diagram (Ref: DRN2) as amended by details submitted pursuant to application reference 7\_49/0587/15MIN shall be sited or located in the default positions shown thereon.

Reason: To ensure that there is a clear framework for both the development and for the submission of applications for Reserved Matters approval.

### Phasing

8. The development hereby permitted shall be carried out in accordance with the Phasing Principles and Programme chapter as set out in the approved Masterplan Book, and the Masterplan Book Addendum May 2009 and April 2017. Development shall occur in a sequential manner as proposed on the Phasing diagram and for the avoidance of doubt; Phase 1 shall commence before development commences on Phase 2; Phase 2 shall commence before development commences on Phase 3; and Phase 3 shall commence before development commences on Phase 4. There shall be no exception to this requirement unless agreed otherwise in writing by the Local Planning Authority or provided for in any other condition attached to this permission.

Reason: To ensure that there is a clear and phased framework for both the development and for the submission of applications for Reserved Matters approval so that the development is carried out in a sustainable and coherent manner.

9. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to **condition 4** shall include a phasing plan for that Reserved Matters site. The phasing plan shall set out the timescale for implementation and delivery of all land uses located within that Reserved Matters site, landscaping and open space and (where applicable) adoption. No development within that Reserved Matters site shall be commenced until such phasing plan has been approved in writing by the Local Planning Authority.

Reason: To ensure that the development of sites in which Reserved Matters approval is sought is carried out in a sustainable and coherent manner.

10. In accordance with the sequential phasing requirements pursuant to **condition 8**, unless otherwise agreed in writing by the Local Planning Authority, the development shall proceed strictly in accordance with the following provisions;
  - a) The Western Neighbourhood shall commence first;
  - b) No development shall commence on the Town Centre Neighbourhood until;
    - I. At least 50% of the permitted residential dwellings of the Western Neighbourhood are completed; and
    - II. At least 5091square metres of the permitted floorspace for A and B Use Classes that are to be located within the Western Neighbourhood as identified on the Commercial Land Uses Plan (Ref: DRN3) have been completed; and



- III. At least 80% of the permitted floorspace of the Western Neighbourhood's Centre (as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3)) is completed.
- c) No development shall commence on the Southern Neighbourhood until;
- I. At least 50% of the permitted residential dwellings of the Town Centre Neighbourhood are completed; and
  - II. At least 80% of the permitted floorspace of the Town Centre (as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3)) is completed; and
  - III. At least 80% of the permitted residential dwellings of the Western Neighbourhood are completed; and
  - IV. At least 6364 square metres of the permitted floorspace for A and B Use Classes that are to be located within the Western Neighbourhood as identified on the Commercial Land Uses Plan (Ref: DRN3) have been completed; and
  - V. 100% of the permitted floorspace of the Western Neighbourhood's Centre (as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3)) is completed.
- d) No development shall commence on the Eastern Neighbourhood until;
- I. At least 50% of the permitted residential dwellings in the Southern Neighbourhood are completed; and
  - II. At least 80% of the permitted floorspace of the Southern Neighbourhood's Centre (as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3)) is completed; and
  - III. 100% of the permitted residential dwellings within the Western Neighbourhood and the Town Centre Neighbourhood are completed; and
  - IV. At least 31818 square metres of the permitted floorspace for A and B Use Classes that are to be located within the Town Centre Neighbourhood as identified on the Commercial Land Uses Plan (Ref: DRN3) have been completed; and
  - V. 100% of the permitted floorspace of the Town Centre (as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3)) is completed.
- e) No development shall commence on the final 20% of the permitted residential development within the Eastern Neighbourhood until;
- I. 100% of the permitted residential dwellings within the Southern Neighbourhood are completed; and
  - II. 100% of the permitted floorspace of the Southern Neighbourhood's centre (as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3)) is completed; and
  - III. 100% of the permitted floorspace of the Eastern Neighbourhood's centre (as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3)) is completed; and
  - IV. At least 41874 square metres of the permitted floorspace for A and B Use Classes that are to be located within the Southern Neighbourhood and Eastern Neighbourhood as identified on the Commercial Land Uses Plan (Ref: DRN3) have been completed.

Reason: To ensure that there is a clear and phased framework for both the development and for the submission of applications for Reserved Matters approval so that the development is carried out in a sustainable and coherent manner.

11. All applications for Reserved Matters approval shall demonstrate how community facilities, as specified in the approved Masterplan Book and Masterplan Book Addendum May 2009 and April

2017 and the Key Fixes diagram (Ref: DRN2), that are located within the area within that Reserved Matters site will be provided in phase with development.

Reason: To ensure that the development of the site is carried out in a manner that was envisaged by the outline application so that community infrastructure is provided at appropriate stages of the construction in the interests of community development, public amenity and a coordinated and positive urban form.

### **Design Codes**

12. Prior to the submission of a Reserved Matters application within each Neighbourhood there shall first be submitted a Neighbourhood Design Code and indicative Masterplan prepared in accordance with the requirements of Principle 15 and the tables contained therein of the Town Code July 2017rev3, which shall be approved by the Local Planning Authority prior to the submission of any Reserved Matters application within that Neighbourhood. All applications for Reserved Matters approval shall be accompanied by a Design Statement which shall explain how the proposal conforms to the requirements of the approved Neighbourhood Design Code submitted pursuant to [condition 6](#) above, for that Reserved Matters site.

Reason: To ensure that the development as envisaged by the outline application is satisfactorily implemented.

13. All Reserved Matters applications shall comply with the principles set out in the approved Masterplan Book and Masterplan Book Addendum May 2009 and April 2017 and each application shall demonstrate how the principles of that Masterplan have been applied.

Reason: To ensure that the development as envisaged by the outline application is satisfactorily implemented.

### **Energy**

14. Proposals for monitoring the implementation of the Energy Strategy as set out within the approved Masterplan Book and Masterplan Book Addendum May 2009 and April 2017 shall be carried out in strict accordance with the details submitted to and approved pursuant to application reference 7\_49/0200/15/DIS, unless other such details are subsequently submitted to and approved in writing by the Local Planning Authority. Applications for Reserved Matters approval shall clearly demonstrate how the proposals will contribute to meeting the targets agreed therein.

Reason: To ensure that the cumulative provision of measures to achieve the on-site renewable energy generation target can be appropriately phased and implemented throughout the construction phase, in the interests of providing a higher sustainable community that reduces the causes that result in climate change.

15. Any wind turbine permitted by this development shall not exceed 120 metres in height unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that there is no demonstrable landscape harm caused by the construction of turbines exceeding 120 metres. The Environmental Statement and Environmental Statement Addendum documents assessed the landscape impact associated with these turbines and has not assessed the potential impact of anything higher.

16. Any wind turbine permitted by this development, or sought pursuant to the delivery of the Energy Strategy set out in the approved Masterplan Book and Masterplan Book Addendum May 2009 and April 2017, shall have a non-reflective coating if possible, with a colour scheme approved through details and particulars required under [condition 4](#).

Reason: To ensure that there no demonstrable landscape harm caused by the external appearance of the permitted turbines as the application is made in outline form and details of external appearance have not been provided.

### **Building Standards**

17. All non-residential buildings to be built at the development hereby permitted, shall be constructed so as to achieve an 'Excellent' BREEAM rating unless a different rating is specified by the end user that will achieve a similar level. Following completion of any such building, a formal assessment shall be undertaken by a licensed BREEAM assessor and a copy of that assessors report, along with the Certificate, shall be issued to the Local Planning Authority prior to the occupation of any such building.

Reason: To ensure that the development exhibits best practice in sustainable construction techniques so that its contribution to causes that result in climate change are significantly reduced.

18. All residential dwellings to be built at the development hereby permitted shall be constructed so as to achieve an EcoHomes 'Excellent' standard. As such, detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to condition 4 for any residential development shall specify the detailed arrangements of the proposed measures necessary to ensure each dwelling is capable of achieving this standard. The detailed plans and particulars shall also be accompanied by a letter of conformity from a BRE accredited assessor confirming that each dwelling within that Reserved Matters Site is capable of achieving an EcoHomes 'Excellent' standard. The development shall be carried out only in accordance with these detailed arrangements.

Reason: To ensure that the development exhibits best practice in sustainable construction techniques so that its contribution to causes that result in climate change are significantly reduced.

19. All applications for Reserved Matters approval shall demonstrate how buildings contribute to achieving the targets for on-site energy production and reductions in carbon emissions as set out in the Energy Strategy contained within the approved Masterplan Book and Masterplan Book Addendum 2009.

Reason: To ensure that renewable energy technology embedded into individual buildings achieve high quality design standards and also so that the cumulative provision can be monitored to demonstrate the developments progression towards the target for overall on-site renewable generation – in the interests of providing a higher sustainable community that reduces the causes that result in climate change.

### **Drainage**

20. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** shall include a detailed scheme for the provision of surface water management on and off the Reserved Matters site. The detailed scheme shall be consistent with the proposals and principles of the Surface Water Drainage Strategy (Ref: DRN4a and DRN4b) outlined in the Masterplan Book and Masterplan Book Addendum May 2009 and April 2017 and the details contained within the Flood Risk Assessment and the Flood Risk Assessment Addendum October 2007 and shall incorporate SUDs and take into account overland flow routes and exceedance of the systems design capacity. No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority. The scheme shall be constructed and completed in accordance with the approved specification and timetable. No development within the Reserved Matters site shall be occupied until the detailed scheme for that Reserved Matters site is fully implemented.

Reason: To ensure that there are satisfactory measures for disposing of surface water so to avoid the risk of flood and pollution to the water environment.

21. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** shall include detailed proposals of the main and foul water drainage for the area to which that Reserved Matters application relates. The details shall accord with the Foul Water Drainage Strategy (Ref: DRN5) outlined within the approved Masterplan Book and Masterplan Book Addendum May 2009 and April 2017 and shall be fully implemented prior to the occupation of any building within the Reserved Matters site. No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority

Reason: To ensure that there are adequate proposals for the treatment of the main and foul water drainage so to avoid pollution to the water environment.

22. No more than 500 of the dwellings hereby permitted on the site shall be occupied until the Local Planning Authority is in receipt of written notice from the statutory sewage undertaker confirming either that a sewage treatment works has been constructed and brought into use, or that additional capacity in the public sewage system has been made available to serve the main and foul drainage requirements of all such dwellings in excess of 500 dwellings.

