

Application Number

P/2012/1078

Site Address

Marine Park Holiday Centre
Grange Road
Paignton
Devon
TQ4 7JR

Case Officer

Matt Diamond

Ward

Goodrington With Roselands

Description

Reserved matters for layout, appearance, scale and landscaping - following outline approval P/2009/1084/MOA for revised plans; layout and agree siting of plots 6 to 17; formation of one hundred residential units with pedestrian and vehicular access (in outline)

Executive Summary/Key Outcomes

This application seeks approval of the reserved matters of layout, scale, appearance and landscaping following outline planning permission on the Marine Park site for 100 dwellings and access points on Grange Road and Goodrington Road (ref. P/2009/1084). It relates to the majority of the site, although details relating to the eastern part of the site adjacent to the properties in Grange Avenue and the access on Grange Road are dealt with in full application ref. P/2012/1079. This is because the layout varies the siting of plots 6 to 17 and the location of the access on Grange Road, which were fixed in the outline permission.

The design of the scheme relating to layout, scale, appearance and landscape is acceptable and an improvement on the illustrative scheme approved for the outline permission. On this basis the application should be approved. However, at the time of writing the Environment Agency is objecting to the application, due to inadequate surface water drainage strategy and the impact this has on the layout. Therefore, the application is recommended for approval, subject to either the Environment Agency removing its objection or the submission of a contingency strategy that has been agreed with the Council in consultation with the Environment Agency within the 13 week statutory determination period. If this does not take place, the application should be refused under delegated powers.

Recommendation

Conditional approval subject to the Environment Agency removing its objection within 13 week statutory period or a surface water contingency strategy being agreed with the Council in consultation with the Environment Agency; with conditions to be delegated to the Executive Head of Spatial Planning (a list of conditions/condition headings is provided at the end of this report, but more

conditions might be required). If the Environment Agency has not removed its objection or a contingency strategy been agreed at 13 weeks, the application should be refused under delegated powers.

Site Details

The site is located in the southern part of Paignton. It is bounded by Grange Road to the north and west, residential properties in Grange Avenue and along Goodrington Road to the east, and Goodrington Road, a caravan park and ancillary recreational area to the south. The site also bounds residential properties along Grange Road to the northeast. The site area is 2.2 ha. The site is undesignated in the Adopted Torbay Local Plan 1995-2011, but it adjoins the Roselands/Grange Road Wildlife Corridor and Clennon Hill/Roselands Valley Urban Landscape Protection Area to the north. In addition, it is in close proximity to Clennon Local Wildlife Site/County Wildlife Site on the opposite side of Grange Road to the west.

The site comprises a disused caravan park and an area of open land to the south. The caravan park once formed part of the wider complex of caravan parks in the area. The site has an existing vehicular access to the north on Grange Road. The site slopes uphill to the south, becoming steeper in the southern part of the site towards the open land. The disused caravan park includes: access roads, parking areas, static caravan pitches, ancillary buildings, trees and vegetation. The western boundary consists of a Devon hedgebank. A small woodland area in the southeast corner of the site is covered by a blanket TPO (2009.031).

This reserved matters application relates to the majority of the site; however it excludes the eastern part of the site along the boundary with the properties in Grange Avenue and the vehicular access on Grange Road. These parts of the site are dealt with under full planning application ref. P/2012/1079, which was submitted together with the reserved matters application. The reason planning application ref. P/2012/1079 was submitted separately is because it varies the siting of plots 6 to 17, which were fixed under the outline planning permission (ref. P/2009/1084), and the location of the access on Grange Road.

Detailed Proposals

The proposals relate to the reserved matters for outline planning permission ref. P/2009/1084 for:

Revised plans; revised layout, and agree siting of plots 6 to 17; formation of one hundred residential units with pedestrian and vehicular access (outline).

Therefore, the application seeks approval for details relating to: layout, scale of buildings, appearance of buildings and landscaping. The detailed proposals for the whole site are described below, i.e. the proposals for this application and full planning application ref. P/2012/1079.

