

ITEM NO.

8

COMMITTEE DATE:

23/07/2012

APPLICATION NO:

11/2018/03

FULL PLANNING PERMISSION

APPLICANT:

Ms D.C Arden, I.M. Broom and G.E Arden

PROPOSAL:

2/3 storey building comprising 14 self contained apartments, pedestrian access, parking and associated works

LOCATION:

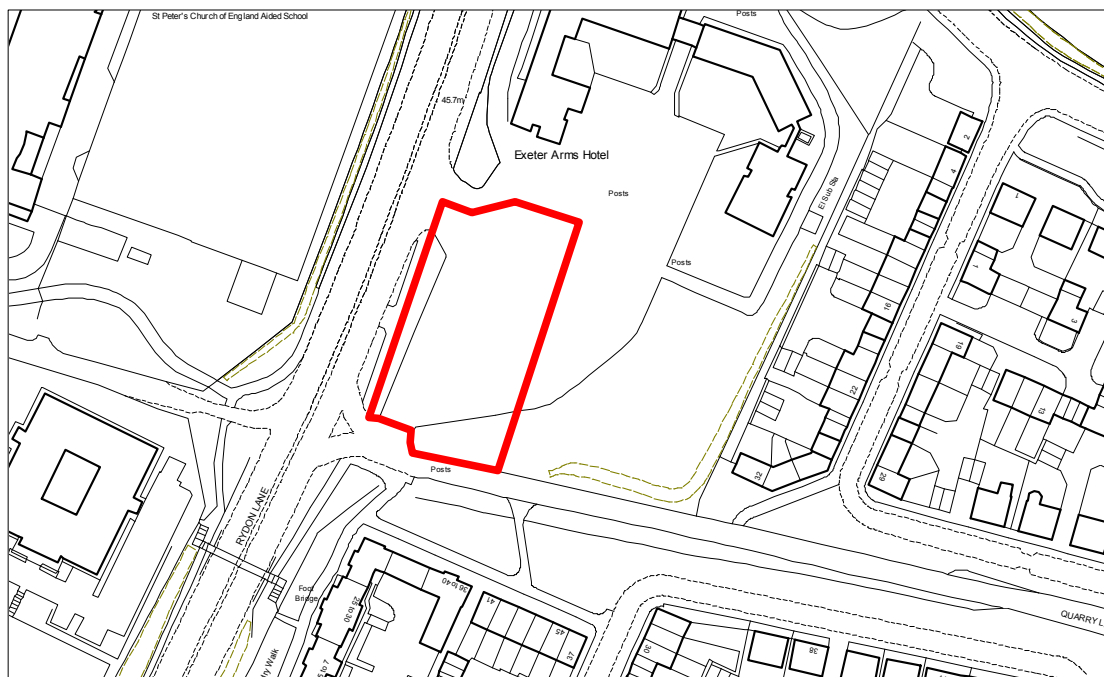
Former Exeter and Middlemoor Service Station, Rydon Lane, Exeter, EX2

REGISTRATION DATE:

04/01/2012

EXPIRY DATE:

04/04/2012



Scale 1:2000

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HISTORY OF SITE

None directly relevant to this proposal.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises the former Exeter and Middlemoor Service Station situated on the east side of Rydon Lane between the Exeter Arms public house and Quarry Lane. The site extends to 2216 square metres, it has been cleared and has remained vacant for some time.

Permission is sought for the erection of a 2/3 storey building containing 14 self-contained residential 2 bed apartments. 15 parking spaces are proposed located to the rear of the building with access provided off Quarry Lane. Cycle parking and an area of communal amenity space is also provided at the rear of the building. The bin store is located towards the front of the site near the site entrance, and hence the likely refuse collection point.

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

The application is accompanied by the following supporting documents -

- Planning, Design and Access Statement
- Ecological Survey Assessment
- Noise Assessment
- Land Contamination Assessment

REPRESENTATIONS

2 letters of representation have been received raising the following issues -

- impact on highway safety, particularly in relation to cycling arising from realigned kerb lines, fencing and visibility
- adequacy of cycle parking
- inappropriateness of materials - industrial character
- Residential amenity - balconies facing main road
- Sustainability

CONSULTATIONS

EA - recommend conditions regarding submission of drainage strategy for approval and land contamination.

