

Application Number

P/2013/1229

Site Address

Land West Of Brixham Road, Paignton

Case Officer

Mr Alistair Wagstaff

Ward

Goodrington With Roselands

Description

Approval of reserved matters to P/2011/0197. Appearance, landscaping, layout and scale in relation to 314 dwellings and associated development.

Executive Summary/Key Outcomes

The development of White Rock is one of the biggest developments in the Bay, potentially generating around 1200 jobs. Outline consent was granted in April 2013 for almost 37,000 sq meters employment space, 350 new homes and a local centre. Members will recall that residential development, within the eastern part of the site, pump primes and secures early delivery of employment space within the Western Bowl.

The application that is subject of this report is for Reserved Matters for the appearance, landscaping, layout and scale of 312 dwellings and all associated road network, open space, and landscaping located in the eastern part of the White Rock development.

Implementation of the residential scheme triggers delivery of 20,000 sq ft of employment space, as well as making a significant contribution to the Council's 5 year housing land supply and will provide 62 affordable dwellings.

The proposed layout, scale and appearance of the scheme are considered acceptable in principle and will provide a high quality residential environment.

Whilst the principle of development is accepted (as approved in outline) there are three key issues, outlined below, that remain under discussion. Progress on these will be reported verbally to Members.

1. Noise impact assessment - Businesses in Torbay Industrial Estate are very valuable to Torbay's economy. It is important to ensure that their operation and success is not unduly affected by the residential development, specifically the potential of noise impacting on future residents to the northern boundary of the site. A considerable amount of work has already been undertaken on surveys, amending the layout and design of open space and sound proofing the closest new homes.

2. Highways safety - The current layout includes two 'green streets' which are

designed as shared spaces. Whilst these will add to the quality of the development, and are acceptable in principle, further work is needed to ensure pedestrian safety. Further revisions to the proposed layout should be provided in advance of the Committee meeting.

3. Landscaping - Changes to the layout of the development, to improve the quality of the residential environment created, have necessarily resulted in changes to the landscaping scheme. Revised drawings are awaited.

Subject to a satisfactory resolution to these three principle matters the development is considered acceptable.

Recommendation

Conditional Approval; delegated to the Director of Place; subject to a resolution of noise, highway safety, landscaping issues and submission of revised drawings re 'green streets'.

Statutory Determination Period

13 Weeks 19th February 2014, the application will be determined within 13 weeks subject to the decision of the committee.

Site Details

This reserved matters application covers the 'eastern bowl' of the wider White Rock site. The area of the site is at present grassed scrubland.

The site is in part split in two by the Waddeton Road and the newly constructed Roundabout. The roundabout is outside the application boundary and it, along with the new road layout, forms the north-eastern edge of the site. To the south the site is bordered by open farm land with a high hedge. This land forms part of the Off Site Landscape and Ecology Management Plan, which provides an extensive zone of tree planting to include a new woodland walk.

To the east of the roundabout lies the majority of the site, this section slopes upward with the highest point being the south west corner adjoining the open belt of recreation land associated with the outline application. This forms the western border of the site. There is a Devon Bank to the north with Torbay Business Park directly behind it.

The second section of the site is to the east of Waddeton Road. This section rises upward from northwest to southeast.

The land alongside Brixham Road provides space for the remaining 38 homes, to make up the 350 granted in outline. A separate application has just been received for that development and a verbal report will be provided to Members to show how development of the two sites can be achieved.

Detailed Proposals

The proposal is to construct 312 dwellings (2 have been removed during the application process) of which 62 are affordable houses (in line with the outline approval). The proposal also includes the provision of three areas of open space, one of which includes allotments. The principle access route to the site is the new Junction with Brixham Road, this will connect to the central roundabout then on to Waddeton Road and Long Road.

