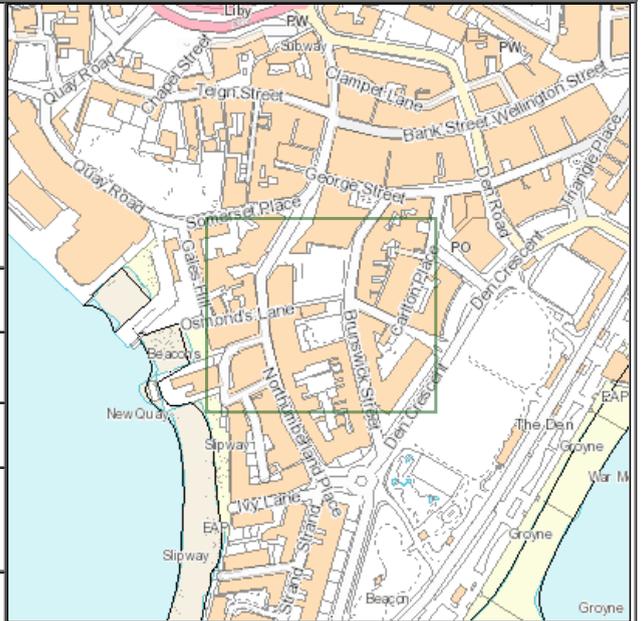




Planning Committee Report

Chairman: TBC

Date	13 June 2023
Case Officer	Anna Holloway
Location	Car Park Brunswick Street Teignmouth Devon
Proposal	Demolition of existing building and construction of health and wellbeing centre together with associated parking and access
Applicant	HIPTSD (Teignmouth) Ltd
Ward	Teignmouth East
Member(s)	Cllr Michael Jackman, Cllr Peter Williams
Reference	22/01853/MAJ



[Online Details and Documents](#)

RECOMMENDATION: PERMISSION GRANTED - Indicative Plan



1. REASON FOR REPORT

This application is for a major development within Teignmouth Town Centre on a site owned by Teignbridge District Council. Taking into account the scale of the proposed development and that this is council-owned land it is considered appropriate for the application to be referred to the Planning Committee if the Case Officer is recommending approval.

A Members' Site Inspection will have been held on 12 June 2023.

2. RECOMMENDATION

PERMISSION BE GRANTED subject to conditions covering the following matters, the precise number and formation of the conditions to be delegated to the Business Manager – Strategic Place:

1. Duration of permission
2. List of approved plans and documents
3. Detailed drainage design and construction phase drainage to be approved prior to commencement
4. Construction Environmental Management Plan (CEMP) to be approved prior to commencement
5. Works to comply with the protected species and biodiversity precautions, measures and enhancements as set out within the Ecology Report
6. Development to be carried out in accordance with flood resilience measures
7. Flood Warning Evacuation Plan to be approved prior to commencement of construction
8. Contaminated land remediation strategy to be approved prior to commencement
9. Dealing with unsuspected contamination
10. Waste Audit Statement to be submitted and approved prior to commencement
11. Detailed design for highway works to be approved prior to construction
12. Osmonds Lane to be resurfaced in red blacktop from Brunswick Street through to Northumberland Place prior to initial occupation
13. Travel Plan to be approved and implemented
14. Car parking and cycle facilities to be in place prior to initial occupation
15. Development to be in accordance with Carbon Reduction Plan
16. Installation of EV charging points prior to initial occupation
17. External materials and architectural details to be submitted and approved prior to construction
18. Boundary treatments to be approved prior to demolition of stone wall and installed prior to initial occupation including details of brick / stone wall to Osmonds Lane
19. Window details to be submitted and approved prior to installation
20. Detailed design of shopfronts to be submitted and approved prior to installation and shall be of timber construction
21. Details of plant and equipment and an accompanying noise survey to be submitted and approved prior to construction to demonstrate plant and equipment will not significantly increase the existing background noise levels (an increase of 5db or more to be significant and the sound level at the neighbouring façade should be 5db below the background at time of operation)
22. External lighting to be approved and installed prior to initial occupation
23. CCTV installation prior to initial occupation
24. Restriction on future changes of use from Health and Wellbeing Centre

3. DESCRIPTION

3.1. Site Description and Proposed Development

- 3.2. Brunswick Street is located in the town centre of Teignmouth, a coastal resort which occupies a position between the Teign Estuary and English Channel. The central area has a rich architectural character and urban form dating from the Regency Period and holds conservation area status. During this earlier period the town hall and market place were situated at the site. In its present state the Brunswick Street regeneration site is heavily under-used and partly derelict. The land has been previously developed, occupies 0.38 hectares, and contains three distinct parcels. In the centre is a 56 space off-street ground level car park; the smaller parcels to the north and south formerly contained two active garages. The current application is for the central and southern parcels.
- 3.3. Local Plan policy TE4 'Regeneration Proposals' supports the regeneration of the site through redevelopment proposals for up to 40 new homes and 1000 sqm of retail or commercial floor space plus replacement car parking provision through enhancements at other car parks. The site has been underused since the Second World War. A Local Development Order (LDO) for the regeneration of Brunswick Street was adopted in 2016 and followed public consultation and contamination, geotechnical, topographical and flood risk assessments as well as the production of a Design Guide. The objectives of the LDO, which were considered consistent with policy TE4, intended to promote vitality and a wider mix of uses in the town centre including not only residential and commercial but also community and recreational provisions.
- 3.4. The site is located within the Town Centre Conservation Area and the setting of several listed buildings including (but not limited to) the grade II listed 10, 11&12, 18, 20, 40, 41, 51 and Devon Arms Hotel Northumberland Place, 30A and 32 Brunswick Street, and 6-10 Den Crescent. There are also a number of non-designated heritage assets within the area that make a positive contribution to the Conservation Area.
- 3.5. The site is located within flood risk zones 2 and 3. A Flood Risk Assessment (FRA) was carried out as part of the LDO process and following the construction by the Environment Agency of a flood defence scheme including a number of flood resistance measures. The FRA informed floor levels for various uses. Since the LDO was adopted the Environment Agency has revised their position in terms of appropriate floor levels within this area, with floor levels being revised upwards to take into account more up to date flood risk information, and the current application follows advice from the Environment Agency obtained at pre-application stage.
- 3.6. The site is bisected by Osmonds Lane, which is a section of pedestrianised adopted highway running between Brunswick Street and Northumberland Place. The land to the south of Osmonds Lane is brownfield land containing a single storey building adjacent to Osmonds Lane. The northern parcel is currently Brunswick Street car park with vehicular access off Brunswick Street and pedestrian access from Northumberland Place and Brunswick Street. To the west of the site are the rear of the 3-storey properties fronting onto Northumberland Place and to the north is the 2-storey Bakery Court. To the east the site is faced by the 3-storey terrace on the opposite side of Brunswick Street and to the south are a mix of 2-storey and 3-storey

properties fronting onto Brunswick Street. The surrounding properties are a mix of commercial, cultural and residential uses.

