

Application Number

P/2014/0071

Site Address

Land West Of Brixham Road

Case Officer

Mr Alistair Wagstaff

Ward

Goodrington With Roselands

Description

Approval of appearance, landscaping, layout and scale in relation to 38 dwellings and associated development. Reserved Matters for P/2011/0197

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 Development Management Committee have already resolved to approve P/2013/1229 Reserved Matters for the appearance, landscaping, layout and scale of 310 dwellings and all associated road network, open space, and landscaping located in the eastern part of the White Rock development.

This application is for Reserved Matters for the appearance, landscaping, layout and scale of 38 dwellings and all associated road network, open space, and landscaping. It is located in the eastern part of the White Rock development directly adjoining the site of the approved 312 dwellings. The site is close to the Brixham Road and will in part front the main road and the new Junction being provided from the site on to the Brixham Road.

Implementation of the residential schemes triggers delivery of 20,000 sq ft of employment space in the 'Western Bowl', as well as making a significant contribution to the Council's 5 year housing land supply and will provide 70 affordable dwellings in total (8 from this application).

The proposed layout, scale and appearance of the scheme are considered acceptable in principle and will provide a high quality residential environment which knits in well to the larger reserved matters site. This continues the development of high quality new frontages on to the Brixham Road. At the time of writing this report two matters remain outstanding, these are detailed landscaping and the final external finishes of the buildings. Subject to a

satisfactory resolution to these two matters the development is considered acceptable.

Recommendation

Conditional Approval; delegation to the Director of Place to deal with revised drawings and landscaping.

Statutory Determination Period

13 Weeks 17th May 2014, the application will be determined within 13 weeks subject to the decision of the committee.

Site Details

This reserved matters application covers the edge of the 'eastern bowl' of the wider White Rock site. The area of the site is at present largely grassed scrubland and also contains a number of now vacant buildings due for demolition. A section of the site to the north-east adjoins Brixham Road where the new junction is to be located (approved at outline application stage) which is currently under construction. The site is relatively flat with a gentle rise southward.

Detailed Proposals

The proposal is for the construction of 38 dwellings with 8 to be affordable in accordance with the requirements of the Section 106 agreement secured as part of the Outline application. The proposed mix is 20 houses and 18 flats. The 18 flats are to be located in an 'L' shaped building which fronts on to the new junction on Brixham Road and will provide the principle access in to the residential element of the White Rock development.

There are two access points into the application site both located off of the first new access road to the wider site. The properties have been designed and orientated to front this road and to link with the wider site. The first access point serves 8 of the houses and the block of flats. The second access serves a further 6 houses which front on to the green space approved under the reserved matters application for 312 dwellings.

With the exception of the flats, the buildings are all two storeys in height and are a mix of detached, semi detached and a terrace of three properties. The appearance maintains the approach of the wider site with rendered properties with slate roofs, with a pepper potting of brick buildings. The block of flats is purpose designed to continue the high quality frontage to the main road with protruding sections and balconies. The corner point of the building rises from 2 to 3 storey with enlarged roof height to provide a defined corner feature to the site.

Summary Of Consultation Responses

Sport England: Do not wish to comment.

South West Water: No objection or comment.

Highways: The visibility triangle needs to be left clear of development and high landscaping vegetation. A 1m strip is to be retained in the narrower area of the triangle for a safety zone for future maintenance.

Highways have concerns that the road between plots 347 and 348 is too narrow at this stage, with no turning facility. It has been verbally agreed that a condition to introduce a temporary road calming feature to discourage access will resolve this matter until further development is brought forward.

South Hams: The red line is indicating a turning head and previous garaging into the open space, the red line should be redrawn to exclude these areas if this is undertaken we would raise no objection.

Police Architectural Liaison Officer: The access and movement throughout the development appears well defined, without compromising security by excessive permeability, The layout of the development by use of cul-de-sacs is a good design feature, Parking spaces for plots 315-332 will need to be allocated to prevent conflict over their use, the back to back gardens (i.e. plots 341 to 347) are a good design feature as they protect the vulnerable rears of properties. Gates to all rear access paths should be robustly constructed, lockable and fitted flush with the front building line to prevent recesses and hiding places. They should be the same height as boundary fencing (1.8m)

The communal entrance door to the flats must incorporate an access control system, A 'through the wall' mail delivery system into a secure internal letter box should be considered. Balconies at all levels should be designed to exclude eliminate the opportunity for climbing up, down or across between balconies.

The use of public open spaces (POS) should be clearly defined. The POS should have robust boundaries there should also be features to prevent unauthorised vehicular access.