The development is broken down in to three character areas:

1. The 'Neighbourhood Core' focused around the primary route connecting Brixham Road with Long Road, with a dense urban form composed of terraced three storey buildings.
2. The 'Residential Core' which forms the majority of the site includes a range of secondary streets which stem from Waddeton Road and the new primary route. This includes two 'green streets' which are shared surfaces with road calming details. The properties along these streets have large front gardens with extensive tree planting including raised planters. The remainder of this area is a mix of streets and cul-de-sacs with semi-detached and detached properties of 2 storeys.
3. The 'Countryside edge' around the perimeter of the site, includes public open spaces, detached properties in spacious grounds and further trees and hedgerows providing a landscape dominated setting.

These three areas together help create a high quality and legible layout.

The north boundary of the site, which abuts Torbay Business Park, is sensitive and considerable care has been taken to reduce the potential of complaints from future residents. The part of the site adjacent to Falcon Plastics is made up of allotments and public open space. The part of the site adjacent to other business units (where noise is not an issue) will be two storey properties, with a mix of detached, semi-detached and terraced homes, of which have quite deep rear gardens. The properties are, at their closest, 18 meters in distance from the business park. A 3 metre acoustic fence is to be provided to the rear of these properties (nos 1-6) on top of the boundary mound and also the length of the proposed allotments.

The detailed layout includes changes as a result of guidance from the Design Review Panel, extensive pre-application discussions, and further negotiations during the course of the application.

EIA and HRA-

The outline application was subject to Habitats Regulation Assessment and had a detailed Environmental Statement submitted to support the application. This has resulted in detailed on and off site Landscape and Ecology Management Plans for the area.

The Reserved Matters application was received following an advance request for EIA screening. It has been concluded that there is no need for a further Environmental Impact Assessment in this case, following a screening process that included consideration of the likely impacts of the development on the environment and because this application is in accordance with the principle of the earlier outline EIA application.

Summary Of Consultation Responses

Arboricultural officer response The proposed numbers of trees and their planting location will provide better long term and sustainable amenity benefits than the previous version. Species type is still critically important. The main roads now contain more trees and have potential to create avenue effect. Further detail of the raised planters is still required.

Environment Agency No objections to the proposal providing development proceeds in accordance with the drainage strategy agreed in respect of application P/2011/0197.

Affordable housing Confirm support for the provision of 62 affordable homes, but require an accommodation schedule of the breakdown of the affordable units including proposed tenure splits.

Police Architectural Liaison Officer There is no reference to designing out crime within the Design and Access Statement. Taking steps to ensure the security and layout of the proposed development will provide reassurance to residents as well as increasing the sustainability for the site. Detailed comments have been provided covering the following areas; layout, Overlooking, access paths, defined public and private spaces, design of cul-de-sacs, defensible spaces, property design, and access points and pathways, and the 'pepper potting' of the affordable housing.

Conservation/ Urban Design Officer The scheme has been assessed against the criteria of Building for Life 12, as required by Condition 2 of the outline application. While a final assessment is yet to be completed provisional scoring is 9 greens, 2 ambers and 1 red, which exceeds the minimum requirement of the condition.

Environmental Health Latest comments to be reported at the Committee meeting

Summary Of Representations

3 representations, including One objection, and 2 letters of support (with issued identified)

Summary of representations:

British Falcon Plastics (occupies the adjoining property at Kemmings Close, Paignton within the industrial estate which lies immediately to the north of the site):

A detailed objection letter has been submitted. The objection is not to the principle of residential development itself but to the specific development proposed by Linden Homes. In particular the concern of British Falcon Plastics is the distance of the residential properties to the factory and the impact that the noise and operating hours (both current and future) will have on the residential amenity of the occupiers. The concern expressed by British Falcon Plastics is that the long term future of the business could be affected in the event of complaints that may arise from the future occupiers of the residential properties. British Falcon Plastics commissioned a review of the Hoare Lee noise assessment report (in support of the outline application by University of Exeter, the Centre for Energy and the Environment.

The review of the Hoare Lee report by Exeter University identifies a significant number of areas of concern. These are summarised by the objector as:

- i) major flaws identified in the way in which the findings have been manipulated, distorted or misrepresented,
- ii) the peak noises recorded in the sound surveys have not found their way into the calculations,
- iii) data has been presented in a misleading fashion,
- iv) tolerances have been stretched and the performance of noise mitigation methods exaggerated in order to prove that, by doing the bare minimum, acceptable noise levels can be achieved.

