

Application Number

P/2015/1126

Site AddressLand West Of Brixham Road
Paignton**Case Officer**

Carly Perkins

Ward

Blatchcombe

Description

Approval of appearance, landscaping, layout and scale in relation to 217 dwellings and associated development.

Executive Summary/Key Outcomes

Outline consent was granted in April 2013 for approximately 37,000 square metres of employment space, 350 new homes and a local centre under reference P/2011/0197 and subsequent reserved matters applications were approved under references P/2013/1229 and P/2014/0071. The application site relates to the eastern bowl of the wider White Rock site and is largely grassed scrubland. Part of the wider site is under construction under the approved reserved matters scheme P/2013/1229 with a number of homes complete.

The application site has been split in to two parts, the larger part of the site is to the west of Waddeton Road and south of Moor View Industrial Estate and the smaller part is to the west of Brixham Road. The site that separates these two parts is currently under construction under reference P/2013/1229.

The application that is subject to this report is for reserved matters for the appearance, landscaping, layout and scale of 217 dwellings and the associated internal highway network, open space and landscaping. This application accommodates a higher proportion of two bedroom units over the previously approved reserved matters applications. The access arrangements to both parts of the site remains the same as previously approved with access via Brixham Road which connects to a central roundabout on to Waddeton Road and Long Road.

A further full application for an additional 44 dwellings is subject to a separate application. For clarity these are shown on the plans but have not been considered as part of this application.

The increase in density that would result from this revision of the residential layout on the site would result in a form of development that fails to meet the objectives of the NPPF and Policies SS11, H1, DE1 and DE3 in the Torbay Local Plan, which seek to provide a high quality of development that provides a good standard of amenity for future occupiers. The proposal would result in an overdevelopment of the site. There are a number of clear indicators of overdevelopment, leading to a poor quality development, including:

- o Inadequate provision of off-street parking (leading to increased on-street parking and a car dominant development);
- o Remote parking in relation to proposed homes;
- o The close proximity of dwellings to hedgerows and the reduced quality of proposed landscaping;
- o The poor quality residential environment as a result of the separation distances between dwellings.

Recommendation

Refusal (reasons at end of report)

Statutory Determination Period

13 weeks, the determination date was the 20th February 2016 however this has been exceeded to allow for officer negotiations and revised plans to be submitted.

Site Details

Outline consent was granted in April 2013 for approximately 37,000 square metres of employment space, 350 new homes and a local centre under reference P/2011/0197 and subsequent reserved matters applications were approved under references P/2013/1229 and P/2014/0071. The application site relates to the eastern bowl of the wider White Rock site and is largely grassed scrubland. Part of the wider site is under construction under the approved reserved matters scheme P/2013/1229 with a number of homes complete.

The application site has been split in to two parts, the larger part of the site is to the west of Waddeton Road and south of Moor View Industrial Estate and the smaller part is to the west of Brixham Road. The site that separates these two parts is currently under construction under reference P/2013/1229. To the south of both sites is open countryside which forms part of the Off Site Landscape and Ecology Management Plan, including tree planting and a woodland walk.

Detailed Proposals

The proposal is to construct 217 dwellings, a mixture of detached, semi detached and terrace dwellings and apartments of which 20% are affordable and open space provision.

The application represents a revised proposal for 217 of the 350 dwellings approved at outline stage. This application accommodates a higher proportion of two bedroom units over the previously approved reserved matters applications. The access arrangements to both parts of the site remains the same as previously approved with access via Brixham Road which connects to a central roundabout on to Waddeton Road and Long Road.

As with the approved scheme reserved matters applications for this site, the

proposal has been broken down in to three character areas:

The 'Neighbourhood Core' is the main frontage of the development onto the primary street and local centre. The development within this element is a dense form of development composed of terraced three storey dwellings.

The 'Residential Core' forms the majority of the site includes a range of secondary streets. This area is made up of a combination of two storey terraces, semi-detached and detached properties.