The outline permission approved an indicative site layout for 100 dwellings, with two new vehicular access points onto Grange Road and Goodrington Road, pedestrian/cycle link onto Grange Road and a central green space/children's play space. The small woodland area in the southeast corner of the site covered by a TPO was retained. The detailed proposals retain the layout of the indicative scheme, except for excluding a street in the western part of the site. It was not possible to provide this route because of the gradient of the site in this location meaning the highway could not have been adopted. As a consequence, there is only one vehicular circulation route in the northern part of the site and the green space/children's play space has increased in size from 416 sq m to 570 sq m. The vehicular access points onto Grange Road and Goodrington Road are retained, as is the pedestrian/cycle link onto Grange Road. The location of the access onto Grange Road has moved slightly to the west, closer to the existing access, from the location approved for the outline permission.

The indicative proposals in the outline permission showed a mix of dwelling types from 2 bed flats to 3 and 4 bed detached houses. Building heights ranged from single storey to 4 storeys. The accommodation schedule for the reserved matters application confirms the overall housing mix, as follows: 29 no. 2-bed dwellings (3 coach houses, 14 flats/apartments and 12 terraced houses); 45 no. 3-bed dwellings (30 terraced houses and 15 semi-detached houses); and 26 no. 4-bed dwellings (7 terraced houses, 9 semi-detached houses and 10 detached houses). Building heights range from 2 storey to split 2/3 storey, and in the case of the blocks of flats/apartments, 3 and a half storey (lower block) and split 2/4 storey (upper block). 20% of the dwellings will be affordable, as permitted in the outline permission. These would be distributed in two clusters, one larger one in the northwest corner of the site and a smaller one in the eastern part of the site.

The proposed dwellings include a mix based on standard house types built by the developer and bespoke designs specific to the site. The elevation drawings show that the dwellings would have a fairly simple, uniform appearance with pitched grey tile roofs and some with integral garages. The materials used for the elevations include: painted sand and cement render, grey Eternit Cedral Weatherboard and Staffordshire Blue Brick plinths. The Design and Access Statement states that the proposals draw upon the aesthetic of traditional higher density rural homes found around South Devon. It also states that the proposals will benefit from the use of new sustainable materials and products which bring a contemporary edge to the scheme. A colour palette is included in the Design and Access Statement comprising a variety of colours with soft, muted tones.

The proposals include a Landscape Masterplan and Landscape Planting Plan. Highways and parking areas would be made from standard bituminous surfacing and block paving, the latter to indicate shared surface areas particularly at nodal points. Whilst some existing trees need to be removed, new street trees would be planted as well as hedges and shrubs. Stone boundary walls would be used to

enhance local character and raised timber planters placed at the entrances of some properties. The central green space/children's play space is described as an orchard in the Design and Access Statement, harking back to a time when orchards were prevalent in the area. It is annotated as including an incidental children's play space with seating element on the Landscape Masterplan.

The application(s) includes a parking distribution plan. This shows that every dwelling has at least one parking space and the majority have two. The majority of parking is on-plot, with some incorporated on-street or in courtyards with pedestrian priority. The upper block of flats has a car park set back from the highway. A number of on-street visitor parking spaces are also shown.

The application(s) includes a highway layout. This shows that the majority of roads would be adopted by the Local Highway Authority, whilst the parking courtyards and car park for the upper block of flats would be private and managed by a suitable management company. In addition, a section of highway in the western part of the site would be private due to the limited available space to meet adoptable width standards. The highway layout has been tweaked in a few places during the course of the application following comments from the Local Highway Authority.

Summary Of Consultation Responses

Design Review Panel: (Based on an earlier iteration of the scheme at pre-application stage): The proposals presented demonstrate that the outline permission for 100 dwellings and parking ratio of 2 spaces per dwelling represents a significant challenge in achieving a new neighbourhood of good quality on the site. The minor adaptation of the earlier illustrative masterplan and the development of fairly standard house types is not necessarily the best approach for the reserved matters application. The resulting layout seems to have a number of weaknesses and the full advantages of the site might be best discovered through a fresh start. A better quality neighbourhood might result from fewer units and/or a more flexible approach to parking standards.