South West Water - No objections

Assistant Director Environment - requested clarification regarding predicted internal noise levels and recommends conditions regarding hours of construction, land contamination and mitigation of noise impact upon the development.

County Director Environment, Economy and Culture - Recommends condition regarding provision of parking facilities, closure of existing site access and details of site compound during construction.

Council's Projects and Business Manager - Comments on cycle parking provision, and concerns relating to access proposals.

Police Architectural Liaison Officer - Comments on parking, cycle storage, planting and boundary treatments from the perspective of designing out crime in new developments.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance - NPPF

Exeter Local Development Framework Core Strategy

CP1 - The Spatial Approach

CP4 - Density

CP5 - Meeting Housing Needs

CP7 - Affordable Housing

CP11 - Pollution and Air Quality

CP13 - Decentralised Energy Networks

CP14 - Renewable and Low Carbon Energy

CP15 - Sustainable Construction

CP16 - Green Infrastructure

CP17 - Design and Local Distinctiveness

Devon County Structure Plan 2001-2016

ST1 - Sustainable Development

ST10 - Exeter Principle Urban Area

ST18 - Affordable Housing
ST18a - Mix and Type of Housing
CO6 - Quality of New Development
TR1 - Devon Travel Strategy
TR2 - Coordination of Land Use/Travel Planning
TR3 - Managing Travel Demand
TR4 - Parking Strategy, Stands and Proposals
TR5 - Hierarchy of Modes and Transport Assessment
TR7 - Walking and Cycling
TR10 - Strategic Road Network and Roadside Service Areas

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development
AP2 - Sequential Approach
H1 - Search Sequence
H2 - Location Priorities
L4 - Provision of Playing Pitches
T1 - Hierarchy of Modes
T2 - Accessibility Criteria
T3 - Encouraging Use of Sustainable Modes
LS2 - RAMSAR/Special Protection Area/Special Area of Conservation
EN5 - Noise
DG1 - Objectives of Urban Design
DG4 - Residential Layout and Amenity
C5 - Archaeology

Exeter City Council Supplementary Planning Document
Residential Design Guide (adopted September 2010)

OBSERVATIONS

The main material considerations in respect of this proposal relate to design/layout/visual impact, amenity space standards, affordable housing, parking/access issues (including cycling) and landscape/ecology.

Design/layout/visual impact

The scheme has been designed with the building set back from the edge of the pavement/cycle path that runs along the site frontage. Whilst the set back proposed does not quite correspond with the building line established by the Exeter Arms and the existing residential development off Rydon Lane (to the south of the site), it will ensure that the building does not have an undue prominence in the street scene, and does afford some defensible private amenity space to the ground floor flats. The degree of set back has been increased slightly from the originally submitted drawings as a result of negotiations.

The siting of the building avoids conflict with existing vegetation and trees that are located along the eastern and southern boundaries of the site and facilitates provision of the required parking facilities to the rear of the building so that they are not prominent features in the street scene. An area of communal amenity space is also provided to the rear of the building away from the road.

The internal layout of the accommodation has been arranged so that the bedrooms are located on the eastern side of the building away from the main road to minimise potential night time disturbance to residents associated with noise from the main road. The main living/dining area of a westerly aspect and potential evening sun.

Access/egress to and from the site is provided off Quarry Lane thereby avoiding any conflict with the existing access to the Exeter Arms car park and this approach was agreed with the Highway Authority prior to detailed development of the scheme.

The external materials chosen comprise metal seamed wall/roof cladding and render which pick up prevailing materials in the area. The adjoining nearby residential development along Rydon Lane are partly rendered and the school on the opposite side of the road incorporating elements of metal cladding. Concerns expressed by members of the Southern Area Working Party regarding the materials were raised with the applicant who has clarified that part of the reason for the choice of materials relates to their durability given the site location on a busy road. The chosen materials are not so prone to absorbing dirt from weathering and road spray as brick or timber.

Overall the site layout and visual impact of the proposal is considered acceptable.