The 'Countryside Edge' is located around the perimeter of the site and many of the dwellings within this section being detached however there are also examples of detached and terrace dwellings.

The density of the application site is approximately 33 dwellings per hectare with this ranging from 28 dwellings per hectare within the 'Countryside Edge' character area to 75 dwellings per hectare within the 'Neighbourhood Core'.

Excluding apartments which have a 1:1 parking ratio, there are 35 dwellings on the site which have only 1 parking space which amounts to approximately 19% of dwelling houses with 1 parking space.

The proposals include some on-site landscaping and open space provision.

The current proposal has been screened in terms of the need for an Environmental Impact Assessment and determined that an EIA is not required.

Summary Of Consultation Responses

Arboricultural Officer: Comparative study across both applications indicates tree numbers may be similar, however there is no schedule to confirm this. Plans supporting P/2013/1229, specifically 'On plot landscaping plans 1-7 of 7 40200_LP(90)_213 Rev E' formed the conclusion of a series of meetings between the L.A. and agents for the applicant and were considered to offer a balanced compromise between the amenities of the new residents and public realm areas and softening and landscape integration from external view receptors. Tree species have been largely varied from the negotiated plans noted above to smaller and/ or more columnar narrow type trees, presumably in recognition of the denser layout and increased unit numbers. The overall effect is to lessen the positive attributes that would be delivered from the arboricultural features on site and leave a tree population of smaller sized and reduced life span that would not offer long term desired benefits either internally or when viewed externally. Key junctions and principal roads were proposed to include more large sized trees, where now the use of more columnar tree form is proposed. The eastern edge of the site abutting Brixham Road proposes only 3 columnar trees of limited visual impact planted in grass. This location is an opportunity to enhance the arrival at the site but to also offer a sense of enclosure

to residents of these units. I would suggest this curtilage requires detailed further consideration in tree planting and landscape terms. It is recommended that the scheme, now varied from the previous submission has by virtue of the increased numbers of units reduced the visual efficacy of the softening internal landscaping, substituting narrow trees from large or wider canopied trees will prevent the site achieving visual 'maturity' on a landscape basis detrimental to the amenities of the new development and its residents and visitors. These comments apply generally across the site but bear more weight at principal road junctions and boundaries shared with the AONB and Brixham Road.

Further comments from the Arboricultural Officer are expected in relation to the revised plans which have been submitted to attempt to overcome the concerns noted within the original consultation response above.

Senior Strategy and Project Officer: From a number of site visits in the area, the developments to have been completed in the vicinity do appear to have a shortage of off road car parking, resulting in vehicles parked in the roads and pavements. It is agreed that in this out of centre location a minimum of two parking spaces plus space for two cycles should be provided, in accordance with Policy TA3 and Appendix G of the new Adopted Local Plan. If in garages, please can you ensure that these meet the size requirements in the note to Appendix G (i.e. 3.3m x 6m).

It is not satisfactory for cars to have to reverse significant distances to get into the allotted parking spaces (units 77, 378,379). It is also agreed that locating parking away from the dwellings is likely to result in on-street parking. This is particularly the issue with the parking court for 37-52 but also for 53-57 and 140-144.

Police Architectural Liaison Officer: Recommendations made in relation to Building Regulations - Approved Document Q - Security and Secured By Design.

Green Infrastructure Co-ordinator: The Public Open Space provided is in accordance with the indicative layout approved at outline stage, and that approved through the previous reserved matters application (P/2013/1229), and thus the principle is accepted. The Design Statement states that around 20 allotment spaces (4 within the Ridge Park area outside of this application) will be provided and also refers to orchard planting in this area (section 4.10). Drawing 151102 L 02 03 appears to show 21 allotments within the red line for this application and an additional 5 plots within the Ridge Park area. The orchard planting does not appear to be shown on the submitted plans.