- 3.7. In 2020 an application (20/00612/NPA) for confirmation of compliance under the LDO was approved for the delivery of a 68 bedroom hotel and restaurant on the current application site; however, this proposal was not taken forward and the LDO lapsed in April 2021 (5 years following its adoption).
- 3.8. In 2021 an application was submitted for the northern parcel of the LDO site for full planning permission for a 5-storey health and wellbeing centre (21/00299/MAJ). The proposal for the northern parcel was considered to result in an unacceptable impact on heritage assets, the townscape and neighbouring residential properties; on notification of this the applicant entered into discussions regarding the relocation of the proposed health and wellbeing centre to the central and southern parcels utilising the design of the previously approved hotel and restaurant scheme as a basis. Following a review of their space requirements and discussions with the Environment Agency, the applicant submitted a full planning application (the current application) for the proposed health and wellbeing centre on the central and southern parcels of the regeneration site. The design of the scheme was further revised to address concerns raised by the case officer and conservation officer regarding the impact on the conservation area, the setting of listed buildings, the character and appearance of the area and the amenity of neighbouring residential occupiers.
- 3.9. The proposed health and wellbeing centre, as amended, consists of a 3-storey building located on the site of the existing car park with a 2-storey wing projecting over Osmonds Lane onto the southern parcel. The building would be 2,654sqm and would provide the following accommodation: reception space; waiting room; consulting rooms; treatment spaces; changing places facility; Volunteering in Health space; administration, office, staff hub and interview spaces; digital self-help; group assessment; health hub; audiology; pandemic suite; trust hub room; and support spaces. The ground floor of the building also includes third party space with a shopfront onto Northumberland Place. The 2-storey wing would provide office and staff space at first floor level with car and cycle parking underneath. The car park would provide 23 car parking spaces including 4 disabled spaces as well as electric vehicle (EV) charging spaces. A total of 15 cycle stands are proposed, each with space for two cycles and therefore equating to 30 cycle parking spaces; these would be split between Northumberland Place and Brunswick Street entrances with staff cycle parking within the gated area to the north of the main building. In addition, there would be a separate plant room to the north and a substation and storage building within the car parking area to the south.
- 3.10. The ground floor level has been set at +4.1m Above Ordnance Datum (AOD) in the interests of mitigating flood risk and therefore the entrance to Northumberland Place would be reached via a ramp and steps. The revised plans include an entrance onto Brunswick Street adjacent to the junction with Osmonds Lane, with an internal lobby and a lift/stairs.
- 3.11. The application has been accompanied by a number of supporting documents including a Planning Statement, Design and Access Statement, Statement of Community Involvement, Heritage Statement, Archaeology, Flood Risk Assessment, Biodiversity Survey and Report, Land Contamination Assessment,

Transport Statement including Framework Travel Plan, and Carbon Reduction Statement.

- 3.12. The Planning Statement includes details of the need and rationale for the building and outlines that public engagement on a new and integrated model of care was undertaken across South Devon in 2016, 2018 and 2020 and that health and wellbeing centres are fundamental to the success of the Devon Integrated Care Model whereby new and purpose-built buildings are provided to house collocated health and wellbeing services. It is understood that Torbay and South Devon NHS Foundation Trust are leading this development on behalf of NHS and voluntary sector partners and that the proposed centre will accommodate Channel View Medical Group (the majority of GP services in the town) together with community nurses, social workers, well-being teams, therapists and lifestyle and prevention services together with voluntary sector services. The supporting information sets out that the Centre will provide sufficient GP capacity for both current and known future demand, taking into account proposed developments within the Teignmouth area and around Bishopsteignton. It is understood that the internal design and layout of the building has been formulated in close discussion with the clinical teams and with the advice of clinical and technical experts and that the design standards (number and size of various rooms) conform to the Health Technical Memoranda and industry-standard best-practice guidance.
- 3.13. The applicant (HIPTSD (Teignmouth) Ltd on behalf of Torbay and South Devon NHS Foundation Trust and the Health and Care Community) considers that the health and wellbeing public benefits of the scheme include (Planning Statement, Section 4. Statement of Public Benefits):
- Co-location of services delivers a step-change in clinical outcomes for physical health, mental health, social care and wellbeing. The Enhanced Intermediate Care Team (EICT) covering Teignmouth and Dawlish has reduced acute hospital admission by 5% and emergency department attendances by 2.5% (2018/19). It will deliver substantial service improvements and improved patient care standards.
 - New buildings and co-location are critical to the long-term sustainability of local GP provision.
 - Modern, up to date and fit for purpose facility – in particular it meets space and infection control requirements.
 - Central accessible town-centre location – services will be located nearest to the population that needs it and easily accessible on foot, or from elsewhere by public transport.
 - Multiple services in one place providing the public with access to a larger concentrated health and wellbeing resource.
 - Integrated facility and town centre location will allow the GP practices to share resources and improve their appeal to prospective staff thereby securing a continued GP service for the town.
 - The Centre is future proofed and provides sufficient accommodation for both current and known future demand. The building is also very flexible to

accommodate changes to the delivery of services within it. This ensures minimum disruption for patients and clients and ensures all their needs can be met for the future from this building.

- Interdisciplinary working delivers significant clinical efficiencies to all of the different users within the building and as the services work together around the needs of the client.

3.14. **Relevant Planning History**

3.15. 20/00612/NPA – Application for Confirmation of Compliance under the Brunswick Street Local Development Order for 68 bedroom hotel, restaurant and associated works – granted 23 September 2020 but not implemented and now lapsed due to expiration of the Local Development Order.

3.16. 21/00299/MAJ – Land at Brunswick Street, George Street and Northumberland Place – Demolition of existing buildings and construction of health and wellbeing centre together with pharmacy – following notification to the applicant that the Local Planning Authority were recommending refusal due to the impact on heritage assets, the townscape and neighbouring residential properties, the applicant entered into discussions regarding locating the proposed health and wellbeing centre on the car park site on Brunswick Street following the lapsing of the LDO, leading to the current application.

3.17. **Principle of Development**

3.18. The application site forms part of a site identified for mix use development within the adopted Teignbridge Local Plan (TLP) 2013-2033. It is within the Town Centre Conservation Area and Flood Zones 2 and 3. TLP strategic policy S13 'Town Centres' supports maintaining the vitality, viability, accessibility and attractiveness of Town Centres and identifies Teignmouth as a 'Significant Town Centre'. Town Centres are considered to be vital and sustainable locations for development, particularly retail provision but importantly also for employment, housing, leisure and accessible services. Policy EC9 'Developments in Town Centres' sets out that development within town centres will capitalise on heritage assets to support regeneration, encourage visitors and improve the environment, vitality and interest of each centre. TLP strategic policy S18 'Teignmouth' sets out that the Plan will seek to regenerate Brunswick Street / Northumberland Place and policy TE4 'Regeneration Proposals' sets out how the regeneration will be delivered.

3.19. TLP policy TE4 sets out that, subject to viability, the redevelopment will include up to 40 new homes and 1000sqm of comparison retail or commercial floor space. It is clear from the mix of uses granted under the LDO that the provision of retail, services, restaurants, office, hotel, residential, community and leisure uses would be acceptable as part of the regeneration scheme. Policy EC9 also sets out that developments will be required to, where feasible, include a mix of uses. It is clear that the preference for the regeneration would be for a mixed use scheme; however, the policy does not restrict appropriate single use development. It should also be noted that the scheme provides a building with a mix of health and wellbeing uses and ancillary community, office and third party space with significant levels of public access. The level of public accessibility would also reduce the potential impact of having a large single use building within this town centre location.

