

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 216 dwellings and associated development.

Update Report:

This application was deferred at the previous committee on the 14th March 2016 to allow for further consideration of a revised scheme.

The original scheme presented to the committee raised concerns regarding the overdevelopment of the site, specifically due to the number of units which had only one parking space, the proximity of some units to an existing hedgerow on Waddeton Road, reduced quality landscaping and the proximity between several plots resulting in issues with inter-visibility. It was also highlighted during the committee presentation that the Building for Life Assessment of the proposal scored 7 red, 1 amber and 4 green. However it was also noted that many of the red scores could be improved through the submission of further information and that a minimum of 8 greens are required to ensure compliance with the 2011 outline consent.

In response to these concerns the applicants submitted revised plans, these amended the description of development to 216 dwellings (rather than 217 as originally proposed), a mixture of detached, semi-detached and terrace dwellings and apartments of which 20% are affordable, landscaping including orchard planting and open space provision.

In summary the changes are as follows:

- o Plots 171, 172, 372-374, 393 and 394 have been repositioned to allow for a greater separation distance to be achieved between the buildings and the existing hedgerow on to Waddeton Road and the existing hedgerow that lines the southern boundary of the site
- o Plot 151 has been omitted from the scheme and plot 150 has changed house types to allow plots 147-149 to be repositioned and a greater separation distance to be achieved between these plots and plots 138-140
- o The number of properties with only one parking space has been reduced from 35 dwellings to 23. The percentage of dwellings with only one parking space has therefore reduced from 19% to 11%. The proposal also now includes an additional 8 visitor spaces.

- o Comments from the Council's Arboricultural Officer were verbally presented to the Committee on the 14th March. These comments confirmed that the landscaping proposals were considered acceptable subject to amendment to one tree species outside of unit 338 and the landscaping amendments being varied within the submitted Landscape and Ecological Management Plan. These comments have been incorporated into the revised scheme and the applicant has confirmed that the LEMP will be revised following a Committee resolution to approve.
- o The Design and Access Statement has been revised to take into account the changes listed above and further information has been submitted in order to achieve a higher Building for Life score.

A number of the issues highlighted in the previous recommendation of refusal have now been fully resolved. The Building for Life Assessment needs to be carried out on the revised proposals and the results will be presented to members at the meeting. Similarly comments from the Council's Arboricultural Officer with regard to the revised tree species will be presented at the meeting.

As noted in the original recommendation, 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% and is a material consideration. 11% of dwelling houses proposed within the revised scheme have only 1 parking space. These dwelling houses are located within the Residential Core character area of the development and whilst there are still examples of remote parking, the reduced number of dwellings with only one parking space has lessened the impact on the street scene as a result of on street parking. Policy TA3 and the associated appendix G state 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. It is noted that 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.

Whilst two parking spaces per dwelling house are not provided throughout the development, having considered the approved scheme which is capable of implementation and other policies within the Local Plan which encourage the delivery of housing, on balance, exceeding the percentage of dwelling houses with only one parking space to the extent proposed (ie by 3%) is considered acceptable. Whilst there will undoubtedly be some instances of on street parking throughout the development, these instances have been sufficiently reduced to a level comparable to that previously approved. Landscaping will help to soften the impact of this, and the reduced number of dwelling houses with only one parking

space together with additional visitor parking provision will help to limit the impact on the residential amenities of the occupants of the site. In light of the above, the proposal is considered acceptable in terms of the level of parking provision throughout the development.

In line with the above, the recommendation has been amended to one of conditional approval subject to responses from the Senior Strategy and Project Officer and the Arboricultural Officer confirming the acceptability of the revised proposals and a minimum Building for Life Assessment score of 8 greens being achieved.

Conditions will be verbally presented to the Members at the Committee; however it is recommended that the final drafting and determination of appropriate planning conditions is delegated to the Executive Director of Operations and Finance.

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.

