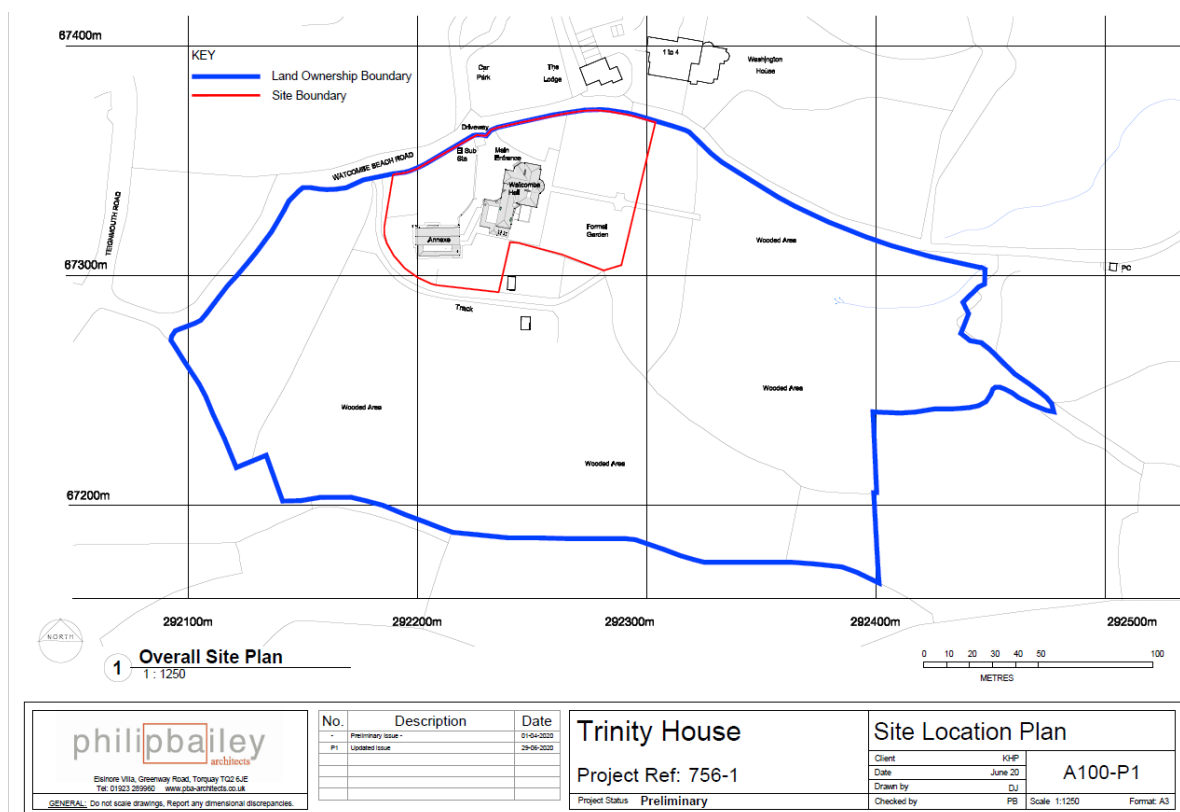


TORBAY COUNCIL

Application Site Address	Watcombe Hall, Watcombe Beach Road, Torquay
Proposal	Conversion of existing care home into 8 flats & 4 houses with extensions, alterations & landscaping. Demolition of single storey link building & boiler house.
Application Number	P/2020/0627
Applicant	KHP (Trinity House) Ltd
Agent	Philip Bailey Architects Ltd
Date Application Valid	03.07.2020
Decision Due date	02.10.2020
Extension of Time Date	13.11.2020
Recommendation	Conditional approval
Reason for Referral to Planning Committee	Major Planning Application
Planning Case Officer	Mr Alexis Moran



Site Details

The application site is a 19th Century villa which was last in use as a care home, the applicant's design and access statement advises that the care home use ceased in 2017.

