

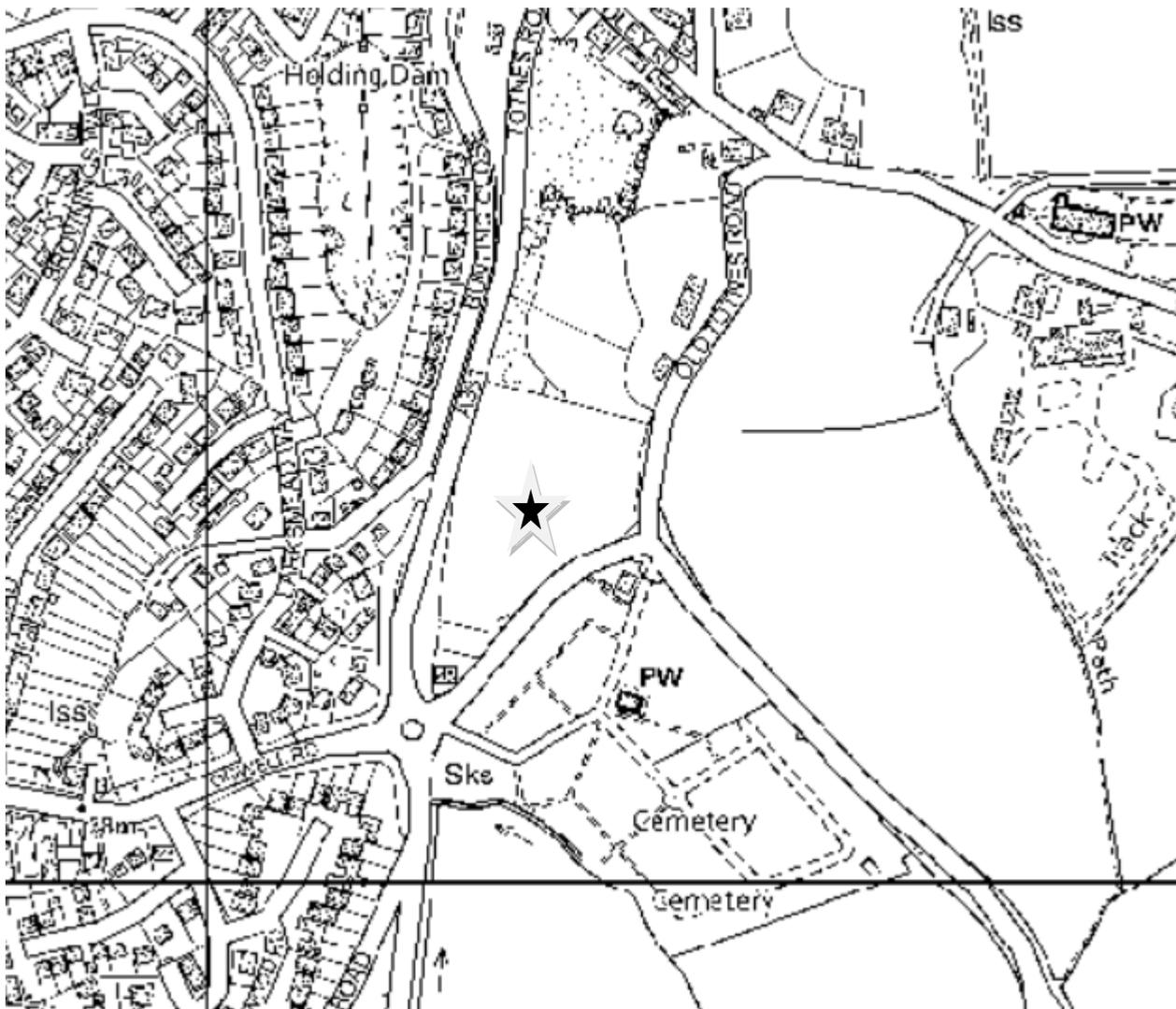
PLANNING COMMITTEE REPORT

26 November 2019

CHAIRMAN: Cllr Mike Haines



APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 19/01439/FUL - Former Wolborough Hospital Development Site , Old Totnes Rd - Replacement of 5-bed residential unit 10 under 13/01497/MAJ with 2x semi-detached and 2x detached 3-bed residential units	
APPLICANT:	T Wild	
CASE OFFICER	Helen Murdoch	
WARD MEMBERS:	Councillor Bradford Councillor Mullone	College (02/05/2019)
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/01439/FUL&MN	





