

PLANNING COMMITTEE REPORT

19 March 2019

CHAIRMAN: Cllr Dennis Smith



APPLICATION FOR CONSIDERATION:	KINGSTEIGNTON - 18/00942/OUT - Amberley, Broadway Road - Outline application for seven dwellings (approval sought for access and layout)	
APPLICANT:	Mr S Bishop	
CASE OFFICER	Donna Crabtree/Claire Boobier	
WARD MEMBERS:	Councillor Thorne Councillor Rollason	Kingsteignton West
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=18/00942/OUT&MN	



1. REASON FOR REPORT

Councillor Rollason has requested that this application be referred to Planning Committee if the Case Officer recommendation is for approval. The reasons given for this request relate to road safety and dangers to pedestrians by increasing the volume of traffic on Broadway Road.

2. RECOMMENDATION

Subject to the applicant entering into a Section 106 Agreement to secure:

1. Financial contribution towards affordable housing (if subsequent Reserved Matters approval for scale results in the combined gross internal floor area being over 1,000 square metres);
2. Financial contribution of £5,000 towards a Traffic Regulation Order,

PERMISSION BE GRANTED subject to the following conditions:

1. Submission of reserved matters (scale, appearance and landscaping) prior to commencement;
2. Reserved Matters to be submitted within 3 years;
3. Commencement within 2 years of Reserved Matters approval;
4. Development to proceed in accordance with approved plans;
5. Landscape and Ecology Management Plan (LEMP) to be submitted to and approved in writing by the Local Planning Authority;
6. Works to the site shall proceed in accordance with recommendations of Section 5 of the Wildlife Survey Report, prepared by Butler Ecology;
7. Works to the existing building shall proceed in strict accordance with all precautions and measures described in the Bat Mitigation Method Statement, prepared by David Wills;
8. Details of a lighting scheme to be submitted to and approved in writing by the Local Planning Authority;
9. A scheme for bat, bird and hedgehog provision to be submitted to and approved in writing by the Local Planning Authority;
10. Hedges, shrubs and trees associated with the site boundaries shall be retained as flyways for foraging and commuting bats and for other wildlife;
11. Details of estate road, footways, footpaths, verges and associated highways details to be submitted to be approved in writing by the Local Planning Authority;
12. Access road for first 10 metres from its junction shall be constructed to base course level prior to other works;
13. A site compound and car park shall be constructed / designated;
14. A Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority;
15. No part of the development shall be occupied/commenced, until the off-site highways works have been completed;
16. Foul drainage from the development (and no other drainage) shall be connected to the public foul or combined sewer;
17. Notwithstanding the submitted plans, details of bin collection areas to be submitted to and approved in writing by the Local Planning Authority;
18. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority. The design of this permanent surface water drainage management system shall be in

accordance with the principles of sustainable drainage systems as set out in the Local and National SuDS Design Guidance;

19. No development shall commence until detailed design of the proposed temporary surface water drainage system (for the period of its construction) is approved by the Local Planning Authority;
20. No development shall commence until details of the adoption, maintenance and management arrangements for the approved surface water management scheme has been approved by the Local Planning Authority;
21. Parking provision, including garages, shall be retained for the purposes of parking only;
22. Finished floor levels of the development shall be set no lower than 5.6 metres above Ordnance Datum prior to occupation of any dwelling.

3. DESCRIPTION

Site

- 3.1 The application site is a roughly crescent-shaped area of land, of approximately 0.52 hectares in area, situated to the western edge of the settlement of Kingsteignton. The site is currently occupied by a 4 bedroomed bungalow 'Amberley' which sits to the north of the application site with parking to the front and garden space to the rear and sides. The site includes grassland further south of the established curtilage of the existing dwelling.
- 3.2 The site is accessed from Broadway Road to the north. The site is bounded by mature trees to the eastern boundary of the site with Kingsteignton Football Club immediately behind, and on its western site by existing residential development for part of its length (21 and 23 Brimble Barn, and Littlebrook).
- 3.3 The site is approximately 350 metres north-east of the River Teign. The site has a shallow slope from north to south, and the southern tip of the site falls at the edge of flood zones 2 of that watercourse. There is also a ditch/watercourse parallel to the western site boundary on adjacent land.

