

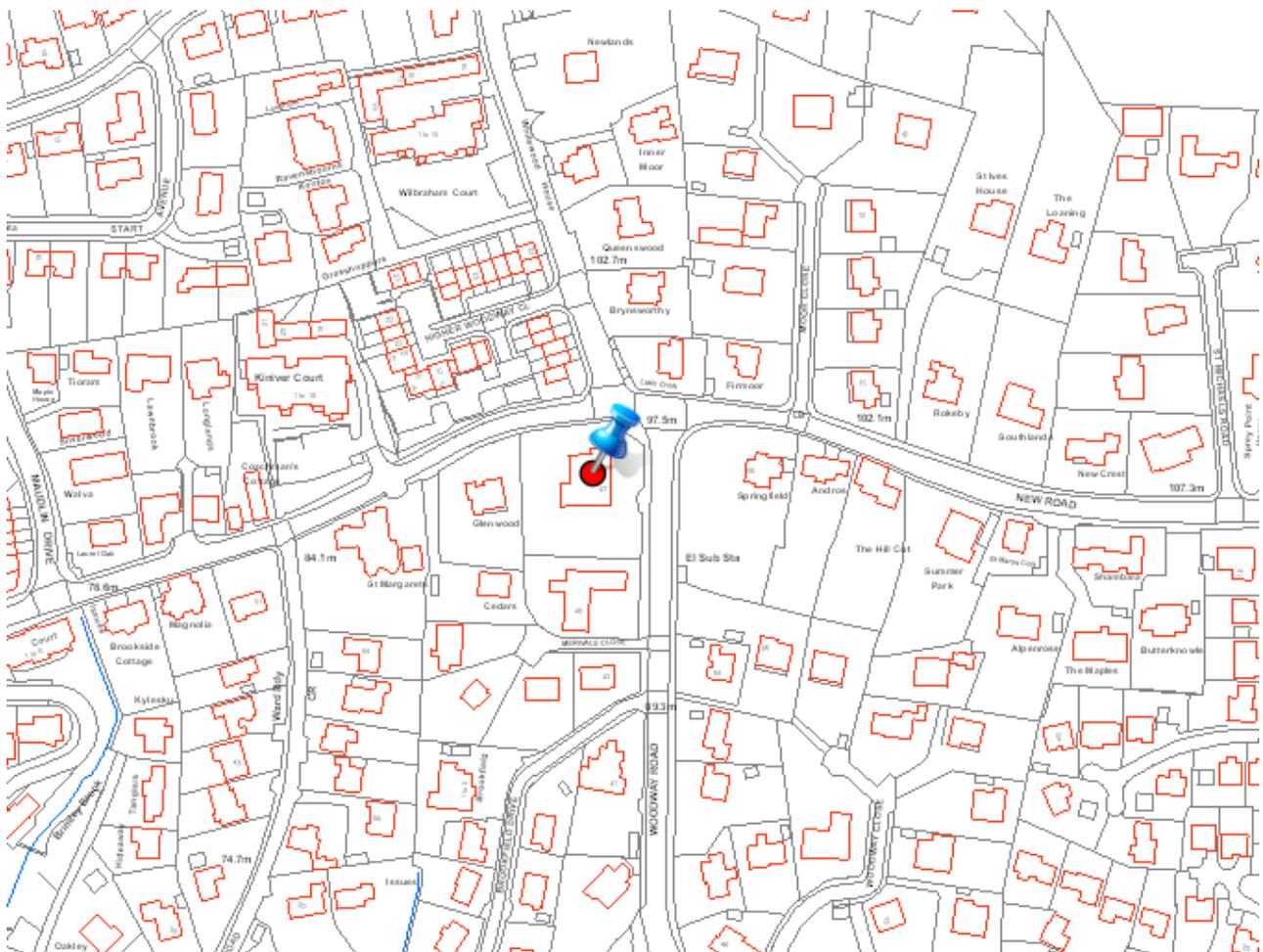
# PLANNING COMMITTEE REPORT

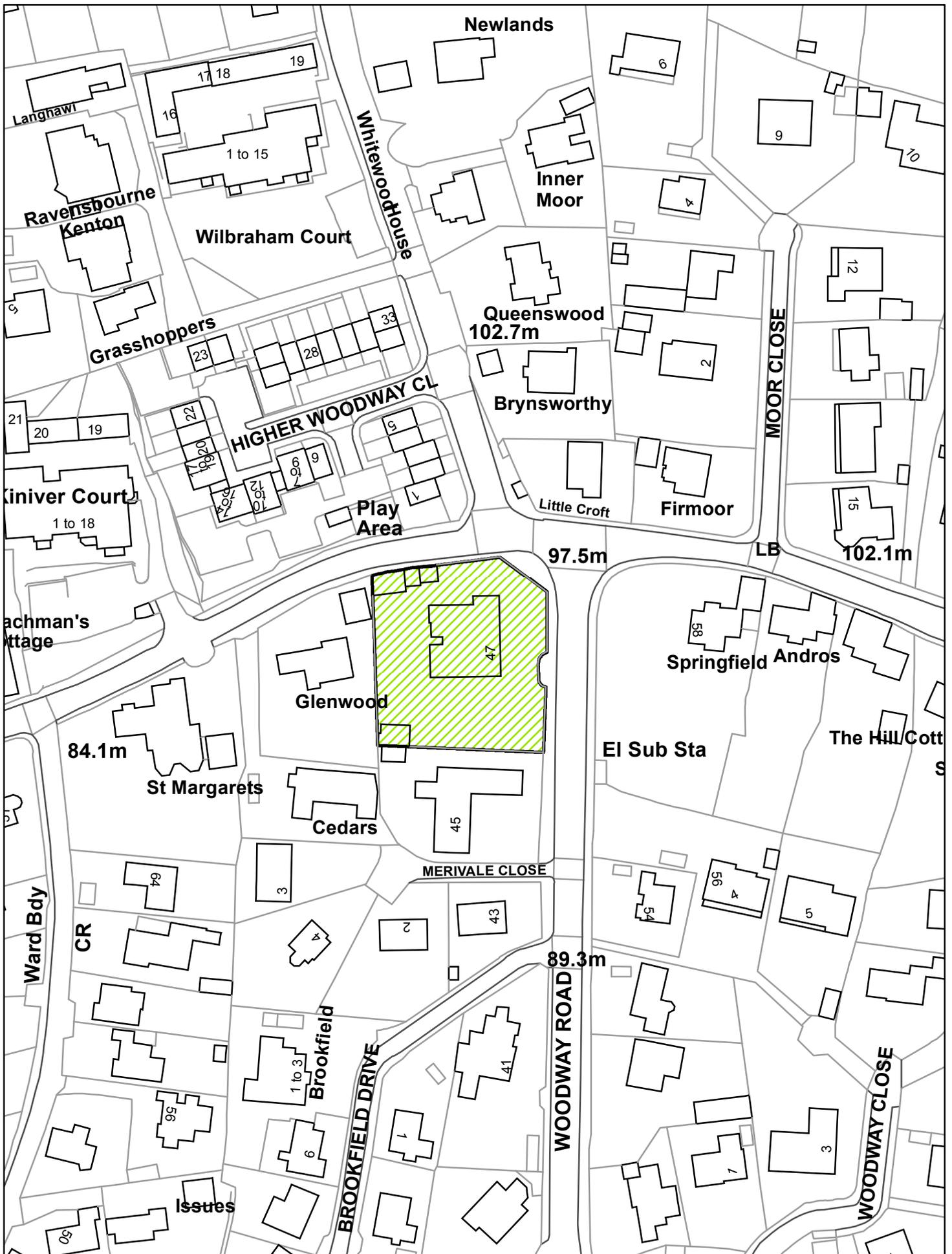
## Tuesday 22 January 2019

CHAIRMAN: Cllr Dennis Smith



<b>APPLICATION FOR CONSIDERATION:</b>	<b>TEIGNMOUTH - 18/01406/MAJ - Neilston Retirement Hotel, 47 Woodway Road - Demolition of existing vacant care facility and construction of 10 new two and three bed apartments</b>	
<b>APPLICANT:</b>	<b>Mr P Konetsky</b>	
<b>CASE OFFICER</b>	<b>Anna Holloway</b>	
<b>WARD MEMBERS:</b>	<b>Councillor Fusco Councillor Russell</b>	<b>Teignmouth East</b>
<b>VIEW PLANNING FILE:</b>	<a href="https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/01406/MAJ&amp;MN">https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&amp;Refval=18/01406/MAJ&amp;MN</a>	





## **1. REASON FOR REPORT**

Councillor Fusco has requested that this application be referred to Planning Committee if the Case Officer is recommending approval. The reasons given for this request are the loss of yet another fine example of Victorian architecture along New Road to be replaced by an apartment block is unacceptable, detrimental to the street scene due to the position on a prominent corner of Woodway Road with New Road. Also concerns about the increased movement of cars on Woodway Road and New Road.

