

ITEM NO.

4

COMMITTEE DATE:

26/04/2010

APPLICATION NO:

10/0375/03

FULL PLANNING PERMISSION**APPLICANT:**

Bellway Homes

PROPOSAL:

Redevelopment to provide 20 dwellings, parking, access to highway, landscaping and associated works (revised scheme following reserved matters approval Ref No. 07/1761/02 granted 2 November 2007)

LOCATION:

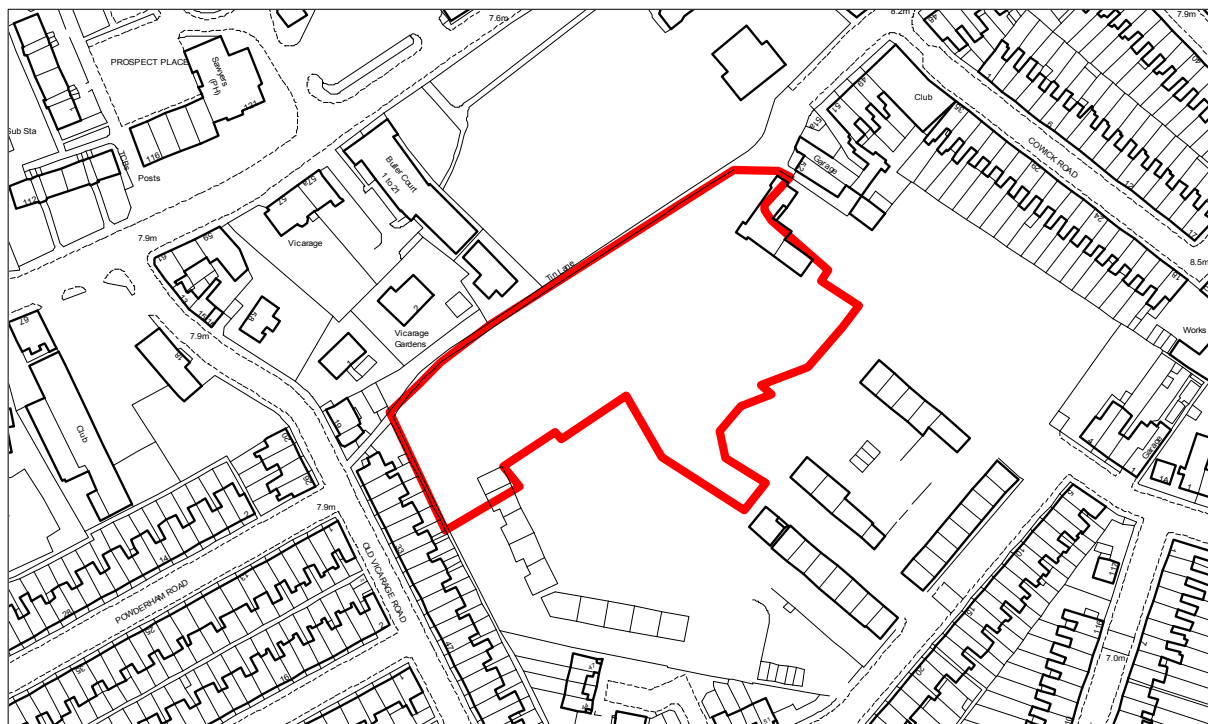
County Ground, Church Road, St. Thomas, Exeter, EX2 9BQ

REGISTRATION DATE:

11/03/2010

EXPIRY DATE:

10/06/2010



Scale 1:2500

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HISTORY OF SITE

An application for outline planning permission (planning ref no.03/1161/01) with a Section 106 Agreement was approved in August 2004 for residential development. The Section 106 Agreement required affordable housing on site and a financial contribution towards the provision of community facilities, an education contribution, public transport improvements and traffic calming measures in the area.

In June 2006 Planning Committee granted consent for 53 residential flats as accommodation for the elderly on part of the site (planning ref no. 06/0906/02).

An application for reserved matters for a total of 121 residential units on the remainder of the site was refused at Planning Committee in March 2006 due to inadequate arrangements for refuse collection, insufficient parking spaces and an absence of contribution to sustainable transport measures in the area (planning ref no. 05/1890/02).

A revised application was submitted in 2007 (planning ref no. 06/2320/02) which proposed a total of 110 residential units. This application was refused at Planning Committee in 2007 on the grounds that the scheme represented overdevelopment of the site and did not meet the design objectives required for this site. This application was subsequently dismissed at appeal on 16 July 2007.

