

PLANNING COMMITTEE REPORT

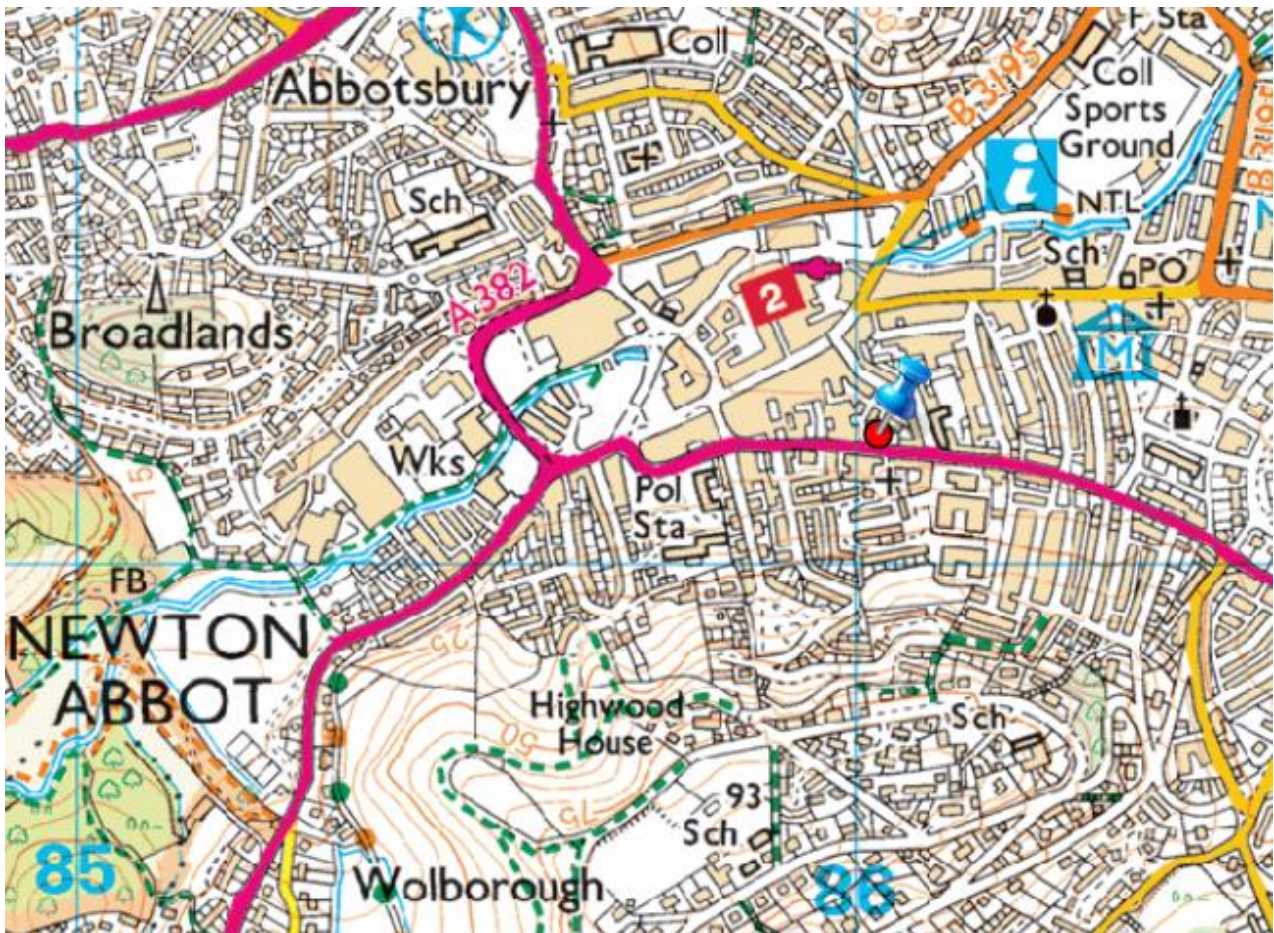
18 February 2020

CHAIRMAN: Cllr Mike Haines



Teignbridge
DISTRICT COUNCIL
South Devon

APPLICATION FOR CONSIDERATION:	NEWTON ABBOT - 19/02437/FUL - Car Park At 69-71 East Street, East Street - Five affordable apartments together with provision for electric car charging points	
APPLICANT:	Teignbridge DC	
CASE OFFICER	Artur Gugula/ Ian Perry	
WARD MEMBERS:	Cllr Rob Hayes Cllr Jackie Hook	Bushell
VIEW PLANNING FILE:	https://www.teignbridge.gov.uk/planning/forms/planning-application-details/?Type=Application&Refval=19/02437/FUL&MN	





19/02437/FUL - Car Park at 69-71 East Street,
East Street, Newton Abbot



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1. REASON FOR REPORT

This application is reported to Committee because the proposal is on Council owned land and having considered the proposal, the Business Manager considers it merits oversight by Planning Committee.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to the following conditions:

1. Time limit for commencement (3 years)
2. To be built in accordance with approved plans
3. Prior to commencement – submission of a Construction Management Plan
4. Prior to Installation – Submission of natural slate sample to be used for the roofs
5. Prior to part removal of the wall on the eastern boundary – Submission of details of the finishing to the edge/pier of the wall
6. Prior to installation, details of air source heat pump location, enclosure and noise rating to be submitted and approved
7. Unsuspected land contamination
8. Works in accordance with an Archaeological Written Scheme of Investigation
9. Electric Car Charging Points to be provided prior to first occupation

3. DESCRIPTION

The Application Site

- 3.1 The site is a Council owned asset and is located within the centre of Newton Abbot on East Street. The plot is currently vacant (approx. 0.04 Ha) and forms a gap between the Teign Cellars Pub to the West and Summerland Court to the East. There is existing pedestrian access off East Street and vehicle access to the North of the site off Summerland Cottages.
- 3.2 The site falls well within the established Settlement Limit of Newton Abbot and is surrounded by variety of residential properties, drinking establishments, retail units and non-residential institutions along the East Street. While being located in between the Wolborough and Town Centre Conservation Areas there are a number of listed properties in close proximity to the site.