## **2. RECOMMENDATION**

SUBJECT TO: the completion of a Section 106 agreement for an Affordable Housing contribution of £37,500 and a Habitat Regulations contribution of £8,000, PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement of development;
2. In accordance with approved plans;
3. Construction Management Plan to be agreed prior to development commencing;
4. Results of percolation test in accordance with BRE Digest 365 Soakaway Design to be agreed prior to development commencing;
5. Detailed design of surface water drainage management system to be agreed prior to development commencing;
6. Details of exceedance pathways and overland flow routes for rainfall in excess of the design standard of the proposed surface water drainage management system to be agreed prior to development commencing;
7. The works, including demolition and site clearance, shall proceed in strict accordance with the precautions and measures described in the preliminary ecological appraisal report and mitigation and enhancement measures shall be provided as described in this report;
8. Details of location and design of 10 bird boxes and 2 bat boxes to be agreed prior to development above damp proof course;
9. Prior to first use, samples or details of the materials to be used on the external surfaces of the buildings to be submitted and approved;
10. Parking facilities to be provided prior to initial occupation and thereafter be permanently retained;
11. Detailed design of cycle storage to be approved and to be provided prior to initial occupation and thereafter maintained and retained;
12. Detailed design for refuse and recycling storage to be approved and for such storage only within approved bin storage areas and to be provided prior to initial occupation and thereafter retained;
13. Prior to first occupation full details of hard and soft landscaping works and an implementation and management plan to be submitted and approved and implemented in accordance with approved details. Details to include soft landscaping along the southern and western boundaries of the site;
14. Boundary treatment to be installed prior to initial occupation and thereafter permanently maintained and retained;
15. The installation of the obscurely glazed, top-hung windows within the west elevation to a minimum of level 3 obscured glazing prior to first occupation;
16. The installation of the obscurely glazed privacy screens to the balconies, as shown within the proposed west elevation, to a minimum of level 3 obscured glazing prior to first occupation.

### 3. DESCRIPTION

#### The Site and Proposal

- 3.1 The application property is a vacant retirement home located on the corner of Woodway Road and New Road within Teignmouth. The existing building fronts onto Woodway Road and is a large prominent property on this corner plot. It is a large detached property with brick ground floor and rendered upper which has been much extended and altered. The boundary to the road frontage is marked by a low level stone wall with a gateway and pillars marking the vehicular access off Woodway Road. Away from the corner, the boundary treatment on New Road alters to a higher timber fence. The building is not listed and is not within a conservation area; it was built in the early twentieth century sometime between 1905 and 1932 (as shown within the historic maps held by the Council). The ground slopes downwards from the corner of Woodway Road and New Road to the south-west corner of the site.
- 3.2 The application is for the demolition of the existing building and the construction of a three storey apartment building containing 10 new two and three bed apartments plus 18 car parking spaces and two double garages. The new building would be orientated parallel with New Road rather than Woodway Road with the principal elevation facing south, which would contain balconies for each apartment. A pedestrian footpath would provide access from New Road where the existing timber fence would be replaced by a new rendered wall to match the height of the existing stone wall, which would be retained. Areas of soft landscaping would be provided to the New Road and Woodway Road frontages and planting is also proposed within the car park.
- 3.3 The two proposed garages would be located at lower ground floor level beneath a ground floor terrace which would also provide a drop off point/turning zone to the front entrance of the apartment block. This drop off zone and the lower parking area would be accessed via a widened access on Woodway Road with a second driveway down to the parking area to the south. The two x three bedroom second floor apartments would benefit from a double garage each plus a parking space to the front of these garages. The two bedroom apartments would have two parking spaces each. Bin and bike storage areas would be located to the northern frontage of the building and a bin collection point would be located adjacent to the vehicular access on Woodway Road and would remove the need for bins to be stored on the footpath during collection day.
- 3.4 Architecturally the building would be of contemporary appearance and the proposed mix of materials includes render, facing brickwork and fibre cement cladding boards to the walls, grey window frames, and slate tiles and standing seam metal roofing.
- 3.5 Amended plans have been received reducing the height of the proposed building and adding obscurely glazed windows and screens to the proposed west elevation nearest to the adjacent dwellinghouse to the west, 'Glenwood'.

#### Principle of Development

- 3.6 The site is located within the settlement limits of Teignmouth and therefore Policies S1A (Presumption in Favour of Sustainable Development), S1 (Sustainable Development Criteria) and S21A (Settlement Limits) of the Teignbridge Local Plan

2013-2033 would support development for new homes in this location in principle. In addition, Policy S18 supports Teignmouth as a location for new homes.

- 3.7 The proposal would result in the loss of a vacant retirement home; however, the building is now dated in terms of its provision and there is no policy that would restrict the change of this property from a retirement home to an alternative residential use. In addition, many older people may not want or need specialist accommodation or care and may wish to stay or move to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs (PPG, Paragraph: 020 Reference ID: 2a-020-20180913). Whilst the proposal is not for the provision of bungalows, the proposed development does incorporate a lift that would increase the accessibility of the proposed apartments, which would also benefit from nearby dedicated parking spaces.
- 3.8 Therefore, the provision of 10 new apartments within this residential area of Teignmouth is acceptable in principle and the loss of the existing vacant retirement home would not justify a refusal of planning permission.