The main areas for improvement are:

- Better integration of the urban form with vehicular movement to produce a more legible and convenient layout.
Apartments more tactically located within the layout to provide external (shared or public) amenity space and parking in close proximity to them.
Ensure that the layout, and the integration of parking, does not present a vehicle dominated environment.
- Ensure that the landscape design is a significant influence on the form of the neighbourhood – its character and how it might function as a new community.

- The house typologies deployed need to more nearly respect and form a good response to the particular topography of the site and its orientation.

South West Water: No objections in principle. A portion of the surface water drainage is intended to discharge to the public sewer, which is against South West Water policy and is only permitted in exceptional circumstances and subject to attenuation. If this is the only option, the developer will need South West Water prior approval to do this.

Senior Historic Environment Officer: Recommended an updated archaeological condition, as follows:

No demolition or development shall take place within the application area until a programme of archaeological works, as specified in a Project Design, has been approved by the local planning authority in writing. The archaeological works will include: a programme and methodology for site investigation and recording; post-investigation assessment and analysis; publication; and archive deposition.

Reason: Where an important archaeological site will be destroyed or materially damaged as a result of development following the granting of planning permission, the developer will be required to make provision for its archaeological recording, preservation, storage and publication as a condition of the permission. (NPPF 2012, para 141)

(This can be added to the outline permission via a Non Material Amendment application.)

Environment Agency: Initially responded stating no objections, subject to a condition to deal with surface water drainage. Provided a second response objecting to the application unless the applicant can demonstrate that soakaways are a feasible means to manage runoff from the site. There is a risk that the layout proposed would leave inadequate space for infiltration features, should testing demonstrate that the proposed soakaways are not appropriate because infiltration is not as favourable as early indications suggest.

Engineering: Drainage: No details provided of trial holes and infiltration tests to confirm the ground conditions are suitable for soakaways at the locations of the proposed soakaways. No details of soakaway designs, which must show they will cater for the critical 1 in 100 year storm event plus an allowance for climate change. No details of surface water system to soakaways, which must be designed so no flooding to properties is predicted for the critical 1 in 100 year storm event plus an allowance for climate change. If flooding is predicted, the developer must demonstrate how the floodwater/overland flow will be dealt with.

Agreed that these details can be submitted to approve Condition 10 of the outline permission ref. P/2009/1084.

Housing Services: Supportive of the proposals, as overall the scheme meets policy requirements. Stated that the changes to the layout of the scheme do not adversely affect the affordable units being provided.

Arboricultural Officer: Recommends the scheme is suitable for approval subject to conditions for: an updated tree protection plan; revised landscape plans showing significant replacement tree planting to mitigate against the loss of a band of mature conifers (Grade C – low quality) along Goodrington Road; woodland management plan; and ecological survey of the non-developable area.

Stated that the majority of new trees are small with low final canopy size that would be unlikely to serve to integrate the site into the wider landscape that the topography allow great views from. Tree pit designs are required where trees are shown to be within shared surfaces.

Stated anecdotal conversations indicate that a badger set may be in existence within the TPO'd woodland group to the south end of the site.

Highways/Strategic Transportation: Recommended that various highway design issues are addressed (all these were relatively minor and were incorporated in revised drawings).

Stated that the proposed construction access off Grange Road is not acceptable and should be addressed in the Construction Method Statement required to satisfy Condition 17 of the outline permission ref. P/2009/1084.

In addition to the sustainable transport contribution agreed for the outline permission, a Travel Plan is required which should be secured via a pre-occupation condition and be subject to a £35,000 bond to fund measures should targets in the Travel Plan not be achieved.

The sustainable transport contribution will contribute towards implementing the local cycle network.

Devon and Cornwall Police: No response.

Refuse Collection & Disposal: No response.