The Application

- 3.3 The proposal seeks approval for an infill semi-detached 3 storey affordable rented housing block incorporating five units with 2 disabled parking spaces. The flats located on the ground floor are proposed to be suitable for accommodation for people with disabilities.

The Proposed accommodation is:

- Flat 1 1b2p M4(2) Compliant 66.4sqm
- Flat 2 1b2p M4 (2) Compliant 64.5sqm

- Flat 3 2b3p 66.4sqm Nationally Described Space Standard (NDSS) Compliant
- Flat 4 2b4p 72sqm NDSS Compliant
- Flat 5 1b1p 45sqm NDSS Compliant

3.4 The application proposes removal of part of the boundary wall to the rear in order to create sufficient parking and maneuvering space. Provision of EV charging points is also proposed together with some landscaping around the parking areas. The amenity space will also accommodate a bike stand and communal bin store.

Relevant Planning History:

3.5 19/01775/PE – Pre-application for development of six affordable apartments

08/03496/OUT – Outline permission granted with all matters reserved for principle of a residential development.

Main Issues

3.6 The main issues for consideration are:

- The principle of the development/sustainability
- Impact of the development upon the character and visual amenity of the area
- Impact of the development on the residential amenity of the occupiers of surrounding properties
- Access and parking provision
- Flood and drainage impact

The principle of the development/sustainability

3.7 In the context of policy S1 the principle of the development can be considered acceptable subject to other policies within the local plan. The site falls within the Settlement Limit of Newton Abbot providing a sustainable location for a residential development which is generally supported in accordance with policy S21A providing that the proposal is consistent with other relevant policies.

3.8 Due to the location of the development within the town centre, its suitability should also be assessed against policy EC9. The proposal presents a good use of a Council asset and will contribute positively to enhancing the town centre with due regard to the character of the surrounding area. In combination with the variety of development uses along the East Street the introduction of a residential property will fulfil the desire for mixed uses in the town centre required by policy EC9.