19/01439/FUL Former Wolborough Hospital Development Site,
Old Totnes Rd, Newton Abbot, TQ12 6AA



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1. REASON FOR REPORT

- 1.1 Cllrs Bradford and Mullone have requested that the application be presented to Committee as they are concerned that the proposals will see the over-development of a gateway site into Newton Abbot to the detriment of the character and appearance of the area in particular the adjacent Wolborough Hill Conservation Area and its associated Grade I listed St Mary's Church. They raise concerns that this application sees a reduction in the quality and design of the development.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Standard 3 year time limit for commencement
2. Development to be carried out in accordance with the approved plans and documents
3. Submission of materials for approval including a sample panel of stone work to be constructed on site for approval.
4. Full drainage details to be submitted and agreed prior to the commencement of works on site
5. Submission and approval of hard and soft landscape proposals
6. Implementation of bat mitigation/enhancement measures
7. Parking for each plot to be provided prior to occupation and retained thereafter
8. Details of siting, design and finish/materials of all meter boxes and inspection chambers to be submitted and agreed
9. Removal of Permitted Development Rights
10. Details of all rooflights to be submitted and agreed
11. Works shall proceed in accordance with the Construction Management Plan (CMP)
12. Works shall proceed in accordance with the Contaminated Land Report
13. Prior to works commencing appropriate Slow Worm survey work shall be undertaken
14. Full details of management company responsible for on-site communal areas to be submitted

3. DESCRIPTION

The Site

- 3.1 The application site is within the Urban Residential Development Boundary of Newton Abbot as defined in the adopted Teignbridge Local Plan 2013-2033. The site is also designated as part of the NA3 allocation.
- 3.2 The subject application relates to a smaller northern section of a wider development site. The wider site is a roughly triangular parcel of land measuring approximately 1.14 hectares (gross) and rises gently from the south to the north east. The site is to the south of Newton Abbot and by road is approximately 900 metres from the town centre. The site is accessed to the south east from an existing access onto the Old Totnes Road. The whole development area is bound on its east and south east boundaries by the Old Totnes Road and the Newton Abbot Cemetery lies beyond to the south east. To the west the site is bound by the Totnes Road. Both the east and western boundaries are well screened with existing landscaping. To the north the site adjoins a paddock which falls within the ownership of the residential property known as Westlands. The boundary is defined by an existing

stone boundary wall which is largely consistent in height with Westlands but varies on the application site due to the ground levels which have been altered in the past. For clarification Westlands is sited approximately 75 metres from the site boundary. To the south the site adjoins the residential property known as Wolborough Lodge. The Conservation Area lies to the north east of the site and starts at the listed church. Topography, distance and screening limits direct views between the two.

- 3.3 The whole site is covered by an Area Tree Preservation Order which means that all of the trees on site are protected.
- 3.4 Although the site is not in use currently, it was last in use by the NHS. The site housed four substantial late Victorian/Early Edwardian detached buildings and one large single storey late 20th century building. These were very recently demolished under the 2013 planning permission.

Planning History and the Proposal

- 3.5 In 2013 planning permission (13/01497/MAJ) was granted for a scheme of 13 homes to cover the whole site. At the time of granting planning permission it was recognised that this was a slightly lower density than a site of this size would normally deliver. However, given the level of mature protected trees across the site it was considered that 13 homes was acceptable but the developers were required to make contributions such as affordable housing provision based on a scheme for 18 units.
- 3.6 In 2014 an application (14/03422/FUL) was made and later granted for an additional two dwellings and the repositioning of one other unit. This saw two additional units at the southern end of the site adjacent to the access. This took the total approved units to 15.
- 3.7 Subsequently amendments have been sought to these approvals to allow for the provision of garages and for the adjustment to a number of plots.
- 3.8 This current application concentrates on the northern end of the site. Following approvals to the position and design of plots 9 and 11 this application seeks permission to convert plot 10, previously a detached dwelling into a pair of semi-detached dwellings and to build a further two detached dwellings. This would see a net gain of 3 dwellings. This brings the total to 18 dwellings.
- 3.9 When the original 2013 application was considered by Committee, Officers reported the following:

“This site is more than 0.5 hectares and it is considered that the site could easily accommodate 15 dwellings or more if a better mix of units were being proposed. Accordingly it is considered that this site should deliver affordable housing. Given that the Applicants have expressed a strong desire not to deliver any affordable housing on this site the alternative which needs to be considered is a financial contribution to deliver off-site affordable housing.”