#### Affordable Housing Considerations

- 3.9 In accordance with Policy WE2, this proposal for 10 apartments would trigger the need for affordable housing. Based on a site capacity of 10 units and the 25% target for Teignmouth, the proposed development would trigger a requirement for 2 affordable housing units. Ideally provision would be made on site; however, given the number of units proposed and the nature of the proposed development it is considered that a contribution in lieu of on-site provision would be appropriate in this instance. Based on a contribution of £86,431 per Affordable Housing unit, the proposed development would result in a total liability of £172,863 in this case. Discussions have therefore taken place with the applicant on this basis: however, the applicant's position is that a contribution at this level would make the scheme unviable and a contribution of £20,000 was originally put forward in lieu of on-site provision.
- 3.10 Policy WE2 recognises that the provision of affordable housing is a high priority in considering planning applications; however, at WE2(b) it goes on to state that if independently verified evidence is submitted which proves that the affordable housing target renders the site undeliverable, a reduced level of provision or other alterations to the scheme sufficient to bring it forward will be negotiated. An independent assessment of the viability has therefore been undertaken by PorterPE and has concluded that it may be difficult for the proposed development to fully meet the total contribution of £172,863; however, a maximum contribution of £37,500 towards affordable housing would be unlikely to place the scheme at risk of non-delivery. This level of contribution has been discussed with the applicant who has confirmed their agreement.
- 3.11 Whilst the weight to be given to a viability assessment is a matter for the decision maker, the independent assessment of viability has concluded that payment of the full amount would render the scheme undeliverable. Therefore, subject to the completion of a Section 106 agreement for the scheme to make an affordable housing contribution of £37,500, the proposed development is considered to comply with Policy WE2 and be acceptable with regards to affordable housing considerations.

### Impact on the character and appearance of the area

- 3.12 The proposed development would result in the loss of an early twentieth century building built between 1905 and the 1930s; however, this building has been much altered and extended over the years and, whilst it retains some original character, it is not considered to be of sufficient quality that its loss would have a significant detrimental impact on the character and appearance of the area. In addition, the building is not listed (and is highly unlikely to be worthy of listing) and is not within a conservation area. Therefore, the loss of the existing building would not justify a refusal of planning permission. The proposal does include the retention of the existing stone boundary wall, which makes a positive contribution to the character and appearance of the area.
- 3.13 The proposed development includes the replacement of the existing boundary fence with a low rendered wall of the same height as the existing stone boundary wall. This, in association with the proposed areas of landscaping, would provide a much improved roadside frontage to New Road. The building itself would be of contemporary appearance and orientated parallel with New Road (rather than Woodway Road). The building would have greater massing than the existing; however, there is a range of property sizes within the area and it is considered that the site can accommodate the proposed development without it being unacceptably dominant within the street scene, particularly given the location on the corner of Woodway Road and New Road where a building of greater prominence would be appropriate (and would reflect the greater prominence of the existing building).
- 3.14 The application is accompanied by street scene elevations showing the existing and proposed in relation to the neighbouring properties on New Road. Whilst, partially due to the change in the orientation of the building and also the increase in height, the proposed development would have a greater presence on New Road, this road contains a range of property sizes and given its character can accommodate the proposed development. The building would better address New Road than the existing property and the proposed boundary treatment and soft landscaping would be a significant improvement to the existing fence and range of single storey structures. In addition, the proposed design and mix of materials would visually break up the massing of the proposed building when viewed from New Road.
- 3.15 Therefore, overall the proposed development is considered acceptable with regards to its impact on the character and appearance of the area and to accord with Policies S1 and S2 of the Local Plan and the NPPF.

### Residential Amenity Considerations

- 3.16 The proposal is for the replacement of a substantially-sized building which has accommodation over three floors. The proposed building within the amended scheme would be approximately 1.5 metres taller than the existing building, but the building itself would be located further away from the southern boundary. It would contain a number of balconies facing south. There would be a separation distance of over 22 metres between the nearest balcony and the southern boundary of the application site although the proposed drop off zone would be located closer, approximately 15 metres from the southern boundary. Both existing and proposed cross sections through the site have been provided which show the building in relation to the nearest dwelling to the south. These cross sections show the change in ground level, the relationship between the proposed development and the

existing bungalow to the south, and the provision of an approximately 1.75 metres high fence on the southern boundary.

- 3.17 The proposed development, including the provision of the balconies within the southern elevation, is not considered to give rise to an unacceptable level of overlooking of the properties to the south when taking into account the separation distance. In addition and given the scale of the existing building, the proposed development is not considered to result in an overbearing impact on the occupiers of neighbouring properties that would warrant a refusal of permission.
- 3.18 There is the potential for noise and disturbance from the proposed car park; however, subject to the provision of the proposed fence and suitable levels of soft planting, it is not considered that the level of noise and disturbance would cause a significant impact on residential amenity.
- 3.19 In terms of the relationship with the property immediately to the west on New Road, the change in orientation of the building would result in greater massing adjacent to the shared boundary compared to the existing property. However, this neighbouring property would have a similar orientation as the proposed building, is set back from the road and has a garage closest to this boundary. The amended scheme has included the provision of obscurely glazed windows and balcony screening adjacent to the western boundary. Subject to the installation of this screening (which can be controlled by condition), the relationship between the proposed development and the existing neighbouring property on New Road is such that the proposed building would not have a detrimental impact in terms of overshadowing or overlooking.
- 3.20 Subject to appropriate boundary treatment along the southern and western boundaries plus soft landscaping and the provision of appropriate screening to the side of the balconies closest to the western boundary, the proposed apartments are considered to have an acceptable relationship with the existing surrounding properties when taking into account orientation, separation distances, boundary treatment and the relationship with the existing building.
- 3.21 The proposed apartments would be two or three-bedroomed and would have an appropriate level of internal floorspace to provide a suitable level of accommodation for future occupiers. In addition, each apartment would benefit from private external amenity space in the form of a terrace or balcony.
- 3.22 The proposed development is therefore acceptable with regards to Local Plan Policies S1 and S2 in terms of residential amenity.