Further information regarding the allotment area is required prior to determination including:

- o Confirmation regarding the number of allotment plots to be provided.
- o How the allotment area will be laid out prior to residents taking on plots for

- cultivation.
- o Details regarding the proposed orchard planting (location, proposed species, tree sizes, numbers/densities and planting methods).

It is noted that on-going management of the allotment and orchard planting (as well as other on-site landscape and ecological features) is provided through the on-site LEMP secured through the discharge of condition 10 of the outline application. It is suggested that an informative is added to any planning approval noting that the development must be carried out in strict accordance with both the on and off site LEMPs. It should be noted that Torbay Council is currently in discussion with Linden Homes regarding progress with the LEMP works.

The Design Statement states that "The Locally Equipped Areas for Play (LEAP) within the POS are to be detailed and delivered by Torbay Council". Whilst Torbay Council's Natural Environment Services team are happy with this approach, a suitable financial contribution for both capital (development of design and purchase of equipment) and revenue will need to be agreed and secured through a supplementary s106 agreement if this is the case. This will need to be agreed prior to determination; James Nicholas and Neil Coish should be contacted in this regard.

As for the previous reserved matters application (P/2013/1229), a condition should be secured to ensure that there is no form of external lighting on the elevations facing hedgerows along the southern boundary (plots 371 - 378 and plots 391 and 392) and along Waddeton Road (plots 169, 170, 370) to avoid adverse impacts on bats.

Natural England: No objection in terms of statutory nature conservation site, Natural England advises that the proposal is unlikely to affect any statutorily protected sites. Natural England does not wish to comment on this development proposal in relation to protected landscapes however advises that the South Devon AONB unit may wish to comment. The application has not been assessed in relation to the impacts on protected species.

Environment Agency: The site is Flood Zone 1 and sites in the Critical Drainage Area are dealt with by standing advice.

Landscape Consultant: Of particular relevance to the consideration of this application are the approved off-site landscape mitigation/enhancement works (LEMP secured by S106) which includes significant belts of woodland planting on land to the south, including a belt (around 25m wide) immediately south of the southern boundary. This planting will provide a strong landscape buffer between the development and undeveloped countryside to the south. Therefore, planting within the site is primarily to contribute to the internal character/sense of place of the site and the amenity of residents, as opposed to the assimilation of the development within its wider context.

The outline application included a house typology schedule (Dunmarino Associates dwg. no 13009 HTP 01 Rev. J). This indicated detached houses on the southern edge of the site. The proposals show a mix of detached and semi-detached houses resulting in an increase in housing density on this boundary. Whilst this would have a slight effect on the visual permeability of the development in more immediate views this is not considered to be a particular issue of concern given the structural planting proposed to the south which will contain the site in time.

Of particular concern is the very close relationship of buildings in plots 169, 170, 370-371, 390 and 391 to the existing boundary hedge. There appears to be a high likelihood of damage to occur to the hedge and associated rooting area (reference to any submitted Arboricultural Assessment should identify the minimum root protection area for this hedge), when taking account of working areas required for construction. Buildings in plots 170, 370-371 are also, by virtue of their proximity to the hedge, to be readily apparent rising above in views from Waddeton Road. It is recommended that further consideration of the proposals is required to address these issues.

The houses in plot 391 and 392 are very close to the hedge and likely to result in shading to the south elevation as the hedge and off site planting develops, resulting in pressure to cut back. It is recommended that the design of these plots is reconsidered

How is the boundary hedge to be protected? The hedge should be retained in single ownership to ensure it is managed in a consistent and appropriate manner. How is it to be accessed for management purposes?

The internal landscape proposals appear to have been 'watered down' considerably from the detailed landscape plans provided by Stride Treglown (although we are unclear about the status of these plans and whether they have been approved previously). The proposals now (as shown on Clifton Emery Design dwg no 151102 L 08 01) show very little landscape variation with the principal focus on hedge planting (laurel and hornbeam) to the boundaries of front gardens throughout the scheme and scattered tree planting. The previous Stride Treglown (ST) drawings showed greater variation in treatment which is desirable. Overall therefore the current proposals appear to be a significant 'step back' in terms of the creation of a more varied, interesting external environment and sense of place. It seems entirely reasonable (and depending upon the status of earlier ST drawings) to require the approach to be reconsidered.