- 3.20. Northumberland Place is identified as a 'Secondary Shopping Frontage' within the TLP. To maintain town centres as a focal point for a balanced, complementary range of uses, defined secondary shopping are considered appropriate for a wide range of uses including a significant presence of retail and other attractors (TLP policy EC8). Policy EC8 sets out targets for active uses at ground floor with at least 30% of ground floor units within a street in A1 retail use, at least 70% of ground floor units within a street in active use and no more than 6 adjoining ground floor properties in non-active uses. The proposed development is considered to comply with this with a main entrance just off Northumberland Place as well as the Volunteering in Health Activity Space and Third Party Space fronting onto this area with a traditional shop front design. The requirement for a ramped access to this frontage is unfortunate and does have a detrimental impact on the delivery of public space to the front of the building. However, overall the proposal is considered to provide appropriate levels of active frontage to Northumberland Place.
- 3.21. Significant weight should also be given to the delivery of health and wellbeing services within this town centre location. It is clear from the supporting information that the delivery of a Health and Wellbeing Centre in Teignmouth represents a significant part of the delivery of health and wellbeing services for the local community. Health and wellbeing clearly form part of the social objective of the three overarching objectives for sustainable development contained within the National Planning Policy Framework (2021).
- 3.22. Whilst a mix of uses would clearly be preferable on this site, the delivery of a health and wellbeing centre clearly provides significant benefits. The proposed development is considered acceptable in principle within this town centre location and would support the regeneration of Brunswick Street.
- 3.23. **Highway Safety, Sustainable Transport and Parking**
- 3.24. The current application would result in the loss of the existing car park; however, the Local Plan does envisage the loss of the Brunswick Street car park to support the regeneration of the area. The loss of this parking was on the basis of replacement car parking provision through enhancements at the other car parks in Teignmouth; TLP policy TE4 indicates that replacement would be via enhancements at Quay Road and / or Teign Street car park.
- 3.25. TDC's Executive on the 1 July 2019 and Full Council on 29 July 2019 considered a report in relation to the delivery at Brunswick Street including a 'Car Parking Provisioning Strategy', which outlined the existing parking provision in the Town and options available for the re-provision elsewhere when the Brunswick Street car park is redeveloped. The current capacity at Brunswick Street car park is 56 spaces (55 standard spaces and 1 accessible space), which are available for the general public and permit holders use. TDC has considered two alternative locations for replacement car parking and as part of the re-provision report Quay Road and or Teign Street car parks were investigated; however, it was concluded that the financial viability rendered them undeliverable. Teign Street has capacity to create an additional 15 spaces through construction of a deck of parking; estimated cost: £1.1m. Quay Road has capacity to create a further 56 spaces through construction of a further deck of parking; estimated cost: £1.6m. Further options were therefore reviewed, including car parks within the town centre and wider area, and two car parks, (1) Eastcliff and (2) Lower Point, were identified as underutilised with potential for additional spaces to be created. The Council approved the reconfiguration of

spaces at Eastcliff and Lower Point Car Parks to provide a total gain of 58 spaces with delivery of the replacement car park spaces to be completed by the end of 2020 prior to the redevelopment of Brunswick Street being complete. TDC Asset Manager has confirmed that this work is now complete.

- 3.26. Whilst the re-provision has occurred at Eastcliff and Lower Point Car Park rather than Quay Road and / or Teign Street, this was on the basis of a detailed assessment and strategy that was considered at Full Council. The loss of the car park at Brunswick Street has therefore been adequately addressed via the replacement car parking provision which has already been delivered.
- 3.27. The scheme would deliver 23 on-site parking spaces and the revised layout plan demonstrates on-street parking would be retained at similar levels. This would be a greater level of provision than could be accommodated on the previously submitted scheme (21/00299/MAJ) on the corner of Brunswick Street and George Street, which allowed for the creation of 5 spaces on site.
- 3.28. As a town centre location the site is considered to be sustainable for the proposed use in principle with good access to public transport and subject to appropriate conditions for the highway works, including resurfacing of Osmonds Lane, and the delivery of the on-site car and cycle parking, the proposed development is considered acceptable with regards to highways and parking.
- 3.29. **Flood Risk and Surface Water Drainage**
- 3.30. TLP policy EN4 'Flood Risk' sets out that there will be a sequential approach to new development which guides development to areas at lower risk of river and coastal flooding and that, where possible, developments should be sited in flood zone 1. Development within flood zones 2 and 3 which meet the sequential approach will be permitted only where it provides wider sustainability or regeneration benefits to the community that outweigh the associated flood risk, taking account of the vulnerability of the proposed use to flooding; demonstrates occupants' safety in a flooding event; does not increase flood risk elsewhere and, if relevant, takes account of the Shoreline Management Plan. Paragraph 166 of the NPPF sets out that where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again; however, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the plan-making stage, or if more recent information about existing or potential flood risk should be taken into account.
- 3.31. The application site is located within flood risk zones 2 and 3 and the proposed use falls within the 'more vulnerable' flood risk vulnerability classification; however, the site is allocated for regeneration within the local plan and the proposed development can be considered to provide wider sustainability benefits to the community. Therefore, the proposal is considered acceptable with regards to flood risk subject to appropriate measures for the safety of occupants during a flooding event and appropriate sustainable drainage measures.
- 3.32. The scheme including floor levels and the location of various uses within the development have been designed in consultation with the Environment Agency with a minimum ground floor level of 4.1m AOD as well as resilience measures and a Flood Warning Evacuation Plan. The supporting Flood Risk Assessment (FRA) also sets out that the design of the development will ensure that various proposed uses

can be distributed throughout the proposed facility to optimise the delivery of essential healthcare services. It is understood that they have aimed to place as many 'higher' vulnerable uses on the upper floors as possible. In addition, flood compensation would be provided beneath the ground floor suspended slab, using external flood grills to enable passage of flood water so that building footprint is not entirely displaced and to ensure negligible impact on flood levels within the local catchment.

- 3.33. The Environment Agency has reviewed the proposals and advised that the submitted FRA has correctly assessed the flood risks (current and future) affecting the site and proposes sensible mitigation measures in the unique circumstances of the application to demonstrate that it will be safe and that this is reflected in the building's design.
- 3.34. The site has previously been discussed in detail with the Drainage and Coastal Manager, as Emergency Planner, including for the previous hotel scheme (20/00612/NPA). A Flood Warning Evacuation Plan has been submitted as an appendix to the FRA and the proposed floor plans include details of refuge areas within the stairwells. The submitted Flood Warning Evacuation Plan is in draft format and will require a finalised version; this should be agreed prior to the initial occupation. It is considered that the scheme is acceptable with regards to flood risk subject to a condition for the finalised version of the Flood Warning Evacuation Plan to be submitted and approved prior to the initial occupation of the development and for the finalised Flood Warning Evacuation Plan to be reviewed on an annual basis and following event or procedural changes.
- 3.35. Subject to the imposition of conditions regarding the incorporation of flood resilience measures up to 4.63m AOD (based on the 'upper end' climate change allowances), an action plan for measures to return the upper floors to service shortly after flooding, and a flood warning and evacuation plan, the proposal is considered acceptable with regards to flood risk and resilience.
- 3.36. TLP policy EN4 states that in considering development proposals regard will be had to the adequacy of existing conditions; the need for surface water drainage systems; and the use of sustainable drainage systems where ground conditions are appropriate.
- 3.37. The proposed development is on a brownfield site with surface water runoff draining towards existing drainage networks. The site comprises two catchments, separated by the existing stormwater culvert within Osmonds Lane. The northern catchment comprises the main building with downpipes that would drain directly into channel drains at the northern, eastern and southern building elevations. The channel drains will outfall into a new private storm drain, with unattenuated connection to the existing culvert beneath Osmonds Lane, this is on the basis that there is limited available space outside the building footprint that is suitable for the provision of stormwater attenuation. The external areas are limited in space and rely on steps and ramps to gain access to the proposed development and have restricted access for future inspection and maintenance. The southern catchment comprises the southern wing of the building and proposed car park area. The proposal is for the car parking bays will be constructed as under-drained permeable block paving. Runoff from the car park would then be directed towards the areas of block paving to receive filtration and attenuation within the sub-base media. The outflow from

each row of parking bays would then pass through an orifice control to mobilise attenuation and reduce peak rates of discharge restricting flow to 4.7l/s.