At the time of this initial application the applicant set out that they favoured the delivery of larger detached dwellings across the site and felt that the site was more suited to this form of development especially in light of the sylvan characteristics of the site. Permission was approved on this basis but, it was considered that given

that the site could deliver more dwellings affordable housing should be sought on the basis of a scheme of 18 units.

- 3.10 The site is now owned by a different applicant and they wish to deliver a scheme which delivers a better mix of dwellings and indeed one which delivers additional dwellings.

The Principle

- 3.11 The principle of residential development on this site has already been established by the 2013 planning permission. The site is within the settlement limits of Newton Abbot and within part of the NA3 land allocation as set out in the Local Plan. As such it is considered that the provision of residential development on this site has been established and is acceptable. The matters for consideration are whether the provision of 3 additional dwellings and a change in the housing type is acceptable. It is considered beneficial to ensure that development on brownfield sites such as this is brought forward in a way which makes best use of the site. A further 3 dwellings on this site is considered appropriate.

Design

- 3.12 The application sees the introduction of one pair of semi-detached dwellings and two detached dwellings in the north eastern corner of the site; replacing the current detached dwelling known as plot 10. The revised layout is considered acceptable. Whilst the dwellings are situated on smaller plots and benefit from smaller areas of external amenity they sit comfortably within the wide development layout. The spatial relationship with the trees has been duly considered and found acceptable. Each plot benefits from on plot parking.
- 3.13 The proposed dwellings have adopted slightly different designs, in part arising from the fact that they are semis and smaller detached units but also because they see the addition of a third level of accommodation with rooms in the roof space. Whilst this is a different design to that for the larger detached plots it is not considered that a quality scheme can only comprise one house type. As such, considered in the round, the design of the new units is considered acceptable. Materials will be conditioned so as to ensure that they tie in with the other units on the site. The new dwellings have capped pitched roofs. The reason for this is to ensure that the overall height of the units do not exceed the surrounding units despite the additional depth. The capped roof will not be readily readable from the public domain due to the orientation and location of these units.
- 3.14 Concerns were raised when the original application was received regarding the proposed design. Those concerned considered that the buildings did not sit comfortably with the character of Wolborough Hill which is predominantly Victorian villas. Concerns this time have been raised regarding the impact upon the Wolborough Hill Conservation Area and the associated Grade I listed church of St Mary's. It is considered that the development is largely self-contained and does not have a direct link with the villa development on Wolborough Hill. Concerns regarding the impact on the Conservation Area and the listed building are understood however, it is not considered that the site and dwellings proposed form part of the setting of the listed building. The development site is well screened largely by protected trees and the topography and distance from the church are such that the site does not form part of the setting. The addition of three dwellings within an established residential development site is not considered to introduce any new detriment to the Conservation Area either especially in light of the mature

screening, topography and distance. There are other residential properties between the development site and these heritage assets.

Transport and Access

- 3.15 Concerns were raised when the initial development was considered regarding additional traffic utilising the site access and associated road network. However, at that time it was considered that the proposed residential development would not see an increase in vehicular movements compared to the previous use of the site. These proposals see an additional 3 dwellings utilising the approved access and associated road network. This increase in use has been considered by the Highways Authority and they have raised no objection.

Biodiversity

- 3.16 The current permissions for are the subject of appropriate conditions to secure bat and nest bird mitigation. This current application is accompanied by an ecological appraisal addendum. The site was once again inspected by an ecologist on the 17th April 2019 to assess the biodiversity implications of amending the layout and density of dwellings within the north east corner of the site. Since the buildings have been demolished and the site somewhat cleared vegetation has established and comprises a range of grasses, herbs and wild flowers amongst others. Historic surveys highlighted use of the site along the eastern edge by a low number of slow worms. Current habitat conditions suggest that there may well still provide slow worm habitat along with part of the current application site. As such a presence or absence survey is recommended to establish if the site needs to be cleared of reptiles before ground works commence in these areas. This will be conditioned accordingly. The addendum concludes that the revised development in the north-eastern part of the site would have no greater ecological or habitat impact than the approved scheme. It notes that a bat mitigation strategy was agreed and approved as part of the wider site development. The current addendum recommends additional mitigation in relation to the proposed two pairs of semi-detached dwellings and this will be conditioned accordingly. It is considered that an external lighting condition will also be added in accordance with the rest of the site.