There is no indication that details have been provided indicating proposed plant sizes, densities and outline soft landscape specification. This should be checked and, if not provided as part of the application, It is recommended that this information should be requested pre-determination.

Tree species:

- o Prunus avium 'Plena' is shallow rooting and may cause future problems with disruption of hard surfaces.
- o Betula pendula can be brittle with age and their incorporation in the scheme needs to be considered carefully. Their mature stature, relative to their location on the southern side of plots 177-181, may result in their future removal by householders. The inclusion of some trees on the southern side of this street would be desirable and give a more varied street scene.
- o We recommend that confirmation is obtained that the location of trees relative to services has been considered and that trees proposed can actually be achieved.
- o Some trees are located very close to buildings and confirmation should be obtained that these are practical relative to adjoining foundations (as NHBC guidelines).

It is recommended that any areas proposed to be offered for adoption by the Council are identified at this stage to allow further consideration on their acceptability.

Affordable Housing Delivery Officer: Comments awaited.

Senior Design and Heritage Officer: Comments awaited in relation to the Building for Life Assessment.

South Devon AONB Manager: Comments awaited.

South Hams District Council: No comments received.

Summary Of Representations

1 representation received. Issues raised:

- o Removal of facilities - the outline application proposed A1/A3 uses which have not been included in this application
- o Overdevelopment - the development is dense and does not provide facilities
- o Impact on local area - pressure on services, highway, wildlife and employment
- o Contrary to local and national policies - the proposal does not take in to account the need to consider employment opportunities of the occupants of the housing and therefore occupants will travel outside of the Bay.

Relevant Planning History

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

P/2014/0071 Approval of appearance, landscaping, layout and scale in relation to 38 dwellings and associated development. Reserved Matters for P/2011/0197 APPROVED

P/2015/0918 Appearance, landscaping, layout and scale in relation to 310 dwellings and associated development (Variation of condition P1 of P/2013/1229 - MMA to units 37, 94 and 237 to allow wheelchair access) APPROVED

P/2015/1061 Approval of appearance, landscaping, layout and scale in relation to 38 dwellings and associated development. Reserved Matters for P/2011/0197 PENDING CONSIDERATION subject to the outcome of this application

P/2015/1229 Approval of appearance, landscaping, layout and scale in relation to 217 dwellings and associated dwelling - THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2011 DO NOT MAKE PROVISION FOR PUBLIC COMMENT ON REQUESTS FOR SCREENING/SCOPING OPINIONS EIA NOT REQUIRED

P/2016/0094 Erection of 44 dwellings and associated infrastructure PENDING CONSIDERATION

P/2016/0188 Approval of appearance, landscaping, layout and scale in relation to a sports pavilion PENDING CONSIDERATION (Variation of condition P1 of P/2014/0071)

Key Issues/Material Considerations

The key issues to consider are the principle of development, appearance, scale, layout and highways matters, parking, waste and recycling facilities and residential amenity.

Principle:

Outline consent has been granted for the mixed use development of the site. This application was approved subject to extensive consultation and was subject to Habitat Regulation Assessment and was accompanied by a detailed Environmental Statement. The principle of development was established by this application and subsequently two reserved matters applications were approved for the residential elements of the site.

This application is in accordance with the indicative layout and delivers affordable housing as set out within the section 106 agreement. The scheme provides 20% affordable housing across the two sites, a schedule of the tenure is awaited. Comments from the Delivery Officer on the level of affordable housing and the tenure are awaited and will be verbally presented to the Committee.

Condition 2 of the outline application required the scheme to score at least 8

'greens' when scored against Building for Life criteria. This assessment is ongoing and will need to take in to account the revised drawings submitted. The results of this assessment will be provided to the members at committee once complete.