- 3.38. Devon County Council is the Lead Local Flood Authority (LLFA) for the development. They have considered the proposals and concluded that due to contamination at the site coupled with elevated groundwater and the presence of Made Ground, infiltration led surface water drainage techniques are not feasible. The LLFA states that due to the extremely shallow depth of the receiving culvert it is impractical to attenuate the flows on the site for the northern catchment. The LLFA has no in-principle objection from a surface water drainage perspective subject to a pre-commencement condition for a detailed drainage design based on the submitted FRA and details of management of surface water and silt run-off during construction. Subject to the pre-commencement condition requested by Devon County Council Flood and Coastal Risk Management Team, as LLFA, the proposal is considered acceptable with regards to surface water drainage.
- 3.39. In term of foul drainage, the development is proposed to drain via a new private gravity network towards the existing adopted foul sewer network. The submitted FRA includes correspondence with South West Water; the connection with the foul drainage network will be a matter between the developer and South West Water. SWW has not raised an objection to the proposals.
- 3.40. The proposed development has been designed to minimise flood risk and, subject to conditions, the Environment Agency and Lead Local Flood Authority have no objections. The proposal is therefore considered acceptable in terms of flood risk and drainage subject to the requested conditions.
- 3.41. **Historic Environment and Townscape**
- 3.42. The site is located within Teignmouth Town Centre Conservation Area and within the setting of numerous listed buildings. In coming to its decision the Council must be mindful of the duty as set out in sections 66 and 72 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 to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area, and give it considerable importance and weight in the planning balance.
- 3.43. The site is also located within a prominent location in Teignmouth Town Centre with important pedestrian routes through the site including most notably Osmonds Lane, which is a public highway. Osmonds Lane forms part of the connection from Teignmouth Beach / The Den through to the Back Beach.
- 3.44. The site falls within the boundary / transition area of the West Teignmouth and River Frontage and The Resort Town zones of character within the Conservation Area character appraisal. The site is largely identified as an area requiring enhancement apart from the existing building which is classed as neutral or negative. The surrounding buildings are of a mix of heights varying from the two storey Bakery Court to the north and 19 Brunswick Street to the south to the three storey buildings to Northumberland Place and on the opposite side of Brunswick Street to the west and east of the application site. Within the wider area are taller buildings including four-storey buildings on George Street to the north. Originally the building was modelled to reflect the neutral / negative building at Royal Court to the southeast,

however, following discussions between the applicant's team, the Conservation Officer and Case Officer (including an on-site meeting), the design of the scheme was amended to something closer to that previously approved for the hotel / restaurant scheme and more closely following the details found within the neighbouring positive and outstanding category buildings.

- 3.45. The proposal would result in a building taller than those immediately surrounding it and ideally it would be no taller than the previously approved hotel scheme. This additional height is partially due to the higher ground floor level required to meet current flood risk mitigation measures and, it is understood, partially due to the accommodation requirements of the proposed use. This increase in height is unfortunate and a scheme with eaves and ridge to match the existing three-storey terrace on the opposite side of Brunswick Street would be more appropriate.
- 3.46. The existing building on site can be considered to have some heritage value in the form of the stone wall along its boundary with Osmonds Lane. The Conservation Officer would ideally like to see the retention of this stone wall or the reuse of the stone within the development. A Technical Note by WSP was provided with the application and describes the wall of being constructed in random stonework, possible with a rubble filled cavity and heavily altered. The note states that the roof of the existing building is currently spanning onto the existing wall and as such appears to be providing restraint to the wall and that, once the building has been demolished, they do not believe it is possible to prove that the wall has the capacity to act as a free-standing wall. The Technical Note recommends that given the nature of its construction and poor condition, the existing wall be demolished and a new wall at a lower height built in its place. The proposed development includes the demolition of this building, including the stone wall. Ideally the lower level boundary wall with Osmonds Lane would be rebuilt in stone from this wall; however, the revised plans show this (as well as the proposed sub-station) to be faced in brick. Brick walls are a character of the area; however, Officers would ideally want to see (as a minimum) the lower level wall to Osmonds Lane faced in stone from the existing wall. It is therefore considered that a condition be imposed for the facing material of this boundary wall to be approved prior to the demolition of the wall and to encourage the reuse of the existing stone as a facing material.
- 3.47. It is clear from the comments made by the Conservation Officer (please see section 5 below) that whilst the amended scheme does address a number of the issues raised with the original proposal, the scheme falls short of what could be achieved on this site and is a missed opportunity to enhance the Conservation Area through better revealing the street scene and historic and natural connections and urban design potential. However, the amendments made to the design and the proposed materials are considered sufficient to, on balance, have a neutral impact on the Conservation Area and setting of listed buildings.
- 3.48. **Residential Amenity**
- 3.49. In comparison to the previously approved hotel scheme the overall height of the building would be increased; however, the wing over Osmonds Lane and into the southern parcel of the site would be lower in height at two-storey. Also, the main building would be set slightly further away from the northern boundary with Bakery Court. The proposed plant room would be located close to the northern boundary; however here there is an existing tall brick boundary wall which would largely screen

the plant room apart from the pitched roof, the ridge of which runs parallel with the wall meaning the lower eaves would be located adjacent to the wall.