3.9 In addition the application is considered acceptable in relation to the provision and retention of affordable housing. Newton Abbot has a significant unmet need for affordable housing. Devon Home Choice confirms the current identified need in Newton Abbot is:

- 1 bed need 241
- 2 bed need 115

- 3 bed need 70
- 4 bed plus need 34

There is also a noted lack of affordable accessible/wheelchair-adapted dwellings.

The proposal seeks permission for five units which will all be operated on a social rented tenure basis. On this basis the proposal supports the aims of policies WE2 and WE3 albeit as a site for 5, there is no formal affordable housing requirement in this instance.

Impact of the development on the character and amenity of the area

- 3.10 The main concern of the proposal has been the suitable design of the south elevation which fronts East Street. At the pre-application enquiry stage followed by the full application process discussions have been held to bring forward a design which will be in-keeping with the street scape. In response the scheme has introduced the use of slate for roofing and light grey painted render which will reflect the character of buildings across East Street. The scheme has been revised during the consideration of the application to reduce the proposed brick plinth in height to further reflect the character of other buildings and to bring greater balance in the overall appearance of the façade.
- 3.11 In respect of the fenestration, the design of the windows has been altered from that first submitted to reflect the more traditional appearance of East Street. Generally uniform window size is dominant across properties within the proximity of the proposal. The scheme has proposed different window sizes on each of the floors and introduction of transoms has resulted in achieving more suitable proportions. In addition the middle ground floor window is set within an opening which is designed to imitate a door opening which is a distinctive feature of building frontages in East Street.
- 3.12 The northern elevation of the development cannot be seen from the main road therefore the appearance has lower impact on the general character of the area. Nevertheless the relatively simple design for the development presents a modest design and efficient use of the plot. The parking area with incorporated landscaping offers an overall visual improvement to the current vacant plot. There have been concerns regarding the removal parts of the blockwork and stone wall to the eastern boundary. A revised site plan has been submitted to show that only the blockwork part of the wall be removed in order to create sufficient space for car maneuvering. The remaining stone wall is considered to have a positive visual impact and creates a sense of enclosure. A condition is required to ensure an adequate finish is applied to the end of the retained stone wall on the east boundary of the site.
- 3.13 There are listed buildings on the opposite side of the road to the east and two doors away to the west. The proposals are not considered to adversely impact upon the setting of these buildings. In coming to this decision the council must be mindful of the duty as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings, their setting and features of special architectural or historic interest which they possess, and have given it considerable importance and weight in the planning balance.

- 3.14 Following the minor revisions the proposal presents a positive design taking into consideration the character of the surrounding area and is considered to be compliant with policy S2 of the local plan and policy NANDP 2 of the Newton Abbot Neighbourhood Plan.

Impact of the development on the residential amenity of the occupiers of surrounding properties

- 3.15 The rear of the site is surrounded by existing residential properties therefore careful consideration of the potential impact on amenity to the neighbouring occupiers is required. The impact on neighbouring properties has been considered through appropriate scaling of the building. The northern portion has been sufficiently set back into the plot creating an open space for parking and reducing the overbearing effect on other properties. The setback position also allows for significant distance between windows of the new building and the surrounding properties minimising overlooking.
- 3.16 At the pre-application stage some concerns were raised with regards to the potential over-shadowing and loss of light resulting from the proposed structure. The Design and Assess Statement includes sun path diagrams which conclude that overshadowing to the surrounding properties will not increase as a result of the development. The scale of the proposal is similar to surrounding domestic properties and is overall considered appropriate.

Access and parking provision

- 3.17 The access to the development is proposed via Carlisle Street from Summerland Cottages. Part removal of unsympathetic blockwork on the eastern boundary of the development is considered to improve the maneuvering area serving the proposed disabled parking spaces and the courtyard of Summerland Court. As the application is located within Newton Abbot's town centre the parking requirements are flexible. The development proposes two disabled parking spaces to serve the needs of the ground floor accessible units. Given the town centre location and existing on street parking, access to various car parks and adequate public transport within walking distance it is considered that the parking provision proposed by the scheme is acceptable.
- 3.18 The Highway Authority has responded with no objection to the development. Given the scale of the proposal a prior to commencement condition for a Construction Management Plan will be required to ensure highway safety and reduce the impact on public amenity during the construction phase of the development.