Appearance:

There are various different house types across the two parts of the site, the majority of which are simple and contemporary in design with slate grey tiled pitched roofs, rendered or full bricked walls and upvc windows, doors and fascias. The house types are largely grouped into distinct areas in line with the different character areas. The majority of dwellings are rendered with subtle changes in render colour and feature brick panels and plinth to add interest. In the lower density areas of the site full brick dwellings have been included to define the character areas throughout the development. If approved it is recommended that a condition regarding the submission of details of external materials to ensure a high quality residential environment.

The appearance of the dwelling houses is considered acceptable and in keeping with the remainder of the approved residential scheme that is not subject to this reserved matters application.

Scale:

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

As was the case with the previously approved reserved matters applications, the tallest properties are limited to a particular character area ('Neighbourhood Core') helping to define the urban form. The remainder of the site is limited to two storeys. The scale of the development has increased with the increased density of the dwellings in order to provide additional two bedroom dwellings. As a result the features of the individual character areas approved as part of the original reserved matters applications, particularly those within the lower density areas of the site, have been weakened somewhat. The 'Countryside Edge' whilst still relatively spacious in comparison to the 'Neighbourhood' and 'Residential Core' areas, has become more dense with an increase in semi-detached and terrace dwelling arrangements. In comparison to that previously approved the quality of the scheme is considered to have weakened particularly within the 'Countryside Edge' character area. However the dwellings in this area continue to feature open intervals creating the feeling of space between built form and no more than approximately 16m of built form in a single stretch and in some cases garages

also allow for larger gaps to be maintained at first floor level. Within the 'Neighbourhood Core' and 'Residential Core' character areas the density has also increased with increased numbers of terraced dwellings. However in these areas, the character is of a higher density and therefore the level of built form is considered to sit much more comfortably and therefore the scale of physical development in these areas is considered acceptable.

The number of dwellings has increased and therefore so has the density. It is accepted that there is scope to increase the density of development on the site. However the resulting development needs to meet the objective of providing high quality living environment for all residents. A core planning principle in the NPPF is to "secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings". This point is reiterated at para. 58 of the NPPF which states that decisions should aim to ensure that developments "create attractive and comfortable places to live, work and visit".

In this case the revision to the scale of development has implications for the quality of residential environment that will be created. As identified below the proposed changes result in a greater number of dwellings on the site with a car parking level that falls short of that required by Policy TA3 in the Torbay Local Plan. This shortfall is an indicator that the scale of development on the site is excessive resulting in the proposed layout failing to meet the objectives of Policy H1 and DE3 which seek to provide a good level of amenity for occupiers.

Layout 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 situ, enhancing Waddeton Road and including a roundabout with access in to the development site. As was the case with the previous reserved matters applications, the road layout within the scheme is focused on the provision of a number of principle access roads to sections of the development with cul-de-sacs leading off each route. With the exception of the private drives which adopt block paving and the key frontage on to the area of open space to the western edge of the larger part of the site, the roads are of a traditional design with asphalt roads and footways to one side. Highway bands with rumble strips are proposed at key junctions to encourage the reduction in speeds at these points.

The layout provides good permeability into the site with access routes through for both vehicles and pedestrians. The layout remains largely the same as previously approved in terms of the road layout and remains acceptable.

Parking:

The previously approved reserved matters schemes had a number of dwellings which only benefitted from one parking space. The percentage of dwellings with only one parking space approved as part of the original reserved matters schemes was 8%, on balance this was considered acceptable and in accordance