The application approved in November 2007 (planning ref no. 07/1761/02) created a total of 100 residential units (16 No three bedroomed terrace; 38 No. four bedroomed terrace; 1 No. three bedroomed flat; 33 No two bedroomed flats; 10 No. one bedroomed flats and 2 No two bedroomed mews). This development is served via a newly created access from Ferndale Road. The internal road layout effectively creates a 'loop' from Ferndale Road access but with no through road to Church Road. The parking for the site is achieved through a combination of garage blocks, parking courts and parking bays off the main access road.

An application to replan the northern portion of the site for a total of 36 residential units was refused at Planning Committee in January 2010 on the grounds that the scheme did not provide sufficient amenity provision, created overshadowing and loss of outlook to adjacent proposed properties and inadequate information had been submitted to demonstrate that the highway considerations had been suitably addressed.

DESCRIPTION OF SITE/PROPOSAL

The application site (0.6 hectares) is located within the northern section of the site predominantly adjacent to Tin Lane. The fundamental change from the approved application is the removal of the three storey flats which previously fronted Tin Lane. It is proposed to revise the layout in this location to provide a total of 20 residential units (3 No one bedroomed which indicates one unit incorporating a carer's bedroom; 8 No. two bedroomed apartments and 9 No. four bedroomed).

The proposed application will reduce the total number of approved residential units on the Bellway part of the site from 100 to 84.

The proposed dwellings are to be constructed of a combination of brick, render and timber cladding with eternit slate. The materials and elevational style are proposed to replicate the type of dwellings which are currently being constructed on the site.

The scheme involves the widening of Tin Lane and the resiting of the internal circulation road adjacent to Tin Lane with associated parking areas and landscaping. The scheme would still require all the residential units to be have vehicular access via Ferndale Road. A pedestrian access is still retained to Church Road.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

A Planning Statement and Design and Access statement accompany the planning application. These documents have been updated from the previous application submitted in October 2009

REPRESENTATIONS

2 letters of comment raising concern regarding the height of the proposed dwellings and how this will affect the residential amenities of occupiers of adjacent properties and the impact the additional traffic will have on the surrounding area.

CONSULTATIONS

The Director of Environment, Economy and Culture raise no objections subject to the submission of full construction details. From a highway view the revised proposals introduce a relocation of the access road 'loop' in a northerly direction to integrate the carriageway with

the footway/cycle section of Tin Lane. The overall volume of traffic movements that are likely to be generated by the revised scheme does not significantly change from the previously approved scheme and all means of access are considered adequate. It is however recommended that a limited palette of materials be used in the road construction in the interests of safety and to retain an effective slow speed layout.

The Head of Environmental Health comments on the needs for a contamination report, noise survey and air quality survey however these have previously been accepted within the approval of the residential application for a 100 units. In addition, a condition requiring a limit on hours of construction, refuse storage and the need for a travel information pack should be imposed.

The Environment Agency raise no objections providing the development proceeds in accordance with the Addendum to the Flood Risk Report dated 12 October 2009.

The Head of Housing and Social Inclusion comment that the affordable homes on the County Ground site were agreed as part of the original reserved matters planning application (07/1761/02). This new application reduces the number of units being built in this re-design area and removes the designated five affordable flats. It is requested that these five homes are replaced by one affordable home in order to achieve 25% affordable housing on the overall site which will consist of 84 units. In addition, it is also requested that this home is provided for social rent, built to wheelchair accessible homes standards agreed by Exeter City Council's Occupational Therapist and meets standards defined by the Homes and Communities Agency as appropriate for affordable housing.

The Police Architectural Liaison Officer consider that the concerns previously raised in terms inappropriate boundary treatment, unsuitable landscaping, the absence of windows within the side elevation and problems of unauthorised access have been addressed by the revised submitted planning application. Consequently no objections are raised.

PLANNING POLICIES/POLICY GUIDANCE

Devon Structure Plan 2001 to 2016

- ST1 - Sustainable Development
- CO6 - Quality of New Development

Exeter Local Plan First Review 1995-2011

- H1 - Search Sequence
- H2 - Location Priorities
- H6 - Affordable Housing
- H7 - Housing for Disabled People
- T1 - Hierarchy of Modes
- T2 - Accessibility Criteria
- T3 - Encouraging Use of Sustainable Modes
- DG1 - Objectives of Urban Design
- DG2 - Energy Conservation
- DG4 - Residential Layout and Amenity
- DG7 - Crime Prevention and Safety

OBSERVATIONS

The principle of residential development of this site has been established by the approval of an outline application in August 2004 and the approval of the reserved matters application in 2007. Accordingly the merits of this application are based on the detailed layout issues.