The objector concludes that the only way the development should proceed is to place the developer under a permanent and binding obligation at its own cost to ensure that the residents of its houses are provided with an environment which meets the 'good' criteria for acceptable noise levels. This is not only given the current level of noise emissions from the factory, but those that can be reasonably predicted in the future.

Summary of further representations:

Stoke Gabriel low-e: Welcome the standard of design at this key site. They state that the inclusion of the following is very positive:- cycle and bin stores, compost

bins, water butts, clothes driers, Building for Life standards, "pepper-potted" affordable provision, comprehensive landscaping design and planting schedule, pedestrian priority streets, and allotments.

However, on the negative side are:- Only 20% affordable housing, choice of materials, Code for Sustainable Homes level 3 for affordable housing only, no opportunity for self build, no reference to sustainability should have been the starting point for development, lack of natural materials with roof tiles, disappointing to see UPVC, and not timber windows and no provision for renewable energy has been made. The development is adjacent to the South West Energy Centre and South Devon College, which could have made this site a national example of good practise and learning.

Blue Sea Food Company:

Support the application, but raise concern over proximity to their facility at Unit 20 Torbay Business Park - a fully functioning 24 hour, seven days a week crab processing plant. The objector requests assurances that as long as Blue Sea take all reasonable steps to minimise the effect on the immediate surroundings, they will not be forced to make huge expenditure in order to completely eliminate noise and odours which might be considered a nuisance.

These representations have been reproduced and sent electronically for Members consideration.

Relevant Planning History

There is a significant history to the Western Bowl and the wider application site in general. However, the most pertinent history to this application is the outline approval:

| | |
|-------------|--|
| P/2011/0197 | Mixed Use Development of 39 Hectares of land at White Rock, Paignton to construct up to 350 dwellings, approximately 36,800m ² gross employment floorspace, a local centre including food retail (up to 1652m ² gross) with additional 392m ² A1/A3 use and student accommodation, approximately 15 hectares of open space, sports pavilion and associated infrastructure and engineering works to provide access, drainage and landscaping (Outline Application). Approved. 21/02/2011 |
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Key Issues/Material Considerations

The key matters under consideration are

1. Principle
2. Outstanding matters (Layout green streets, landscaping, residential amenity)
3. Residential amenity
4. Appearance

5. Scale
6. Layout
7. Parking
8. Waste and recycling facilities
9. Access and highways matters
10. Economy

1. Principle

Outline consent has already been granted for the mixed use development of the site. That application had an approved indicative layout scheme, which was the subject of extensive consultation. It was also subject to Habitats Regulation Assessment and had a detailed Environmental Statement submitted to support the application. The principle of the development has therefore been established.

This application is in accordance with the indicative layout. It also delivers a number of the key requirements set out in the Section 106 Agreement and outline planning conditions, such as affordable housing and Building for Life.

The scheme provides 20% affordable housing (agreed at the outline application stage) with 62 units being 'pepper potted' across the site. A schedule of the tenure of each of the units is awaited.

Condition 2 of the Outline Application required the scheme to score at least 8 'greens' when scored against Building for Life criteria. The assessment is ongoing and will need to take account of revised drawings. Preliminary findings indicate that a score of 9 'greens' should be

This is a good score and exceeds the minimum threshold in the condition.

Further guidance will be provided to members at committee, once the final assessment has been complete.

2. Outstanding matters

Further guidance will be provided to members regarding the three areas below where further work and negotiations are currently being undertaken.

2.1 Layout 'Green Streets'-

The current plans show the 2 green streets as shared surfaces which include grass verges and measures to slow traffic. Revised plans are currently being drawn up by the applicant which remove the green verges and replace them with a clearly marked pedestrian route/ refuse area along one edge of the street. This will provide a dedicated safe pedestrian route, clearly showing a central shared use area and a pedestrian area similar to a pavement. This is considered an acceptable solution to this matter. Further information will be provided at committee.