with policy at the time of decision with policy T25 of the Torbay Local Plan 1995-2011 (now superseded) noting parking requirements as maximum guidelines. The current scheme refers to only part of the wider residential development and 66 of the plots only benefit from one parking space, of these 66 plots 31 are apartments. This equates to 19% of dwelling house plots benefitting from only one parking space, each of these dwellings has a minimum of two bedrooms. Policy TA3 and the associated appendix G states that the Council will require appropriate provision of car, commercial vehicles and cycle parking spaces in all new development and that development proposals will be expected to meet the guideline requirements as set out in Appendix G. Appendix G states that dwelling houses will be expected to provide two parking spaces per dwelling unit and explains that in locations such as town centres where there is a greater choice of transport, this standard may be reduced. The application site is not within a town centre location and whilst there may be some services within walking distance of the development this is not extensive and due to the scale of the development one parking space per dwelling house for 19% of the dwelling house plots is likely to result in on-street parking issues. It is noted that a high portion of the dwelling houses which benefit from only space are located within the areas of the development which are subject to the highest density. In addition it is in these areas where there are also examples of remote parking which is also likely to result in occupiers parking vehicles on the street outside their dwelling houses rather than in parking courts located away from their dwelling houses.

The percentage of dwellings with only one parking space approved as part of the previous reserved matters application is a material consideration and has been considered as part of this recommendation. The current scheme exceeds this percentage and would not meet the policy requirement set out within policy TA3 and appendix G of the Torbay Local Plan 2012-2030. On balance having considered both the previously approved schemes that are capable of implementation and the current policy requirements, the reduced number of parking spaces is not considered acceptable. Whilst the overall parking ratio (excluding apartments) may be 1.9 spaces to every one dwelling, it is noted that this is in part skewed by the number of dwellings which benefit from more than 2 spaces and irrespective of this, the number of dwellings which only benefit from 1 parking space remains unacceptable.

The increased density of dwelling houses has limited the amount of space available for off road parking provision. At the current parking ratio, landscaping has helped to limit the impact of the parking on the wider street scene however additional parking provision as required to meet the requirements of policy TA3 and appendix G would be likely to result in streets dominated by off street parking provision to the front of dwelling houses. Similarly if the current parking ratio were to be pursued, the streets are also likely to become car dominated with an increased likelihood of on street parking by both occupiers and their visitors. A reduced density of development would enable a parking provision in line with

policy requirements without detriment to the overall character of the street however negotiations with the applicant indicate that this is not a route they wish to pursue. It is therefore concluded that the proposed development does not comply with Policy TA3 in the Torbay Local Plan.

Garages do fall short of the dimensions required by policy TA3 and appendix G of the Torbay Local Plan. However having considered the approved reserved matters schemes, on balance this is not on its own considered to warrant the refusal of the application as this would not result in a greater impact when compared against the approved scheme. This same consideration cannot be made when considered in terms of off road parking bays, as the percentage of dwellings with only one parking space is greater than that previously approved.

Each of the properties has access to the rear gardens to enable waste and cycle storage provision to be provided. Where properties don't benefit from rear gardens or garage provision separate cycle and waste provision is provided. All properties in the scheme are to have dedicated recycling and waste storage facilities and cycle stores as secured by condition 4 of the original outline consent.

Landscaping

As part of the outline application, off-site landscape mitigation and enhancement works (Landscape and Ecological Management Plan secured by S106) includes significant belts of woodland planting on land to the south, including a belt immediately south of the southern boundary. This planting will provide a strong landscape buffer between the development and undeveloped countryside to the south. The increased housing density is not considered to have a significant effect on the visual permeability of the development in light of the structural planting proposed to the south which will act to contain the site once established. In addition and in light of this structural planting the proposal is not considered to result in significantly greater impact in views from the AONB to the south or views from the South Hams. South Hams District Council and the South Devon AONB unit have been asked if they wish to comment, no comments have been received to date.

Officer negotiations have resulted in a revised landscaping scheme. Whilst formal comments are awaited from the Council's Arboricultural Officer it is understood that the revised scheme does accord with officer comments provided during the course of the application and will complement the development. Landscaping is proposed to break up the rows of parking provision and screen parking courts, the landscaping proposals help to soften the scheme and whilst the increased density has defined the level of landscaping proposed the overall landscaping proposals are considered acceptable on balance. Comments from the Arboricultural Officer will be verbally presented to the Committee. Within the consultation response from the Landscape Consultant, reference is made to several plots within the 'Countryside Edge' that are positioned in close proximity

to the existing hedgerow. Five of these plots are located in a closer position to the hedge on to Waddeton Lane than the previously approved reserved matters scheme. Further work is required on this area of the scheme for it to be acceptable. The applicant could consider measures to amend the position of these dwellings to improve this relationship and overcome this issue.