Proposal

- 3.4 The proposal is to demolish the existing dwelling and to redevelop the site to deliver 7 dwellings.
- 3.5 This application seeks outline planning permission, with access and layout only for approval at this stage.

Appearance, landscaping and scale are to be dealt with at Reserved Matters stage.

Access

- 3.6 The National Planning Practice Guidance (NPPG) advises that Access includes the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
- 3.7 It is proposed to use the existing site access from Broadway Road whilst improving the junction.

- 3.8 The proposed highway improvements include creating a build out to locally narrow Broadway Road to 3.6 metres (to the west of the site), with priority given to westbound traffic travelling through the narrowing, in order to reduce vehicle speeds.
- 3.9 A pedestrian crossing point would be constructed to enable residents from the proposed new development and existing residents at 21 and 23 Broadway Road, to cross the road to join the footway system on Tweenways and Wolverton Drive as a continuous safe pedestrian route linking local services to the east.
- 3.10 The dwellings would feed off a road to be taken through the site from Broadway Road, running parallel to the eastern boundary of the application site.

Layout

- 3.11 The NPPG advises that layout includes the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 3.12 The submitted layout proposes 7 detached dwellings. Plot 1 would be oriented towards the site access, plots 2-6 facing to the east, fronting the proposed internal road, and plot 7 would be orientated to the north.
- 3.13 The proposed dwellings would have allocated on plot parking, provided through detached and integral garaging and hardstanding areas within the curtilage.

PLANNING CONSIDERATIONS

Principle of the development/sustainability

- 3.14 The site lies within the defined settlement limits as set out in the Teignbridge District Council Local Plan 2013-2033 Settlement Maps.
- 3.15 Public representations have been received, objecting to residential development in this location, as the current Local Plan review is taking place, and this includes a settlement boundary review as part of the process.
- 3.16 The settlement boundary review proposes possible amendments to the settlement boundary in Kingsteignton which would affect the application site; these are set out in the Draft Settlement Boundary Review paper.
- 3.17 In respect of the application site, the Draft Settlement Boundary Review paper proposes to reduce the extent of the settlement boundary to include only the defined curtilage of the existing property 'Amberley' and would omit the grassland beyond, which is currently included in the application site.
- 3.18 This Draft Settlement Boundary Review paper will be subject to public consultation as part of the Local Plan Review. The preparation timetable for the Local Plan review is currently as follows;
- January 2020 – Consultation on draft Plan

- November 2021 – Publication (proposed submission consultation)
- April 2022 – Submission
- July 2022 – Inspector’s Hearings
- December 2022 – Adoption

3.19 Therefore it is considered that the review has not progressed sufficiently for officers to give the proposed amendments to the settlement boundary in Kingsteignton as set out in the Draft Settlement Boundary Review paper, *any* weight, in the consideration of this application.

3.20 Moreover, giving weight to the Adopted Local Plan and defined settlement boundaries, it is considered that the principle of this development is acceptable under Policy S1 (Sustainable Development Criteria) of the Teignbridge Local Plan, subject to compliance with other policies contained in the Local Plan.

Impact upon the character and visual amenity of the area

3.22 The character of the immediate area is residential; mostly these are detached dwellings and are of varying scales, comprising bungalows, dormer bungalows and two storey dwellings, with varying designs.

3.23 The site area is just over half a hectare and therefore this development would equate to approximately 14 dwellings per hectare, which is considered to be a low density development.

3.24 Planning officers should consider whether applications for development make efficient use of the land, taking into account the desirability of maintaining the prevailing character and setting of an area.

3.25 In this instance, the proposed layout would achieve a relatively low density development of plots with a large floor area, and the site could accommodate a greater number of smaller units.

3.26 However, having regard to the location of the proposed development at the edge of settlement where densities of surrounding development are also low to medium density, it is considered that the proposed density would be acceptable in this instance. A development of a similar layout pattern exists to the east of the Kingsteignton Football Club at Andor Avenue, therefore it is considered that the proposed development would maintain the existing settlement pattern of the locality.