#### Highway Safety Considerations

- 3.23 The site is located within a sustainable location with good access to services and facilities by public transport.
- 3.24 The proposed development would use the existing vehicular access to the property, which would be widened, and would provide adequate visibility. This access is off an unclassified county road which is restricted to 30 m.p.h. Whilst concerns have been raised within public representations about the safety of the road network, Devon County Highways has confirmed that the number of personal injury collisions which have been reported to the police in this area between 1 January 2014 and 31

December 2017 is none. In addition, the existing use of the property as a retirement home would result in a number of traffic movements to the property including staff and visitors. Given the character of the road network, the number of vehicle movements associated with the proposed development would not have a significant impact on traffic levels.

- 3.25 There is no evidence that the proposed development would result in a severe impact on the road network and the proposal would use an existing access point with appropriate visibility. Therefore the proposed development is considered acceptable with regards to highway safety and would not justify the provision of off-site traffic calming measures.
- 3.26 The proposal includes two on-site parking spaces for each of the two bedroom apartments and three parking spaces (including a double garage each) for the three bedroom units. There is also additional drop off space immediately to front of the southern entrance to the proposed flats. While there are no parking restrictions on Woodway Road, the level of provision proposed plus the drop off area is considered appropriate to serve the proposed development and would not justify a requirement for off-site parking restrictions.
- 3.27 The scheme includes areas for on-site cycle parking for 10 bikes, the detailed design of which can be secured by planning condition.
- 3.28 In addition, it is considered appropriate to condition a Construction Management Plan which would include details of parking and deliveries during the construction phase.

#### Impact on Biodiversity

- 3.29 The proposal is accompanied by an ecology report prepared by a suitably qualified ecologist. No sign of roosting bats or nesting birds was found in the existing building; however, as they may be present at the time of demolition an informative should be included with a grant of consent reminding the applicant that all bats and nesting birds are protected by law.
- 3.30 Net biodiversity gain is now required by the NPPF and Policy EN8 seeks net increases in biodiversity. It is considered that this can be achieved by including integral bat and bird boxes in the new building, which can be conditioned.
- 3.31 The application site is within 10km of the Dawlish Warren SAC, the Exe Estuary SPA and Exe Estuary Ramsar site and is therefore subject to the requirements of the 2017 Conservation of Habitat and Species Regulations. More information about these regulations as they apply in this area can be found here:  
<https://www.teignbridge.gov.uk/planning/biodiversity/exe-estuarydawlish-warren-habitat-mitigation/>.
- 3.32 In the absence of bespoke mitigation, a Habitat Mitigation Regulations contribution of £800 per additional dwelling is required to offset in-combination recreation impacts on the SPA and SAC. A net gain of 10 dwellings is proposed, i.e. a total of £8,000 is required to be contributed.

- 3.33 To mitigate against impacts of the development on these habitats the applicant has elected to enter into a Section 106 agreement to pay the Habitat Mitigation Contribution of £8,000 before development commences.
- 3.34 On this basis, the Local Planning Authority, as Competent Authority, is able to conclude that there will be no likely significant effect on the European sites such that this does not constitute any reason for refusal of the development. Natural England concur that, on this basis, the proposed development will not have an adverse effect on the integrity of Dawlish Warren SAC, the Exe Estuary SPA and Exe Estuary Ramsar site.

#### Impact on Trees

- 3.35 Whilst concerns have been raised about the potential impact on trees, the existing pine trees on the opposite side of Woodway Road are separated from the site by the intervening road and are located uphill from the development. Therefore, the proposed development is not considered to have a significant impact on these trees. Within the site there are a number of trees and lower level planting that provides a green frontage to Woodway Road. None of these trees are protected and the proposed development is considered to include sufficient space for the retention of existing planting along the roadside or the provision of replacement and new planting. The proposed development is therefore considered acceptable with regards to Local Plan Policy EN12.