It is located within the Watcombe Conservation Area, in which it is described as a key building, it is also within the Countryside Zone and Undeveloped Coast allocations within the Local Plan.

Vehicular access to the site is accessed via Watcombe Beach Road, which is a no through road, providing access to the site, to the beach car park and some residential properties (namely The Lodge, Watcombe Court, and Washington House).

Description of Development

This planning application seeks planning permission for a change of use and refurbishment of Watcombe Hall and the annexe building within its grounds to provide 12 units of accommodation made up of 8 apartments within the main building and the conversion of the annexe into 4 houses.

The main building is to have a minor first floor extension to the southern end to increase the size of unit, the extension will be in matching materials. The elevations will have minor alterations to windows to suit the layout of the conversion.

The annexe building is to be extended to the rear at first floor level and the windows and doors will be reconfigured to suit the proposed layouts. The existing link building between the main villa building and the annexe is to be demolished.

The area around the villa will be maintained to respect the formal gardens with limited alterations to create private gardens to the ground floor units where practical.

The car parking area to the front of the villa is to be reconfigured to provide parking to the apartments. Part of the villas gardens will be subdivided to provide gardens to the ground floor apartments, the remainder would be communal garden.

The areas to the front and rear of the annexe will be sub divided to provide private gardens and a dedicated parking area will also be provided.

The parking areas include electric charging points and bin and cycle stores are also proposed for the new residential units.

Pre-Application Enquiry

Not submitted, the applicant advised within the design and access statement the Council were not offering a pre-application consultation service due to Covid-19, this is however, incorrect.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Torbay Local Plan 2012-2030 ("The Local Plan")
- The Torquay Neighbourhood Plan

Material Considerations

- National Planning Policy Framework (NPPF)
- Planning Policy Guidance (PPG)
- Published Standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report.

Relevant Planning History

None

Summary of Representations

One letter of objection to the scheme had been received at the point at which this report was written.

The concerns (of planning merit) raised are as follows:

- Impact on highways
- Overdevelopment within the conservation area
- Impact on the character of the area and wildlife

Summary of Consultation Responses

Council's Heritage Advisor:

The proposal is a suitable development that would enable the continued use of the building and would result in improvements in the quality of the original villa building after the removal of extensions and other alterations that currently have a negative impact on the quality of the building and its contribution to the Conservation Area. However, the conversion of the annexe building requires further consideration to ensure its subdivision and appearance is suitable for its setting within the context Watcombe Park Conservation Area.

This conclusion has been reached in relation to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Recommendations.

Where alterations are proposed to external openings, works should be undertaken with particular care to ensure the historic fabric is preserved and necessary works of making-good should be carried out to match the existing original adjacent work in respect of materials used, detailed execution and finished appearance.

Police Architectural Liaison Officer:

Having reviewed the planning application for the proposed scheme please find the following advice and recommendations from a designing out crime, fear of crime and antisocial behaviour perspective, which are submitted in addition to the SBD review and also to clarify a few matters:-

- 1. The overall site boundary must be securely intact and where possible any structures or features that could be used to climb over the boundary should be removed*

To ensure that the security of the site boundary is not undermined the vehicular access gate and any associated pedestrian gates should meet the required standards as referenced in Homes 2019

- 2. One of the main concerns I have raised with the designers is the proposed parking provision of just 8 spaces for the main house and how this is likely to prove woefully insufficient, particularly when taking into account the overall number of bedrooms*

It is appreciated that there is a public car park in close proximity but in reality it is likely that future residents will either want to see their vehicle/s or at least know they are secure. As such the limited onsite parking could lead to unplanned parking. It is strongly recommended that if at all possible some additional on-site parking is factored in to try and design out the potential for upset and angst amongst residents due to parking related problems

- 3. It is also considered that the 8 bike racks for the 8 apartments will prove insufficient which could result in bikes being left insecure or stored so that they are not overly accessible. Also due to space constraints it is fully appreciated why the vertical cycle racks are being proposed but these can prove difficult to use for some people*