Comments from the Council's Green Infrastructure Officer are noted. The allotments have been omitted from this part of the wider outline application site and repositioned to the west of the red line boundary. Orchard planting has instead been included within the area previously noted as allotments. The Officer has been reconsulted on this change and any comments received will be presented to the Committee.

Residential Amenity

There are 217 new dwellings being provided within the scheme, this comprises:

2 one bed flats
28 two bed flats
58 two bed houses
85 three bed houses
42 four bed houses
2 two bed coach houses

There a good range of house sizes, the majority of the properties benefit from rear gardens with the exception of the apartments/flats and one of the coach houses. The sub-text to policy DE3 of the Torbay Local Plan 2012-2030 recommends 55sqm of private amenity space for dwelling houses and 10sqm for flats. Whilst the gardens sizes fall below this recommended guideline in some instances having considered the availability of public open space provided as part of the development on balance the level of private amenity space is considered acceptable. Similarly having considered the previously approved scheme it is considered that the dwellings are acceptable in terms of internal floor space and are largely well proportioned internally.

For the majority of plots the level of inter-visibility is limited due to the layout of the dwellings and separation distances. There is an exception where the separation distance is limited to 17m, this falls below what is generally recognised as an optimum separation distance to prevent inter-visibility between dwellings that are positioned back to back. The standard of residential amenity that would be achieved in this area falls below the level that would normally be expected and is another indicator that the density of development is excessive for this site. Further work is required on this area of the scheme for it to be acceptable. The applicant could consider measures to amend the floor plans of these dwellings, amend window positions to allow only off set views or include obscure glazing to limit the impact on this reduced separation distance, in order to overcome this issue.

As explained in earlier paragraphs the level of parking provision does not meet the requirements of policy TA3 and the associated appendix G. This would have an impact on the residential amenities enjoyed by the occupants of the development. A reduced density of dwellings would improve this situation.

Comments from the Police Architectural Liaison Officer are noted and have been reiterated to the applicants and included within the revised scheme as appropriate.

Conclusions

In conclusion, the submitted scheme fails to meet the objectives of Policies SS11, H1, DE1 and DE3 in the Torbay Local Plan to provide a high quality form of development with a good level of amenity for all residents. The proposal constitutes overdevelopment of the site by reason of the number of dwellings that would have a lower level of off street parking than is required by Policy TA3. This would inevitably result in a proliferation of on street parking, which would have a harmful effect on the character, quality and function of the area. The proposed form of development would detract from the residential amenities of occupants and is therefore considered contrary to Policies in the Torbay Local Plan and the NPPF and would be unacceptable.

Condition(s)/Reason(s)

01. The proposal would fail to deliver a high quality living environment or a good standard of amenity for future occupants in accordance with paragraph 17 of the National Planning Policy Framework and policies SS11, H1 and DE3 of the Torbay Local Plan 2012-2030. The proposal would constitute overdevelopment of the site and as a consequence, a lack of suitable parking provision for future occupants which would result in on street parking problems to the detriment of the overall quality and function of the area and the amenities of future occupants of the development. As such the proposal is contrary to paragraphs 17, 56, 58 and 64 of the National Planning Policy Framework and policies SS11, H1, DE3, TA3 and Appendix G of the Torbay Local Plan 2012-2030.

Relevant Policies

H1LFS - Applications for new homes_
SS11 - Sustainable Communities Strategy
DE1 - Design
DE3 - Development Amenity
DE2 - Building for life
C4 - Trees, hedgerows and natural landscape
SS8 - Natural Environment
TA3 - Parking requirements