3.17 Residential Amenity

The units proposed see a sitting room at first floor served by windows on the rear elevation. Concerns have been raised regarding impact on neighbouring amenity. The northern boundary of the site is shared with Westlands which is located approximately 75m away. The land adjacent to the application site is a paddock which it is understood to be in the ownership of Westlands. Given the distance, orientation and the land use it is not considered that the additional units nor their floor layout will lead to unacceptable overlooking.

Landscape and Trees

- 3.18 The site is well vegetated with mature trees which are subject to an Area Tree Preservation Order. The site also has hedged and treed boundaries to the roads to the east (Old Totnes Road) and west (Totnes Road). As with the previous scheme this scheme seeks to retain all of the existing landscaped boundary treatments. The Tree Officer has considered these revised proposals and the revised spatial relationship of the units with the trees. It has been concluded that there would be no detrimental impact on the protected trees as a result of these revisions.

Summary and Conclusion

- 3.19 The site lies within the settlement limit of Newton Abbot and is part of an approved residential development site. The proposed increase in the total number of proposed dwellings to 18 across the whole site and the change in the mix of house types is considered acceptable. It is considered appropriate to ensure that this brownfield site is made best use of whilst still accepting and working with the site constraints. Given that the additional units can be achieved without detriment to the protected trees it is considered that the additional units will sit comfortably within the site without detriment to the character and appearance of the area.

4. POLICY DOCUMENTS

Teignbridge Local Plan 2013-2033

S1A (Presumption in Favour of Sustainable Development)

S1 (Sustainable Development Criteria)

S2 (Quality Development)

S14 (Newton Abbot)

S21A (Settlement Limits)

WE2 (Affordable Housing Targets)

EN2A (Landscape Protection and Enhancement)

EN5 (Heritage Assets)

EN6 (Air Quality)

EN7 (Contaminated Land)

EN8 (Biodiversity Protection and Enhancement)

EN11 (Legally Protected and Priority Species)

EN12 (Woodlands, Trees and Hedgerows)

NA3 (Wolborough)

National Planning Policy Framework

National Planning Practice Guidance

Newton Abbot Neighbourhood Plan

5. CONSULTEES

Devon County Council (Highways):

The application is to replace Unit 10 a 5 bed detached house with 2 semi-detached dwellings and 2 detached dwellings. The access to this proposal has already been approved through application 13/01497/MAJ application. The application proposes 2 parking spaces per dwelling which is acceptable. Therefore, the County Highway Authority has no objections.

Tree Officer:

There are no arboricultural objections to the proposal as no significant trees within or adjacent to the development will be adversely affected.

Biodiversity Officer:

Comments awaited.

6. REPRESENTATIONS

6.1 6 letters of objection have been received. The two immediate neighbours have made two representations each along with Newton Abbot Civic Society and the Wolborough Hill Residents Association. These representations raise the following planning related matters:

- Concerns re gradual planning creep to the detriment of the wider area
- Detrimental impact upon neighbouring amenity
- Concerns re additional parking and whether this is encouraging sustainability
- Should be focusing on discreet and environmentally sensitive development of this site
- Concerns over the amount of previous applications across this site and the changes that have been made to the original approval
- The additional dwellings appear cramped and squeezed in
- The design is poor
- The site is within proximity of the regionally important geological site of Old Wolborough Quarry
- Detrimental impact on the biodiversity of the site particularly in relation to Greater Horseshoe bats, appropriate lighting should be secured
- This does not protect green space
- Impact on the setting of the Grade I listed St Mary's church and the Wolborough Conservation Area
- In appropriate for the lead in site for the Wolborough Hill Conservation Area presenting a clash of styles
- Distance from rear northern boundary and the adjoining land has been reduced
- Additional traffic
- Inaccuracies in the plans
- The proposals jeopardise the potential to develop adjacent land

7. TOWN / PARISH COUNCIL'S COMMENTS

The committee raised two specific queries in relation to the application;

1. Would the increase in proposed dwellings meet the threshold to require a proportionate amount of affordable/social housing to be provided; and
2. Do conditions on the development site require measures for the preservation of a rare orchid within the site?

The committee raised no objection in principle subject to confirmation of the affordable/social housing provision

8. COMMUNITY INFRASTRUCTURE LEVY

The proposed development is liable for 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.

10. HUMAN RIGHTS ACT

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Business Manager – Strategic Place