The communal bike store must meet the security requirements highlighted in section 56 of SBD Homes 2019

- 4. The lighting issues for the scheme have been discussed and a compromise met with regard to the bollard lighting in the parking areas in as much as they are acceptable as long as they are better positioned so the limited light they do emit is not hindered by parked vehicles*

I have recommended that the security lights for each primary entrance, annexe and main house, will be of a type that has options for the occupants e.g. dusk till dawn, manual switch to turn on and off as required and a sensor option

- 5. To provide ownership and control over the space it is recommended that only residents of the main house are provided access to the communal gardens.*

As such this may have an impact on the height and type of dividing boundary between the annexe and the main house

- 6. To improve security measures the private rear access gate for the end terrace should not be accessible from the path of the main house*
- 7. All private gates that lead to rear gardens must be capable of being locked from both sides with a fit for purpose locking mechanism as this will enable rear gardens to be secured regardless of access or egress*
- 8. I raised a query with the designers as to how the occupants of the 2 middle terraced houses would gain access to their rear gardens without having to go through the house. It is my understanding that private rear access for these plots will be factored in*
- 9. With regard to mail delivery I have been advised that the main house will have approved external wall mounted and 'through the wall' mailing systems*

Community Safety:

No objections subject to the inclusion of the following condition relating to a construction management plan.

Arboricultural Officer:

No objection

Strategic Planning:

Former Victorian villas are often not best suited to meet the needs of modern care homes. In addition the location is somewhat more remote from shops and other surgeries than is ideal. On this basis the conversion into residential accommodation is supported in terms of Policy H6 of the Local Plan and TH5 of the Neighbourhood Plan. The reuse of brownfield land and contribution towards housing land supply are also factors in the application's favour.

The site raised a number of conservation and landscape/ecology considerations as it is a Victorian Villa located in the Watcombe Conservation Area. It is also within the countryside area and undeveloped coast. Therefore achieving a sympathetic conversion that conserves or (ideally) enhances the character and appearance of the conservation area will be important planning considerations. Policy TT2 and TH8 of the Neighbourhood Plan, and SS10 of the Local Plan are relevant with regard to conservation enhancements. Policy C1.6 and C2 of the Local Plan allow for the sensitive conversion of buildings in the countryside/ undeveloped coast, so long as the unspoilt landscape character is maintained. Policy TS4 of the Neighbourhood Plan also supports development of brownfield sites in principle.

The site is within CIL charging zone 3, and would be chargeable at £120 per sq m of new floorspace (on the basis that it appears to have been vacant for 3 years).

Subject to these detailed considerations, the proposal is supported in principle.

Natural England:

No objection

Torbay Council Drainage Engineer:

As the development is located in Flood Zone 1 and the developer is proposing to discharge his surface water drainage using soakaways, please use the recently agreed standing advice for this planning application.

Torbay Council Highways Consultant:

Following a review of the updated fire engine swept path analysis, and a review of the Torbay Highway Design Guide Revision 7 June 2020 in relation to visibility at the access, no objection.

Key Issues/Material Considerations

Planning Officer Assessment

Principle of development

The matters for consideration are:

1. Principle of Development
2. Design and Visual Impact on Conservation Area
3. Impact on Amenity
4. Trees and Ecology
5. Flooding and Drainage
7. Highways Impact
7. S106
8. Other Considerations

1. Principle of Development

In terms of the principle of a residential use Policy H1 of the Torbay Local Plan states that proposals for new homes will be supported subject to consistency with other policies in the Local Plan. Torquay Neighbourhood Plan Policy TS4 (Support for Brownfield and Greenfield development) states that development proposals for brownfield sites will be supported, providing there are no significant adverse impacts, having regard to other policies in this plan.