- 3.50. The proposed building would replace what is largely an open site and therefore would result in an impact on the neighbouring residential occupiers in terms of outlook and the potential for overlooking from the new windows. However, consideration should be given to the existing relationships and the town centre location with existing overlooking from the public realm and the designation within the local plan as a regeneration site. Whilst the proposed development would result in an impact on residential amenity, it is considered that the impact would not be so significant to warrant a refusal of planning permission.
- 3.51. The proposed use of the site as a health and wellbeing centre is unlikely to result in significant impacts in terms of noise and disturbance in itself when compared to the existing use of the site and character of the area. However, there is potential for impact particularly during construction works and also more long term from plant and equipment. Following detailed discussions with the Environmental Health Officer, conditions are proposed to manage noise and disturbance during construction works and to ensure any plant and equipment for the proposed use does not result in unacceptable levels of noise and disturbance for neighbouring residential occupiers. Subject to the proposed conditions, the development is considered acceptable in terms of noise and disturbance.
- 3.52. **Biodiversity**
- 3.53. An Ecology Report has been submitted in support of the application. The site largely consists of a surface level car park; however, the proposals would result in the demolition of a vacant building on the site. A Preliminary Bat Roost Assessment of the exterior of this building was undertaken in August 2022 as well as a search for nesting birds within the building on-site. A previous ecology survey of the site and adjacent buildings recorded no evidence of roosting bats and no bats flying over the site during nocturnal surveys. The site is considered of negligible suitability for roosting bats due to the absence of suitable roosting locations and the urbanised nature of the site. Feral pigeons were observed within the building and bird droppings indicated that the building is used extensively by this species. Starlings and herring gulls were recorded flying over the site, but no signs of nesting were recorded on site. No evidence of other protected / notable species was recorded during the survey within or immediately adjacent the site. The Ecology Report assessed that the ecologically impoverished habitats on the site are highly unlikely to support other protected / notable species and are of limited suitability for nesting birds.
- 3.54. The submitted Ecology Report sets out that the scheme would deliver biodiversity mitigation and enhancement by the incorporation of 4sqm of soft landscaping planted with a native wildflower species mix and the installation of three starling boxes on the northern parapet of the proposed building. In addition, demolition of the building on site should be undertaken outside of the bird nesting season or following a check for nesting birds immediately prior to demolition (if nesting birds are found, then works would have to be suspended until the birds have completed their breeding cycle).
- 3.55. The site is within the 10km zone for the Exe Estuary Special Protection Area (SPA) and Ramsar Site and Dawlish Warren Special Area of Conservation (SAC);

however, the proposal does not include residential uses and the proposed Health and Wellbeing Centre is proposed to meet the needs of the local community. The proposal is considered neutral in terms of recreational impacts on these designated sites, there is unlikely to be a Likely Significant Effect and therefore a Habitat Regulation Assessment is not required.

- 3.56. Subject to a condition for the development to be carried out in accordance with the precautions, measures and enhancements described within the submitted Ecology Report including the provision of the soft landscaping and starling boxes, the proposal is considered acceptable with regards to protected species and biodiversity.
- 3.57. **Sustainable Development / Carbon Reduction**
- 3.58. TLP strategic policy S6 sets out that the Council will work with developers to ensure that the future impact of climate change and fossil fuel scarcity is minimised through adaptations and mitigation. Strategic policy S7 seeks to reduce the carbon emissions of new development and requires a 48% reduction in operational carbon emissions. Policy EN3 states that development proposals should seek to minimise their carbon footprint both during construction and in use, to achieve the carbon emissions target in policy S7 and that major development will be required to produce a carbon reduction plan to indicate how this could be achieved including consideration of materials, construction methods, design, energy, water, waste management, travel planning and carbon offsetting.
- 3.59. A Carbon Reduction Plan was submitted with the application. The Plan includes a number of measures including the fabric of the structure, provision of roof mounted PV array for renewable energy, appropriately zoned and thermostatically controlled heating and cooling systems utilising air source heat pumps, energy efficient lighting and water efficiency measures. The Plan states that the project is targeted to achieve a BREEAM 'very good' rating and achieve Part L2A compliance of the Building Regulations. The Plan also sets out that the proposal includes provision of electric vehicle charging points. As the proposed development is to comply with Part L2A of the Building Regulations it can be considered to comply with the requirements of policy S7.
- 3.60. The submitted Framework Travel Plan within the Transport Statement includes, as a physical measure, the provision of three EV charging points to be made available through electric provision to the car park. The Proposed Site Plan indicates 3 EV bay. It is noted that none of the proposed EV bays are disabled bays and therefore it is considered appropriate to condition that a fourth EV charging bay is provided to a disabled bay. The Framework Travel Plan and drawings also include safe and secure cycle parking within the site (see Proposed Site Plan) and provision of changing areas / lockers for cyclists (provision of showers, changing and locker room is shown within the staff area on the Proposed First Floor Plan). The cycle parking is shown within three locations including adjacent to the main entrances on Northumberland Place and Brunswick Street and within the enclosed area adjacent to the plant room and pandemic entrance.
- 3.61. Subject to appropriate conditions for compliance with the proposed carbon reduction measures, the EV charging points and the Travel Plan, the proposal is considered acceptable with regards to sustainable development and carbon reduction and to comply with TLP policies S6, S7, S9 and EN3.

3.62. **Contaminated Land**

3.63. The application site is previously developed land including a number of historic uses before its current use as a car park. The site suffered bombing damage during WWII. A Ground Condition Assessment was undertaken in 2015 as part of the LDO process and Remediation Statement dated 2020 was submitted as part of the LDO application for the hotel / restaurant scheme, to which Environmental Health raised no objections. A Technical Note by WSP has been submitted in support of the current application, it finds that the change from a hotel to HWB Centre does not introduce new risks with regards to contaminated land and that the recommendations remain largely the same as those in 2020. Subject to a condition for a Remediation Strategy to be submitted and approved prior to the commencement of development including any required mitigation, the proposal is considered acceptable with regards to ground conditions and contamination.

3.64. **Conclusion and The Planning Balance**

3.65. The proposed development would be located within a sustainable town centre location and would provide significant benefits in terms of the delivery of health and wellbeing services for the local community. Therefore, whilst the scheme does fall short of what would ideally be delivered as part of the regeneration of Brunswick Street, on balance, the Officer recommendation is for approval subject to conditions.

4. **POLICY DOCUMENTS**

- 4.1. Teignbridge Local Plan 2013-2033 (TLP)
S1A Presumption in favour of Sustainable Development
S1 Sustainable Development Criteria
S2 Quality Development
S5 Infrastructure
S6 Resilience
S7 Carbon Emission Targets
S9 Sustainable Transport
S10 Transport Networks
S11 Pollution
S13 Town Centres
S18 Teignmouth
S21A Settlement Limits
EC8 Secondary Shopping Frontages
EC9 Developments in Town Centres
WE11 Green Infrastructure
WE12 Loss of Local Facilities
WE13 Protection of Recreational Land and Buildings
EN2A Landscape Protection and Enhancement
EN3 Carbon Reduction Plans
EN4 Flood Risk
EN5 Heritage Assets
EN6 Air Quality
EN7 Contaminated Land
EN8 Biodiversity Protection and Enhancement
EN9 Important Habitats and Features
EN10 European Wildlife Sites
EN11 Legally Protected and Priority Species

TE4 Regeneration Proposals

4.2. Devon Waste Plan

4.3. National Planning Policy Framework (NPPF)

4.4. National Planning Policy Guidance (PPG)

5. **CONSULTEES**

5.1. **Environment Agency**

5.2. 21 November 2022

5.3. While the mitigation measures proposed to deal with flood risk are not those normally expected, we consider that they are acceptable given the unique circumstances of this application. Provided that your Authority, following consultation with your Emergency Planners, are comfortable with the compromises made with regard to flood risk mitigation, we would not object to this proposal provided that conditions are included within any permission granted to secure:

- Implementation of the mitigation measures proposed in the submitted Flood Risk Assessment (FRA);
- Site Investigation and Remediation;
- Details of any piling which may be required; and
- Procedures in case of any Unsuspected Contamination.