#### Land Drainage/Flood Risk

- 3.36 The application site is located within flood zone 1 (low probability of flooding) and therefore, in flood risk terms, is an area where in principle residential development is considered acceptable. Given the scale of the proposed development, it would be required to provide sustainable drainage systems on site and in accordance with the SuDS Management Train, surface water should be managed at source in the first instance. Devon County Council is the lead local flood authority for the proposal and has confirmed that they have no in-principle objections to the planning application, from a surface water drainage perspective, and request the imposition of pre-commencement conditions about soakaway design, surface water drainage management system, and details of exceedance pathways and overland flow routes. The requested conditions have been included above; however, the applicant has submitted a proposed Drainage System and an updated response from County is anticipated and may result in amendments to the proposed conditions.
- 3.37 South West Water request that the Run-off Destination Hierarchy be addressed, with evidence, and that surface water run-off should be discharged as high up the hierarchy as is reasonably practicable. The proposed conditions are considered to address this requirement. In terms of foul sewerage, South West Water has raised no objections to foul drainage from the proposed development. There is an existing public sewer in the vicinity and therefore, in the event that the development encroaches on the 3 metre easement, the sewer will need to be diverted at the expense of the applicant. Any works required to the existing public sewer would therefore be a matter to be resolved between the developer and South West Water.

- 3.38 The proposed development is considered acceptable in principle with regards to flood risk and Policy EN4 and, subject to the detailed design of the surface water drainage system, would comply with the requirements for sustainable drainage.

#### Waste

- 3.39 The scheme has been amended to include the location of bin storage including a bin collection point adjacent to the vehicular access on Woodway Road. This collection day storage area would be located to the rear of the boundary wall to Woodway Road. Details of bin storage can be controlled by condition including detailed design and the requirement for the storage areas to be provided prior to initial occupation and shall thereafter be permanently retained. Given the proposed boundary treatments and space for landscaping it is considered that appropriate storage areas can be provided and appropriately screened within the street scene. Therefore, the proposed development is considered acceptable in this respect.

#### Education Provision

- 3.40 The proposed development has been calculated to generate an additional 2.5 primary pupils and 1.5 secondary pupils, which would have a direct impact on primary schools in Teignmouth and Teignmouth Secondary School. Devon County Council has confirmed that there is currently capacity at the nearest primary school for the number of pupils likely to be generated by the proposed development. County would seek a contribution (£32,881) directly towards additional education infrastructure at the local secondary school, as there currently is not capacity at Teignmouth Secondary School for the number of pupils likely to be generated by the proposed development, and also a contribution towards Early Years provision (£2,500). Education infrastructure is funded through CIL, for which this scheme is liable. The proposed development is therefore acceptable with regards to education provision.

#### Summary and Conclusion

- 3.41 The application is for the redevelopment of an early twentieth century building which is currently a vacant care home that has been significantly extended and altered over the years and is now tired and in a poor state of repair, and its replacement with 10 apartments of a contemporary appearance plus associated parking provision. The principle of the development would accord with the policies of the Local Plan and the design of the scheme is such that it would not have a significant detrimental impact on the character and appearance of the area or the amenity of adjacent residential occupiers.
- 3.42 Subject to the imposition of appropriate conditions and the completion of an Section 106 agreement for a habitat regulations contribution and an affordable housing contribution, it is considered that the development accords with the relevant provisions and policies of the Local Plan and with the NPPF and therefore officer recommendation is for conditional approval.

## **4. POLICY DOCUMENTS**

### Teignbridge Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)  
S5 (Infrastructure)  
S6 (Resilience)  
S9 (Sustainable Transport)  
S18 (Teignmouth)  
S21A (Settlement Limits)  
WE2 (Affordable Housing Site Targets)  
WE4 (Inclusive Design and Layout)  
EN4 (Flood Risk)  
EN8 (Biodiversity Protection and Enhancement)  
EN9 (Important Habitats and Features)  
EN10 (European Wildlife Sites)  
EN11 (Legally Protected and Priority Species)  
EN12 (Woodlands, Trees and Hedgerows)

Devon Waste Plan

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (PPG)

## 5. **CONSULTEES**

Housing Enabling Officer - Vacant Building Credit: When did it become vacant, is it more than 3 years ago? [Case Officer Note: the building is not eligible for vacant building credit for affordable housing.]

Affordable housing is triggered; under Policy WE2 there is a requirement for 25% and therefore, in accordance with the table of provision at para 4.7, this development of 10 units would require the scheme to provide the equivalent of 2 affordable housing units. The starting point would be on-site provision. However, if in the planning balance it is considered more appropriate for the affordable housing provision to be made via an off-site financial contribution, then the following advice would apply:

- Contribution of £86,431 per affordable housing unit = £172,863 for 2 affordable dwelling liability in this case.

Evidence shows that affordable housing need for Teignmouth is increasing rapidly and even a small contribution can cumulatively make a big difference to Affordable Housing needs. Recent data from Devon Home Choice shows that there were 147 households from Teignmouth in housing need. Allocated housing sites in Teignmouth do not appear to be coming forward to deliver affordable housing; it does not have the necessary consents in place and is not scheduled to start construction.

Teignmouth Town has a high level of affordable housing need – making all affordable housing provision valuable – especially if this provision (via an off-site financial contribution) can be targeted to deliver specific aspects of evidenced local need, especially step-free or more accessible dwellings.