Summary Of Representations

Five objections to the application from local residents. The main issues raised are:

- Impact on drainage (surface water and foul) in the area
- Area becoming over developed
- New businesses needed, not new homes

- Traffic congestion and safety
- Impact on trees and wildlife
- Traffic survey could be bias
- Impact of 2 and 3 storey buildings on privacy and daylight of homes in Grange Avenue, which is at lower level
- Over development
- Impact on safety of Grange Road – should be made one way
- Safety of junction on Goodrington Road
- Increased noise

These are reproduced at Page P.201.

Relevant Planning History

- P/2009/1084: Revised plans; revised layout, and agree siting of plots 6 to 17; formation of one hundred residential units with pedestrian and vehicular access (outline): Approved 28.12.2011
- ZP/2012/0126: Provision of 100 dwellings (pre-application enquiry): Approve 07.09.2012
- CN/2012/0097: Discharge of condition 8 to application P/2009/1084/MOA - Greater Horseshoe bat survey report: Pending Consideration
- P/2012/1079: Erection of 12 dwellings and associated works, with revised siting of plots 6 to 17 and revised access to outline planning permission P/2009/1084/MOA: Pending Consideration

Key Issues/Material Considerations

The key issues are:

1. Design (layout, scale, appearance and landscaping)
2. Parking
3. Surface Water Drainage
4. Replacement Tree Planting
5. Provision of a Travel Plan

1. Prior to submitting the reserved matters application and full application ref. P/2012/1079, the applicant presented draft proposals to the Torbay Design Review Panel. The DRP noted that the layout of the site had been revised from the illustrative scheme approved under the outline planning permission ref. P/2009/1084 and the most significant revision was the discontinuation of one of the streets up the slope due to the topography. This meant that the circular street in the centre of the site could not be completed.

The DRP raised a number of concerns with the new layout, particularly the response to the discontinued street which was the introduction of a coach house at the end of the intended street creating a cul-de-sac. They also raised concerns with parking courts along the eastern boundary, the location of the lower block of flats, the lack of amenity space for the lower block of flats and car parking located in the central perimeter block. All these issues have been addressed in the reserved matters/full applications and the layout is considered to be a significant improvement to the outline permission and draft layout presented to the DRP. A particular improvement is the introduction of a central green space, described as an orchard in the Design and Access Statement, which provides an alternative link up the slope for pedestrians and cyclists in place of the street illustrated in the outline permission. Car parking has also been removed from along the eastern boundary improving the relationship with existing properties.

The DRP made no comments on the scale of the proposed dwellings. Overall this is considered acceptable and would fit in with the scale of housing in the area, i.e. 2 storeys or split 2/3 storeys where the building is on a slope. It is also consistent with the scale of buildings illustrated in the outline permission. The blocks of flats would naturally be larger in scale than the proposed housing, but would not be overly dominant or impact on the amenity of adjacent dwellings.

The buildings would have a fairly simple, uniform appearance, utilising similar materials all-but different colours from a restricted palette. This helps to create a sense of place and belonging and was recommended by the DRP. The DRP promoted bespoke design for the site and the applicant has responded by providing a mix of bespoke design and design based on standard house types; this is for viability reasons. However, it is considered that the appearance of the dwellings fits in with local character and is acceptable in the context of the relevant policies in the Local Plan. The DRP were critical of the use of coach houses, i.e. flats over garages, but the applicant has stated that these are popular with first time buyers and are considered acceptable, as mixed house types are promoted both in the Local Plan and NPPF (only 3 coach houses are proposed). The DRP raised concerns with potential north facing glazing to provide views at the expense of energy efficiency, but a study of the elevations shows that the proposed dwellings do not have an over abundance of north facing glazing.