Reason: To ensure that there are adequate proposals for the treatment of the main and foul water drainage so to avoid pollution to the water environment.

23. No oils, fuels or chemicals shall be stored on any part of the site unless details of the storage facility, including measures for containing accidental releases to the environment, have been submitted to and approved in writing by the Local Planning Authority, and until such a storage facility has been implemented in accordance with the approved details.

Reason: To ensure that the environment and amenities of the area are safeguarded against pollution.

24. No sewage or trade effluent (including cooling water containing additives, vehicle washing effluent and steam cleaning effluent) shall be discharged to the surface water management system.

Reason: To prevent pollution to the water environment.

25. Vehicle loading or unloading bays and storage areas involving chemicals or other pollutant shall not be connected to the surface water management system.

Reason: To prevent pollution to the water environment.

### **Natural Environment Vision Statement**

26. The development hereby approved shall be carried out in strict accordance with the details and timescales set out within the Natural Environment Vision Statement (hereafter referred to as the 'Vision Statement') as submitted to and approved pursuant to application reference 7\_49/0351/15/DIS.

Any subsequent revision or iteration of the Vision Statement shall describe the aims and objectives, key design characteristics and location and layout for all proposed landscape and biodiversity features as outlined in the Masterplan Book and Masterplan Book Addendum May 2009 and April 2017, the Town Code July 2017rev3, Environmental Statement and Environmental Statement Addendum documents October 2007 and May 2009 and the supplementary information to Natural England dated 07.12.07 and Addendum May 2009 including the ES clarification letter received by the Local Planning Authority on 2<sup>nd</sup> July 2009 and Landscape Masterplan (Ref: DRN6). As such,

each Vision Statement shall form an integrated cohesive vision for the whole site and shall include the following components:

- Buffer Zones
- Key Wildlife Corridors (Sherford Quarry Wood and A38 corridors)
- 'Other' Wildlife Corridors (which are the East Sherford, Billacombe Brook, Butlas, A38 to Wiverton, Minerals and Landscape corridors)
- Sherford Quarry Wood Buffer strip
- Greenways
- Water bodies
- Semi-natural green space
- Wildlife foraging areas
- Bat Road Crossings (i.e. those points at the intersection of roads and wildlife corridors)
- 70 hectares of Woodland planting
- The Community Park

All of the above features shall be shown on a colour 1:2000 scale plan with detailed extracts where required by the Local Planning Authority.

The Vision Statements shall provide a timetable showing how implementation of the above components are to be matched to and delivered through the various phases of development. A clear distinction shall be made between those works that are necessary to be carried out during that phase of the development, and those that shall be undertaken in subsequent phases or to be considered as part of the details submitted as Reserved Matters or other individual schemes.

The Vision Statements shall also include a public access statement identifying how public access to each of the components will be permitted, restricted and managed.

Furthermore, the Vision Statements shall also include maintenance specifications for each of the above components.

The Vision Statements shall also outline how land remaining outside of areas already built or under construction will be managed so as not to fall redundant or derelict.

Detailed proposals for the delivery of all components of the Vision Statements shall then be set out in a series of detailed Implementation Plans required by conditions 30, 31, 33, 35 and 36 below. The Vision Statements shall identify when each Implementation Plan for that development period shall be submitted.

The timing of the delivery of each component or element as proposed within each version of the Natural Environment Vision Statement shall proceed strictly in accordance with the approved timetable.

Reason: To ensure that features of the natural environment and public open space envisaged by the outline application, and specifically those elements proposed as part of the Environmental Statement and Environmental Statement Addendum documents to reduce the ecological and other effects of the development, are planned in a satisfactory manner as an integral part of the overall development.

### **Ongoing Ecological Update Assessments and Review of the Vision Statement**

27. Ongoing ecological surveys and monitoring as required by conditions 28, 29 and 37 shall be read in conjunction and monitored against the bat survey information submitted to and agreed pursuant to application reference 7\_49/0069/15/DIS.

Reason: To ensure that future monitoring of on-site bat activity can be benchmarked against pre-commencement conditions which will enable the Vision Statement to be regularly updated to respond to such changes and to enable ecological mitigation measures to be planned in a satisfactory manner as an integral part of the overall development.

28. A rolling programme for ecological update surveys, as outlined in the Environmental Statement and Environmental Statement Addendum documents October 2007 and May 2009 and the supplementary information to Natural England dated 07.12.07 and Addendum May 2009 including the ES clarification letter received by the Local Planning Authority on 2<sup>nd</sup> July 2009, shall be carried out in accordance with the details submitted to and agreed pursuant to application reference 7\_49/0351/15/DIS, unless other such details are subsequently submitted to and approved in writing by the Local Planning Authority. .

The approved update survey programme must ensure that surveys are undertaken in advance of the development of a particular part of the site (e.g. as may be covered by a Reserved Matters application or other individual scheme) and with sufficient lead in time to fully inform the preparation of such applications.

The ecological update surveys shall be carried out and the results submitted to the Local Planning Authority for validating in writing. The surveys shall be accompanied by a comprehensive assessment to identify changes, if any, in the conservation status, abundance or distribution of Protected Species and their habitats likely to be affected by later phases of development.

The Vision Statement approved pursuant to **condition 26** shall be reviewed and updated in light of the results of the above ecological update assessments to confirm the Vision Statement's continued relevance to remaining phases as development progresses. Such updates to the Vision Statement shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any changes in the use of the site by protected species are properly identified so to enable necessary amendments to the Vision Statement and to inform the preparation of relevant Implementation Plans and applications for Reserved Matters approval so that ecological mitigation measures are planned in a satisfactory manner as an integral part of the overall development.

#### **Delivery of Ecological up to date Implementation Plans and Reserved Matters Applications**

29. All Implementation Plans as required by conditions **30, 31, 33, 35 and 36** and details and particulars of the Reserved Matters submitted pursuant to condition **4, 39 and 40** shall demonstrate compliance with the latest version of the Vision Statement as approved by the Local Planning Authority, or with the latest set of ecological update assessments (whichever is the most recent).

Reason: To ensure that the submission of all Implementation Plans and applications for Reserved Matters approval are informed by the most up to date ecological information and accord with the latest version of the Vision Statement to ensure that ecological mitigation measures are planned in a satisfactory manner as an integral part of the overall development.

#### **Buffer Zones, Greenways, Semi-natural greenspace, 'other' wildlife corridors, water bodies, foraging areas and woodland planting Implementation Plans**

30. The buffer zones, greenways, semi-natural greenspace, 'other' wildlife corridors, water bodies, foraging areas and woodland planting, as proposed by each version of the Vision Statement, shall be delivered in accordance with a detailed Implementation Plan prepared specifically for each component, and which shall previously have been submitted to and approved in writing by the Local Planning Authority. Each Implementation Plan shall be delivered in accordance with the timetable for each of the above components as set out in the latest approved version of the Vision Statement. For the avoidance of doubt, no work in connection with each specific component shall be commenced until the Implementation Plan for that component has been approved in writing by the

Local Planning Authority, albeit with the exception of those components identified and previously approved within application reference 7\_49/0351/16/DIS.

The Implementation Plans shall include detailed specifications, with scaled drawings and cross sections at 1:100, for all planting, habitat and landscaping works required to deliver all mitigation, compensation, enhancement and creation measures relating to that specific component.

All works shall proceed in strict accordance with the approved Implementation Plan and retained in that manner thereafter unless otherwise agreed in writing by the Local Planning Authority.

For the avoidance of doubt, Implementation Plans detailing the delivery of the Community Park, Key Wildlife Corridors, Bat Road Crossings, and the Sherford Quarry Wood Buffer Zone shall be set out in separate Implementation Plans as required by conditions 31, 33, 35 and 36 respectively.

Reason: The application was made in outline form only and approval of the details specified is still required on the practical measures required to deliver the landscape, habitat and open space features envisaged by the outline application including measures to secure compensation and mitigation in relation to species and habitats across the site.

### **Community Park Implementation Plan**

31. The Community Park shall be delivered in accordance with the principles set out within the details submitted to and approved pursuant to application reference 7\_49/1488/15/DIS, unless other such details are subsequently submitted to and approved in writing by the Local Planning Authority, in relation to the first phase of the Community Park. Subsequent versions of the Implementation Plan in relation to subsequent phases of the Park shall also be prepared in accordance with the principles set out in the approved Vision Statement, and submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the mitigation planting specified in the approved Vision Statement which will be delivered in accordance with the details and timings pursuant to conditions 26 and 30, the Implementation Plans shall set out the timetable for delivery of the Park so that the Park is completed by no later than the commencement of 4000 dwellings. The Implementation Plan shall include arrangements and timings for; any Café / Shops / Public Houses; Buildings; cemetery / memorial garden; residual allotment provision; toilets; cycle routes; footpaths; bridleways; trim trails; informal and formal play areas; formal and informal areas of recreation; links to North Plymstock; Community Organic Farm with associated cycle and car parking (if applicable), car and cycle parking; viewing platforms and follies; public art; meeting points and shelters; signs; furniture; bins; gateways; and access points; boundary treatments; and lighting which may be located within the Park.

The Implementation Plans shall provide for the phased delivery of the Community Park, both in terms of its physical attributes as well as its operational requirements, so that parts of the Park are available to the public from the commencement of 700 houses and on an incremental basis in phase with development thereafter.

The submissions of detailed plans and particulars relating to the delivery of the Community Park shall be provided strictly in accordance with the approved Implementation Plan.

Reason: The application was made in outline form and approval of the details specified is still required on the practical measures required to deliver the landscape, habitat and open space features envisaged by the outline application.

### **Community Park – Details and particulars**

32. Details and particulars to be submitted pursuant to the delivery of the Community Park, as required by the approved Implementation Plans required by **condition 31**, and that are not otherwise submitted pursuant to the Reserved Matters as required by **condition 4**, shall be provided at a scale no less than 1:2500 and shall include scaled cross sections, and planting specifications to include; size of stock; density and spacing; ground preparation; protection; maintenance; monitoring and inspection; and replacement of any species which die or fail to thrive in accordance with condition **41**.