2.2 Landscaping

A detailed landscaping strategy has been developed for the site which links into

the strategy for the wider site and the planting associated with the on and off site LEMPs.

The landscaping strategy principally consists of formal planting in the front and side gardens of properties, and also the proposed open spaces. This includes boundary hedge planting as well as plant and shrub planting in the front gardens.

There are a large number of trees planted throughout the site which helps set the context of the development. The majority of planting is to be in privately owned areas of the site. It is important to be able to preserve the trees as they play a vital role in the creation of a high quality residential environment (condition to be provided).

The soft landscaping will be complimented by hard landscaping features. This includes a range of high, medium and low rendered walls throughout the estate, importantly in the cul-de-sac/ parking courts, thus limiting the provision of close boarded timber fences.

Officers fully support the approach to landscaping. Further detail is required, given that significant changes to the layout have been made. Revised landscaping plans will be presented to Committee.

2.3 Residential Amenity / Proximity of Industrial Units

The Council wants to protect the amenities of future occupiers of homes within the development. It is also important to secure a design that reduces the likelihood of complaints from future residents about noise from business units to the north of the site. Such complaints could have an impact on those businesses and therefore the local economy.

Therefore, the Council has negotiated an acceptable relationship between uses / homes within the development site and the business units in Torbay Business Park. As a consequence the proposal includes sound attenuation measures along the northern boundary of the site; the use of open space / allotments to provide a buffer between British Falcon Plastics and new homes; deep rear gardens and noise attenuation measures to new homes.

The issue has been complicated by the commissioning of two acoustic reports, from different consultants, which each draw different conclusions. In addition, the applicant's acoustic consultants have produced a further report in response to a critical appraisal by the objector's consultants.

Further advice has been sought from Environmental Health, in order to ensure the situation is resolved. Colleagues in Environmental Health have indicated that, should this latest information deal with the outstanding matters of concern, they consider the application to be acceptable in relation to the issue of noise impact from neighbouring industrial uses.

As such, provided the two proposed homes nearest to Falcon Plastics are substituted with house types that have no habitable rooms to the rear first floor level, the noise attenuation measures are acceptable. Subject to the further views of Environmental Health the scheme will appropriately mitigate noise generated by business units, including British Falcon Plastics, in Torbay Business Park.

There has been one other representation raised by an operator (Blue Sea) in the industrial estate in relation to the odour created by their unit. The unit concerned is approximately 80 meters from the nearest proposed residential units. This distance, combined with the topographical features, prevailing wind direction and vegetative barriers, should ensure there is no odour nuisance to occupiers of residential properties.

3. Residential Amenity

There are 312 new dwellings being provided within the scheme, this comprises;

3 x One bedroom flats, all affordable
46 x Two bedroom houses, 10 affordable
114 x Three bedroom houses, 21 affordable
140 x Four bedroom houses, 27 affordable and
9 x Two bedroom coach houses 1 affordable

There are a good range of house sizes. Each property, with the exception of the 3 one bedroom flats, has a rear garden or outside amenity space provided. The properties are all well proportioned internally offering a good standard of residential amenity.

The layout of the properties has been carefully considered and ensures limited inter-visibility between the properties. Where properties are in closer proximity to each other the location of windows has been carefully considered and a number of variations to individual house types have been produced to ensure over looking does not occur.

Negotiations on the scheme have resulted in a reduction in the number of parking courts with dwellings in them, improvements to the design, treatment and arrangement of these areas and to the orientation of dwellings. Some parking courts are retained, in three of these areas closest to the central roundabout. These are required to enable buildings to front onto and help enclose the primary vehicle route and roundabout. On balance, considering the wider benefit to the scheme this arrangement is considered acceptable for the dwellings located in these areas.

In conclusion the scheme will provide a good quality of residential amenity for the future occupiers of the dwellings provided in the development.

3.1 Residential amenity noise -

There is a further noise issue in relation to the vehicles using the primary access route between Brixham Road and Long Road. To ensure the amenity of the properties on this route noise attenuation measures will be required to their windows. This will be controlled by condition.