Environmental Health: Having reviewed the Hoare Lee acoustic report we would make the following observations:

Prior to occupation the properties immediately adjacent to Brixham and the new junction the flats shall have daytime habitable rooms (including bedrooms) fitted with acoustic double glazing (openable) RW 36dB with Dn,e,w 39dB acoustic trickle vents. To meet the reasonable standard of BS 8233:1999 these windows will need to be kept in the closed position, and as such the premises should be fitted with mechanical exhaust ventilation if adequate ventilation cannot be achieved from other openings in the dwellings.

All other traffic noise affected dwellings shall have standard thermal double

glazing (openable) with Dn,e,w 39dB acoustic trickle vents.

Summary Of Representations

None Received.

Relevant Planning History

There is a significant history to 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 36,800m² gross employment floorspace, a local centre including food retail (up to 1652m² gross) with additional 392m²A1/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

P/2013/1229 Approval of reserved matters to P/2011/0197. Appearance, landscaping, layout and scale in relation to 310 dwellings and associated development.

Key Issues/Material Considerations

1. Principle and Planning Policy
2. Outstanding matters landscaping, and external appearance flats
3. Layout
4. Appearance
5. Scale
6. Residential amenity
7. Parking, Waste and Recycling
8. Economy
9. EIA/HRA

1. Principle and Planning Policy -

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 and approach to fronting the Brixham Road and new junction. It also delivers a number of the key requirements set out in the Section 106 Agreement and outline planning conditions, such as affordable housing.

The scheme provides 20% affordable housing (agreed at the outline application stage) with 8 units being 'pepper potted' across the site.

2. Outstanding matters landscaping, and external appearance -

Further guidance will be provided to members regarding these two areas where further work and negotiations are currently being undertaken.

2.1 Landscape -

A detailed landscaping strategy has been developed and secured for the wider residential site which links into the strategy for the whole White Rock site and the planting associated with the on and off site LEMPs.

The same approach is proposed for this site to main continuity and is supported by officers. Following a change in layout to the scheme to improve the frontage to Brixham Road, updated landscaping plans are now awaited.

Importantly further plans need to ensure that an open low level landscape strategy is provided along the section of the site immediately adjoining the Brixham Road section to ensure forward visibility to the traffic lights. Subject to these plans appropriately addressing this relationship and continuing the approach from the approved scheme, with further tree planting and improved frontage to the junction, the landscaping for the site will be considered a positive addition to the site.

2.2 External Appearance of Flats -

In principle the design approach currently provided for the flats is welcomed by officers as it follows the design ethos of the properties which were secured on the principle route through the wider site fronting the central roundabout. This will maintain visual continuity for the site. Officers have however secured alterations to the scheme to improve the relationship of the flat block with the Brixham Road. An updated floor plan has been received which provides an improved relationship. Detailed elevations have yet to be provided. These should be available prior to the committee and officers will report to members further at this point. It is however envisaged that subject to maintaining the previous approach they will be supported by officers.

3. Layout -

3.1 Layout -

The proposed Layout of the site is considered to present a logical approach to the site. During the course of the application officers have negotiated a number of changes to the scheme, this includes the removal of a third access point which was to serve the flats, the removal of two dwellings adjoining the Brixham Road and the extension of the flat block. The re-orientation of properties to front the wider development and the removal of a garage block and turning head which

encroached into the green space were also secured through negotiations.

These changes have resulted in significant improvements to the layout which now acts as a more integrated extension to the wider residential site. The access to the flats now also relates much more strongly to the site. The development also provides a more appropriate relationship to the Brixham Road providing a visual arrival point to the development.

In conclusion the proposed layout provides a well integrated approach to the parcel of land and its surrounding environment.

3.2 Layout; Access and Highways Matters -

The principle access points to the residential part of the White Rock development are from Long Road and Brixham Road, connected by the new link road and central roundabout. This development is located to the south of the new access junction on to the Brixham Road.

Access to the site is gained from the first access spur from the junction with two routes provided in to the site. The first access provides entry into a single cul-de-sac providing access to 8 dwellings and culminates in the parking court for the flats. The second access provides access to a further 6 properties which front on to the green space approved under the larger residential scheme.

Both of these routes have additional access points up to an adjoining parcel of land to the south-east of the site which fronts the Brixham Road. This parcel of land does not form part of this reserved matters application or the wider Outline Application. It is important to ensure that this parcel of land is not constrained from future development, given that further accesses on to the Brixham Road are unlikely to be supported. This scheme ensures that access can be provided and could provide a logical extension to the residential development of White Rock.

While this approach is supported by officers the second access between properties 347 and 348 has raised concern over the lack of turning head which could lead to need for turning within the highway. This matter has been discussed with the Highways team and a temporary solution is now proposed which will provide a build out in to this route to direct cars access in this part of the site south alongside the green space where a dedicated turning head is provided. This will be secured via condition.