The Community Park shall be laid out strictly in accordance with the approved details and shall be retained in that manner thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: The application was made in outline form and approval of the details specified is still required on the practical measures required to deliver the landscape, habitat and open space features envisaged by the outline application.

### **Key Wildlife Corridors Implementation Plan**

33. The Development hereby approved shall include provision of two key wildlife corridors (the Sherford Quarry Wood and the A38 corridors) and these shall be provided in accordance with the details and particulars submitted to and approved pursuant to application reference 7\_49/0351/15/DIS, unless other such details are subsequently submitted to and approved in writing by the Local Planning Authority. The Key Wildlife Corridors shall be developed in strict accordance with the agreed details and shall only be reduced in width if and only if future national best practice demonstrates to the Local Planning Authority's reasonable satisfaction that the Key Wildlife Corridors will still remain effective and the Local Planning Authority approve such decrease. Light levels within the inner core shall be no higher than 0.5 lux and may be increased if and only if future national best practice demonstrates to the Local Planning Authority's reasonable satisfaction that light sensitive bat species recorded roosting in Sherford Quarry Wood will not be disturbed and the Local Planning Authority approve such increase.

Where the Vision Statement identifies hedgerows to be trans-located, detailed translocation plans shall be included in the Implementation Plan showing the location and type (e.g. height and species composition) of hedgerows to be moved, along with the location of where they will be placed. These plans shall include detailed method statements and the proposed timetable for translocation.

The works shall be carried out strictly in accordance with the approved details, and retained in that manner thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: The application was made in outline form only and approval of the details specified is still required on the practical measures required to deliver the landscape, habitat and open space features envisaged by the outline application including measures to secure compensation and mitigation in relation to species and habitats across the site.

### **Development Adjacent to Key Wildlife Corridors**

34. No Development shall commence within 25 metres of any section of a Key Wildlife Corridor until evidence is submitted to the Local Planning Authority's reasonable satisfaction to show how artificial light levels within the inner core of that Corridor will be maintained at or below 0.5 lux from the time that such Development commences.

Reason: To ensure that proposed measures envisaged by the Environmental Statement and Environmental Statement Addendum documents are carried out and function in a satisfactory manner.

### **Bat Road Crossing Implementation Plans**



35. No Development shall commence on any section of road development, (including for the avoidance of doubt the Main Street hereby approved, or roads or accesses approved pursuant to condition 4 and 46), that includes provision of a bat crossing, as identified in the Vision Statement, until a Bat Road Crossing Implementation Plan for that section of road development has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- a) Detailed specifications with scaled plans (1:100) and cross-sections of both under- and over-ground built structures (e.g. underpasses and overhead gantries);
  - b) Details of associated tree and shrub planting;
  - c) Detailed evidence (drawing on case studies and monitoring of other similar projects elsewhere) to demonstrate that the detailed design of each crossing, including lighting, is specifically suited to the bat species that are likely to be using it;
  - d) Detailed lighting specifications including lighting contour plans showing predicted artificial light levels (from all existing and proposed development) within and adjacent to the crossing points and identifying how surrounding vegetation will be sufficiently established prior to the implementation of those crossing points to achieve and maintain the agreed light levels (as required by c) above, where appropriate, or condition 33 in respect of the Key Wildlife Corridors) within and around the crossing points;
  - e) A timetable for the implementation of the works; and
  - f) A strategy for monitoring the effectiveness of the bat crossing, in order to determine the continued efficacy of the measures employed to assist bats to cross under and/or over the road.

In accordance with the Environmental Statement Addendum October 2007 Appendix 10A; section 3.1.1, there shall be no artificial lighting within 10 metres of a Bat Road Crossing.

Each Bat Road Crossing shall be delivered strictly in accordance with the timetable set out in the latest version of the Vision Statement insofar as it functions as a Key Wildlife Corridor, 'other' wildlife corridor or greenway. The section of road development to which approval is sought shall not be commenced until the crossing is in place and completed in the approved form, or as otherwise specified in the implementation timetable approved in e) to this condition, above. For the avoidance of doubt, the bat crossing situated to the east of Vinery Lane associated with the Minerals wildlife corridor shall be undertaken in accordance with the details and particulars submitted to and approved pursuant to application reference 7\_49/0351/15/DIS, or other such details submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: The application was made in outline form and approval of the details specified is still required on the practical measures required to secure compensation and mitigation for the loss in connectivity of bat habitat across the site and to ensure that the proposed measures to enable bats to cross new roads on the site are fully functional and effective before or at least at the time that construction starts in adjacent areas and to ensure that such measures are also consistent with highway integrity and safety.

### **Sherford Quarry Wood Buffer Strip Implementation Plan**

36. A buffer strip providing a buffer against physical and, in particular, sound and light disturbance, and following the principles set out in the Environmental Statement Addendum October 2007 Appendix 10A; page 23 particularly in relation to the conservation measures for Barbastelle Bats, shall be provided around Sherford Quarry Wood in accordance with the details submitted and approved pursuant to application reference 7\_49/351/15/DIS, or other details to be submitted to and agreed in writing by the Local Planning Authority. Development shall not take place within 25 metres of the

outer edge of the buffer strip until details and particulars for that section of buffer strip have been submitted to and approved in writing by the Local Planning Authority.

The Buffer Strip shall be delivered in accordance with the timetable set out in the latest approved version of the Vision Statement and shall thereafter be retained in the form and manner approved pursuant to this condition, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a secure and sensitive boundary treatment for Sherford Quarry Wood is provided in a manner that would significantly reduce the risk of disturbance to such bats known to be roosting in and commuting around and through the woodland such that the risk of disturbance as a result of nearby development is reduced to a very low level such that no breach of Regulation 41(1)(b) of the Conservation of Habitats and Species Regulations 2010 is likely to occur.

### **Ecological Monitoring and Remedial Measures**

37. Notwithstanding the details submitted and agreed pursuant to application reference 7\_49/0351/15/DIS, all subsequent Implementation Plans which are required to be submitted to the Local Planning Authority for approval pursuant to conditions 30, 31, 33, 35 and 36 shall in each case include an ecological monitoring strategy. Each such strategy shall set out the proposed scope for a series of monitoring reports that shall be submitted through the course of development and how these will relate to the pre-commencement ecological information approved pursuant to condition 27. Each such strategy shall also set out when individual reports shall be submitted and shall describe in such detail as the Local Planning Authority may require the monitoring methods to be used, to a specified timetable, in order to ensure that all ecological measures, management practices and retained corridors are functioning appropriately (e.g. meeting stated conservation objectives as set out in the Natural Environment Vision Statement). To do this each such strategy shall identify appropriate success criteria, thresholds, triggers and targets against which the efficacy of the various measures can be judged.

The monitoring shall be carried out in accordance with the approved strategy and the results of the ongoing individual reports submitted in a report to the Local Planning Authority for approval in writing. Where the results from monitoring show that aims and objectives are not being met, the report shall also set out how remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning components set out in the Vision Statement.

Reason: To ensure that the proposed ecological compensation or mitigation measures function appropriately.

### **Arboricultural Surveys**

38. Notwithstanding the details submitted and agreed pursuant to application reference 7\_49/0351/15/DIS each of the subsequently submitted Implementation Plans as required by conditions 30, 31, 33, 35 and 36, shall include detailed arboricultural surveys (including information about trees and hedges that are to be lost/protected/retained/translocation/replaced), prepared in accordance with BS5387, 2012 for the site in which that Implementation Plan relates.

Reason: To ensure that trees of amenity value can be identified and protected in order to integrate them into the overall development scheme.

### **Biodiversity and Arboriculture (Reserved Matters sites)**

39. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to condition 4 shall include the following details:

- a) A detailed arboricultural survey (including information about trees and hedges that are to be lost/protected/retained/trans-located/replaced), prepared in accordance with BS5837: 2012, for the Reserved Matters site;

- b) Details of how and where the principles and proposals for habitats and species, as set out in the approved Natural Environment Vision Statement pursuant to **condition 26**, shall be implemented in detail on the Reserved Matters site, taking account of any necessary revisions in light of ecological update surveys and assessments pursuant to conditions **28 to 29**;
- c) Details of all wildlife protection measures to be used during construction of the Reserved Matters site;
- d) Details for the specific long term management of habitat features provided on the Reserved Matters site;
- e) A timetable setting out the implementation of all works and confirmation of suitably qualified personnel responsible for overseeing their implementation of the Reserved Matters site.

No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority. Development of that Reserved Matters site shall proceed strictly in accordance with those approved details.

Reason: To ensure that applications for Reserved Matters approval contain satisfactory information to enable proper assessment of biodiversity mitigation, compensation and enhancement within the site.

#### **General Landscaping (Reserved Matters sites)**

40. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** shall include full details of both hard and soft landscaping works for the Reserved Matters site. These details shall include proposed finished levels, means of enclosure, pedestrian access and circulation areas, hard surfacing materials, street furniture and retained historical features where relevant. All details of soft landscape works to be included within that application, shall include planting plans at a scale of 1:500 indicating the proposed location, number, species, variety, stock size of planting, and density of new planting. Details shall include written specifications of planting operations including ground preparation, subsoiling, topsoiling, cultivation, soil improvement, mulching, aftercare and detail sections at a minimum scale of 1:20 to explain tree planting pit proposals. The development shall proceed strictly in accordance with the approved scheme.

All planting, seeding and turfing approved by the Local Planning Authority pursuant to Reserved Matters applications shall be carried out in the first planting seasons following commencement of development in that Reserved Matter site unless otherwise agreed in writing with the Local Planning authority.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable proper assessment of the landscaping proposals as this application was made in outline form and approval of the specified details are still required.

#### **Tree and Hedgerow Removal**

41. Any trees or planting comprised within any approved Implementation Plan specified in conditions **30, 31, 33, 35 or 36** or conditions **4, 32 or 40** which are not the subject of a separate prior agreement with the Local Planning Authority and which, within a period of 10 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless otherwise approved in writing by the Local Planning Authority. All existing hedgerows and trees to be retained shall be protected during construction operations in accordance with BS5837: 2012 and shall be maintained to that standard until development has been completed unless otherwise specified in an approved Implementation Plan.

Reason: To ensure that any tree or trees of amenity value as well as the schemes overall landscaping proposals can be safeguarded to ensure that the effectiveness of the landscaping can be preserved.