Policy H6 (Housing for people in need of care) advises that proposals involving the loss of existing care accommodation will be supported where the facilities are not needed, or it does not represent the most appropriate way of delivering care. Where such a change of use is agreed, the creation of family homes or employment space will be encouraged.

Policy TH5 (Sustainable later life homes) of the Torquay Neighbourhood Plan supports care homes where their location makes them easily accessible by walking or public transport to shops, the town centre and community facilities. The site is not in a sustainable location and based on the aforementioned policies, it is considered that the conversion of the former care home to residential accommodation should be supported in this instance.

The site is within the Countryside Zone, Policy C1 advises that in the open countryside, away from existing settlements, and in rural areas surrounding the three towns of Torbay, development will be resisted where this would lead to the loss of open countryside or creation of urban sprawl, or where it would encourage the merging of urban areas and surrounding settlements to the detriment of their special rural character and setting. The policy allows for sensitive conversion, alteration and extension of existing buildings within these areas, the proposal is deemed to be a sensitive conversion which includes suitably sized extensions.

Policy C2 (The coastal landscape) states that development will not be permitted in the undeveloped coastal area unless proposals satisfy the following requirements:

1. Maintain the unspoilt character of the coastline, coastal landscape and seascape;
2. Maintain or improve public access for recreation; and
3. Provide sensitively designed development, including tourism uses, where there are clear economic or sustainability benefits that cannot be realised in alternative locations.

The Policy advises that within the developed areas of coast, development will be permitted where it provides benefit to Torbay's economy and does not unacceptably harm the landscape character and appearance of natural, historic or geological assets.

The proposal is for the conversion of existing buildings, with some small extensions, which would maintain the visual amenity of the area and as such is considered to be compliant with Policy C2.

With regards of other relevant matters of principle, the Council is currently falling short of its 5-year housing land supply and this proposal would make a contribution to the shortfall. As the Council cannot demonstrate a 5 year housing land supply the tilted balance in favour of sustainable development is applicable as required by paragraph 11 of the National Planning Policy Framework (NPPF) whereby plans and decisions should apply a presumption in favour of sustainable development. It is relevant to note that the Council can demonstrate a 3 year housing land supply which means that policies within the Torquay Neighbourhood Plan remain up to date, however there is no in-principle policy conflict within the Torquay Neighbourhood Plan in light of the aforementioned Policy TS4.

Bearing the above policies in mind, there is broad support for the provision of a residential use on the site, particularly given the current shortfall of a 5-year housing land supply, subject to wider policy considerations that are relevant to the development proposal.

2. Design and Visual Impact on Conservation Area

The National Planning Policy Framework states that one of the core land-use planning principles that should underpin decision taking is to always seek to secure high quality design. In addition it states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. New development should be sympathetic to local character and history, including surrounding built environment and landscape

setting.

Accordingly, Policy SS11 of the Torbay Local Plan states that development must help to create cohesive communities within a high-quality built and natural environment where people want to live and work and that development proposals will be assessed according to whether they achieve certain criteria as far as they are relevant and proportionate to the development. Criterion 3 refers to development that helps to develop a sense of place and local identity and criterion 10 refers to delivering development of an appropriate type, scale, quality, mix and density in relation to its location.

Following on from this, Policy DE1 states that proposals will be assessed against their ability to meet design considerations such as whether they adopt high quality architectural detail with a distinctive and sensitive palette of materials and whether they positively enhance the built environment.

Policy TH8 of the Torquay Neighbourhood Plan states that development must be of good quality design, respect the local character in terms of height, scale, and bulk; and reflect the identity of its surroundings.

The site is within the Watcombe Conservation Area, Policy SS10 of the Torbay Local Plan states that developments within the conservation area should sustain and enhance its character; this is in compliance with the NPPF. Indeed Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Policy DE1 states that development should be well designed, respecting and enhancing Torbay's special qualities and the character of the natural built environment including areas and buildings of historic interest.

The proposal is for the conversion of existing buildings on the site with some extensions to allow for additional accommodation. The extension to the original villa are sited so as to have limited visual impact and are considered to be of a suitable scale.