The removal of the previously approved residential block situated adjacent to Tin Lane in the scheme represents a significant opportunity to improve the quality of the townscape in this section of the site. This three storey block represented a dominant feature when viewed in relation to Tin Lane and from within the site. The replacement of these flats with dwellings coupled with the reorientation of the internal road alongside Tin Lane provides a significantly improved layout and importantly for the pedestrian users of Tin Lane creates a significantly wider footway.

Amended plans are awaited in respect of the proposed disabled unit which has been identified as part of the affordable allocation for the overall site. Whilst the number of units have been reduced from 100 to 84 the overall density of the site would be reduced from 53 units per hectare to 44 units per hectare for the overall site which is still considered appropriate in this location. In addition, discussions are being held between the applicant and the Council's Housing section regarding the appropriate mix of affordable homes which will cover both this site and the previously approved scheme for residential development. Accordingly it is considered that the scheme, as now, submitted is to be welcomed.

WESTERN AREA WORKING PARTY

Members were advised that significant improvements had been made to the scheme with the removal of the three storey flats and since the refusal of the previous planning application in January 2010. Members welcomed the changes and were advised that the application would be reported to Planning Committee.

RECOMMENDATION

APPROVE subject to the completion of a Section 106 Agreement which requires affordable housing on site and a financial contribution towards the provision of community facilities, an education contribution, public transport improvements and traffic calming measures in the area.

In the event that the Section 106 Agreement is not completed within 6 months of the date of this committee meeting, authority be delegated to the Head of Planning and Building Control to REFUSE permission for the reason that inadequate provision has been made for the matters which were intended to be dealt within the Section 106 Agreement.

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C23 - Permitted Development Restriction
- 5) C35 - Landscape Scheme
- 6) C37 - Replacement Planting
- 7) C57 - Archaeological Recording
- 8) C72 - Highway - Estate Roads etc
- 9) No part of the development hereby approved shall be occupied until the on-site parking facilities together with any means of access shall have been provided in accordance with details that shall previously have been submitted to, agreed and

approved in writing by the Local Planning Authority and retained for those purposes at all times.

Reason: To ensure that adequate facilities are available for the traffic attracted to the site.

- 10) No other part of the development hereby approved shall be commenced until adequate areas shall have been made available within the site to accommodate operatives' vehicles, construction plant and materials in accordance with details that shall previously have been submitted to, agreed and approved in writing by the Local Planning Authority and retained for those purposes during the construction period.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site during construction period.
- 11) Notwithstanding condition no 2, no work shall commence on site under this permission until full details of the following have been submitted to and approved in writing by the Local Planning Authority and the following shall thereafter be provided in accordance with such details:
a) windows to include materials, means of opening, reveals, cills and headers;
b) external doors;
c) rainwater goods;
d) lighting;
e) treatment of all boundaries;
f) parking area surfacing;
g) refuse storage;
h) location of site compound;
Reason: Insufficient information has been submitted with the application and in the interests of visual amenity.
- 12) No development shall take place unless and until a detailed scheme of surface water drainage has been submitted to and approved by the Local Planning Authority. The scheme, which shall be designed in accordance with the principles of the "Framework for Sustainable Drainage Systems (SuDs) in England and Wales" published by the National SuDs Working Group in May 2003, shall subsequently be implemented in accordance with the approved details prior to the development being brought into use.
Reason: To ensure that the development is satisfactorily drained in sustainable manner.
- 13) Construction work shall not take place outside the following times; 8am to 6pm (Mondays to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interest of residential amenity.
- 14) C70 - Contaminated Land
- 15) The flood mitigation measure as set out within the submitted Flood Risk Assessment as contained within the submitted Addendum to the Flood Risk Report dated 12 October 2009 and the earlier Flood Risk Addendum document dated December 2006 shall be complied with at all times unless otherwise agreed in writing by the Local Planning Authority.
Reason: To mitigate against the risk of flooding.

Local Government (Access to Information) 1985 (as amended).

Background papers used in compiling the report:

Files of planning applications available for inspection from the Customer Service Centre, Civic Centre, Paris Street, Exeter: Telephone 01392 265223