### **Landscape and Habitat Management and Public Access**

42. The details and particulars set out in each of the Implementation Plans required to be submitted to the Local Planning Authority for approval pursuant to conditions 30, 31, 33, 35 or 36, and those required to be submitted for approval pursuant to condition 40, shall in each case include a detailed

Landscape and Habitat Management Plan. The approved Landscape and Habitat Management Plan shall include proposals for long-term objectives, management responsibilities and maintenance schedules for all landscaping and habitat works within that scheme. For the avoidance of doubt, this condition excludes domestic gardens. The Landscape and Habitat Management Plan shall also include detailed arrangements for encouraging, managing and restricting public access within that Implementation Plan site. All management operations and public access shall be carried out strictly in accordance with the approved Plan.

Reason: To ensure that features of the natural environment and open space envisaged by the outline application are capable of being secured in the long term and their purpose and function preserved.

### **Wind Turbines - Ecology**

43. Details and particulars of the Reserved Matters submitted pursuant to condition 4 for any Wind Turbine hereby permitted shall include details that demonstrate how the design and operation of the turbine accords with national best practice as it exists at the time. Such details which shall be approved in writing by the Local Planning Authority prior to the commencement of development of any Wind Turbine shall also include;

- a) Ecological surveys that support the wind turbine Reserved Matters applications;
- b) Design and management of surrounding vegetation to deter vulnerable species;
- c) Operational constraints to ensure that ecological impacts are avoided;
- d) Ecological monitoring; and
- e) Ecological contingencies in case monitoring identifies unpredicted impacts.

Reason: To ensure that satisfactory details are provided to enable proper assessment to be made of the proposals in the interests of ecological protection.

44. In addition to conditions 93, 94 and 95 below, all landscaping schemes shall include provision for safeguarding against the degradation of archaeological features.

Reason: To ensure that the archaeological interest of the site is not damaged.

### **Public Open Space/ Areas for Play**

45. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to condition 4 shall include detailed plans and particulars for any Local Area for Play, Locally Equipped Area for Play or Neighbourhood Equipped Areas for Play, including Multi-use Games Areas where necessary, Bowling Greens and Public Parks, Civic Parks and Urban Parks, to be located within that Reserved Matters site. No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority. The features shall be provided at locations broadly consistent with those identified in the Sherford Town Plan (Ref: DRN1), Landscape Masterplan (Ref: DRN6), Landscape Strategy (Ref: DRN7) and the LEAPs and NEAP zones diagram (Ref: DRN8), and delivered in accordance with the implementation and phasing requirements to be previously agreed in writing by the Local Planning Authority.

As a minimum, the detailed plans and particulars shall include cross-sections and details of hard and soft landscape materials, boundary treatments and access points, surface and path treatments, furniture (including seating, bollards, bins, and cycle stands), structures and shelters, signage, play and sport equipment, public art, trees, water features, and lighting.

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

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable proper assessment of the proposed public open space and play areas as the application was made in outline form and approval of the details specified are still required.

### **Transport**

46. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to **condition 4** shall include details of the design, layout, levels, gradients, materials, method of construction, street lighting and drainage of all roads, parking areas, cycleways, and footways forming any part of that site. No part of the development within a Reserved Matters site shall be occupied until that part of the service road which provides access to it has been constructed in accordance with the approved details.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable proper assessment of the proposed street scene as the application was made in outline form and approval of the details specified are still required so to achieve a street pattern that secures a safe and attractive environment.

### **Northern and Southern Avenues**

47. No more than 2750 dwellings shall be occupied until either Northern Avenue or Southern Avenue has been completed and has been made available for use by the public.

Reason: To ensure that the Main Street route is not over trafficked before an alternative route is available.

48. No more than 4000 dwellings shall be occupied until both Northern Avenue and Southern Avenue have been completed and have been made available for use by the public.

Reason: To ensure that the Main Street route is not over trafficked before alternatives are available.

49. Northern Avenue and Southern Avenue shall be completed strictly in accordance with detailed plans that shall have been submitted to and approved in writing by the Local Planning Authority, unless approved on applications submitted pursuant to **condition 4** above.

Reason: To ensure that the alternative routes to Main Street are carried out in an acceptable manner as the application has been made in outline form and approval of the details specified are still required.

### **Northwest Expansion**

50. The development hereby approved shall include provision for a dedicated link road to the western boundary of the site leading from the High Street. Prior to the commencement of the development of the first Reserved Matters application, the link road shall be delineated on a plan to be submitted to and approved in writing by the Local Planning Authority. No development shall occur within the area delineated for the link road unless alternative provision is made and agreed in writing by the Local Planning Authority.

Reason: To ensure that the principles of legibility as envisaged by the outline application is maintained as the application has been made in outline form with details of the layout to Reserved

Matters sites still to be provided, and to future proof this development for potential development planned to the west.

### **Road Closures**

51. All road closures associated with the development be carried out in accordance with Method Statement submitted to and approved pursuant to application reference 7\_49/1408/15/DIS.

Reason: To ensure that the development is undertaken in a manner that has minimal impact upon residents and users of existing highways.

### **Cycleways and Footways**

52. No development shall commence beyond 80% of the residential units permitted within the Western Neighbourhood until the cycle route linking the Rural Edge Cycleway and NCN Cycle Route 2 as identified on the attached plan DRN9 has been completed.

Reason: To ensure that the application as envisaged is carried out in a satisfactory manner so to ensure that residents have access to suitable recreational facilities within the development at an early stage.

53. If the cycle route linking the Rural Edge Cycleway and NCN Cycle Route 2 as identified on the attached plan DRN9 as required by **condition 52** is to be located within the application site, then details and particulars for such link shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any works to that cycle route.

Reason: To ensure that appropriate details of the proposed cycle route are provided as this application has been made in outline form with details of the Reserved Matters still to be provided, so to ensure that residents have access to suitable recreational facilities within the development at an early stage.

54. This permission includes the provision of cycleways that are located broadly in accordance with the Internal Cycle Route Network diagram (Ref: DRN9). Each cycle route shall be provided in accordance with detailed plans and particulars previously submitted to and approved in writing by the Local Planning Authority. Development shall not commence beyond 80% of the residential units permitted within the Eastern Neighbourhood until all cycleways identified on the Internal Cycle Route Network diagram (Ref: DRN9) are completed and available for public use.

Reason: To ensure that the development is delivered in accordance with that envisaged by the outline application and in order to promote cycling and walking as an alternative to the use of private cars.

55. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** shall include details for any public accesses and cycleways that connect the Reserved Matter site to the wider network of footpaths and cycleways contiguous to the Reserved Matter site. No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority. The development shall proceed strictly in accordance with the approved details.

Reason: To ensure that applications for Reserved Matters approval are satisfactory to enable full and proper assessment of the proposed footpath and cycleway arrangements within which Reserved Matters site, as this application was made in outline form and approval of this detail is still required to ensure that the development is delivered in a coherent and integrated manner.

56. The stopping up of and diversion of any footpath or bridleway associated with the development shall be out in accordance with Method Statement submitted to and approved pursuant to application reference 7\_49/1408/15/DIS. .

Reason: To ensure that the development is undertaken in a manner that has minimal impact upon the recreational amenity associated with existing footpaths and bridleways within and around the site.

### **Car Parking**

57. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition** 4 shall include a Car Parking Strategy. The Car Parking Strategy shall, where required by the Local Planning Authority, demonstrate how the Reserved Matters site shall contribute towards achieving a site average of 1.5 car parking spaces per residential unit in accordance with the approved Masterplan Book and Masterplan Book Addendum May 2009 and April 2017. It shall also detail the maximum provision of spaces for each use within the area within that Reserved Matters site, and demonstrate how the level of car parking will be dependent upon its proximity to the High Quality Public Transport (HQPT) route and the Neighbourhood centres as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3). The Car Parking Strategy shall also detail provision of public car parking areas and shall show management regimes including waiting restrictions. No development within that Reserved Matters site shall be commenced until such Strategy has been approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved strategy.

Reason: In order to limit car parking serving the development so to encourage the shift to sustainable modes of transport as an alternative to the private car and hence reduce vehicular trips on the highway network as envisaged by the Transport Assessment and Transport Assessment Addendum documents October 2007 and May 2009.

58. Each parking space approved through details submitted pursuant to these conditions shall be constructed, as approved, and drained, surfaced and made available for use before any 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that any off-street parking that is to be provided as part of the development remains available in the interests of highway amenity and safety.

### **Cycle parking (non residential)**

59. No building, (with the exception of residential buildings) within any Reserved Matters site shall be occupied until secure spaces for cycle parking have been provided in accordance with details that have been previously submitted to and approved in writing by the Local Planning Authority. The secure areas for the storage of cycles so approved shall remain available for that purpose and shall not be used for any other purpose without the prior consent of the Local Planning Authority.

Reason: To ensure that there are secure storage facilities for occupiers or visitors of non-residential buildings in order to promote cycling as an alternative to the use of private cars and because the application was made in outline form and approval of this detail is still required.

### **Bus Stops**

60. Detailed plans and particulars submitted in respect of all applications for Reserved Matters approval shall include details for the locations and accesses to bus stops within that Reserved Matters site. No development approved pursuant to such application shall be occupied until all bus stops (with the exception of those located along the High Quality Public Transport route) within that Reserved Matters site have been provided to a specification which shall have been previously approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety and amenity and to encourage greater use of public transport for journeys to and from the development.

### **Bus Stops (High Quality Public Transport)**

61. All bus stops that form part of the High Quality Public Transport route along the Main Street shall be provided to a specification that shall be previously agreed in writing by the Local Planning Authority, and shall be available for use at the commencement of occupation of the neighbourhood they serve.

Reason: In the interest of highway safety and amenity and to encourage greater use of public transport for journeys to and from the development

### **Housing**

62. The number of dwellings permitted within the site as defined by this planning permission, when taken together with 0484/16/VAR, and the number of dwellings permitted within the site as defined by Plymouth City Council planning permission Ref: and 06/02036/OUT, 16/00247/OUT and 17/00998/S73 shall not exceed 5500.

Reason: To ensure that the development is carried out in the manner as envisaged by the outline application.