In conclusion the proposed layout in relation to the access and highways matters is supported by officers and provides a logical approach to the site which ensures it links into the wider site and provides access to the additional land to the east.

4. Appearance -

There are 8 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 to the development. This approach ties in to the approach of the larger site. There are a number of variations of 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 the streetscene and also helps provide natural surveillance through overlooking to streets and parking courts.

As set out in section 2.2 above, the external appearance of the flats is still awaited, however the design approach is to replicate the design of the other properties facing the central route through the site. The revised layout of the flats also provides a more defined relationship to the Brixham Road and will provide a better sense of enclosure to the parking court providing natural surveillance and a more logical arrival point than the previous approach.

In conclusion the appearance of the development, and the dwellings it will include, is considered acceptable and will help create a quality living environment subject to the resolution of the external appearance of the flats.

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 this part of the site is considered acceptable, and relates well to the Brixham Road. The highest properties are limited to the corner of the new junction providing an arrival point to the site. The remainder of the site is limited to two storeys and properties are well spaced reducing the perceived mass of the development. The physical form is balanced by the landscaping strategy and the area of public open space which adjoins the site.

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. Residential Amenity -

There are 38 new dwellings being provided within the scheme, this comprises;

- 17 Two bedroom flats, * affordable
- two bedroom houses, * affordable
- three bedroom houses, * affordable

- four bedroom houses, * affordable and

There are a good range of house sizes. Each property, with the exception of the flats, has a rear garden 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 overlooking does not occur. The windows from the flats does to a degree overlook the rear of a number of properties however considering the separation created by the landscaped parking court, the distance and angles of vision, the relationship created is acceptable.

While the flats do not have external amenity space, both bin stores and cycle parking have been provided. The flats are also only a short walk (100m) away from the nearest area of open space and further areas will be provided adjoining the central roundabout.

To ensure the security of the flats the communal entrance door to the flats should incorporate an access control system and a through the wall mail delivery system to reduce unsolicited entry into the block, further details of these measures will be required via condition.

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

6.1 Residential Amenity noise -

There is an important consideration in relation to the residential amenity of the occupiers of the properties facing on to the Brixham Road and onto the new main estate road given the noise generated by vehicles using these routes. To protect the living conditions of the occupiers, noise attenuation measures will be required to the 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.

7. Parking, Waste and Recycling -

All houses proposed will have two car parking spaces provided on plot, the flats will have 22 spaces to serve 17 units in a dedicated parking court. This level of parking provision is in accordance with the requirements of Policy T25 of the Local Plan and as such is considered acceptable. Furthermore 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 to promote sustainable modes of transport.

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.

8. Economy -

This is a reserved matters application and the larger reserved matters application P/2013/1229 are 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. 20,000sqft 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 help 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.

9. 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.

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, which forms a logical and integrated extension to the wider site.

Subject to a satisfactory resolution to the 2 outstanding matters set out below which should be resolved prior to the committee meeting the development is considered acceptable;

1. Landscaping
2. External appearance of the flats

Condition(s)/Reason(s)

01. At least one car parking space shown in the parking court on the approved layout shall be made permanently available for the use of each flat.

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 occupation of properties ** 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 North and East elevations of the buildings which serve day time habitable rooms (including bedrooms) and shall be permanently maintained thereafter.

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.

04. Prior to the occupation of properties ** as shown on the approved plans the properties shall be fitted with acoustic double glazing (operable) Rw 36 dB with Dn,e,w 39 dB Acoustic trickle vents to all windows on the North, South and East elevations of the buildings which serve day time habitable rooms (including bedrooms) and shall be permanently maintained thereafter.

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 block of flats hereby approved details of security measures to restrict access shall be provided to the Local Planning Authority which shall include secure mail delivery system. The flats shall then be constructed in accordance with the approved detail.

Reason: To preserve the residential amenity, safety and security of future occupiers and in accordance with policies H9, BEs and BE1 of the Saved Adopted Torbay Local Plan 19995-2011.

08. Prior to the occupation of properties 346- 351 details of a temporary road management feature (build out) to restrict access along the route between properties 347 and 348 shall be submitted to and approved by the Local Planning Authority. The traffic management feature as approved shall be constructed prior to the occupation of properties 346- 351 and retain as such until written confirmation has been received from the Local Planning Authority that such measure is no longer required.

Reason: To ensure road safety and in accordance with policies TS, H9 and BE1 of the Saved Adopted Torbay Local Plan 1995-2011.

Relevant Policies

- BES - Built environment strategy
- BE1 - Design of new development
- BE2 - Landscaping and design
- ES - Employment and local economy strategy
- 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 and o
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
H6 - Affordable 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