The extension to the annexe building is to the rear and would not be highly visible from outside the site. The conservation consultation points about the annexe building are noted. However its conversion to 4 dwellings is considered acceptable, the building is of sufficient scale to be converted as proposed without harming the character of the conservation area. The fenestration proposed to this building is an improvement on the current building and it would provide much needed houses towards the Council's 5 year housing supply.

Given the proposals' siting, layout, scale, and overall design, it is considered that the development would not result in any unacceptable harm to the character of the area or to the original property. Subject to the use of conditions to secure the use of high quality materials; a scheme of hard landscaping; boundary treatment details; external lighting, bicycle, and refuse storage arrangements, it is considered that the proposal is in accordance with Policies SS10, DE1, DE4, and SS11 of the Local Plan, Policy TH8 of the Torquay Neighbourhood Plan, and the guidance contained in the NPPF.

3. Impact on Amenity

Policy DE3 (Development Amenity) requires that all development should provide a good level of amenity for future residents or occupiers and should not unduly impact upon the amenity of neighbouring or surrounding uses.

The closest residential properties are some 40m away, a distance that is considered to be acceptable in terms of intervisibility/overlooking and in terms of any significant noise/disturbance issues. Within the development there are no significant overlooking issues or concerns with regards to loss of future amenity.

An assessment of the existing and proposed trip generation advises that the development would have a negligible impact on the highway and it is not considered that additional vehicle movements on the site would have an unacceptable impact on the amenity of existing neighbouring occupants or future occupants of the site.

The residential dwellings comply with the internal and external amenity spaces set out in the Torbay Local Plan and the Torquay Neighbourhood Plan. The ground floor flats would have gardens and a larger communal garden area is also provided. The site is also some 350m from Watcombe Beach and other public open spaces.

A suitable level of parking is also provided with a minimum of 2 parking spaces per dwelling provided and 1 parking space per apartment with an additional 1 disabled space.

Subject to the use of conditions requiring a construction demolition management plan and conditions to implement bin and cycle storage and of parking areas, it is considered that the proposals, would not result in unacceptable harm to the amenities of neighbours, in terms of their outlook, access, privacy, or other nuisances such as noise or light-intrusion. As such, the proposals are in accordance with Policy DE3 of the Local Plan.

4. Trees and Ecology

Policy C4 states that development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features. The site is currently very limited in terms of its landscape features.

A small cluster of trees and shrubs are to be removed to provide the parking area and access road to the converted annexe, compensation tree and shrub planting is proposed throughout the site. The Council's arboricultural officer has confirmed that the proposal is suitable for development on arboricultural grounds. A condition requiring the tree protective fencing to be installed during construction and in accordance with the submitted Tree Protection Plan is deemed necessary.

Policy NC1 seeks to conserve and enhance Torbay's biodiversity and geodiversity, through the protection and improvement of terrestrial and marine environments, and fauna and flora, commensurate to their importance. Policy TE5 of the Torquay

Neighbourhood Plan states that, where appropriate, an assessment of impacts upon any existing protected species or habitats should be undertaken, and the use of necessary mitigating arrangements, in order to protect and enhance species and habitats, should be provided.

The submitted Preliminary Ecological Appraisal recommends mitigation measures including the use of hedgehog friendly boundaries, the creation and management of wildlife buffer zones and biodiversity enhancements.

The submitted Bat Emergence Survey advises that at least 23 common pipistrelle use the east and west aspects of the existing annexe as a day roost. Without mitigation, the proposed works have the potential to disturb, injure or kill day roosting common pipistrelle. The survey includes appropriate mitigation against this which includes the timing of the works, creation of alternative temporary roosting provision prior to commencement of works on site and new roosting provision within the finished development.