63. No dwelling authorised by this permission shall be occupied until any garage(s) and/ or parking space(s) approved for that dwelling pursuant to **condition 4**, have been provided. All garages and parking spaces, if any, shall thereafter be retained for the parking of vehicles unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that adequate on-site garages and parking areas and access thereto are provided in the interests of public safety and the amenities of the individual property owners.

64. No dwelling permitted by this development shall be occupied until provision for a secure area for the storage of at least one bicycle and appropriate refuse storage units have been provided in accordance with previously approved details.

Reason: To ensure that there are adequate storage facilities for occupiers or visitors of all dwellings in order to promote cycling as an alternative to the use of private cars and because the application was made in outline form and approval of this detail is still required.

65. The development hereby approved shall be carried in accordance with the Clustering and Distribution Strategy submitted to and approved pursuant to application reference 7\_49/0069/15/DIS. Applications for approval of Reserved Matters shall demonstrate compliance with the approved Clustering and Distribution Strategy specifying the mix and tenure of housing, location of affordable units and how progress is made towards achieving a community wide mix as set out in the Clustering and Distribution Strategy.

Reason: To ensure the Affordable Housing element is appropriately distributed and integrated with the Market Housing.

### **Mixed Used Development**

66. Any application for the approval of Reserved Matters consisting of non-residential development, or residential development sited within the Neighbourhood centres or within the commercial area between the A38 and Northern Avenue as delineated on the Key Fixes diagram (Ref: DRN2) and the Commercial Land Uses Plan (Ref: DRN3), shall include details of any mitigation measures required to safeguard residential amenity against the impacts of conflicting land uses proposed in or adjacent to the area subject to such application. Such details may include methods of noise attenuation, ventilation and restrictions on delivery hours.



Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals so to ensure that the amenities enjoyed by the occupants of properties juxtaposed with conflicting forms of development are protected.

### Commercial/ Employment

67. No development (other than dwellings) permitted within this site when read together with 0484/16/VAR, for buildings within the specified use class of the Town and Country Planning (Use Classes) Order 2005 in the Table below, when taken together with development permitted by the Plymouth City Council planning permission Ref: 06/02306/OUT, 16/00247/OUT and 17/00998/S73, shall exceed the maximum area of land or gross floor space stated in the Table below, unless otherwise agreed in writing by the Local Planning Authority;

Land use	Gross floorspace (sqm)
A1	12834
A2,A3,A4,A5	3906
B1	46900
B2	6700
B8	13400
C1,C2	21390
D1,D2	49290
Sui Generis	930

Reason: To ensure that the development is carried out in a manner envisaged by the outline application.

68. Notwithstanding the provisions of **condition 69** no more than two supermarkets are hereby permitted. The sum total of gross floorspace for these two units shall not exceed 5000sqm. No one supermarket shall exceed 2500sqm.

Reason: To ensure that the development is carried out in a manner envisaged by the outline application by ensuring that the proliferation of large units are controlled in the interests of providing a balanced and mixed community within the development without undermining surrounding retail centres.

69. Notwithstanding the gross permitted floorspace set out in **condition 67**, the following size restrictions shall apply to all single units permitted by this development that fall within an A1-A5 use, unless otherwise agreed in writing by the Local Planning Authority:

- not less than 10044 square metres of the permitted A1-A5 floorspace (**condition 67**) shall be provided in units that have a gross floorspace which does not exceed 135 square metres;
- no more than 6696 square metres of the permitted A1-A5 floorspace (**condition 67**) may be provided in units that have a gross floorspace which does not exceed 232 square metres;
- no more than 1674 square metres of the permitted A1-A5 floorspace (**condition 67**) may be provided in units that have a gross floorspace that exceeds 464 square metres. No one single A1 unit shall however be provided in unit with a gross floorspace that exceeds 1200sqm.

Reason: To ensure that the development is carried out in a manner envisaged by the outline application by ensuring that the proliferation of large units are controlled in the interests of providing a balanced and mixed community within the development without undermining surrounding retail centres.

70. Notwithstanding the gross permitted floorspace set out in **condition 67** the following size restrictions shall apply to all single units permitted by this development that fall within a B1-B8 use, unless otherwise agreed in writing by the Local Planning Authority:

- not less than 33500 square metres of the permitted B1-B8 floorspace (**condition 67**) shall be provided in units that have a gross floorspace which does not exceed 235 square metres;
- no more than 13400 square metres of the permitted B1-B8 floorspace (**condition 67**) may be provided in units that have a gross floorspace which does not exceed 464 square metres;
- no more than 3350 square metres of the permitted B1-B8 floorspace (**condition 67**) may be provided in units that have a gross floorspace that exceeds 929 square metres.

Reason: To ensure that the development is carried out in a manner envisaged by the outline application by ensuring that the proliferation of large units are controlled in the interests of providing a balanced and mixed community within the development without undermining surrounding employment centres.

71. Notwithstanding the provisions of **condition 70** no single unit permitted by this development that falls within a B1-B8 use, unless otherwise agreed in writing by the Local Planning Authority, shall exceed a gross floorspace of 3000sqm.

Reason: To ensure that the development is carried out in a manner envisaged by the outline application by ensuring that the proliferation of large units are controlled in the interests of providing a balanced and mixed community within the development without undermining surrounding employment centres.

72. No building or part of a building within the site which is to be used for uses within Classes A1-A5 of the Town and Country Planning (Use Classes) Order 2005, shall be occupied for trading until fume extraction and mechanical ventilation equipment have been installed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. The equipment shall thereafter be retained and operated in its approved form for so long as the approved use of that building continues, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals so to ensure that the amenities enjoyed by the occupants of properties juxtaposed with conflicting forms of development are protected.

73. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** for any commercial or employment premises shall include the following details; advertisements; proposed opening hours of A3, A4 and A5 units and proposed hours of operation for Class B uses; and all external lighting. No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals so to ensure that the amenities enjoyed by the occupants of properties juxtaposed with conflicting forms of development are protected.

#### **Construction Environmental Management Plan (CEMP) - Traffic**

74. The development hereby approved shall be carried out strictly in accordance with the Traffic CEMP as submitted to and approved pursuant to application reference 7\_49/1408/15/DIS, or any

subsequent version thereof which has been submitted to and approved in writing by the Local Planning Authority.

Any subsequent version of the Traffic CEMP shall include construction vehicle movements, construction operation hours, construction vehicle routes to and from the site with distance details, construction delivery hours, expected number of construction vehicles per day, car parking for contractors, specific measures to be adopted to mitigate construction impacts and a travel plan for contractors, a detailed traffic management plan to control the volume of through traffic on minor routes during the construction phases.

The development shall be carried out in such a manner as to ensure that;

- a) no access for construction traffic shall be achieved off Sherford Road;
- b) no extra traffic (in numerical terms) is introduced on to Sherford Road or Vinery Lane;
- c) means of calming traffic in Sherford Road and Vinery Lane south of the King George V playing fields shall be introduced such that any extra traffic is avoided;
- d) access for construction vehicles shall be initially off Vinery Lane and from the north only;
- e) the link road to the north of King George V playing fields shall be constructed to a standard acceptable to the Local Planning Authority within the first 12 months following the commencement of the first dwelling of the development;
- f) the link road to the north of King George V playing fields shall be available for public traffic no later than the occupation of 170 dwellings within the site or 21 months after commencement of development whichever is sooner unless local highway conditions require that it be brought into use sooner to the reasonable requirement of the local planning authorities and highway authorities;
- g) notwithstanding the above requirements, before the occupation of more than 170 dwellings access to the dwellings shall be achievable along the proposed link road to the north of King George V playing fields;
- h) before occupation of the 170th dwelling within the site the existing Sherford Road shall be linked from a point adjacent to the Quarry to the link road north of King George V playing fields so that Sherford Road traffic is diverted on to it;
- i) traffic management measures are taken on all routes leading to the development, including Vinery Lane, Ridge Road, to accommodate the extra construction traffic;
- j) easy and direct access for public transport to the site incorporating turning facilities, and a convenient loop through the development; and
- k) convenient and safe access for pedestrians and cyclists to and from the completed blocks.

Reason: To protect the residential and general amenity of the area from any harmful polluting effects during construction work.

75. The development hereby approved shall be carried out in accordance with the Generic CEMP as submitted to and approved pursuant to application reference 7\_49/0069/15/DIS.

Reason: To protect the residential and general amenity of the area from any harmful polluting effects during construction work.

76. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority pursuant to **condition 4** shall include a Site Specific CEMP, and these shall include details for the management of waste arising from the construction process, siting and design and drainage arrangements for any temporary construction offices, buildings and storage compounds/areas on or off that site, and measures proposed to mitigate against adverse effects of noise and dust during the construction of the proposed development and shall also indicate: -

- a) the proposed hours of operation of construction activities;
- b) the frequency, duration and means of operation involving demolitions, excavations, drilling, piling, concrete production and dredging operations;
- c) sound attenuation measures to be incorporated to reduce noise at source;

- d) details of temporary lighting;
- e) arrangements for site access and vehicle parking; and
- f) a Construction Workers Travel Plan.

No development within that Reserved Matters site shall be commenced until such Site Specific CEMP has been approved in writing by the Local Planning Authority. The approved CEMPs shall be strictly adhered to during all stages of the construction of the proposed development.

Reason: To protect the residential and general amenity of the area from any harmful polluting effects during construction work.

77. No construction, demolition or engineering works (including land reclamation, stabilisation, preparation, remediation or investigation) shall take place on any Sunday, Bank Holiday or Public Holiday. Such works shall only take place between the hours 08:00 and 18:00 weekdays, and 08:00 and 13:00 on Saturdays unless otherwise permitted in writing by the local planning authority. No plant, machinery or equipment associated with such works shall be started up or be operational on the development site outside of these permitted hours.

Reason: To protect the residential and general amenity of the area from any harmful effects arising from construction work.

### **Earthworks Strategy**

78. With 2 months of the date of this notice, an Earthworks Strategy shall have been submitted to the Local Planning Authority for approval. The Strategy shall demonstrate how the cut-and-fill operations contribute towards the aim of achieving as close as reasonably practicable to a balance within the site, so that there is not a net import or export of soil. The development shall proceed strictly in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the net import or export of soil from the development in the interests of sustainability.

