

**Application Number**

P/2013/0165

**Site Address**

Land At Park Bay Garden Centre And Holly  
Gruit  
Brixham Road  
Paignton  
Devon

**Case Officer**

Mr John Burton

**Ward**

Blatchcombe

**Description**

Residential development to form 91 houses with matters reserved -siting, design and external appearance, access, parking, drainage and landscaping,

**Executive Summary/Key Outcomes**

This application has been the subject of detailed negotiation with officers to work up the layout and design of the scheme. The scheme has been improved from that originally considered at pre-application stage and has also been amended throughout the planning application process.

It is now considered that, subject to a number of further amendments, the proposal is acceptable on planning merit. The proposal is somewhat different from the development currently being progressed to the north at Yannons Farm, however, it is considered complementary and will result in the provision of a variety of new housing stock on the western side of Paignton.

The application seeks approval to those matters which were reserved by the outline consent, and so there will still be some conditions that require addressing. However, officers are confident that the 'overall' scheme can be progressed to a high standard and the efforts made by the applicant to assist in this venture are welcomed.

**Recommendation**

Subject to the receipt of further detailed alterations to the layout and design, it is recommended that the application for reserved matters in relation to access, appearance, landscaping, layout and scale be approved.

**Statutory Determination Period**

This proposal is a major application and as such is due to be decided within a 13 week timeframe. The 13 week timeframe will expire on 16th May and so it is important that a decision is reached on this application at this committee

meeting. The reason that this application has not come before members sooner is due to time taken to successfully negotiate improvements to the scheme.

### **Site Details**

The proposal site constitutes land at Parkbay Garden Centre and the former Holly Gruit camp site, off the main Brixham Road (A3022) in Paignton.

Approval was granted in outline by the Council in January 2012 (under reference P/2009/1287) for the development of approximately 95 residential units on the site. This application follows on from the outline consent and deals with the matters reserved by that original permission.

The site as a whole rises from north to south and peaks at the south west corner to the rear of Western Business Park. The land is broadly triangular widening from the northern corner adjacent to Yannons Farm towards the south west of the site.

### **Detailed Proposals**

Approval is sought for detailed consent for the access, appearance, landscaping, layout and scale of the proposed residential development. This following the granting of outline consent Council in January 2012, for the development of approximately 95 residential units. The submission proposes the erection of a total of 91 dwellings.

Other conditions attached to the outline consent will need to be satisfied by a further submission.

### **Summary Of Consultation Responses**

*Police Architectural Liaison Officer (ALO)* Disappointed at the lack of reference to designing out crime in the 'Design and Access Statement' and emphasises that the development should meet full Secured by Design compliance. The ALO comments on the position of footpaths, particularly those at the rear of properties, and comments on planting in relation to surveillance opportunities. A copy of these comments have been sent electronically for the Members perusal. The architect has been asked to respond to the views expressed, and try to take these on board in the design stage.

*South Hams District Council* No observations.

### **Summary Of Representations**

2 letters of representation have been received. The main concerns raised are as

follows:

- The 'Design and Access' statement makes no reference to sustainable construction methods, nor proposals to combat climate change
- The proposal does not meet the Council's current policies in respect of sustainability, low carbon developments, or the need to be resilient to climate change
- The access to the former Holly Gruit camp site needs to remain shut
- Concerns about traffic and noise from construction work

The architect has been asked to provide a response to these points and an update on these matters will be reported at the committee meeting. By way of an interim response, officers view the strong landscape led approach and the sustainable drainage as assisting in providing a sustainable development. As to the use of renewable technologies and sustainable construction, this has been discussed with the applicants, however, it is understood that the development is unlikely to exceed the Building Regulations in that regard.

The comment about the access to the Holly Gruit site is dealt with by the outline permission, which established consent to use the access for construction only and not to access the development for occupation.

Whilst there are legitimate concerns about construction traffic and noise, this development has approval in principle and is a part of the wider development of Yannons Farm (adjacent) given distances away from nearby residents it is not considered likely that construction noise and traffic will cause significant harm.

These representations have been sent electronically for the Members perusal.

### **Relevant Planning History**

P/2009/1287 Residential development to form approx 95 dwellings with associated vehicle/pedestrian access, roads; footpaths (in outline). Approved 06.01.2012

### **Key Issues/Material Considerations**

There are 5 matters reserved by the original outline consent. These are access, appearance, landscaping, layout and scale. After a brief examination of the policy considerations, each of these will be examined in detail.

### **Principle and Planning Policy -**

The principle of development has already been established and approved by the outline consent. That original consent also dealt with many policy issues. In respect of the matters reserved by the outline decision, the primary policy considerations relate to transportation, design and landscaping.