3.27 The proposed development would be readily visible from Broadway Road. The layout of the site has been designed so that plot one is oriented towards the entrance to the site. This layout (subject to scale and appearance to be determined at Reserved Matters stage) would create a positive frontage to the site entrance. The other plots (2-7) would be sited further from the access and there would be limited visibility from Broadway Road.

3.28 The appearance and scale of the proposed dwellings are not matters for consideration under this application for outline planning permission. Consideration of such issues and whether they are acceptable, having regards to the character and visual amenity of the area, would be at Reserved Matters stage.

- 3.29 The nature of proposed boundary treatments will also be an important element of the overall design quality of the site and would be considered at Reserved Matters stage for landscaping. The Design and Access Statement states that 1800mm high close boarded fencing with screen planting will establish over time, however this outline consent would not grant approval for such boundary treatment.

Impact on residential amenity of surrounding properties

- 3.30 The nearest residential properties are located to the west of the application site, and accessed from Broadway Road (21 and 23 Brimble Barn, and Littlebrook).
- 3.31 Letters of representation have raised a number of concerns relating to neighbouring amenity, in particular, loss of privacy and overlooking.
- 3.32 In respect of Brimble Barn, Plot 1 would be the closest property; the gable end of plot 1 would be sited between 1-2 metres from the shared boundary, which is currently formed by a timber close boarded fence. Separation distances between the gable end of plot 1 and Brimble Barn would be between 6-10 metres (with an existing single storey storage building ancillary to Brimble Barn located between).
- 3.33 Plot 2 is proposed adjacent to Littlebrook, with plots 3 and 4 being adjacent to the curtilage of Littlebrook. As set out above, these plots are orientated to face the access road to the east and therefore the rear elevations face Littlebrook and its associated curtilage.
- 3.34 The rear elevation of plots 2, 3 and 14 would be located approximately 12 metres from the shared boundary with Littlebrook curtilage. Plot 2 would be over 24 metres from the side elevation of Littlebrook.
- 3.35 The Design and Access Statement submitted in support of this application advising that the access road and the entrances to the proposed dwellings have been located along the eastern boundary of the site to ensure that the largest amount of rear garden is achieved before the western boundary with Littlebrook.
- 3.36 Having regard to the separation distances set out above, it is considered that new residential development in the layout shown on submitted plans could be achieved without unacceptable material harm to the living conditions of the occupants of 21 and 23 Brimble Barn or Littlebrook. The reserved matters details regarding appearance and scale will be important considerations in due course. Therefore it is considered that this outline application accords with Policy S1 (Sustainable Development Criteria) in relation to neighbouring amenity impacts.
- 3.37 Whilst the Design and Access Statement submitted as part of this application indicates that the intention is for 4-5 bedroomed houses, scale and appearance are Reserved Matters and therefore no approval is sought for the height of buildings or the location of fenestration as part of this outline application. The scale and design of the proposed units, and the resultant impacts on neighbouring amenity would therefore need to be considered at Reserved Matters stage, to ensure that no unacceptable neighbouring amenity impacts would arise.