Flood and drainage impact

- 3.19 There is a small proportion of the site that falls within the low risk potential for surface water flooding. Accordingly a drainage scheme has been submitted. The Drainage & Coastal Manager notes that given the site is brownfield the proposed attenuation will provide a betterment in terms of surface runoff rates. The exceedance routing would follow existing topography to be intercepted by either

the proposed drainage or current highway drainage. There are therefore no objections from a surface water drainage perspective.

Archaeology

- 3.20 The proposed development site lies within an area of archaeological potential within the historic core of Newton Abbot. Following a consultation with the Devon County Council Archaeologist a Written Scheme of Investigation (WSI) has been requested prior to the commencement of the development. The applicant has now submitted a sufficient WSI and compliance with the document will be secured via a relevant condition.

Air Quality

- 3.21 The application site falls within the Newton Abbot Air Quality Management Area and the submission has been accompanied with a relevant air quality assessment. The document has concluded that the impacts on air quality are judged to be insignificant. The Council's Environmental Health Specialist has no objection to the development in relation to air quality.

Sustainability & Climate Change

- 3.22 A fabric first approach is proposed for this development, with a Mechanical Ventilation with Heat Recovery System (MVHR) implemented as part of the design. This is intended to maximise energy efficiency and provide a low energy ventilation solution for occupants. An Air Source Heat Pump system is also proposed to avoid the use of gas heating. Electric charging points are to be provided for the parking spaces.

The proposal is considered to meet the requirements set out in both the Neighbourhood Plan and the Adopted Local Plan with regard to seeking to reduce carbon emissions.

Conclusion

- 3.23 It is considered that the proposal is compliant with relevant national and local policies. The main issues of adequate design within Newton Abbot town centre and the mitigation of the impact on neighbouring properties has been sufficiently addressed. In addition the development will introduce 5 additional affordable units to fulfill the Town's need for affordable accommodation. The officer recommendation set out in the report is for conditional approval.

4. POLICY DOCUMENTS

4.1 Teignbridge Local Plan 2013-2023

S1A Presumption in favour of Sustainable Development
S1 Sustainable Development Criteria
S2 Quality Development
S11 Pollution
S14 Newton Abbot
S21A Settlement Limits
S23 Neighborhood Plans

EC9 Developments within Town Centres
WE2 Affordable Housing Site Targets
WE3 Retention of Affordable Housing
EN5 Heritage Assets

National Planning Policy Framework

National Planning Practice Guidance

Newton Abbot Neighborhood Development Plan 2016-2033

5. **CONSULTEES**

Full text of responses is available to view on the application file

Teignbridge District Council Drainage and Coastal Manager

No objections

Teignbridge District Council Housing Enabling Officer

The proposals are policy compliant and present a good use of a council asset. Given the nature of the proposal it should be sufficient to secure the affordable housing and nomination scheme through condition or covenant rather than an s106 undertaking.

Devon County Council Highways Authority

No objection subject to submission and adherence to a construction management plan

Devon County Council Senior Historic Environment Officer (Archaeology)

No objection subject works in accordance with the Written Scheme of Investigation

Environmental Health (Land Contamination)

Unsuspected contamination condition required.

Environmental Health (Air Quality)

No objections

6. **REPRESENTATIONS**

Two contributions have been received outlining the issues below:

- Questioning the ownership of the rear access
- Proposed building too large for the site

7. **TOWN / PARISH COUNCIL'S COMMENTS**

The committee raised no objection subject to issues of vehicular access being acceptable

8. COMMUNITY INFRASTRUCTURE LEVY

Whilst the development would be liable for CIL, the Rate for affordable housing is set at zero. This proposal would therefore have a zero liability or would be entitled to claim an exemption such that its liability is zero.

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