## **Access**

The plans show 1 point of vehicular access. This is shown on the western side, (the rear of the garden centre) and would be accessed via a new spur road off the first roundabout created into the new Yannons Farm development. 3 pedestrian and cycling accesses/egresses are provided for ease of access through and from the site. One is shown through the new coastal garden area accessing onto the new spine road off Brixham Road. The other two are on to Brixham Road itself, the most southerly of which exits close to the new bus stop.

In the site itself, the layout shows a main plaza/square at the point of access to announce arrival into the development. This feeds in to a central spine road, off which there are shorter cul de sacs ending with terminal vistas.

## **Appearance**

The main theme for the development has been designed to replicate the main previous (existing) use of the site as a garden centre. It is thus heavily tree'd and landscaped with ornate and non-native species. The dwellings have been designed with a local feel, using a mixture of brickwork and render. The design principles for the dwellings are loosely based on arts and crafts period dwellings.

The applicant is currently exploring the use of non-standard materials for the road surfaces in order to improve the overall appearance of the area.

## **Landscaping**

Landscaping is intended to be the dominant feature of this new development, which will help to set it apart from the surrounding residential areas and create a distinctive identity. The main features include –

- A coastal garden entrance for pedestrians and cyclists (only) in the north, with a good range of 'coastal' plants. This will also act as a drainage point for the SUDS scheme.
- A playground and communal green area in the south of the site, overlooked by the larger detached dwellings.
- The existing TPO'd trees on the south-western boundary of the site all being shown as retained.
- A landscape buffer area between the development and the Brixham Road. This also contains a bund, which will not only act to screen the development from the main road, but will also act to provide a noise and visual barrier to the dwellings themselves.
- A good range and quantity of trees to help 'green' the area, many being of a fastigate nature to help create a Mediterranean feel.

- Hard landscaping, including careful choice for road surfaces, parking courtyards and other communal areas.

There are a lot of green areas and planting within the scheme that will need careful and longer term maintenance in order for the layout to retain an appropriate green feel. The developer has agreed to maintain these through a management company at their expense. There is therefore no cost to the Authority.

### **Layout**

The layout shows a medium density development containing a mixture of house types and sizes, all of which will add variety to the urban form and will suit all kinds of market demand. The houses on the main spine roads give a traditional estate feel. However, this is countered by properties off the cul-de-sacs and fronting the pedestrian footways, which help to give a varied and interesting form to the layout.

Parking has been deliberately designed at the rear of most of the properties in order to take cars off the frontages. This is complimented by alterations to the road widths to try and discourage parking on the highway itself. The idea is to try and create the appearance of a car free environment where priority is given to pedestrians and cyclists, making the layout safer and less cluttered. Some parking courtyards exist, but these are screened by tree planting and landscaping.

### **Scale**

The site is developed at a medium density giving ample room for landscaping and tree planting in order to provide a greener feel to the development. The development has a human scale, giving the pedestrian and landscaping dominance over the motor vehicle. The properties are traditional two storey dwellings but with good spacing to assist in creating a more pleasing environment.

### **S106/CIL -**

A Planning Obligation under s106 of the Act was appropriately provided for at the outline stage and is not an issue that is relevant to a reserved matters application.

### **Sustainability**

The principle of the proposed development in sustainability terms was tested at outline stage and consent granted. The reserved matters details incorporate a strong landscaping scheme, permeability and access for and to sustainable modes of transportation and provide for sustainable drainage.

## **Conclusions**

Officers are very pleased with the effort the applicant has employed to help create a pleasing and distinctive environment on this western fringe of Paignton. The main landscaped fringe reflects the former/existing use of the site as a garden centre and will help to provide an important transition between the built environment and the more rural areas beyond. It is considered that the scheme would not impact detrimentally upon the existing environment, neighbouring uses, or any other interest of acknowledged importance.

At the time of compiling this report there are still some minor outstanding issues relating to the detailed appearance of the development. However, officers are encouraged from recent meetings and believe that these issues can be resolved appropriately before the matter comes before the committee. Matters relating to other conditions not covered by the reserved matters will still need to be submitted for approval, but negotiations indicate that these will flow quite readily from the basic form that Members are being asked to establish through this application.

## **Relevant Policies**

National Planning Policy Framework, particularly its 'Golden thread' of a presumption in favour of sustainable development.

Saved Adopted Torbay Local Plan (1995-2011)

- HS Housing strategy
- H2 New housing on unidentified sites
- H6 Affordable housing on unidentified sites
- H9 Layout, design and community aspects
- H10 Housing densities
- H11 Open space requirements for new housing
- BES Built Environment Strategy
- BE1 Design of New Development
- BE2 Landscaping and design
- T1 Development accessibility
- T2 Transport hierarchy
- T25 Car parking in new development
- T26 Access from development onto the highway
- L8 Protection of hedgerows, woodlands and other natural landscape features
- L9 Planting and retention of trees
- L10 Major development and landscaping
- EPS Environmental protection strategy
- EP1 Energy efficient design

## **Relevant Policies**