5.4. Before determining the application your Authority will need to consult with your Emergency Planners

5.5. 17 May 2023

5.6. Our position remains unchanged.

5.7. **Devon County Council – Lead Local Flood Authority (LLFA)**

5.8. Due to contamination at the site coupled with elevated groundwater and the presence of Made Ground, infiltration led surface water drainage techniques are not feasible. The applicant proposed a free discharge for the northern catchment which outfalls into a new private storm drain before discharging into the existing culvert beneath Osmonds Lane as agreed with Teignbridge District Council at pre planning stage provided that the receiving culvert has sufficient capacity and is in adequate condition. Due to the extremely shallow depth of the receiving culvert it is impractical to attenuate the flows on the site. For the southern catchment, the proposed car parks area will be constructed as under-drained permeable block paving and outflow through a 50mm diameter orifice, restricting the flow to 4.7l/s before discharging to the adjacent South West Water surface water sewer, which further discharges to the culvert beneath Osmonds Lane.

5.9. No in-principle objections to the application, from a surface water drainage perspective. Request a condition for detailed drainage design based upon the Flood Risk Assessment to be submitted and approved prior to the commencement of development to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent

land or downstream in line with SuDS for Devon Guidance 2017 and national policies.

5.10. **Devon County Council – Local Highway Authority**

5.11. 14 November 2022

5.12. The site is accessed off Brunswick Street which is an unclassified one-way street restricted to 30mph. There have been no personal injury collisions reported to/by the police on Brunswick Street between 01/01/2017 and 31/12/2021.

5.13. The site is in the centre of Teignmouth, and is surrounded by existing roads to the north, east and west. The streets immediately surrounding the site area subject to a one-way system, which forms part of a wider one-way system around Teignmouth town centre.

5.14. The streets in Teignmouth town centre vary in width and reflect a typical historic town environment. The one-way system which is in place around the town centre aids in the flow of traffic by minimising two-way traffic on the narrower streets.

5.15. Both Brunswick Street and Northumberland Place have on-street parking, which is indicated by marked parking bays. South of Fore Street, on Northumberland Place, there are six chevron parking spaces adjacent to the road.

5.16. Pedestrians are catered for through a mixture of footways and shared space arrangements on the roads surrounding the site. Cyclists share the carriageway with other motor vehicles, which is considered appropriate given the low speeds and environment of the surrounding streets.

5.17. The proposed development seeks detailed planning permission for the re-development of this brownfield site to create a new health and wellbeing centre, consisting of treatment rooms, meeting rooms, and office space, with associated infrastructure.

5.18. The structure of the building will cross Osmonds Lane on the first floor upwards, creating a small underpass and maintaining continued throughfare along Osmonds Lane. The remainder of the building will predominantly be sited on the northern half of the site, with the southern half comprising a small part of the building with parking underneath, as well as the wider car park to serve the site.

5.19. A new section of footway is required across the existing car park entrance. Please see further details of this be provided, along with any other works on Highway land. A Section 278 Agreement will be required for any works on HMPE.

5.20. The building above Osmonds Lane will require approval from Devon County Council through an appropriate licence granted under section 177 of the Highways Act 1980. A Party Wall Agreement may also be required depending on the impact of the building's piles/foundation.

5.21. Vehicular access into the site will be from Brunswick Street, in the south-east corner of the site, into the main car park serving the site. There is an existing dropped kerb with double-yellow lines to prevent parking in front of the access. According to the Transport Statement, a speed survey undertaken in May 2022 indicates that 85th percentile speeds from the south (the only direction of travel along Brunswick Street,

in the one-way system) are 21mph, which equates to a visibility splay requirement of 2.4m x 25m at the proposed access. The visibility splays are shown on drawing 1066-PHL-1001 in Appendix A of the Transport Statement.

- 5.22. Pedestrian access into the site will be from Osmonds Lane and Northumberland Place, depending on direction of travel. Visitors parking in the associated car park will be able to access the building from Osmonds Lane, as will disabled visitors via an internal ramped access from Osmonds Lane, adjacent to the proposed disabled parking bays. The primary access into the site for pedestrians will be from Northumberland Place via a ramped access.
- 5.23. Cycle access will be via Northumberland Place or via Brunswick Street / Osmonds Lane, with cycle storage provided at both locations.
- 5.24. The main site car park for both staff and visitors will be located on the southern half of the development site and will have 23 parking spaces including 3 electric vehicle (EV) spaces and four disabled spaces. There will be direct access into the building from the car park via Osmonds Lane. Following works to Osmonds Lane it will need to be resurfaced in red coloured blacktop to tie in with that on Bath Terrace, leading pedestrians to the sea front.
- 5.25. Existing parking spaces along Brunswick Street will be relocated further south to make space for a delivery bay. Can it please be confirmed that there will be no loss in parking and that the existing bay length will be replicated just further to the south.
- 5.26. Please can a drawing be provided showing these alterations to the on-street parking arrangement, including restrictions, and creation of the loading bay as a TRO will be required for any changes, at the developers cost.
- 5.27. The trip generation analysis demonstrates that the site is likely to generate a significant amount of active travel modes, including walking, cycling and public transport users. The site is anticipated to generate approximately 123 vehicle movements in the AM peak, and approximately 165 in the PM peak to the town centre. However, given that the site seeks to replace three existing practices, it is considered that this will result in a redistribution of existing traffic, rather than the introduction of new traffic to the network.
- 5.28. It is the view of the Highway Authority that the development would not have a severe impact upon the operation of the local highway network. The further information required will be needed before the Highway Authority can make a recommendation.
- 5.29. 24 May 2023
- 5.30. The revised proposals were discussed with the local highway authority officer, who raised no objections and has required conditions be imposed for a construction management plan, for detailed design of the works to the highway and, notwithstanding the submitted drawings, Osmonds Lane to be resurfaced in red coloured blacktop from Brunswick Street through to Northumberland Place.
- 5.31. **Devon County Council – Waste**
- 5.32. Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement. This ensures that waste generated by the development during both

its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance. A key part of this will be to consider the potential for on-site reuse of inert material which reduces the generation of waste and subsequent need to export waste off-site for management. It is recommended that these principles are considered by the applicant when finalising the layout, design and levels. This application is not supported by a Waste Audit Statement and it is therefore recommended that a condition is attached to any consent to require the submission of a statement in advance of the commencement of development. Devon County Council has published a Waste Management and Infrastructure SPD that provides guidance on the production of Waste Audit Statements. This includes a template set out in Appendix B, a construction, demolition and excavation waste checklist (page 14) and an operational waste checklist (page 17).

5.33. **Devon County Council – Historic Environment Team (Archaeology)**

5.34. 14 November 2022

5.35. In the light of the results of the geotechnical investigations and the archaeological desk-based assessment, and in consideration of the nature of the foundations to be used for the new health and wellbeing centre, the Historic Environment Team do not consider that the proposed development will have an impact upon any significant heritage assets with archaeological interest. As such, the Historic Environment Team has no comments to make on this planning application.

5.36. 17 May 2023

5.37. No additional comments.

5.38. **Teignbridge District Council – Conservation Officer**

5.39. Previous comments from the Conservation Officer dated 26 January 2023 are available to view online on the application case file and relate to the proposal as originally submitted.

5.40. 24 May 2023

5.41. These comments relate to the revised proposal submitted in late April and further amended elevation treatments in early May 2023 following negotiations.