It is therefore suggested that an affordable housing contribution could be targeted to deliver affordable housing to meet this specific priority housing need for an affordable dwelling at Level 2 (former Lifetime Homes) standard. Nationally Britain

has an ageing population profile and housing needs to make better provision for elderly residents. Looking at population predictions for Teignbridge, ONS stats/predictions show that by 2020 the District will have 36,100 residents aged 65 and over (28% of the total population of the district). The provision of accessible/adaptable Homes (Level 2 in Building Regs Part M4) is an important affordable housing priority for Teignmouth.

In the absence of an appropriate amount of affordable housing provision – either on site or via an off-site contribution, the Housing Enabling Team would object to this application.

Biodiversity Officer - As the proposal is within 10km of the Exe Estuary SPA and Dawlish Warren SAC, and as the current use of the site is a vacant care facility, a Habitat Mitigation Contribution is required, to mitigate in-combination recreation impacts on the SPA/SAC. The contribution is £800 per dwelling, a total of £8,000.

No sign of roosting bats or nesting birds was found in the existing building. However, they may be present at the time of demolition, so please attach an informative that all bats and nesting birds are protected by law and that demolition should proceed as described in the submitted protected tree survey report.

Net biodiversity gain is now required by the NPPF. This can be achieved by including integral bat and bird boxes in the new building, which can be conditioned.

Natural England - On the basis of the appropriate financial contributions being secured to the 'Joint Approach' in the South-East Devon European Sites Mitigation Strategy (SEDESMS), Natural England concurs with Teignbridge's conclusion that the proposed development will not have an adverse effect on the integrity of Dawlish Warren SAC, the Exe Estuary SPA and Exe Estuary Ramsar site.

Waste - No objections to this application in principle but there are two points that will need further consideration.

There are no details provided about the size of the bin storage area in order to ensure that the provision is adequate for 10 apartments.

The proposed location of the bin store has no access for vehicles and therefore the waste and recycling crews will be unable to collect the containers from the store. The householders will be required to bring the containers to the kerbside for collection. It would be worth considering the allocation of a hardstanding area at the entrance to the site as a collection point for containers on collection day so that the collection crews are able to collect. If the site is not going to be a managed site with a caretaker or such like allocated, it would be worth considering providing adequate space in the bin store for each unit to have their own containers otherwise from experience issues will arise with no-one wanting to take responsibility for placing the communal containers out for collection.

Devon County Council Education - Devon County Council has identified that the proposed increase of 10 family type dwellings will generate an additional 2.5 primary pupils and 1.5 secondary pupils which would have a direct impact on primary schools in Teignmouth and Teignmouth Secondary school.

There is currently capacity at the nearest primary school for the number of pupils likely to be generated by the proposed development, therefore a contribution will not be sought. However, Devon County Council will seek a contribution directly towards additional education infrastructure at the local secondary school that serves the address of the proposed development due to there currently not being capacity at Teignmouth Secondary school for the number of pupils likely to be generate by the proposed development. The contribution sought is £32,881.00 (based on the DfE extension rate of £21,921 per pupil). This contribution will relate directly to providing education facilities for those living in the development.

Additionally, a contribution towards Early Years provision is needed to ensure delivery of provision for 2, 3 and 4 year olds. This would cost approximately £2,500 (based on £250 per dwelling). This will be used to provide early years provision for pupils likely to be generated by the proposed development.

The amount requested is based on established educational formulae (which related to the number of primary and secondary age children that are likely to be living in this type of accommodation). It is considered that this is an appropriate methodology to ensure that the contribution is fairly and reasonably related in scale to the development proposed which complies with CIL Regulation 122.

It is anticipated that these contributions would be provided for through CIL.

Devon County Council Highways - The site is accessed off an unclassified County Road which is restricted to 30 m.p.h. The number of personal injury collisions which have been reported to the police in this area between 1 January 2014 and 31 December 2017 is none.

The access proposed which is in the same location of the existing access provides adequate visibility for the speeds in this area. The existing use this property has as a retirement home could create a similar number of trips 10 flats would generate, therefore there will not be a severe effect on the highway.

The car parking spaces of 22 would be adequate spaces for the eight 2 bed flats and two 3 bed flats although this does not make provisions for visitors' parking spaces, therefore if the Planning Officer is minded to approve, then this should be addressed. There are no parking restrictions on Woodway Road, but this proposal should provide adequate parking spaces.

The Highway Authority has no objections to this proposal.

Devon County Council Flood - We have no in-principle objections to the planning application, from a surface water drainage perspective, at this stage. If minded to grant planning permission, pre-commencement conditions are requested about soakaway design, surface water drainage management system, and details of exceedance pathways and overland flow routes. [Case Officer Note: the three requested conditions have been included above.]

The applicant should also note that in accordance with the SuDS Management Train, surface water should be managed at source in the first instance. The applicant will therefore be required to explore the use of a variety of above-ground source control components across the whole site to avoid managing all of the surface water from the proposed development at one concentrated point (e.g. a

single attenuation pond). Examples of these source control components could include permeable paving (which could be underdrained), formalised tree pits or other bio-retention features such as rain gardens, as well as green roofs, swales and filter drains.