In conclusion, subject to appropriate acoustic features being provided the residential amenity for the future occupiers will not be negatively affected by road noise.

4. Appearance

There are over 20 different house types proposed on site, the majority of which are of a relatively simple design with pitched slate roofs, rendered walls, and coated UPVC windows. In addition to the mostly rendered property types, brick clad properties are pepper potted to add variety and legibility to the development.

The house types are grouped into distinct areas to help create different character areas. There are a number of variations of each property type, providing features such as enhanced detail with windows and/or chimney stacks to properties on corners of roads. This improves the quality of streetscene and also helps provide natural surveillance through overlooking to streets and pedestrian routes.

Significant negotiations have taken place in relation to properties (types K and Q, as well as C, R, S and T) to the principle route and the two green streets, resulting in high quality design of houses in those areas. Nonetheless, to ensure that the material and finishes of the properties deliver on the aspirations for a high quality residential environment, a condition of planning permission will require submission of details of external materials.

In conclusion the appearance of the development, and the dwellings in will include, is considered acceptable and will help create a quality living environment.

5. Scale

The visual impact of development was a key factor in the outline application. This resulted in the location of the residential element within a contained bowl in the landscape, with open amenity space to the east on the ridge. An Off Site LEMP was produced, which includes extensive tree planting along the south of the site to help further screen the development particularly from the Stoke Gabriel and Galampton Areas (South and West). An onsite LEMP has also now been approved which helps provide further landscaping enhancements.

The scale of physical development within the site is considered acceptable and is balanced by landscaping and areas of public open space. The highest properties are limited to a contained central section which helps define the urban form. The

remainder of the site is limited to two storeys and properties are well spaced limiting the perceived mass of the development. The housing is also supported by a range of open spaces and landscaped feature helping it merge in to the rural backdrop.

In conclusion, taking into account the form of the development, its location and the surrounding landscaping proposed, the scale of the development is considered to be acceptable.

6. Layout

6.1 Layout; Access and Highways Matters -

The principle access points to the development are from Long Road and Brixham Road. A new section of road is already in place, enhancing the Waddeton Road and including a roundabout with access spurs in to the development. The layout out of the development has been very much shaped by this approved road layout.

The roundabout and adjoining roads were designed for business park use. Every effort has been made, during the pre-application process (including Design Review Panel comments), to find a way of reducing the scale of the roundabout. A solution has not yet been found, in part because the roundabout and adjoining roads are located outside the application site. However, officers will continue to seek to resolve this issue, working closely with Deeley Freed.

Nonetheless, the layout of the development provides a good response to the site characteristics and shape. The built form surrounding the roundabout is a key part of this and helps add a more residential scale to what is quite a large piece of infrastructure.

The road layout within the scheme is focused on the provision of a number of principle access roads to distinct sections of the development with cul-de-sacs leading off of each route. Consideration has been given to ensure that refuse, waste and emergency vehicles can utilise and turn at the end of routes. With the exception of the two 'green streets' all routes are to be of a traditional design with tarmac roads with pavements on each side. Raised tables are proposed at key junctions to encourage the reduction of speeds at these points. Two additional raised tables are provided on the first road leading from the new Brixham road junction. This is to provide access into the other section of the site (adjacent to the Brixham Road) earmarked for additional residential development.

This layout provides good permeability into the site but breaks vehicle connection between the different areas within the site, reducing movements through the residential cores. It does however allow pedestrian's free movement throughout the estate with dedicated pedestrian routes, where roads are blocked off.

There is an issue relating to the entrance into the scheme from Waddeton Road.

As the site is approached from the south it is narrow with high hedges there is then an abrupt change into the new residential area. The lack of an identifiable 'gateway' to the site is an issue from a highway safety perspective. Road improvement and traffic calming measures are required to help warn drivers of the approach to a residential area. These works will be secured by way of a Section 278 Agreement.

Overall the proposed layout is successful, subject to the improvements to the entrance from Waddeton Road (to be secured via a S278 Agreement) and subject to resolving the outstanding issue about design of the green streets.