Highway safety

- 3.38 It is proposed to use the existing site access whilst improving the junction.
- 3.39 A number of public letters of representation objecting to the proposed development cite highway safety concerns. Several representations have also been received which support the proposals and consider that positive impacts on highway safety would result.
- 3.40 The proposed highway improvements include creating a build-out to locally narrow Broadway Road to 3.6 metres, with priority given to westbound traffic travelling through the narrowing, in order to reduce vehicle speeds.
- 3.41 Broadway Road has no pedestrian footway link, therefore a pedestrian crossing point would be provided at the build out, to enable residents from the proposed new development and existing residents at 21 and 23 Brimble Barn to cross the road to join the footway system on Tweenways and Wolverton Drive as a continuous safe pedestrian route linking local services to the east.
- 3.42 A swept path analysis has been submitted in support of this application and demonstrates that suitable road width and a turning head between plots 2 and 3 is provided.
- 3.43 The application is also supported by a Stage 1/2 Safety Audit which has been assessed by Devon County Council Highways Authority. The Highways Officer has advised that the number of trips this development could generate will not result in a severe effect on the highway and have no objections to the development as proposed.
- 3.44 Devon County Council Highways Officer has no objections to the application subject to a number of conditions requiring details of the proposed estate road, footways and associated highways details; the access road to be laid out for the first 10 metres of its junction with the public highway prior to commencement of the development; a site compound and car park to have been constructed prior to commencement of the development; and the submission of a Construction Management Plan (CMP).
- 3.45 The proposal for off-site highways improvements requires double yellow lines on a section of Broadway Road to ensure no parking within the priority flow. Devon County Council has advised that this will require a Traffic Order at a cost of £5,000 which will need to be secured through a Section 106 Agreement.
- 3.46 The conditions and Section 106 contribution as requested by Devon County Council Highways Authority is considered to be reasonable and it is recommended that these are attached to the decision notice should outline approval be granted.
- 3.47 The proposed dwellings would have allocated on-plot parking, provided through detached and integral garaging and hardstanding areas within the curtilage.
- 3.48 Whilst the proposed level of parking provision is considered to be acceptable, it is considered reasonable to impose a condition which requires the proposed garaging and driveway parking to be retained for this purpose.

- 3.49 In addition to the condition referenced above, Devon County Council Highways Authority has recommended a further condition requiring the submission of a Construction Management Plan (CMP); it is considered reasonable to attach this condition in order that the disruption to occupiers of nearby dwellings during the construction period is limited.
- 3.50 Subject to the conditions referred to above being attached to a decision notice and the off-site highways works being carried out, it is considered that the proposed development would not result in any unacceptable impacts on highway or pedestrian safety.
- 3.51 A letter of representation questions whether the area between the Amberley access and the highway, as shown outlined in red, is solely owned by the applicant. Highways works would be off-site and therefore delivered through a Section 278 agreement with the Highways Authority. It is recommended that a condition is attached to the decision notice restricting occupation of any dwellings until the off-site highways works have been completed. Letters of representation have also raised concern about the loss of parking spaces currently used by the owners/occupiers of numbers 21 and 23 Broadway Road, these spaces are not owned by 21 and 23 Broadway Road and therefore their displacement from using the land to park their vehicles is not a material planning consideration in the determination of this application, nor is any alternative provision for parking provision for these occupiers which has been suggested as having been agreed in representations received a requirement of the planning application. This is therefore a civil matter should the applicant wish to provide the owners of 21 and 23 Broadway Road with alternative parking provision.

Impact on ecology/biodiversity

- 3.52 Public letters of representation have been received in respect of ecology which object to the proposed development on the basis of harmful impacts on ecology.
- 3.53 This application is supported by an Ecological Survey which relates to the existing property 'Amberley' prepared by David F Wills and an Ecology Report for the wider site, prepared by Butler Ecology.
- 3.54 The reports have been assessed by the Teignbridge District Council's Biodiversity Officer who is satisfied with the recommendations and mitigation measures as set out in the reports.
- 3.55 The Teignbridge District Council Biodiversity Officer has recommended a number of conditions to ensure that the proposed development does not result in adverse impacts on ecology interests.
- 3.56 These conditions include the submission of a Landscape and Ecology Management Plan (LEMP); development to take place in accordance with the precautions and measures as set out in the Ecology Reports; details of a lighting scheme to be approved; and a scheme for bat, bird and hedgehog provision to be approved.
- 3.57 The conditions requested by the Teignbridge District Council Biodiversity Officer are considered to be reasonable and should be attached to the decision notice if outline consent is granted.

- 3.58 Subject to the suggested conditions being attached, it is considered that the proposed development would not result in a harmful impact on protected and priority species and the proposed development is therefore considered to be in accordance with Policies EN8 (Biodiversity Protection and Enhancement), EN9 (Important Habitats and Features) and EN11 (Legally Protected and Priority Species) of the Teignbridge Local Plan.