Subject to a condition to ensure the development is undertaken in accordance with the proposed mitigation and monitoring measures proposed in the submitted ecology studies, it is considered there would be no significant long-term negative effects on biodiversity within the site and the development would be compliant with Policies SS8, SS9, C4 and NC1 of the Torbay Local Plan and Policy TE5 of the Torquay Neighbourhood Plan.

Habitats Regulations Assessment

The Lyme Bay and Torbay Special Area of Conservation (SAC) and Torbay Marine Conservation Zone (MCZ) lie approximately 350m east of the site.

A Habitats Regulations Assessment has been carried out on behalf of Torbay Council in relation to effects of the proposals alone or in-combination with other plans or projects on European sites. No Likely Significant Effects are considered on South Hams SAC qualifying habitats and species in view of the application's location and bat survey findings. The Council has concluded there would be no adverse effect on the integrity of Lyme Bay and Torbay SAC (and Torbay Marine Conservation Zone) as a result of the development.

5. Flooding and Drainage

Policy ER1 (Flood risk) states that development must be safe for its lifetime, taking account of its future use, function and government projections of how the risk of flooding may change in response to climate change. Development proposals will be expected to maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere.

The site is in flood zone 1 however it is part of the site is susceptible to surface water flooding. The applicant has advised that surface water drainage will be provided via soakaways which accords with the Council's drainage guidance. Subject to a condition stating that the drainage shall be undertaken in accordance with the submitted flood risk assessment, the proposal is deemed to comply with Policies ER1 and ER2 of the

Local Plan.

6. Highways Impact

Policies TA2 (Development Access) states that all development proposals should make appropriate provision for works and/or contributions to ensure an adequate level of accessibility and safety, and to satisfy the transport needs of the development. Policy TA3 (Parking Requirements) states that the Council will require appropriate provision of car, commercial vehicle and cycle parking spaces in all new development. Greater flexibility on levels of provision has been provided in town centres, where there is more opportunity to make journeys through walking and cycling. Appendix F provides figures on car parking requirements, for dwelling this states that 2 spaces per dwelling and 1 space per flat are required.

Policy TH9 of the Torquay Neighbourhood Plan states that new major developments must contribute to better pedestrian/cycle links where possible and encourage modal shift towards active travel. Policies THW5 (Access to Sustainable Transport), THW6 (Cycle Storage and changing facilities), and TTR2 (Sustainable Communities) are also of relevance.

The applicant is proposing 17 car parking spaces which is in-line with the Torbay Council standards which require 2 spaces per dwelling house and a single space per flat, with 1 disabled space. Electric charging points are also provided.

A bike shed will be located outside the apartment block for 8 covered and secure cycle storage units and each of the 4 dwellings will have garden sheds allowing storage of 2 cycles per dwelling (a total of 16 bicycle spaces).

The applicant has also undertaken an updated assessment to determine the number of trips generated by the existing site and those for the proposed use with a negligible difference between the existing and proposed trip generation. It is considered that the trip rates to be associated with the proposal are unlikely to result in unacceptable harm to the operation of the highway. The highways consultant has confirmed that the access is acceptable.

7. S106

The application attracts a S106 obligation of £95 per dwelling towards the South west Coastpath/Marine SAC which amounts to £1,140 for the development.

Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The NPPF definition of sustainability has three aspects which are economic, social and environmental. Each of which shall be discussed in turn:

The Economic Role

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development.

Once the dwellings is occupied there would be an increase in the level of disposable income from the occupants some which would be likely to be spent in the local area and an increase in the demand for local goods and services.

There are no adverse economic impacts that would arise from this development.

In respect of the economic element of sustainable development the balance is considered to be in favour of the development.

The Social Role

The principle social benefit of the proposed development would be the provision of additional housing. Given the NPPF priority to significantly boost the supply of housing the additional dwelling to be provided must carry significant weight in this balance.

Impacts on neighbour amenity have been discussed above where it is concluded that it would possible to manage any impact through a planning condition to reduce harm to residential amenity.

On balance, the social impacts of the development weigh in favour of the development.