The detailed proposals include a Landscape Masterplan and Landscape Planting Plan. These show that a great deal of effort has been spent on designing an appropriate landscaping scheme for the site that enhances local character and sense of place, whilst contributing towards creating a pedestrian friendly environment. Different hard surfacing is used at key points in the development to indicate the transition from vehicle dominated highway to pedestrian friendly shared street, and street trees are used together with other soft landscape, such as Hornbeam hedge, various climbing species and flowers, including Purple Sensation, to soften and add colour and interest to the built environment. The

DRP commented on how important landscaping can be, particularly boundary treatments, in adding quality and character to a development. The applicant has taken these comments onboard in the detailed submission. The central green space/'orchard' includes a children's play space, as required by the outline permission, is overlooked by the lower block of flats for safety (natural surveillance) and would provide a communal 'heart' to the development. The use of raised timber planters at entrances to properties adds further character. The Devon hedgebank along the western boundary would be retained and the eastern boundary with properties in Grange Avenue tidied up with new fencing and ornamental trees replacing the existing fencing, overgrown hedge and trees.

Overall, the design of the reserved matters/full applications is considered acceptable and in accordance with Policies BES, BE1 and BE2 of the Local Plan, and Section 7 of the NPPF. There remains scope for further refinement of the boundary treatments and outdoor lighting as part of the landscape proposals in the submissions for approval of details reserved by Conditions 13 and 14 of the outline permission.

2. The majority of dwellings in the scheme would have two parking spaces; however, the flats/apartments and 11 of the other dwellings would have one space according to the parking distribution plan. In addition, six visitor parking spaces would be provided on-street in the northern part of the site and three visitor spaces provided for the upper block of flats.

The proposed parking strategy complies with the maximum parking standards set out in Policy T25 of the Local Plan, although two dwellings have two spaces each that are both on-street. The DRP raised concerns with the integration of parking in the layout so that it wouldn't present a vehicle dominated environment. This is not considered to be the case though, as the majority of parking is provided on-plot either with one space in front of the other or one space in an integral garage. This coupled with the proposed integration of parking into the detailed landscape scheme means that a suitable amount of parking can be provided without harming the quality and appearance of the streets in the development.

3. Condition 10 of the outline permission requires the submission of a surface water drainage scheme for the site. The Engineering – Drainage department has agreed that this issue can be dealt with in a separate application to approve this condition. However, the Environment Agency has objected to the reserved matters application because supporting information has indicated that the ground conditions might not be suitable for the proposed soakaways. Therefore, the layout should not be approved until either it has been demonstrated that soakaways are feasible or alternative measures have been determined and it has been shown that there is enough space for these.

At the time of writing, the applicant is in the process of carrying out further work in order to satisfy the Environment Agency that they can remove their objection.

The updated position will be reported to the Development Management Committee. If the Environment Agency remove their objection before Committee then planning permission would not have to be withheld due to this issue, otherwise any recommendation for approval would be subject to either the Environment Agency removing their objection or the applicant agreeing a contingency strategy with the Council in consultation with the Environment Agency. If either of these scenarios have not taken place within the 13 week statutory period to determine the application then the application should be refused.

4. The Arboricultural Officer has recommended a number of conditions, including revised landscape plans showing significant replacement tree planting to mitigate against the loss of a band of mature conifers (Grade C – low quality) along Goodrington Road. The other conditions are already covered by conditions attached to the outline planning permission. The Landscape Masterplan and Landscape Planting Plan show that only three of the conifers would be removed - to form the vehicular access on Goodrington Road - and the remainder would be retained. The Tree Report submitted with the outline application and resubmitted with this application confirms that these trees are Grade C – low quality, and states they are inappropriate in the long term and should be replaced, possibly by extending the native group of trees/TPO woodland to the northeast. Therefore, the loss of these trees is not considered to have a significant impact on the amenity of the area and replacement tree planting can be addressed in the approval of Conditions 8 and 11 of the outline permission should it prove necessary.

The Arboricultural Officer also commented on the small size of replacement tree planting in the scheme that would make it difficult to integrate the site into the wider landscape, and requirement for tree pit designs where trees are located within shared surfaces. The first point needs to be balanced against other factors, such as the intended character of the development, i.e. orchard, integrating trees with utilities and the problems trees can cause with overshadowing. This last point is particularly relevant given that most of the development is broadly aligned along an east-west axis. Therefore, the proposed small trees are considered acceptable for the site. The second point can be conditioned.