### **Noise**

79. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** shall include a noise mitigation strategy. The strategy shall set proposed limits upon indoor ambient noise levels and external amenity area noise levels for each building type on the site and will include design criteria that will be employed to meet those levels.

For the avoidance of doubt, the noise mitigation strategy shall include provisions that as a minimum the following shall apply:

Internal and external noise levels for new noise sensitive premises should not exceed the following noise limits (NB: all time intervals are 1 hour, time weighting is fast unless stated otherwise):

Dwellings, including houses in multiple occupation, hostels, and hotels:

Bedrooms (23:00 to 07:00 hours): 30dB  $L_{Aeq}$ , 45dB  $L_{Amax}$  (slow)

Living rooms (07:00 to 23:00 hours): 35dB  $L_{Aeq}$

Kitchens, bathrooms, WC compartments and utility rooms (07:00 to 23:00 hours): 50dB  $L_{Aeq}$

External amenity areas:

The allocated amenity areas for each dwelling shall be acoustically protected so that ambient noise levels are as low as practicable and no greater than 55 dB(A)  $L_{Aeq}$ , 1 hour 07:00-23:00 hours.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals so to ensure that the amenities enjoyed by the occupants of properties are safeguarded.

80. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** shall include details that set out measures to attenuate noise created outside of individual buildings to the levels identified in the noise mitigation strategy. Where proven necessary to ensure compliance with the maximum noise levels specified in condition 79, such details shall include the provision of a bund to be located in the wildlife corridor that is to be located to the south of the A38. No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority. The development shall proceed strictly in accordance with the approved details.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals so to ensure that the amenities enjoyed by the occupants of properties juxtaposed with conflicting forms of development are protected.

81. No building hereby permitted shall be occupied until the necessary noise mitigation measures as proposed at **condition 80** and approved by the Local Planning Authority have been fully implemented.

Reason: To ensure that the development is delivered in an acceptable manner so to ensure that the amenities enjoyed by the occupants of properties juxtaposed with conflicting forms of development are protected.

#### **Noise (Wind Turbine)**

82. Details and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** in respect of the Wind Turbines shall include an updated noise survey which shall have been prepared in accordance with agreed relevant guidance at time of assessment and shall be undertaken to the written satisfaction of the local planning authority. The relevant guidance to be used at the time of the noise assessment shall be agreed with, and confirmed in writing by, the local planning authority. The results of the survey, including details of all instrumentation used, prevailing weather conditions, and traceable calibration tests shall be submitted to the local planning authority for their written approval.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals of the wind turbines so to ensure that the amenities enjoyed by the occupants of properties are safeguarded.

#### **Noise (Wind Turbine – monitoring)**

83. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to **condition 4** for the Wind Turbines shall include a scheme for monitoring noise emissions for any turbine. The scheme shall outline proposals for receiving, monitoring and responding to complaints received by the Local Planning Authority regarding noise emissions from any turbine. This monitoring shall be carried out in accordance with DEFRA guidance note NANR 277 unless the Local Planning Authority approves a suitable alternative method. No development of the Wind Turbines shall take place until such a scheme has been approved in writing by the Local Planning Authority. The scheme, as approved, shall be implemented and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals of the wind turbines so to ensure that the amenities enjoyed by the occupants of properties are safeguarded.

#### **Noise Impact Assessment – B2 Uses**

84. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to condition 4 for any building hereby permitted which is to be used for uses that fall within the Class B2 of the Town and Country Planning (Use Classes) Order 2005 shall include a Noise Impact Assessment. The assessment shall identify the potential impact generated by that use on residential premises and specify measures to assimilate the building into the mixed use neighbourhood. No development within that Reserved Matters site shall be commenced until such assessment and proposed measures have been approved in writing by the Local Planning Authority.

Reason: To ensure that applications for Reserved Matters approval contain full and adequate information to enable assessment of the detailed proposals so to ensure that the amenities enjoyed by the occupants of properties juxtaposed with conflicting forms of development are protected.

### **Contamination**

85. No development shall take place on any Reserved Matters site unless a scheme that deals with the risks associated with contamination of that site has been submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded in writing by the Local Planning Authority.

- a) A preliminary risk assessment/desk study identifying:
  - i) all previous uses
  - ii) potential contaminants associated with those use
  - iii) a conceptual model of the site indicating sources, pathways and receptors
  - iv) potentially unacceptable risks arising from contamination at the site
- b) A site investigation scheme, based on a) to provide information for an assessment of the risk to all receptors that may be affected;
- c) The site investigation results and the detailed risk assessment b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

Any changes to these agreed elements require the written consent of the Local Planning Authority. The scheme shall be implemented strictly as approved.

Reason: The application was made in outline form and further detailed assessment of the full risks associated with contamination and necessary remedial measures is still required to ensure that the development does not pose any threat to the environment or to health.

### **Contaminated Land: Remediation**

86. Where the risk assessment identified at **condition 85** above, identifies risks deemed unacceptable by the Local Planning Authority, a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants and/or gases when the Reserved Matters site is developed shall be prepared and submitted to the Local Planning Authority for approval. Any remediation scheme for contamination approved pursuant to this condition shall be fully implemented before the development within that Reserved Matters site commences. Any variation to the scheme shall be agreed in writing with the Local Planning Authority in advance of works being undertaken.

Reason: The application was made in outline form and further detailed assessment of the full risks associated with contamination and necessary remedial measures is still required to ensure that the development does not pose any threat to the environment or to health.

### **Contaminated Land: Verification Report**

87. Prior to the occupation of any part of the development in which Reserved Matters approval is sought, a verification report demonstrating completion of the works set out in the approved

remediation strategy required at condition 86 (if applicable), which shall include detailed reports outlining the effectiveness of the remediation, shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the remediation criteria for that Reserved Matters site have been met. It shall also include, where relevant, any plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

Reason: The application was made in outline form and further detailed assessment of the full risks associated with contamination and necessary remedial measures is still required to ensure that the development does not pose any threat to the environment or to health.

### **Unsuspected Contamination**

88. If, during development, contamination not previously identified is found to be present at the site then no further development within that Reserved Matters site shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amended investigation and risk assessment, and where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Prior to the occupation of any part of a Reserved Matters site in which contamination not previously identified is found present, a verification report demonstrating completion of the works as specified in the approved remediation strategy (as required by this condition), and which outlines the effectiveness of the remediation, shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out to demonstrate that the remediation criteria for that Reserved Matters site have been met. It shall also include, where relevant, a plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action for the reporting of this to the Local Planning Authority.

Reason: The application was made in outline form and further detailed assessment of the full risks associated with contamination and necessary remedial measures is still required to ensure that the development does not pose any threat to the environment or to health.

### **Air Quality**

89. The development hereby permitted shall be carried out strictly in accordance with the Air Quality monitoring strategy as submitted to and approved pursuant to application reference 7\_49/1116/15/DIS.

Reason: To safeguard the amenities of future occupants of the residents.

### **Infrastructure**

90. Detailed plans and particulars of the Reserved Matters submitted to the Local Planning Authority for approval pursuant to condition 4 shall include details for serving each building with High Bandwidth communication infrastructure. No development within that Reserved Matters site shall be commenced until such details have been approved in writing by the Local Planning Authority.

Reason: To ensure that the development is carried out in a satisfactory manner.

91. Unless otherwise agreed in writing by the Local Planning Authority, all pipes, meter boxes, fibre wires, and cables required by statutory undertakers and all other appropriate bodies, including telephone cabling, shall be placed underground or in suitably concealed locations that are not visually prominent.

Reason: In the interests of visual amenity.

92. No dwelling hereby permitted shall be occupied until a Sign Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall detail how destinations within and external to the site are to be signed to vehicular, pedestrian and cycle traffic, including Street Naming, and how Sherford as a destination is to be signed from outside the site. The approved Sign Strategy shall be implemented in accordance with the timetable contained therein. The development shall proceed strictly in accordance with the approved Strategy.

Reason: To ensure that unnecessary journeys resulting from misdirection, air pollution and street clutter due to sign proliferation, can be reduced.

### **Archaeology**

93. A programme of archaeological work shall be secured and implemented in accordance with the Written Scheme of Investigation as submitted to and approved pursuant to application reference 7\_49/0200/15/DIS.

Reason: To ensure that a record of archaeological features is made and kept available for inspection and that any revealed features of importance may be retained if necessary.

94. If, during the course of the works of development, archaeological features not previously identified are found to be present, work shall immediately stop until the Local Planning Authority has approved the means of the retention or recording of those features.

Reason: To ensure that a record of such features is made and kept available for inspection and that any revealed features of importance may be retained if necessary.

95. Access shall be afforded at all reasonable times to any archaeologist nominated by the Local Planning Authority to observe the excavations and record items of interest and finds.

Reason: To ensure that a record of such features is made and kept available for inspection and that any revealed features of importance may be retained if necessary.

### **Public Toilets**

96. No development shall commence beyond 4000 dwellings within the site until at least two public toilet facilities have first been made available for public use, such public toilet facilities to be located as follows:

- (i) at the Park and Ride facility; and
- (ii) in the town centre

The facilities shall not be constructed until details and particulars pursuant to **condition 4** have been submitted to and approved in writing by the Local Planning Authority. Such details shall include its size, capacity, lighting arrangements, and will also provide separate facilities for male and female disabled users as well as for baby changing. Details of maintenance arrangements, including the times of the day it is available for public use shall also be provided. The development shall proceed strictly in accordance with the approved details, and maintained in that manner thereafter.

Reason: To ensure the development is carried out in a satisfactory manner and because the application has been made in outline form and approval of these details is still required.

### **Local Materials**

97. The development hereby approved shall wherever practicable be constructed with materials sourced as follows;

- a) Up to 65% of bulk materials (by mass) and in any event no less than 35% of bulk materials (by mass) shall be derived from local sources (within 50 miles by road) of the development;



- b) The materials used in the construction of road and external hard surfaces within the development hereby approved shall utilise a 30% recycled content from local (within 50 miles by road) reclaimed or recycled sources;
- c) All bulk building materials to be used within the construction of the development hereby approved shall include 15% (as a percentage of the value of materials used) recycled content;
- d) 100% of construction timber used in the construction of the development hereby approved shall be Forest Stewardship Council certified or equivalent and preference shall be given to renewable locally sourced and milled timber from within the Devon or South West area.