Flood risk/surface water drainage

- 3.59 The majority of the site, as identified on Environment Agency Maps, lies within Flood Zone 1 (land assessed as having a less than 1 in 1,000 annual probability of river flooding). However, the southern tip of the site falls within Flood Zone 2 (land assessed as having between a 1 in 1,000 and 1 in 100 annual probability of river flooding). The proposal for residential use in this location is classed as a 'More Vulnerable' development and therefore a Flood Risk Assessment accompanies this application.
- 3.60 As the southernmost plot (plot 7) is proposed partly in a location within Flood Zone 2, the Sequential Test must be applied in accordance with Policy EN4 (Flood Risk) of the Teignbridge Local Plan and National Planning Policy Framework (NPPF) (paragraphs 157-159). Providing that the Sequential Test can be satisfied, consistent with wider sustainability objectives, the Exception Test must also be applied and passed.
- 3.61 This application does propose a 'more vulnerable' use, and Plot 7 would be sited within Flood Zone 2.
- 3.62 The Flood Risk Assessment states that the proposed dwelling on Plot 1 would be designed with Finished Floor Levels (FFL) set approximately 0.6 metres above the predicted 0.1% (1 in 1000 year return period) flood event, and include flood resilience measures, such as raised plug sockets.
- 3.63 It is proposed that all hard standing and impermeable areas will be drained via a gravity, piped sewer network to the adjacent ditch/watercourse. Run-off will be controlled at greenfield rates and therefore the drainage strategy will not result in any increase to run-off rates or volumes discharged from the site.
- 3.64 Foul water drainage will be adopted by South West Water.
- 3.65 The application has been considered by the Teignbridge District Council Drainage Engineers. Their comments are as set out below. They have suggested a number of conditions and these are considered appropriate for addition to the decision notice.
- 3.66 As this is an outline planning application, final drainage design will be required. The Teignbridge District Council Drainage Engineers have requested conditions for the submission of detailed drainage details prior to commencement of development.

Affordable housing

- 3.67 The proposal for 7 dwellings on this site as set out would be required to provide 20% affordable housing in line with Policy WE2 of the Teignbridge Local Plan, which states that all open market housing sites in Kingsteignton with a capacity of

more than 4 dwellings will provide 20% affordable housing. This would equate to the provision of 1 affordable unit.

- 3.68 As noted above, the site could accommodate more development if an alternative form of development were proposed. However, it is considered that the proposed layout is appropriate in light of the character of the area surrounding the site. The proposal overall is compliant with planning policy – including in relation to affordable housing provision. Government Policy suggests that affordable housing provision should not be sought on sites of less than 10 dwellings. Comments from the Affordable Housing Enabling Team have taken this into account and, recognising the nature of the dwellings proposed on the site and the site’s theoretical capacity, they recommend an affordable housing contribution the equivalent of half of the off-site contribution for a larger affordable home. It is recommended that a financial contribution be sought (if subsequent Reserved Matters approval for scale results in the combined gross internal floor area being over 1,000 square metres) in line with the Executive report to Committee, which is to be secured by Section 106 agreement. It is considered in this instance that, in order to achieve a development that is appropriate to the character of the site, 7 dwellings represents the capacity of the site and therefore a contribution towards off-site provision to deliver affordable housing is considered to represent the policy compliant manner in which affordable housing delivery should be addressed.

Conclusions/Summary

- 3.69 For the reasons set out above, it is considered that the proposed means of access and layout as set out on submitted plans is acceptable, and the application is recommended for approval, subject to a Section 106 agreement to secure affordable housing (if the gross internal floor area of the dwellings as approved at Reserved Matters exceeds 1,000 square metres), a financial contribution for £5,000 for a Traffic Regulation Order, and conditions as set out in this report.