Subject to satisfactory comments from the Arboricultural Officer, Senior Strategy and Project Officer and a Building for Life Assessment with a minimum score of 8 greens and conditions, on balance the proposal is considered to represent an

acceptable development contributing to the supply of housing within Torbay. Whilst a number of dwellings still only benefit from one parking space, overall a good standard of amenity is achieved by the proposal. The proposed landscaping scheme will soften the impact of the development and the layout will ensure an acceptable level of amenity can be achieved for the occupants of the development whilst protecting existing landscape features. The proposal is considered acceptable and compliant with both national and local policies specifically H1, SS11, SS12, DE1 and DE3

Recommendation

Conditional approval subject to satisfactory updated comments from the Arboricultural Officer, the Senior Strategy and Project Officer and a revised Building for Life Assessment that scores a minimum of 8 greens.

Conditions as considered appropriate are summarised below, however it is recommended that the final drafting and determination of appropriate planning conditions is delegated to the Executive Director of Operations and Finance.

Conditions relating to car parking, house location and type, noise, landscaping, trees, external lighting, external materials, ecology, hedgerow protection and construction.

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 216 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 216 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 23 dwellings on the site which have only 1 parking space which amounts to approximately 11% 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.

Comments verbally presented to the Development Management Committee on the 14th March 2016:

Species of *Quercus palustris* outside of unit 338 should be varied to a smaller tree as it will quickly outgrow the front garden. Agreement is found that plan ref 151102 L08 02 dated feb 2016 mirrors agreed points from the meetings. Queries raised regarding whether or not the approved LEMP will be revised to take the changes into account.

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.

Comments verbally presented to the Development Management Committee on the 14th March 2016:

In relation to ecology, it is recommended that the following is secured by planning condition or provided prior to the determination of the reserved matters application.

- o Submission of a Construction Environmental Management Plan (CEMP) for approval by Torbay Council prior to commencement. The CEMP should be produced in accordance with clause 10.2 of BS.42020:2013.
- o Submission of a lighting plan for approval by Torbay Council prior to commencement. Lighting should be designed to be sensitive to bats. External lighting should be the minimum required for safe use of the site and positioned to avoid illuminating retained hedgerows, new roosting provision and any retained trees with identified bat roost potential.
- o Submission of a plan for approval by Torbay Council prior to commencement showing the numbers, locations and specification of the bird and bat boxes proposed in Figure 7: Ecological Enhancements of the on-site LEMP (Abacus/Deeley Freed/Linden Homes January 2014 Rev D) submitted to discharge condition 10 of the outline application, P/2011/0197.

In relation to the allotments and orchard, it is noted that the arrangement has been revised (as shown on drawing 151102 L02 03: Composite Site Layout Rev H and Drawing 151102L 08 01: Soft Works 1 Rev 1). The inclusion of orchard planting on the plans is welcomed, however it is suggested that the nine allotment plots currently located to the north of proposed sports pavilion be relocated so that they are parallel to the north hedgerow, with the remainder of the area set aside as an orchard.

With regard to allotments, it is noted that the on-site LEMP (Abacus/Deeley Freed/Linden Homes January 2014 Rev D) states that 'until residents arrive, define and take on plots for cultivation, this area is to be laid out and maintained as amenity grassland' and it would be useful if this was specified on the soft works plan. As per my previous comments further details of the orchard planting (tree sizes, numbers/densities and planting methods) are required. It is noted that on-going management of the allotment and orchard is provided through the on site LEMP secured through the discharge of condition 10 of the outline application (P/2011/0197)

It is noted that the revised Design and Access Statement still states that 'The Locally Equipped Areas for Plan (LEAP) within the POS are to be detailed and delivered by Torbay Council. As previous comments, 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.

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 recommend 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 verbally presented to the Development Management Committee on the 14th March 2016:

Whilst housing services are in agreement with the location of the affordable housing tenure of the affordable units are still to be determined and as with all sites we would expect the mix of affordable housing to be proportionate to the mix as a whole with 1/3 being provided for Affordable Rent, 1/3 Social Rent and 1/3 Shared Ownership. Subject to the section 106 as agreed at outline planning stage being met which sets out the details around specification, location etc of the affordable units then Housing Services are in support of the application.

Senior Design and Heritage Officer: Comments verbally presented to the Development Management Committee on the 14th March 2016:

The Building for Life Assessment resulted in a score of 7 red, 1 amber and 4 green however many of the reds could be improved by the submission of further information. It is likely that 8 greens as required by a condition of the 2011 outline consent could be achieved.