Reason: To reduce the distance building materials to the site are required to travel in the interests of sustainability, and also the local economy.

### **Minerals Buffer**

98. A Minerals Buffer Zone as shown on details submitted to and agreed pursuant to application reference 7\_49/1117/15/DIS shall be provided, and development shall be located within the Buffer Zone unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that the amenities of future users of the development are safeguarded from impacts associated with Moorcroft Quarry, and to set a framework for future reserved matters applications.

### Main Street Conditions (Conditions 99 to 109) below refer specifically to development within the Main Street application)

99. The development of the Main Street, unless stated otherwise by the following conditions, shall be carried out in accordance with the details set out within the Main Street: Deep Lane Junction to Stanborough Cross January 2008 book, and the Main Street: Deep Lane to Stanborough Cross Addendum May 2009 with the exception of the following drawings submitted with this amendment;

BARTON WILLMORE 25142\_BRL\_PL003\_Rev B Landscape General Arrangement, S73 Application; 25142\_BRL\_PL004\_Rev B Landscape Proposals Plan Colour, S73 Application; 25142\_BRL\_PL202\_Rev B Planting Plan and Schedule, S73 Application; 25142\_BRL\_PL005\_Rev B Streetscape General Arrangement & Planting, Sheet 1 S73; 25142\_BRL\_PL006\_Rev B Streetscape General Arrangement & Planting, Sheet 2 S73; 25142\_BRL\_R001\_Landscape Management Plan including Maintenance Schedule; 25142/A5 Rev 06 – Detailed Design Code Compliance report, May 2016 25142\_9906\_Rev A Proposed Site Plan Section 73 Application

BROOKBANKS 10334-003-001 Traffic Management Context Plan; 10334-010-001 CDM Responsibilities; 10334-100-201\_C School Access General Arrangement; 10334-100-211\_A School Access Vehicle Tracking Sheet 1; 10334-100-212\_A School Access Vehicle tracking Sheet 2; 10334-120-201\_C School Access Location Plan; 10334-150-201\_A School Access Standard Details Sheet 1; 10334-150-202\_B School Access Standard Details Sheet 2; 10334-150-203 School Access Standard Details Sheet 3; 10334-500-201\_E School Access Drainage; 10334-500-220 Surface Water Overland Flows Layout; 10334-510-201\_A School Access Catchment Areas; 10334-700-201\_B School Access Paving & Kerbing; 10334-800-201\_A School Access Long Sections; 10334-1400-201\_B School Access Lighting Design; 10334-SK-213\_A School Junction Arrangement; 10334-SK-214\_A School Junction Arrangement; C151321-S-L-13 T2; 10334TN06Rv0 – Technical Note: Response to Highway Comments; 10334TN07Rv0 – Technical Note: Primary School Entrance; 10334TN08Rv0 – Technical Note: The Square Operation; Sherford LPA EA Drainage comments Rev2; Sherford LPA DCC Drainage comments Rev1; Stage 1 RSA Sherford with design response comments; 10376 FRA-ADD01 Rev 2

Reason: To ensure that development of the Main Street sections of the application is carried out in accordance with the submitted details.

100. Development in respect of Stage 1 of Main Street, as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009 shall be carried out in accordance with the details submitted to and approved pursuant to application reference number 49/1588/15/DIS. Prior to commencement of construction of Stages 2 and 3 of the Main Street as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009, details for its hard surfacing, including footways that are included within this detailed approval, shall have been submitted to the Local Planning Authority for approval in writing. Such details shall include proposals for all guard-railing, stone walling, iron work, street lighting, tree grills, pavers, kerbing, details and dimensions of kerb up stands, gutter sets, channel types, measures to assist visually impaired pedestrians, verge materials and markings. The Main Street shall be completed in its entire form strictly in accordance with the approved details prior to the occupation of 1300 dwellings.

Reason: To ensure a sense of place is achieved for the Main Street by the careful use of materials and layout.

101. Development in respect of Stage 1 of Main Street, as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009 shall be carried out in accordance with the details submitted to and approved pursuant to application reference number 49/1588/15/DIS. Prior to commencement of construction of Stages 2 and 3 of the Main Street as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009, details of all soft landscaping works to be located within that section of the Main Street detailed area, shall have been submitted to the Local Planning Authority for approval in writing. These details shall include planting plans at a scale of 1:500 and will indicate the proposed location, number of species, variety, stock size at planting and density of new planting and phasing of new planting. Details shall also include written specifications of planting operations including ground preparation, subsoiling, topsoiling, cultivation, soil improvement, mulching, aftercare and detail sections at a minimum scale of 1:20 to explain tree planting pit proposals. A timetable for the implementation of each of the proposed planting specified by this condition shall also be submitted with the detailed plans and particulars referred to in this condition. The landscaping shall be set out as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a sense of place is achieved for the Main Street by careful use of soft landscaping and appropriate planting.

102. Development in respect of Stage 1 of Main Street, as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009 shall be carried out in accordance with the details submitted to and approved pursuant to application reference number 49/1588/15/DIS. Prior to commencement of construction of Stages 2 and 3 of the Main Street as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009, detailed plans and particulars for the street furniture to be located in that section of the Main Street, including dimensions of pedestrian refuges and bus platforms together with adjacent carriageway widths, bus stops and shelters (including provision for Real Time Information) seating, litter bins, cycle stands, cycle parking facilities, carriageway markings, bollards and signs shall have been submitted to Local Planning Authority for approval in writing. A timetable for the implementation of the features specified by those details shall also be submitted with the detailed plans and particulars referred to

in this condition. The development shall take place strictly in accordance with the approved details.

Reason: To ensure a sense of place is achieved for the Main Street by careful use of street furniture as this detail is not known at this stage.

#### **Deep Lane east bound on and off-slip traffic signals**

103. Prior to the commencement of construction of any dwelling or community facility, improvement works to the existing traffic signals and junction layout at the Deep Lane east bound on and off slip road junction that are necessary to accommodate construction traffic at the development shall be carried out in accordance with the details and particulars submitted to and agreed pursuant to application reference 7\_49/1440/15/DIS.

Reason: To ensure adequate construction access for the development in its initial phases.

#### **Deep Lane Junction 'north' – Stage 1 and 2 works**

104. Notwithstanding the details shown on submitted drawing D108 875 – 702B as set out in the Main Street: Deep Lane to Stanborough Cross Addendum May 2009, full details of the proposed highway improvements in the area covered by this drawing shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any work to Stage 3 of the Main Street as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009. For the avoidance of doubt, the drawings required to be submitted shall detail how Stage 1 and 2 works to Deep Lane Junction including a new traffic signal junction at the Sandy Lane and Ridgeway junction, as identified on Figure: 3.1 GENERAL ARRANGEMENT SHOWING PROPOSED IMPROVEMENTS TO DEEP LANE INTERCHANGE, dated Aug 2007 as contained in the appendix "Technical Note 1 (v2) ref: D115162 MDCR" to the Transport Assessment Addendum, October 2007, shall be carried out. The junction improvement shall be carried out prior to the occupation of 1300 dwellings and strictly in accordance with the drawings approved pursuant to this condition.

Reason: To ensure adequate highway provision for phases of the development to the east of Brixton Road.

#### **Deep Lane west bound off-slip traffic signals**

105. Prior to the commencement of construction of any dwelling or community facility, improvement works to the existing west bound on and off slip road junction, that shall include the provision of traffic signals, as set out in the details and particulars submitted to and approved pursuant to application reference 7\_49/0502/15/DIS shall be completed and made operational

Reason: To ensure adequate construction access for the development in its initial phases.

#### **Deep Lane Junction 'south' – Stage 1 and 2 works**

106. Notwithstanding the details shown on submitted drawing D108 875 – 703D as set out in the Main Street: Deep Lane to Stanborough Cross Addendum May 2009, no work to Stage 3 of the Main Street as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009 shall commence until full details of the proposed highway improvements in the area covered by this drawing have been submitted to and approved by the Local Planning Authority. For the avoidance of doubt, the submitted drawings shall detail how Stage 1 and 2 works to Deep Lane Junction as identified on Figure: 3.1 GENERAL ARRANGEMENT SHOWING PROPOSED IMPROVEMENTS TO DEEP LANE INTERCHANGE, dated Aug 2007 as contained in the appendix "Technical Note 1 (v2) ref: D115162 MDCR" to the Transport Assessment Addendum October 2007, shall be carried out. The junction improvement shall be carried out prior to the occupation of 1300 dwellings and strictly in accordance with the drawings approved pursuant to this condition.

Reason: To ensure adequate highway provision for phases of the development to the east of Brixton Road.

107. Development of the Stage 3 section of the Main Street as defined on Fig 2.8 Revision 4 of the Transport Assessment Addendum 2 May 2009 as received by the Local Planning Authority on 2<sup>nd</sup> July 2009 shall not commence until detailed plans and particulars of the design and construction of the proposed bridge in the location shown on D108 875 742F as set out in the Main Street: Deep Lane to Stanborough Cross Addendum May 2009, have been submitted to and approved by the Local Planning Authority. Such design and construction details shall be in general accordance with the drawing on sheet 15 of the Main Street booklet. The details and materials of ancillary structures including roofing and fenestration shall be submitted to and approved by the Local Planning Authority prior to the commencement of development of the Stage 3 section of the Main Street.

Reason: To ensure that details and particulars of this landmark feature are provided to enable a proper assessment of this element of the Main Street which have not been provided as part of the detailed element of this application.

108. A landmark feature shall be designed and erected in accordance with plans submitted to and approved by the Local Planning Authority in the square-about shown on drawing D108 875 742F as set out in the Main Street: Deep Lane to Stanborough Cross Addendum May 2009. The landmark feature shall be erected within a timescale previously agreed with the Local Planning Authority. Notwithstanding drawing D108 875 742F, as set out in the Main Street: Deep Lane to Stanborough Cross Addendum May 2009, the details of the square-about shall be submitted to and approved by the Local Planning Authority to accommodate the landmark feature and including pedestrian friendly features to the satisfaction of the Local Planning Authority.

Reason: To ensure that details and particulars of this landmark feature are provided to enable a proper assessment of this element of the Main Street which have not been provided as part of the detailed element of this application.