5. A Travel Plan has been requested by Highways/Strategic Transportation to be included in the S106 package. However, this should have been included in the outline permission and cannot therefore be added as a condition to the reserved matters, if approved, and would be poor practice to add as a further obligation in the S106 Agreement at this late stage. Therefore, this should not be requested.

S106/CIL -

A S106 Agreement was prepared for the outline permission securing 20% affordable housing and the following contributions:

Education	£102,550.00
Lifelong Learning	£ 24,070.00
Green Space	£143,300.00
Stronger Communities	£ 12,535.00
Sustainable Transport	£ 78,090.00
Waste Management	£ 3,675.00

The S106 Agreement has been amended by the Council to relate to the outline permission and full application ref. P/2012/1079.

Housing Services has agreed which units will be affordable dwellings and the proportion of social rented and shared ownership. These are shown on the Typology drawing ref. 3392-02 5. Of the affordable dwellings, 14 (70%) are social rented and 6 (30%) are shared ownership.

Conclusions

This application seeks approval of the reserved matters of layout, scale, appearance and landscaping following outline planning permission on the site for 100 dwellings and access points on Grange Road and Goodrington Road (ref.P/2009/1084). The detailed design of the scheme relating to these matters has evolved from the illustrative layout approved under the outline permission following a presentation to the Torbay Design Review Panel and continued and open discussions with officers. A high quality scheme has resulted, where the main difference between the final scheme and the illustrative scheme approved for the outline permission is the omission of one of the streets in the northern part of the site. This was due to the site topography and the street has been replaced by a larger central green space in the style of an orchard, which includes a children's play space and footpath link. A great deal of effort has been spent on creating a sense of place and appropriate character for the development. This is achieved by applying a restricted palette of materials and similar architecture in the buildings that take their themes from the area. A detailed landscape scheme adds to this, which includes hard surfacing to delineate between vehicle dominated and shared surfaces and a range of soft landscape, including street trees, hedges and flower planting to street edges. Whilst the Arboricultural Officer has criticised the small size of replacement tree planting, this needs to be balanced against other factors, such as the intended character of the development, underground utilities and overshadowing, particularly as many of the dwellings are broadly aligned along an east-west axis.

At the time of writing, the Environment Agency has objected to the application because early indications suggest that the ground conditions might not be suitable for the proposed soakaways intended to deal with surface water runoff from the site. Therefore, without an appropriate strategy to deal with surface water in place, the layout should not be approved in case there is not enough space for suitable infiltration features. The applicant is currently in the process of

undertaking further work, so that the Environment Agency will remove its objection and the updated position will be reported at Committee. If the Environment Agency removes its objection before Committee then planning permission would not have to be withheld due to this issue, otherwise the recommendation is to approve the application subject to either the Environment Agency removing their objection or the applicant agreeing a contingency strategy with the Council in consultation with the Environment Agency within the statutory 13 week determination period. If this does not take place the application should be refused under delegated powers.

Condition(s)/Reason(s)

01. The development hereby permitted shall be carried out in complete accordance with the approved drawings, listed at the end of this decision notice.

Reason: For the avoidance of doubt and to ensure a satisfactory completion of development.

02. No development shall take place until an External Materials Schedule has been submitted to and approved in writing by the Local Planning Authority showing full details of all external building materials, including specification and images. Samples of materials shall be agreed on site by the Local Planning Authority as required.

Reason: In the interests of design and the Conservation Area, and in order to comply with saved Policies BE1 and BE5 of the Adopted Torbay Local Plan 1995-2011 and paragraph 58 of the NPPF.

03. The development hereby permitted shall be constructed in accordance with detailed drawings, which shall previously have been submitted to and approved by the Local Planning Authority, showing the datum level at which it is to be constructed in relation to an agreed fixed point or O.S. datum.

Reason: To safeguard the Local Planning Authority's rights of control over these details in the interests of design and the Conservation Area, and in order to comply with saved Policies BE1 and BE5 of the Adopted Torbay Local Plan 1995-2011 and paragraph 58 of the NPPF.

04. Tree Pit Designs

Relevant Policies

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