

Application Number

P/2016/0630

Site AddressPaignton Library
Courtland Road
Paignton
Devon
TQ3 2AB**Case Officer**

Gary Crawford

Ward

Roundham With Hyde

Description

Variation of condition 15 of P/2013/0324 - The development shall be built to Secured by Design Standards (with the exception of windows and doors)

Executive Summary/Key Outcomes

The proposal is for the variation of the wording of Condition 15 (Secured by Design Standards) approved under planning application P/2013/0324 for erection of two blocks of sheltered housing flats comprising 22 no. 1-bed flats and 16 no. 2-bed flats, with connecting owners lounge, guest suite and associated access and parking; following demolition of existing library building.

Following the Deregulation Act 2015, planning policies relating to technical security standards for new homes, such as door and window locks are no longer considered necessary because all new homes will be subject to the new mandatory Building Regulation Approved Document on security (Part Q). However, Secured by Design Standards also relate to other matters such as layout of roads and footpaths, communal areas, car parking and planting which are relevant to planning. As such, the proposal to vary the wording of Condition 15 to not include windows and doors is considered to be acceptable but the applicant is still required to submit evidence that demonstrates that the other elements of the development meet the Secured by Design Standards in order for Condition 15 to be discharged.

Recommendation

Approval, with the condition varied to:

"The development (with the exception of windows and doors) shall be built to Secured by Design Standards and shall aim to achieve a full certification in this regard"

Statutory Determination Period

13 weeks, the determination date was 2nd September 2016. However, this has been extended until 12th October to allow the proposal to be determined by the Development Management Committee.

Site Details

The application site formerly contained Paignton library. This building has since been demolished and two apartment blocks which are three and a half storeys in height have been constructed.

Detailed Proposals

Variation of the Secured by Design standards condition approved under planning application P/2013/0324. This application was originally for the removal of Condition 15 (Secured by Design Standards) as following the Deregulation Act 2015, the applicant considered that the condition was no longer necessary as the technical security standards for new homes would be dealt with by Part Q of Building Regulations instead. However, Secured by Design Standards do not relate to doors and windows only but also take into account other matters such as layout of roads and footpaths, communal areas, car parking and planting which are relevant to planning. Following negotiations, the agent confirmed via e-mail on 30 August 2016 that the wording of the condition be amended to:

The development (with the exception of windows and doors) shall be built to Secured by Design Standards and shall aim to achieve a full certification in this regard.

Summary Of Consultation Responses

Police Designing out Crime Officer: By removing the need for windows and doors to be Secured by Design standard will mean that the development would be incapable of achieving Secured by Design compliance, and as such, it cannot be described or advertised as being Secured by Design, unless certification or a test report from a UKAS accredited test facility demonstrating that the doors and windows comply with PAS 24:2012 (or equivalent) can be produced.

The non negotiable areas for Secured by Design developments are the quality of doors and windows, due to the fact that these are the primary points of entry for offenders. Some non tested products can easily fail under attack resulting in a preventable crime being committed with all of the resultant inconvenience and distress to the homeowner. Doors and windows are such an intrinsic element of security they must be tested and certificated to the required standard.

Summary Of Representations

One letter of representation has been received which queried the reason for the removal of the condition. This has been sent electronically for Members consideration.

Relevant Planning History

P/2013/0324: Erection of two blocks of sheltered housing flats comprising 22 no. 1-bed flats and 16 no. 2-bed flats (38 flats in total) (Use Class C3), with connecting owners lounge, guest suite and associated access and parking; following demolition of

existing library building. Approved 14/2/2014.

CN/2014/0030: Discharge of conditions 01, 02, 03, 06, 07 (in part), 10 and 11 in relation to approval P/2013/0324/MPA. Approved 17/6/2014.

P/2014/0372: Non-material amendment to P/2013/0324 - Change wording of Conditions 07, 08 & 09. Approved 15/5/2014.

P/2014/0528: Non-material amendment to P/2013/0324/MPA - Remove Condition 10. Approved 2/6/2014.

CN/2014/0089: Discharge of condition 6 (P/2013/0324). Approved 27/4/2015.

CN/2015/0057: Discharge of Conditions re: P/2013/0324 Condition 8 - Materials; Condition 9 - Fenestration and Rainwater Goods. Approved 11/1/2016.

CN/2016/0038: Discharge of condition 13 of P/2013/0324. Under consideration.

CN/2016/0047: Discharge of conditions 12 and 14. Under consideration.

Key Issues/Material Considerations

The application is to vary the wording of Condition 15 of planning permission P/2013/0324. The condition requires the development to be built to Secured by Design Standards and shall aim to achieve a full certification in this regard.

Following the Deregulation Act 2015, planning policies relating to technical security standards for new homes, such as door and window locks are no longer considered necessary because all new homes will be subject to the new mandatory Building Regulation Approved Document on security (Part Q). However, Secured by Design Standards also relate to other matters such as layout of roads and footpaths, communal areas, car parking and planting which are relevant to planning. Given the changes announced under the Deregulation Act 2015 relating to doors and window locks, the proposed variation to the wording of Condition 15 of planning permission P/2013/0324 is considered acceptable. However, the applicant is still required to submit evidence that demonstrates that the other elements of the development such as layout of roads and footpaths, communal areas, and car parking meet the Secured by Design Standards in order for Condition 15 to be discharged.

Conclusions

The proposed variation of the wording of Condition 15 is considered acceptable.

Condition(s)/Reason(s)

01. Development to accord with details approved pursuant to application reference P/2013/0324 relating to drainage.
02. Development to accord with details approved pursuant to application reference P/2013/0324 relating to the Construction Method Statement
03. Development to accord with details approved pursuant to application reference P/2013/0324 relating to the Reptile and Amphibian Works Method Statement
04. Development to accord with details approved pursuant to application reference P/2013/0324 relating to the arboricultural method statement and tree protection plan
05. Development to accord with details approved pursuant to application reference P/2013/0324 relating to the landscaping plan
06. Development to accord with details approved pursuant to application reference P/2013/0324 relating to the external materials
07. Development to accord with details approved pursuant to application reference P/2013/0324 relating to the fenestration and rainwater goods
08. Development to accord with details approved pursuant to application reference P/2013/0324 relating to the access plan
09. Details of travel plan
10. Details of external lighting
11. Contamination survey to be submitted
12. The development (with the exception of windows and doors) shall be built to Secured by Design Standards and shall aim to achieve a full certification in this regard
13. Car parking provided and retained

Relevant Policies

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