The Environmental role

With respect to the environmental role of sustainable development, the elements that are considered to be especially relevant to the proposed development are impacts on ecology and biodiversity and surface and foul water drainage. These matters are considered in detail above.

The environmental benefits identified are marginal in the case of any biodiversity net gain, where it is proposed to require enhancement measures through condition.

The site is not within close proximity to town, local or district centres, however it is within walking distance of bus routes and local areas of outdoor amenity. The proposal will include bicycle storage and the proposed development would make use of a unused, empty building on a brownfield site.

It is concluded that the environmental impacts of the development weigh neutrally or slightly positively within the planning balance.

Sustainability Conclusion

Having regard to the above assessment the proposed development is considered to represent sustainable development.

The proposal makes use of existing buildings and in terms of Low Carbon Development, new walls, roofs and doors provide improvements results in the development fully applying with the national standards.

Community Infrastructure Levy

The residential aspect of the site is situated in Charging Zone 3 in the Council's CIL Charging Schedule; this means that all new floorspace will be charged at a rate of £70/sqm.

Statement on Human Rights and Equalities Issues

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equalities Act

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Conclusions and Reasons for Decision

The proposal is ultimately considered a good use of a brownfield site that would provide much needed housing to help meet local need.

The proposal is considered to be acceptable, having regard to the Local Plan, Torquay Neighbourhood Plan, and all other material considerations, subject to planning conditions.

Officer Recommendation

That planning permission be granted subject to the conditions detailed at the end of this report, with the final drafting of conditions delegated to the Assistant Director of Planning, Housing and Climate Change.

And the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Assistant Director of Planning, Housing and Climate Change, including the addition of any necessary further planning conditions or obligations.

Conditions

1. Notwithstanding the submitted Construction Management Plan, no development shall take place until a site specific Construction Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, & dust. The plan should include, but not be limited to:

- Procedures for maintaining good neighbour relations including complaint management.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:

08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.

- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Control measures for dust and other air-borne pollutants.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

The use of a pre-commencement condition is considered appropriate in this case as environmental and highways controls, relating to the building phase of the development, need to be agreed before the construction process begins.

2. No development, other than demolition, shall take place until details of the proposed cladding materials (walls and roof) and windows of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details, and shall be retained as such for the life of the development.

Reason: To ensure a satisfactory form of development and to comply with Policy DE1 of the Torbay Local Plan, and Policy TH8 of the Torquay Neighbourhood Plan.

3. The development shall be carried out in strict accordance with the mitigation, compensation and enhancement measures set out in section 5 of the submitted Preliminary Ecological Appraisal (ref: WOR 1331 V3 (Appraisal) received

02.07.2020) and section 5 of the Bat Emergence Survey (ref: WOR 1361-1362 v2 (bat survey) received 18.09.2020).

Reason: To ensure that the development duly considers protected species and biodiversity, in accordance with Policy NC1 of the Torbay Local Plan 2012-2030, and Policy TE5 of the Torquay Neighbourhood Plan.

4. No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive in any given year, unless prior to the commencement of works a detailed biodiversity survey by a competent ecologist has been submitted to and approved in writing by the Local Planning Authority. The survey shall include the details of the check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on the site. The development shall then be carried out in accordance with the details submitted.

Reason: In the interests of protected species and in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

5. The development shall be undertaken in accordance with the approved external lighting scheme (Ref: A501 P1 (External Lighting), received 02.07.2020) and shall be retained as such for the life of the development.

Reason: In the interests of amenity/biodiversity and in accordance with Policies DE3 and NC1 of the Adopted Torbay Local Plan 2012-2030

6. Prior to the first occupation of the dwellings hereby approved, the link building extension between the annexe and the villa shall be removed in accordance with Proposed Layout Plan A22 P9 (received 13.10.2020).

Reason: In the interest of visual amenity and in accordance with Policy DE1 & SS10 of the Adopted Torbay Local Plan 2012-2030.