6.2 Designing out Crime

Significant revisions to the layout have been negotiated. Changes include securing rear access paths, providing defensible boundaries to properties, new windows on sides of properties to provide overlooking to vulnerable areas, and the reduction of cut-throughs. The scheme is now a much safer form of residential development, which should discourage anti social behaviour and be a safer place to live.

Overall the proposed layout of the development is considered a success which will provide a safe, legible form of development which will create a quality living environment for future residents.

7. Parking

With the exception of a small number of properties all will have a minimum of two car parking spaces provided. There are a number of properties with only one space (8% of the dwellings). This level of provision is in accordance with the requirements of Policy T25 of the Local Plan.

All the dwellings in the scheme are within walking distance of the proposed new local centre, local bus stops and a range of employment/ educational establishments.

The vast majority of parking provided is on plot, which is a key benefit to the scheme. The off plot parking is provided in small cul-de-sacs, 3 of which are securely gated. The provision of dwellings in these cul-de-sacs is considered a benefit as these areas are overlooked. Off-plot parking spaces are provided in close proximity to the dwellings they serve, hence reducing pressure for on street parking.

All of the parking spaces have ample manoeuvrability to enter the highway and have adequate visibility splays to ensure that this can be done safely.

The proposed parking arrangements for the scheme are considered acceptable as part of the overall scheme.

8. Waste and recycling and Cycle Storage

All properties within the scheme are to have dedicated recycling and waste storage areas and also cycle stores provided. This is secured by condition 4 of the outline consent.

9. Economy

This reserved matters application is linked, through the outline consent and the Section 106 agreement, to the provision of new employment in the Western Bowl. Certain phases of the housing delivered on site trigger a requirement to provide employment floor space. 20,00sqft of employment space must be provided before the occupation of any dwelling, a further 15,000sqft must be provided before occupation of 65th dwelling.

It is clear that the approval of this scheme and its implementation, will trigger the provision of significant new employment provision. Two of the industrial units have already been approved and at least one new end user has been secured. This is a key opportunity for the Bay and will help strengthen and develop the wider Torbay Business Park as a quality business location.

In addition, the construction process will provide significant opportunity for local employment as well as the potential for new trade for existing businesses.

S106/CIL -

This is a reserved matters application, and the S106 agreement has been agreed and signed as part of the outline application.

Conclusions

Having considered the layout, appearance, scale, and landscaping of the proposed development against the relevant local and national planning policies. The proposed development is considered acceptable and will provide a high quality residential environment for the future occupiers.

Subject to a satisfactory resolution to the 3 outstanding matters set out below which should be resolved prior to the committee meeting the development is considered acceptable;

1. The relationship between the dwellings on the northern boundary and the Industrial Estate and the potential for noise and nuisance.
2. Layout of the two 'green streets'.
3. Revised Landscaping plans being submitted and agreed.

Condition(s)/Reason(s)

01. The car parking spaces shown on the approved layout shall be made permanently available for the use of the property it is allocated to on the

approved plans.

Reason: to ensure all properties have dedicated parking facilities and in accordance with Policy T25 of the Saved Adopted Torbay Local Plan 1995-2011.

02. The dwellings hereby approved shall be laid out in accordance with the house typology schedule layout plan and the schedules provided for each house type on the house type plans, hereby approved.

Reason: To ensure a satisfactory form of development and preserve residential amenity and in accordance with Policies BES, BE1 and H9 of the Saved Adopted Local Plan 1995-2011.

03. Prior to the first occupation of dwellings 1 - 6 as show on the approved plan 13009 Roof Master Plan, details of the acoustic fence also shown on this plan shall be submitted to and approved by the Local Planning Authority. This shall include details of its size, siting, design, appearance (including colour) and a suitable landscaping strategy to mitigate its visual impact. The fence and landscaping shall be installed prior to the first occupation of these dwellings and shall be permanently maintained thereafter.

Reason: To ensure that suitable mitigation measures have been provided to protect the residential amenity of the residential properties and to ensure a appropriate appearance of these measures, and in accordance with Policies BES, BE1, H9, EPS, EP4 of the Saved Adopted Torbay Local Plan 1995-2011.