4. POLICY DOCUMENTS

Teignbridge District Council Local Plan 2013-2033

S1A (Presumption in favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S9 (Sustainable Transport)

S15 (Kingsteignton)

S21A (Settlement Limits)

WE2 (Affordable Housing Site Targets)

EN4 (Flood Risk)

EN8 (Biodiversity Protection and Enhancement)

EN9 (Important Habitats and Features)

EN11 (Legally Protected and Priority Species)

EN12 (Woodlands, Trees and Hedgerows)

National Planning Policy Framework

National Planning Policy Guidance

5. **CONSULTEES**

Teignbridge District Council Biodiversity Officer (5 September 2018) - The Draft Bat Mitigation Method Statement is acceptable and compliance with the measures should be conditioned, in addition to a condition requiring a lighting scheme to be submitted, and a further condition requiring hedges, shrubs and trees associated with site boundaries being retained as flyways.

Teignbridge District Council Biodiversity Officer – further comments (22 October 2018) - No objections subject to conditions requiring; submission and approval of a LEMP; development to take place in accordance with the precautions and measures set out in the submitted Bat Mitigation Statement; details of a lighting scheme to be agreed; and a scheme for bat, bird and hedgehog provision to be submitted and approved.

Devon County Council Highways Authority (18 September 2018) - The Highways Authority has no objections to the application subject to a number of conditions including; submission and approval of a Construction Management Plan (CMP); details of proposed estate road, footways and associated highways details to be submitted and approved; access road to be laid out and constructed to base course level for the first 10 metres back from its junction with the public highway prior to commencement; and a site compound has been constructed prior to commencement. The Highways Authority has also advised that £5,000 for a Traffic Regulation Order will be required.

South West Water (23 August 2018) - The applicant/agent is advised to contact South West Water if they are unable to comply with their requirements as set out. Advises a condition to confirm that foul drainage (and no other drainage) shall be connected to the public foul or combined sewer.

Environment Agency (28 January 2019) - We are able to remove our objection to this proposal provided that a condition is included on any permission granted to secure the implementation of the proposed minimum finished floor level of 5.6 metres AOD.

Teignbridge District Council Drainage Engineers (18 February 2019) - In reference to application 18/00942/OUT, I can inform you that the applicant has provided some photographic evidence to demonstrate that there is an open section of watercourse on the western boundary of the site and the proposed drainage layout has been amended accordingly, to show the proposed outfall on the western boundary. However, we have received further advice from the Environment Agency in their correspondence dated 28 January 2019 - ref: DC/2018/120183/03-L01, about the watercourse as Ordnance Survey mapping indicates that it 'sinks' halfway along the western boundary. Following the advice received from the Environment Agency, I would recommend that at full planning or reserved matters stage, an inspection of the receiving watercourse is carried out by the developer to determine the suitability of the watercourse to accept the proposed controlled discharge at the existing greenfield run-off rates.

Recommendations:

A detailed drainage design is required at full planning/reserved matters stage and it is recommended that no part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority. The design of this permanent surface water drainage management system shall be in accordance with the principles of sustainable drainage systems as set out in the Local and National SuDS Design Guidance.

The following information is required to support the final drainage design:

The applicant must demonstrate that they have fully considered in detail, the use of above-ground components, and where possible, these shall be incorporated into the design of the surface water drainage system serving this development.

Surface water discharge from the development site to the watercourse shall be limited to the existing greenfield run-off rates and all surface water run-off must be managed safely on-site to, and including, the 1 in 100 year (+40% allowance for climate change) rainfall event.

Any blockages in the drainage system shall be accommodated by suitable overflows, and exceptional rainfall by exceedance flow routing.

Full details of the adoption and maintenance of the proposed surface water drainage management system is required to demonstrate that all components will remain fully operational throughout the lifetime of the development.

The finished floor levels of the proposed properties shall be set in accordance with the Environment Agency requirements.

Developer is required to carry out an inspection of the receiving watercourse, to determine the watercourses suitably to accept the proposed controlled discharge at the existing greenfield run-off rates, in accordance with the Environment Agency advice dated 28 January 2019 - ref: DC/2018/120183/03-L0.

Teignbridge District Council Arboricultural Officer (4 December 2018) - There are no arboricultural objections to the proposal.

Teignbridge District Council Cleansing Services (14 August 2018) - No objections to the proposal in principle but request further consultation on any developing detailed site plans in relation to access to and around the site by refuse collection vehicles.