109. Notwithstanding details submitted on the Main Street drawings all details of the bat crossing structures both under- and over-ground and associated tree planting shall be submitted to and approved by the Local Planning Authority in respect of each Phase of the Main Street Development hereby authorised prior to commencement of any construction on that Phase of the Main Street. For the avoidance of doubt, the bat structure associated with Stage 1 of the Main Street Development that is situated to the east of Vinery Lane has been agreed, and shall be carried out in accordance with the details submitted to and approved pursuant to application reference 7\_49/0351/15/DIS.

Reason: To ensure a satisfactory provision is made for bats in harmony with highway integrity and safety.

#### **As Directed by the Secretary of State for Transport**

110. No more than 1300 dwellings shall be occupied within the Sherford Masterplan Area (in Plymouth as defined by Planning Application 06/02036/OUT, 16/00247/OUT and 17/00998/S73 and South Hams District as defined by Planning Application 7\_49/2426/06/O, 0484/16/VAR and 1593/VAR) until a Park and Ride facility comprising of at least 500 car parking spaces is operational and has been confirmed as being so, in writing, by the Local Planning Authority. The Park and Ride facility shall be sited broadly in the location identified on the Key Fixes Diagram Ref: DRN2.

Reason: To ensure that the development is phased appropriately in association with neighbouring development to reduce the highway congestion in the interests of public safety, convenience and amenity.

111. No more than 4000 dwellings shall be occupied within the Sherford Masterplan Area (in Plymouth as defined by Planning Application 06/02036/OUT, 16/00247/OUT and 17/00998/S73 and South Hams District as defined by Planning Application 7\_49/2426/06/O, 0484/16/VAR and 1593/17/VAR) until a park and ride facility comprising of at least 1000 car parking spaces is operation and has been confirmed as being so, in writing, by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development is phased appropriately in association with neighbouring development to reduce highway congestion in the interests of public safety, convenience and amenity.

112. Prior to the commencement of construction of any dwelling or community facility, improvement works to the existing west bound on and off slip road junction, that shall include the provision of traffic signals, as set out in the details and particulars submitted to and approved pursuant to application reference 7\_49/0502/15/DIS shall be completed and made operational

Reason: To ensure that the development is phased appropriately in association with neighbouring development in the interests of highway safety.

113. Notwithstanding the details shown on submitted drawings D108 875-700D, D108 875-702B and

D108 875-703D as set out in the Main Street: Deep Lane to Stanborough Cross Addendum May

2009 no more than 1300 dwellings shall be occupied within the Sherford Masterplan Area (in Plymouth as defined by Planning Application 06/02036/OUT, 16/00247/OUT and 17/00998/S73 and South Hams District as defined by the Planning Application 7\_49/2426/06/O, 0484/16/VAR and 1593/17/VAR) until the highway works to A38 Deep Lane junction as shown on the Scott Wilson drawing D108 875-SK-H200B (received by the Highways Agency on the 10<sup>th</sup> November 2011) or an acceptable alternative, are in place, are operational and have been confirmed as being so the Local Planning Authority and the Highways Agency. In addition to the details shown on the drawings referred to in this condition, the highway works to A38 Deep Lane junction mentioned in this condition shall also incorporate appropriate facilities for pedestrians to cross the west bound A38(T) on-slip at its junction with the B3416 and such shall be installed concurrently with the highway works to the written satisfaction of the Local Planning Authority and Highways Agency.

Reason: To ensure that the development is phased appropriately in association with neighbouring development in the interests of highway safety.

## **INFORMATIVES**

1. This Decision Notice refers to the plans and documents; Masterplan Book January 2008 as superseded and supplemented by Masterplan Book Addendum May 2009 and April 2017; Town Code July 2017rev3; Main Street: Deep Lane Junction to Stanborough Cross January 2008 as superseded and supplemented by Main Street: Deep Lane to Stanborough Cross Addendum May 2009; Transport Assessment November 2006 as superseded and supplemented by Transport Assessment Addendum October 2007 and Transport Assessment Addendum 2 May 2009 including Fig 2.8 Revision 4 July 2009 to the Transport Assessment Addendum 2; Retail Impact Assessment November 2006; Environmental Statement November 2006 as superseded and supplemented by Environmental Statement Addendum October 2007 and Environmental Statement Addendum 2 May 2009 and supplementary information to Natural England dated 07.12.07 as amended by supplementary information to Natural England dated 07.12.07 Addendum May 2009 including the ES clarification letter received by the Local Planning Authority on 2nd July 2009; Environmental Statement Non-technical Summary November 2006 as superseded and

supplemented by Environmental Statement Non-technical Summary May 2009; Report to Inform an Appropriate Assessment Addendum October 2007; and Flood Risk Assessment November 2006 as superseded and supplemented by Flood Risk Assessment Addendum October 2007. And in respect of the amendments sought in this application, the following drawings;

BARTON WILLMORE 25142\_BRL\_PL003\_Rev B Landscape General Arrangement, S73 Application; 25142\_BRL\_PL004\_Rev B Landscape Proposals Plan Colour, S73 Application; 25142\_BRL\_PL202\_Rev B Planting Plan and Schedule, S73 Application; 25142\_BRL\_PL005\_Rev B Streetscape General Arrangement & Planting, Sheet 1 S73; 25142\_BRL\_PL006\_Rev B Streetscape General Arrangement & Planting, Sheet 2 S73; 25142\_BRL\_R001\_Landscape Management Plan including Maintenance Schedule; 25142/A5 Rev 06 – Detailed Design Code Compliance report, Feb 2016 (updated May 2016); 25142\_9906\_Rev A Proposed Site Plan Section 73 Application

BROOKBANKS 10334-003-001 Traffic Management Context Plan; 10334-010-001 F10 CDM Responsibilities; 10334-100-201\_C School Access General Arrangement; 10334-100-211\_A School Access Vehicle Tracking Sheet 1; 10334-100-212\_A School Access Vehicle tracking Sheet 2; 10334-120-201\_C School Access Location Plan; 10334-150-201\_A School Access Standard Details Sheet 1; 10334-150-202\_B School Access Standard Details Sheet 2; 10334-150-203 School Access Standard Details Sheet 3; 10334-500-201\_E School Access Drainage; 10334-500-220 Surface Water Overland Flows Layout; 10334-510-201\_A School Access Catchment Areas; 10334-700-201\_B School Access Paving & Kerbing; 10334-800-201\_A School Access Long Sections; 10334-1400-201\_B School Access Lighting Design; 10334-SK-213\_A School Junction Arrangement; 10334-SK-214\_A School Junction Arrangement; C151321-S-L-13 T2; 10334TN06Rv0 – Technical Note: Response to Highway Comments; 10334TN07Rv0 – Technical Note: Primary School Entrance; 10334TN08Rv0 – Technical Note: The Square Operation; Sherford LPA EA Drainage comments Rev2; Sherford LPA DCC Drainage comments Rev1; Stage 1 RSA Sherford with design response comments; 10376 FRA-ADD01 Rev 2 Flood Risk Assessment with Appendices; 10376 TS01 Rev3 Transport Statement; 10376 Rev 1 Construction, Environmental and Management Plan (CEMP); 10334 TN03 Rev 1 Lighting Statement

2. This Decision Notice also refers specifically to the following Plans that are included within the above documentation;

Sherford Town Plan - [DRN1] - as listed at Figure 1 Chapter 1 of the Masterplan Book January 2008; "Illustrative Masterplan" page 6 of the Town Code July 2017rev3; and 038-III/11.1001 Rev OPA/1 of Main Street; Deep Lane Junction to Stanborough Cross January 2008.

Key Fixes Diagram - [DRN2] - as listed at Figure 1 Chapter 4bii of the Masterplan Book January 2008; and "Key Fixes Plan" page 15 of the Town Code July 2017rev3.

Commercial Land Uses Plan - [DRN3] - as listed at Figure 1 Chapter of the Masterplan Book January 2008; and "Landuse Plan" page 25 Town Code July 2017rev3.

Surface Water Drainage Strategy - [DRN4a & DRN4b] - as listed at Figure 3a and 3b Chapter 4biv of the Masterplan January 2008.

Foul Water Drainage Strategy - [DRN5] - as listed at Figure 2 Chapter 4biv of the Masterplan Addendum May 2009.

Landscape Masterplan - [DRN6] - as listed at Figure 3 Chapter 4bvi of the Masterplan January 2008.

Landscape Strategy - [DRN7] - as listed at Figure 2 Chapter 4bvi of the Masterplan January 2008; and "Green Structure Plan" Page 31 of the Town Code July 2017rev3.

LEAPs and NEAPs Zones Diagram [DRN8] - as listed at Figure 11 Chapter 4bviii of the Masterplan January 2008; and "Play Facilities Plan" Page 43 of the Town Code July 2017rev3.

Internal Cycle Route Network - [DRN9] - as listed at Figure 2 Chapter 4bviii of the Masterplan Addendum May 2009a; and D115800-700-001 Rev J Main Street; Deep Lane Junction to Stanborough Cross Addendum May 2009.

Neighbourhood and Neighbourhood Centres - [DRN10] - as extracted from DRN2 and DRN3.

Key Fixes Diagram FOR SCALING - [DRN11] - To be scaled only from a fully re-produced A0 plan.

Plans DRN1 - DRN10 are to be used in the interpretation of the planning conditions attached to this permission. For scaling purposes, use only an accurately reproduced A0 version of DRN11

3. This permission is to be read in conjunction with the Section 106 Obligation dated xxxx, 26<sup>th</sup> October 2016 and 12<sup>th</sup> November 2013 between Plymouth City Council, South Hams District Council, Devon County Council, Red Tree (2004) LLP, and others AND for the avoidance of doubt the 'commencement of development' defined in the S106 Obligation refers to the requirements of that S106 Obligation and not to the requirements of this Decision Notice.
4. In this permission, reference to the "Western Neighbourhood", "Town Centre Neighbourhood", "Southern Neighbourhood" and "Eastern Neighbourhood" refer to the areas so named and delineated on the Neighbourhood and Neighbourhood Centre Plan (Ref DRN10) attached to this permission. References to "Neighbourhood" or "Neighbourhoods" shall be read as referring to any one or more of them as the context requires.
5. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended, in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with the National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.