5.42. The revised proposal has been heavily influenced by a previous Hotel scheme on the site (20/00612/NPA). This approved scheme allowed for a move away from the previous urban design guidance under the Land Development Order that looked to achieve linked public spaces across the site from Back Beach to Sea Front. The scheme does maintain Osmonds Lane albeit through an arch with a building floor above.

5.43. Architecturally the proposal has looked to reference the terrace opposite the site on Brunswick Street, particularly the 3 storey terrace properties Nos.12-26(even). These properties date from the mid-19th century and are characterised by stucco render with soffit to eaves, slate roof, mostly 2 bay frontage with 6/6 pane sash windows with a hierarchy of heights and some variation in widths and openings often with bracket hoods. There is also a simple timber shop front to No.24. Doors are normally timber panel front doors with overlights.

- 5.44. I acknowledge that this precedent Hotel scheme and the extensive development process has meant that the current urban design approach with a single terrace that follows the alignment of Brunswick Street and a small public space that is totally enclosed by the new building set back off Northumberland Place adjoining listed building No.10, has become an established footprint and massing.
- 5.45. No.10 and adjoining No.9 Northumberland Place have angled facades that open up the potential for a new space and link between Northumberland Place and Brunswick Street. This is the site of the former Town Hall and Market Building that would have formed a covered link at this location. It is also recognised that the proposed Health and Wellbeing Centre buildings will have an internal but private street that will link the two streets.
- 5.46. The negotiations have focussed on the design and this reversion back to the mid-19th century pastiche followed concern about the elevation treatment that followed closely the poor quality late 20th century Royal Court development on Den Crescent and Brunswick Street. In addition to reviewing the elevation treatment it was also discussed that there should be a street frontage and access directly onto Brunswick Street and this should be located on a desire line on the alignment of Bath Terrace which gives a visual link toward Den Crescent and Sea Front area.
- 5.47. The amended scheme also includes an improved Plant room with bin storage area to the rear of No.9 Northumberland Place. This has gone from a flat roof building to a pitched roof in render to match the main building and is set behind screening 2m high walls.
- 5.48. Further discussion was had in respect the single storey, mono pitched roof building to the rear of 1-10 Charlton House on Northumberland Place on to Osmonds Lane that includes a stone elevation in local breccia red sandstone above a lower wall of rubble limestone fronting the lane. The other elevations appear to be brick and a later build. There appears to have been a building on this alignment onto the lane in the 1880 1st Edition OS map and the characteristic stonework with blocked window openings did provide a connection to earlier phases of development and definition to Osmonds Lane as an historic significant cross route. I note this stone wall is to be demolished and replaced with a rendered block wall. It would have been preferable to reuse the stone on site and use to face this new wall onto Osmonds Lane, this is considered a missed opportunity to preserve the Conservation Area character on Osmonds Lane.
- 5.49. The revised elevations have included use of single colour render in Light Ivory, with a basalt grey painted plinth, aluminium rainwater goods and white aluminium window frames, Redland recycled slates to the roof, painted dark grey timber shop fronts to the new Brunswick Street entrance and to the main entrance off Northumberland Place, to the new set back space behind the grade II listed No.10-10A and B Northumberland Place.
- 5.50. These amendments have made some improvement and on balance they are sufficient to consider the proposals to have a neutral impact on the Conservation Area and setting of the listed buildings and while it was desirable to have a functional and quiet building in the streetscene the lack of Urban Design quality is considered a missed opportunity to enhance the Conservation Area through better revealing the street scene and historic and natural connections and urban design potential.

- 5.51. Suggest conditions: demolition of the stone wall shall not be carried out before evidence of a start on site; submission of external architectural details; materials; slate sample; and window details.
- 5.52. **Teignbridge District Council – Climate Change Officer**
- 5.53. Policy S6c: requires the use of energy, water, soil and materials to be minimised. The carbon reduction plan draws a comparison between a ‘target’ building fabric specification and the Part L 2013 notional building specification. When compared with the latest notional building 2021 specification, the proposed target u values outperform those stated in the notional specification but fall short of achieving the air permeability rate of 3m³/h/m²@50Pa for side lit buildings. The applicant will need to demonstrate compliance with S6c though showing that the building fabric specification outperforms the 2021 notional building specification by at least 5% or more on an area weighted average to demonstrate a fabric first approach.
- 5.54. Policy S7: requires a 48% reduction in operational carbon emissions. Notwithstanding comments made elsewhere in this consultation response, if the proposed development will be constructed to Part L 2021, then it will be compliant with Policy S7. Confirmation should be sought from the applicant to confirm this detail.
- 5.55. Policy EN3: requires the provision of carbon statements. Whilst the proposal appears to meet the requirements of policy S7, a condition is recommended to require the applicant to submit an SBEM calculation for review by the local planning authority before works start on site to confirm the as- designed specification. It will fulfil the requirements set out under Policy S6c above, confirm the specification of the VRV/VRF for all heating and cooling applications, and the absence of natural gas for all other heating applications (including hot water production).
- 5.56. Policy S9e: supports the provision of electric vehicle charging infrastructure. The application includes the provision of two electric vehicle charge points. For commercial applications, I would expect to see at least one active EV charging point provided on completion of the development, with a further one in five parking bays (including disabled bays) provided with passive EV infrastructure including all cabling and ducting between parking bays and a point of connection to the mains electricity supply. All EV infrastructure must be capable of supporting 32A mode 3 type 2 EV charging systems. A condition is recommended to secure infrastructure at this minimum standard.
- 5.57. **Teignbridge District Council – Biodiversity Officer**
- 5.58. 16 November 2022
- 5.59. The ecology survey found very limited wildlife on site. The building had negligible potential for roosting bats, but feral pigeons were through to nest there. Mitigation / enhancement measures are proposed in the report and should be conditioned.
- 5.60. 17 May 2023
- 5.61. No comment further to that made in November 2022.
- 5.62. **Teignbridge District Council – Environmental Health Officer**

5.63. 18 May 2023

5.64. No phase of the development shall commence until a method statement regarding noise and the prevention of disruption of the neighbouring noise sensitive premises has been submitted to and approved in writing by the LPA prior to commencement of site works. This site is in a noise-sensitive area, the plant and activities to be employed on that site should be reviewed to ensure that they are the quietest available for the required purpose.

5.65. The normal expected working time (including deliveries) will be 0800-1800 Monday to Friday, 0900-1300 Saturday and no working on Sundays or Bank Holidays. If work or generators are required to operate outside of these hours, the site boundary sound level should be below the background sound level at that time; this work should be programmed, and the LPA and neighbouring properties need to be informed of this prior to work taking place. Noise levels should be monitored regularly.

5.66. The applicant should include a scheme of works for the control of fugitive dust and mud coming from the site.

5.67. A report should be provided clearly demonstrating the methods to be employed to stop noise, vibration and odour problems at the neighbouring properties from the use of any mechanical systems and energy centres (extraction units, boilers, air / ground source heat pumps / biomass boilers / HVAC systems). The noise survey method BS4142:2014 method noise and vibration from plant room and substation.

5.68. **Devon and Cornwall Police – Designing Out Crime Officer**

5.69. 28 October 2022

5.70. My main concern in relation the design is the undercroft area within the car park. This is somewhat hidden, sheltered space with unrestricted access. Given the town centre location which experiences relatively high levels of crime and anti-social behaviour (ASB) I am concerned that such a space will become misused, particularly during hours of darkness when legitimate use of the site will be low.