If infiltration testing proves unfeasible at the site the applicant should liaise with South West Water about a connection into the surface water network.

The applicant should be aware that very small discharge rates often mean flow control devices with small diameters which are prone to blockage. Enhanced maintenance should be considered at the detailed design stage.

South West Water - Advised that no development will be permitted within 3 metres of the public sewer and that, should the development encroach on the 3 metre easement, the sewer will need to be diverted at the expense of the applicant; the applicant should contact SWW direct to discuss this matter. SWW confirm that they are able to provide clean, potable water from the existing public water main for the proposal.

SWW advise a condition to emphasize that foul drainage only to be connected to the public foul or combined sewer. SWW supports the Planning Policy Guidance for Flood Risk and Coastal Change Statement and that to accompany the application the applicant should demonstrate that the Run-off Destination Hierarchy be addressed, with evidence, and that surface water run-off will discharge as high up the hierarchy as is reasonably practicable.

## **6. REPRESENTATIONS**

Seven letters of objection received to the application, raising the following summarised concerns/objections (see case file for full representations):

1. Proposed building would be significantly taller and wider than the existing property and would be orientated differently; it would be overbearing and out of character with the existing street scene.
2. Overall style is not in keeping with the surrounding area.
3. Loss of fine Victorian property which although in a poor state of repair remains a building of character and charm.
4. Larger properties are on the northern side of New Road and not within the immediate area.
5. Surrounding properties are bungalows.
6. Junction of Woodway Road and New Road is unsafe due to camber, slope and lack of adequate sight lines, increased traffic flow, excessive speeds and new bus route and there have been a number of accidents over the past ten years.
7. Woodway Road is unsafe for pedestrians.
8. Insufficient car parking as no provision for visitors or deliveries which would lead to increased parking on Woodway Road; concerns about parking of caravans and camper vans on the road.
9. Increase in traffic as residents of existing care home would not have vehicles.
10. Want traffic calming measures and parking restrictions near the junction.
11. Overbearing impact on occupiers of neighbouring bungalows.
12. Loss of privacy to occupiers of neighbouring properties; south-facing balconies would overlook the dwellings and gardens to the south.
13. Increase in noise and disturbance.
14. Cars would cause light pollution, noise and pollution to neighbouring occupiers.

15. Impact on weeping willow tree on the site.
16. Impact on roots of pine trees on opposite side of Woodway Road.
17. Impact on bats which have been seen in the area.
18. Concerned about quality of bin storage and whether bins would be left out for collection.

Six letters of comment received to the application, raising the following summarised comments (see case file for full representations):

1. Concerned about the impact on sewerage system.
2. Adequate provision should be made to limit surface water run-off towards adjacent dwellings.
3. The occupiers of Edgewood (the bungalow to the south) have no objection in principle but would want the boundary treatment with their property to be at least as high as the existing five feet high timber panel fence to protect privacy and low enough to allow light to their kitchen and dining room. Would want the provision of soft landscaping rather than car parking adjacent to their kitchen and dining room windows in order to minimise the effect of noise and exhaust fumes.
4. Measures should be made to prevent parking at any time between the New Road junction and the entrance to the development.
5. Temporary parking restrictions should be introduced before work starts on the development to prevent contractor's vehicles causing traffic hazards.
6. Would not support the provision of affordable housing units on this site as there are already a significant number of housing association properties in the area.
7. The development should provide more off-road parking.
8. A street elevation from Woodway Road and not just New Road should be provided as the property address is Woodway Road.

Two letters of support received to the application, raising the following summarised comments (see case file for full representations):

1. Redevelopment is long overdue, the existing building has become increasingly unsightly and has been an eyesore for many years.
2. Several other developments of a similar nature in this area.
3. Proposed development looks attractive and would be an improvement.
4. Will offer good quality new accommodation in the area.
5. Will contribute to Teignmouth's continued regeneration.
6. Parking provision is good and therefore development should not adversely impact on street congestion.

## **7. TOWN COUNCIL'S COMMENTS**

The Committee recommends refusal of this application. The loss of yet another fine example of Victorian architecture along New Road to be replaced by an apartment block is unacceptable, detrimental to the street scene and the position on a prominent corner of Woodway Road with New Road. The Committee also has concerns about the increased movement of cars on Woodway Road and New Road. If the Officer is minded to approve this application the Ward Member is requested to place the item on Category B.

## **8. COMMUNITY INFRASTRUCTURE LEVY**

The proposed gross internal area is 1,154.08m<sup>2</sup>. The existing gross internal area in lawful use for a continuous period of at least six months within the three years

immediately preceding this grant of planning permission (based on information available at this time) is 783m<sup>2</sup>. The CIL liability for this development is £60,940.96. This is based on 371.08 net m<sup>2</sup> at £125 per m<sup>2</sup> and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.

## **9. ENVIRONMENTAL IMPACT ASSESSMENT**

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

**Business Manager – Strategic Place**