Teignbridge District Council Cleansing Services (9 October 2018) - With regards to the final development, I need to be able to see that a refuse collection vehicle would be able to enter and turn on the site once it had been completed, so that the residents will be able to have their waste collected.

None of the swept paths supplied appear to show how the vehicles will access the finished estate, except for one that does refer to accessing Amberley, but this only shows a vehicle entering the beginning part of the development and not entering the estate and turning to leave.

If the vehicles are not going to be able to enter the development on completion, because the road is not intended for adoption, a space should be allocated for the

presentation of containers on collection day at the edge of the development near to where the vehicle is able to access. This will enable residents to ensure that the access to the estate is kept clear of any obstruction.

Devon County Council Highways Authority (18 September 2018) - The proposal for a double yellow line to ensure no parking within the priority flow will require a Traffic Regulation Order at a cost of £5,000. This will need to be secured through a Section 106 agreement.

The number of trips this development could generate will not have a severe effect on the highway. Therefore the Highway Authority has no objections to the application and recommends a number of conditions:

1. The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

REASON: To ensure that adequate information is available for the proper consideration of the detailed proposals.

2. No part of the development hereby approved shall be commenced until:
The access road has been laid out, kerbed, drained and constructed up to base course level for the first 10 metres back from its junction with the public highway
A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority

REASON: To ensure that adequate on-site facilities are available for all traffic attracted to the site during the construction period, in the interests of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents;

3. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:
 - (a) the timetable of the works;
 - (b) daily hours of construction;
 - (c) any road closure;
 - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8 a.m. and 6 p.m. Mondays to Fridays inc.; 9 a.m. to 1 p.m. Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the Local Planning Authority in advance;
 - (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
 - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
 - (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing

- materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works;
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site;
- (k) details of wheel washing facilities and obligations;
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes;
- (m) Details of the amount and location of construction worker parking;
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work.

Teignbridge District Council Housing Enabling Officer (7 March 2019) - I understand that the planning assessment regarding the number of dwellings has been found to be acceptable as a proposal for 7 dwellings (although due to site area and plot size this will be large 5 bed dwellings). Enablers consider that it remains important to note that the site area would have capacity to accommodate more dwellings than this - because site capacity has implications for the adopted Local Plan policy affordable housing threshold, off site calculations and relationship to the National Planning Policy Framework and Written Ministerial Statement.

As previously noted, Housing need in Kingsteignton and Teignbridge remains high. Recent housing affordability research has provided the Council with evidence of the increasing problems with housing affordability in Teignbridge. Local housing cost ratios compared to incomes have gone up from 8.89 in 2014 to 10.78 in 2017. This is a sharp rising trend and we are awaiting figures for 2018 which are expected to be similar to the housing affordability gaps in London. For Teignbridge, the gap between local incomes and house prices is widening, which makes the need for Affordable Housing all the more pressing.

In this case we consider that requesting an off-site affordable housing contribution would be appropriate, and under adopted Local Plan policy WE2 (para 4.7) this would require provision for 1 dwelling. As the proposal is for large detached plots we consider that the off-site affordable housing calculation should be based on 5 bed dwellings to be calculated in accordance with the Interim policies approved by the Executive in Sept 2016. A copy of the Exec report is attached – although the contribution amounts have since been uprated twice due to rising build costs (using BCIS data). A Local Plan policy compliant affordable housing financial contribution in this case would now be £141,193.

Taking account of the National guidance regarding affordable housing thresholds and measures to assist the viability of small residential proposals, while at the same time balancing the local evidence of affordable housing needs, the payment of a moderated affordable housing sum could be considered appropriate in this case. A moderated Affordable housing payment could be required in this case at half the Local Plan compliant amount which would be £70,596.

Housing Enabling would be able to withdraw its objection to the current scheme if an acceptable off-site affordable housing payment were to be secured in association with this proposal.

Teignbridge District Council Environmental Health Officer Contaminated Land (3 August 2018) - No objections.

6. REPRESENTATIONS

16 public representations have been received in respect of this outline application at the date of drafting this Committee Report: 8 in objection, 3 in support and 5 general comment.