5.71. Further recommendations: CCTV should be distributed throughout the development; an effective lighting scheme is crucial to achieving a safe environment; external storage must be robust and secure; and, internally, access control measures should be in place to control movement throughout the site.

5.72. 20 January 2023

5.73. The applicant has been in touch to discuss the undercroft area which I had concerns with as the space was somewhat concealed and I thought given the town centre location, it could attract misuse. I appreciate in the revised plans, they have improved surveillance of this space by enabling lines of sight through the archways and lowering the height of the wall along Osmond's Lane. The new railings define the space but still allow for surveillance which is preferable to the previous design.

5.74. I also understand that the space will be covered by CCTV to be installed by the Trust and that they are in discussions with Teignmouth Town Council, with regards to altering the existing CCTV in the area in response to the new building. Additionally, new lighting will be installed in the car par to supplement the existing lighting to meet

British Standards as far as possible. To support the installation of CCTV and lighting and to aid crime prevention measures, I would request conditions for CCTV to be installed with coverage to include the car parking area, undercroft space, entry/exit points, storage space, reception / lobby area etc and lighting to be installed to ensure coverage of the car park and Osmond's Lane to meet British Standards where possible.

5.75. 18 May 2023

5.76. I note and support the changes to the design of the scheme and have nothing further to add to my comments of 20 January 2023.

6. REPRESENTATIONS

6.1. 8 letters of objection and 1 of comment have been received to the application, raising the following summarised concerns/points (see case file for full representations):

1. Wrong location for a Health Centre.
2. Scheme is too large and there is a lack of parking provision.
3. The previous planning application (21/00299/MAJ) for the adjacent site was not supported due to the impact on the surround listed buildings, neighbouring amenity, conservation area and street scene. The arguments for not supporting that application are equally applicable on the new site location.
4. Health Centre is not included within the list of uses set out in policy TE4 and the expired LDO specifically excluded clinics and health centres at ground floor level for D1 non-residential institutions.
5. The design, scale and massing of the building has a direct and detrimental impact on the surrounding neighbouring properties. The Planning Statement readily admits that the building mass will impact on the daylight and sunlight conditions of neighbouring properties.
6. Object as a resident of Brunswick Street opposite the site as the building will affect our natural light and privacy. We purchased a property with open space in front so we are not overlooked. The building is higher than ours and any natural light to our ground and first floors will be lost.
7. Overdevelopment in a conservation area.
8. Loss of town centre parking.
9. Teignmouth has no capacity in the summer season as things currently are but loosing Brunswick Street car park and the majority of the lower point car park combined with the large increase of staff and patients is going to cause gridlock. There will be office staff on site as well as health professionals, where will they all park? Where will patients park?
10. Will create additional town centre traffic in a busy town centre where there are already queues.
11. Congestion will result in increased carbon emissions.
12. No provision for public transport servicing the site.
13. Proximity to the train station was stated in the consultation; where would people be getting the train from as Newton Abbot and Dawlish already have their own hospital and health centres.
14. Building is being raised up for flood risk reasons, why not raise the height by a metre and have a lower floor car park?
15. Will have a detrimental impact on the struggling town centre.
16. Will add nothing to the vibrancy of the town centre.

17. The expired LDO is not relevant and should not be used as the design basis for the type, scale and form of the proposed development. If the applicant wants to refer to the LDO then they must equally refer to the Feasibility and Design Guidance for the land use and building massing.
18. All the original feasibility design layouts envisaged open public space as part of the development and primary, animated frontage and secondary frontage to routes connecting Brunswick Street and Northumberland Place.
19. Overdevelopment of the plot based on the hotel and restaurant design.
20. Would result in a large unbroken building mass with a higher final elevation than the buildings directly opposite on Brunswick Street.
21. The development should not rely on neighbouring properties for natural surveillance of the street and should have its own measures to discourage anti-social behaviour.
22. Osmonds Lane is an important link between the sea front and back beach. The arch linking the two elements of this development looks good, as does the signage; however, it is not obvious from Bath Terrace that Osmonds Lane exists and that the arch is not just the entrance to the Centre. This needs to be addressed to improve legibility.
23. With the high level of the ground floor please ensure that the ramp is adequate for an electric mobility scooter.
24. There appears to be adequate waste storage capacity within the development; it is unfortunate that the artist's impression shows to dumpster type bins on the approach to the Centre.
25. The Planning Statement acknowledges that the proposed development does not strictly accord with the allocation in terms of the uses proposed through TLP policy TE4. This suggests that any approval could be legally challenged.
26. Services to be offered are duplicated at Teignmouth Hospital. There are no beds for rehabilitation patients.
27. Money should be spent on Teignmouth Hospital instead and not moved to the centre of town where parking is difficult.
28. Teignmouth Hospital site would be a better location as people would need to go down into the town centre to access the proposed Health and Wellbeing Centre and then back up a hill to go home.
29. The land should be used to provide much needed social housing instead of a Health and Wellbeing Centre.
30. Application has received less than 10 comments from the public, this does not suggest strong public support. Public may be unaware that the LDO expired.

6.2. 8 letters of support and 1 of comment have been received to the application, raising the following summarised points (see case file for full representations):

1. Support the new health centre.
2. Huge asset to our town.
3. As an employee and patient at Channel View Medical Group and a resident of Teignmouth I support the new health and wellbeing centre as I strongly feel that Teignmouth needs new fit for purpose medical facilities.
4. Population of Teignmouth is increasing.
5. Current buildings are increasingly in-accessible and the hospital is not a suitable or viable alternative.
6. Current facilities are tired and outdated and do not meet appropriate accessibility standards. They have been adapted many times over the years and don't have any further capacity or scope for additional space. They lack space for staff and patient facilities. Current clinical rooms are extremely cramped with poor ventilation.

7. New, efficient modern building.
8. The proposed Teignmouth Health and Wellbeing Centre has been developed after seven years of discussions between Torbay Hospital, Devon NHS commissioners, Teignbridge District Council, the voluntary sector and local GP practices. Initial public engagement in summer 2018 was supportive of the scheme and requested a town centre site.
9. It will provide shared services for the whole community.
10. It will support sustainable GP services into the future.
11. A modern purpose built centre suitable for the delivery of healthcare will mitigate the risk to the lack of workforce and recruitment, which is the greatest risk to local healthcare provision.
12. Will support mental health provision.

7. TOWN / PARISH COUNCIL'S COMMENTS

7.1. Teignmouth Town Council:

The Committee approve the redevelopment of this site. The attention of the Planner is drawn to areas of concern with the current plan.

1. The Designing Out Crime Officer identifies potential problems with Osmonds Lane and other unsighted areas beneath the building as the location for crime or antisocial behaviour.
2. For over seventy years the public have had pedestrian access between Bath Terrace and Northumberland Place opposite Devon Arms. It would promote active travel if the plan retained this.
3. Plans must include adequate provision for disposal and recycling of waste.

8. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable. Any ancillary retail use (e.g. for a pharmacy) use would also be zero rated for CIL as the site is located within Teignmouth Town Centre where the CIL charge rate for retail development is £0 per square metre.

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. CARBON/CLIMATE IMPACT

Please see relevant part of Section 3 above where the carbon / climate impact of the development has already been considered as well as the comments of the Climate Change Officer in Section 5.

11 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