7. All planting, seeding or turfing comprised within the approved landscaping scheme shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of a similar size and the same species..

Reason: In the interests of visual amenity and in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030.

8. Prior to the first occupation of the development hereby approved, details of all proposed hard landscaping shall have been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping details shall be provided within four weeks of the development being brought into use, and shall be retained for the life of the development.

Reason: In the interests of visual amenity and in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030.

9. No development shall take place until fences have been erected and any other protection measures put in place for the protection of trees and hedgerows to be retained in accordance with the approved Tree Protection Plan (ref:A501 P3 (TPP)), received 02.07.2020.

Reason: To protect the trees and hedgerows to be retained in the interests of the amenities of the area and biodiversity, in order to accord with saved Policies C4, NC1 and DE1 of the Torbay Local Plan 2012-2030. This is required prior to commencement to ensure no damage occurs to retained trees and hedges.

10. Prior to the first occupation of any of the residential dwellings hereby approved, the parking facilities, manoeuvring areas, and electric charging points shown on the approved plans shall be provided and thereafter permanently retained for the use of vehicles associated with the development.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with policy TA2 and TA3 (and associated appendix F) of the Torbay Local Plan 2012-2030.

11. Prior to the first occupation of any of the residential dwellings hereby approved, a scheme of boundary treatment shall be fully installed in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. These details shall include hedgehog friendly fencing/boundaries. Once provided, the agreed boundary treatment shall be retained for the life of the development.

Reason: In interests of visual and residential amenity and in accordance with Policy DE1 of the Adopted Torbay Local.

12. Should any contamination be found during the course of the development, all construction works shall cease until such time as a scheme of remediation has been submitted to and approved in writing by the Local Planning Authority. The development shall then proceed in full accordance with the approved details.

Reason: In the interests of addressing potential contamination in accordance with Policy ER3 of the Torbay Local Plan.

13. Prior to the first occupation of any of the dwellings hereby approved, bicycle and bin storage shall be provided in accordance with the approved plans. The bicycle and bin storage shall be retained for the life of the development.

Reason: In the interests of sustainable transport and in accordance with Policies TA1, TA2, and TA3 of the Torbay Local Plan, and Policy THW6 of the Torquay

Neighbourhood Plan.

14. Notwithstanding the provisions of Classes A to E of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or other alteration shall take place to the proposed dwellings within the application site, and no outbuildings or other means of enclosures shall be erected within the garden areas of these dwelling houses, unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

Reason: In interests of visual and local amenity and in accordance with Policies DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030.

15. In accordance with the submitted flood risk assessment, surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 30% for climate change unless an alternative means of surface water drainage is submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with saved Policy ER1 and ER2 of the Torbay Local Plan 2012-2030 and the guidance contained in the NPPF.

Relevant Policies

Torbay Local Plan

DE1 – Design

DE3 - Development Amenity

DE4 - Building heights

H1 – New housing on identified sites

H6 – Housing for people in need of care

ER1 – Flood Risk

ER2 – Water Management

NC1 - Protected sites - internationally import

TA2 - Development access

TA3 - Parking requirements

C1- Countryside and the rural economy

C2 – The Coastal landscape

C3 – Coastal change management

C4 - Trees, hedgerows and natural landscape

SS1 - Growth Strategy for a prosperous Torbay

SS10 – Conservation and the historic environment

SS11 – Sustainable Communities

SS12 - Housing

SS13 - Five Year Housing Land Supply

Torquay Neighbourhood Plan

TS4 - Support for Brownfield and Greenfield development

TH1 - Housing Allocations

TH2 - Designing out crime

TH5 - Sustainable later life homes

TH8 - Established architecture

TH9 - Parking facilities

TE5 - Protected species habitats and biodiversity

TE7 – Marine Management Planning

THW1 - Travel Plans

THW5 - Access to sustainable transport

THW6 - Cycle storage and changing facilities

TTR2 - Sustainable Communities