A summary of the matters raised in objection to the proposed development is as follows:

1. Assessment of traffic conditions in the proposed access changes are not fully considered;
2. Visibility when exiting Tweenways in an easterly direction and exiting Andor Avenue in both directions is restricted to approximately 25 metres, with serious accidents having occurred at both junctions but no fatalities experienced;
3. Current parking availability will be reduced by the change in access to the subject site;
4. Parking facilities at football ground are insufficient for the number of visitors on match and training days, excess vehicles park in surrounding roads creating obstructions;
5. Insufficient safe pedestrian walkways along Broadway Road, which is also poorly lit;
6. Proposed pedestrian crossing provides inadequate visibility for pedestrians and vehicular traffic;
7. Proposed dwellings are located outside the Teignbridge Development Boundary
8. Proposed dwellings close to Flood Zone boundary;
9. Too many family-sized houses on this development;
10. Development would result in a busy junction directly adjacent to Tweenways which is already a busy junction;
11. Development would result in increase in vehicular traffic;
12. Houses would be too close to the siting of a new road which was granted planning permission in 2013;
13. Loss of parking spaces for owners/occupiers of numbers 21 and 23 Broadway Road;
14. Increased noise and air pollution (traffic fumes) from queuing traffic from proposed traffic calming measures;
15. Lack of ecological assessments and flood risk work. Sequential and exception tests must be carried out;
16. Proposed access would be too close to existing football club access;
17. Highways works proposed on land outside the application red lined area;
18. Objection to surface water discharge into existing leat which runs full in storm events;
19. Adverse impacts on ecology including water voles, badgers and bats;
20. No affordable housing proposed;
21. Dwellings would result in adverse neighbouring amenity impacts by way of overlooking and loss of privacy;
22. Proposed dwellings outside of established building line;
23. Unacceptable impacts on the root protection zones of mature trees;
24. The red lined areas includes land not owned by the applicant.

A summary of the matters raised in support of the proposed development is as follows:

1. Re-design of the junction between Broadway Avenue and Broadway Road will reduce speeding, stop vehicles parking on or near the junction, improve visibility for vehicles exiting Broadway Avenue and would improve pedestrian access;

2. CIL will be generated;
3. Nice to see some larger quality bespoke houses;
4. Proposed dropped kerb crossing at end of Tweenways which will ease access for pedestrians with limited mobility.

A summary of the matters raised in the general comments is as follows:

1. Understand that the owner of Amberley has agreed terms with owners of 21 and 23 Broadway Road to provide them with private parking spaces within their front gardens, in exchange for withdrawing their objections to loss of parking that they would face if the development were to proceed. If this is correct an amendment should be made to reflect this change. [Case Officer note: This would be a separate matter and is not part of the consideration of this application];
2. Works appear to be taking place on the site;
3. Consider the amended FRA to be flawed;
4. Consider Swept Path Analysis shows that vehicles will barely be able to make the intended turns and only if precisely follow the correct paths;
5. The site access road, visitor parking and bin storage area remain very close to football ground boundary and would affect roots of hedge and trees that form boundary;
6. Concern planning boundary does not include land to the north adjacent to Broadway Road. This land will be needed to form the access onto Broadway Road and the developer does not own this land, and ownership situation is not clear;
7. Proposal will reduce current parking availability;
8. There is insufficient safe pedestrian walkways;
9. Access would be better accommodated if directed to the southern end of site;
10. Road calming will slow traffic with the adverse effect of standing traffic creating more fumes.

7. TOWN COUNCIL'S COMMENTS

No further development on Broadway Road should be permitted until Broadway Road is made safe for pedestrians and traffic calming measures and a pavement is put in place. The Town Council consider that additional houses are too much of a strain on the access to this site and would provide additional strain on Broadway Road. As a European Protected Species Development Licence for bats is required the Town Council would ask for a copy of this, when approved, for our records, to ensure this is received prior to commencement of any work.

8. COMMUNITY INFRASTRUCTURE LEVY

This is an outline application. CIL liability will be calculated when the reserved matters application is submitted.

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