South Devon AONB Manager: Comments verbally presented to the Development Management Committee on the 14th March 2016:

It will fall to the planning authority to consider the impact on the AONB and to give that great weight in its consideration of the application. Although the report by Enderby Associates does not explicitly refer to the AONB, reference to the planting belts acting as buffers to longer distance views are noted, so it may be that this covers the AONB angle. The comments of Enderby Associates about the importance given to the coherent future protection and management of the boundary hedges are endorsed and the recommendation that they should not be incorporated piecemeal into private gardens. One further issue to consider is whether the application provides suitable detail of external lighting proposals in a way that minimises light spillage from the more elevated parts of the site into the surrounding countryside.

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.

Whilst housing services are in agreement with the location of the affordable housing, tenure of the affordable units is still to be determined and it is expected that the mix of affordable housing will be proportionate to the mix as a whole with 1/3 being provided for Affordable Rent, 1/3 Social Rent and 1/3 Shared Ownership. Subject to the section 106 as agreed at outline planning stage being met which sets out the details around specification, location etc of the affordable units, Housing Services are in support of the application.

Condition 2 of the outline application required the scheme to score at least 8 'greens' when scored against Building for Life criteria. The Building for Life Assessment of the original submission resulted in a score of 7 red, 1 amber and 4 green however many of the reds could be improved by the submission of further information. It is likely that 8 greens as required by a condition of the 2011 outline consent could be achieved however a further assessment will need to be carried out and the result of this assessment will be presented at the meeting.

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. The proposal has been revised in order to overcome officer concerns regarding the overdevelopment of the site. 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". The proposal has been revised in order to meet these principles.

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:

As noted in the original recommendation, 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% and is a material consideration. 11% of dwelling houses proposed as part of the revised scheme have only 1 parking space. These dwelling houses are located within the Residential Core character area of the development and whilst there are still examples of remote parking, the reduced number of dwellings with only one parking space has lessened the impact on the street scene as a result of on street parking. Policy TA3 and the associated appendix G state 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. It is noted that 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.

Whilst two parking spaces per dwelling house are not provided throughout the development, having considered the approved scheme which is capable of implementation and other policies within the Local Plan which encourage the delivery of housing, on balance, exceeding the percentage of dwelling houses with only one parking space to the extent proposed (i.e. by 3%) is considered acceptable. Whilst there will undoubtedly be some instances of on street parking throughout the development, these instances have been sufficiently reduced to a level comparable to that previously approved. Landscaping will help to soften the impact of this, and the reduced number of dwelling houses with only one parking space together with additional visitor parking provision will help to limit the impact on the residential amenities of the occupants of the site. In light of the above, the proposal is considered acceptable in terms of the level of parking provision throughout the development.

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.

Officer negotiations have resulted in a revised landscaping scheme. The revised scheme accords 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. 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 were located in a closer position to the hedge on to Waddeton Lane than the previously approved reserved matters scheme. The revised scheme has improved the relationship between these dwellings and the existing hedgerow to a level that is considered acceptable having considered the layout already approved.

Comments from the Council's Green Infrastructure Officer are noted and conditions will be included as conditions of approval as suggested. 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.

Residential Amenity:

There are 216 new dwellings being provided within the scheme, this comprises:

- 2 one bed flats
- 29 two bed flats
- 56 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. The original submission included an exception where the separation distance was limited to 17m, which fell below what is generally recognised as an optimum separation distance to prevent inter-visibility between dwellings that are positioned back to back. This has been revised and the standard of amenity has now been improved to an acceptable level.

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

Subject to satisfactory comments from the Arboricultural Officer, Senior Strategy and Project Officer and an acceptable Building for Life Assessment score and conditions, on balance the proposal is considered to represent an acceptable development contributing to the supply of housing within Torbay. Whilst a number of dwellings still only benefit from one parking space, overall a good standard of amenity is achieved by the proposal. The proposed landscaping scheme will soften the impact of the development and the layout will ensure an acceptable level of amenity can be achieved for the occupants of the development whilst protecting existing landscape features. The proposal is considered acceptable and compliant with both national and local policies specifically H1, SS11, SS12, DE1 and DE3.

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
SS12 - Housing