04. Prior to the occupation of properties 52-60, 113 -116, 203-227 and 300-314 as shown on the approved plans the properties shall be fitted with standard thermal double glazing (operable) with Dn,e,w 39 dB Acoustic trickle vents to all windows on the front and sides of the buildings which serve day time habitable rooms.

Reason: To ensure a satisfactory standard of residential amenity for the occupiers of these properties and in accordance with Policies EPS and EP4 of the Saved Adopted Torbay Local Plan 1995-2011.

05. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the phase of development it is located in, or at such other time as agreed by the Local Planning Authority in writing, and any trees or plants which within a period of 5 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 the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenities of the area and in accordance with

Policies HS, H9, LS, L9 of the Saved Adopted Torbay Local Plan 1995-2011.

06. All trees planted as part of the development shall be permanently retained following their planting, including any replacement planting required by condition 5. Reason: In the interests of the amenities of the area and in accordance with Policies HS, H9, LS, L9 of the Saved Adopted Torbay Local Plan 1995-2011.

07. Prior to commencement of the scheme a plan showing the boundaries of all dwellings shall be submitted to and approved by the Local Planning Authority. The development shall then be set out in accordance with this plan.

Reason: To ensure a satisfactory form of development and so that all dwellings have a satisfactory amenity space and in accordance with the requirements of BES, BE1, HS, H9 and T25 of the Saved Adopted Torbay Local Plan, 1995-2011.

08. Prior to the commencement of development a Section 278 Highways Agreement shall be entered in to, in order to secure the necessary works to the public highway. The 278 works shall include work to Waddeton Road to form a defined entrance to the site including road calming measures. This shall include detail of materials and finishes to be used. The works shall then be implemented prior to the occupation of the first dwelling.

Reason: In order to ensure a suitable form of development in accordance with Policies TS, T1, T2, T3, T18, T22 and T26 of the Saved Adopted Torbay Local Plan 1995-2011.

09. Prior to the commencement of development details of all proposed pavements, roads and shared surfaces, shall be submitted to and approved by the Local Planning Authority. This shall include details of all materials, finishes and layouts of road calming measures. The development shall then be constructed in accordance with these details.

Reason: In order to ensure a suitable form of development in accordance with Policies Bes, BE1, HS, H9, TS, T1, T2, T3, T18, T22 and T26 of the Saved Adopted Torbay Local Plan 1995-2011.

10. The development hereby approved shall not be commenced until details of colour, type and texture of all external materials, to be used in the construction of the proposed development have been submitted to and approved by the Local Planning Authority.

Reason: To ensure a satisfactory form of development and in accordance with the requirements of policies HS, H1, H9, BES, BE1 and H(of the Saved Adopted Torbay Local Plan 1995-2011.

Relevant Policies

EP4 Noise
BES Built environment strategy
BE1 Design of new development
BE2 Landscaping and design
ES Employment and local economy strategy
E1 New employment on identified sites
E119D Long Road South, Paignton (New Policy)
TS Land use transportation strategy
T2 Transport hierarchy
T1 Development accessibility
T3 Cycling
T18 Major Road Network
T22 Western Corridor
T26 Access from development onto the highway
T25 Car parking in new development
NCS Nature conservation strategy
NC1 Protected sites - internationally import
NC5 Protected species
LS Landscape strategy
L2 Areas of Great Landscape Value
L4 Countryside Zones
L8 Protection of hedgerows, woodlands
L9 Planting and retention of trees
L10 Major development and landscaping
EPS Environmental protection strategy
EP1 Energy efficient design
EP3 Control of pollution
EP7 Contaminated land
CFS Sustainable communities strategy
CF6 Community infrastructure contributions
CF7 Educational contributions
HS Housing Strategy
H2 New housing on unidentified sites
H6 Affordable housing on unidentified sites
H9 Layout, and design and community aspects
H10 Housing densities
H11 Open space requirements for new housing
T27 Servicing
W7 Development and waste recycling facilities
NPPF National Planning Policy Framework