Amenity space standards

The scheme has been designed with reference to the standards set out in the Council's adopted SPD on Residential Design in terms of external and internal amenity space. Each of the proposed apartments are 2 bed units. Two of the units comply with the overall Gross Internal floor area standard (GIA) of 70 sq metres. The other 12 units are marginally short of the standard with a GIA of 67 sq metres. However, within these units the living/dining/kitchen areas, and main bedrooms comply with the required standard and it is only the second bedroom that is marginally below the required size only if they were occupied by 2 people. Notwithstanding this, overall the proposed units are considered to provide an appropriate standard of accommodation.

In terms of external amenity space the ground floor flats are provided with private space exceeding the required standard. The upper floor units have slightly small balconies but in the context of the overall layout and size of the flats these are considered acceptable. The communal external amenity area is large enough to serve the proposed number of units (just over 280 sq metres) and is easily accessible to all occupants. An additional communal clothes drying area and covered bin storage facility is also included.

The proposal is considered acceptable in terms of the standard of residential amenity provided.

Affordable Housing

In accordance with Core Strategy policy CP7 35% of the proposed units would be required as affordable housing unless such provision would make the scheme unviable. The applicant has argued that there is a viability issue in this case, both in terms of the direct provision of affordable housing on site, or payment of a significant financial contribution towards off site provision. Negotiations over the potential level of contribution towards off site provision that may be possible, without compromising the financial viability, and hence deliverability, of this scheme are on-going based on a viability appraisal. However, these negotiations are unlikely to be concluded in time for this Committee and the applicant requires a resolution to approve the application before the end of July or their option to purchase the site will expire, along with the opportunity to deliver the redevelopment of this long vacant site. It is therefore recommended that agreement over the appropriate level of contribution be delegated to the Head of Planning in consultation with the Chair of the Planning Committee, prior to any consent being issued.

Parking/Access Issues

Providing separate in and out vehicular access to the site would have taken up a significant area of the site and consequently, in liaison with the Highway Authority, a single point of entry/exit was proposed off Quarry Lane. Originally 14 parking spaces (one for each flat)

were proposed but revised plans have been submitted incorporating an additional visitor parking space. 14 covered cycle parking spaces have also been provided to the rear of the building however it is considered that these should be resited to make them less visible from outside the site and more usable. Negotiations to secure a more appropriate position for them are on-going and the outcome will be reported at Committee.

Initially some concern was raised regarding potential conflict between the use of entrance/exit to the site and cyclists/pedestrians using the combined foot/cycle path that crosses Quarry Lane at this point. Consequently the height of the boundary wall to the entrance has been reduced to improve visibility and this, coupled with road markings and warning signs within the site, is considered sufficient to address the issue. The Highway Authority have raised no objection to the access arrangements.

Landscape/ecology

The proposal as designed retains existing vegetation around the site and affords the opportunity for new planting to enhance the appearance of the area. Currently the site has little ecological value and the incorporation of bird/bat bricks within the building fabric offers an opportunity to enhance its contribution to the area in this respect.

It has been identified that all new dwellings within the Exeter area will result in extra recreational impact upon the protected sites of the Exe Estuary, Dawlish Warren and East Devon Pebblebed Heaths. Exeter City Council (ECC) is currently involved in joint working with Teignbridge District Council (TDC), East Devon District Council (EDDC), Natural England, RSPB and EEMP to assess the scale of recreational impacts likely to result from the predicted levels of growth in the area. In the absence of a specific Appropriate Assessment in respect of this proposal the developer is required to pay a financial contribution of £350/dwelling towards mitigation of the impact in line with the interim approach adopted by the relevant Local Authorities and bodies referred to above. Confirmation that the applicant is willing to pay such a contribution has been sought as without this the application would have to be refused.

SAWP (01/02/12)

Members expressed some reservations regarding the design and external appearance of the building and the position of the balconies facing the road. Members noted that officers were in negotiations with the applicant regarding affordable housing, design matters, cycle parking and access issues. It was noted that the application would be determined by Planning Committee.

Conclusion

Subject to the satisfactory outcome of negotiations in relation to the outstanding points identified in this report the proposal is considered acceptable in terms of its visual impact, quality of residential amenity and highway safety/access issues. The proposal will result in the redevelopment of a vacant and unsightly parcel of land.

RECOMMENDATION

Subject to the satisfactory outcome of negotiations, and completion of a Section 106 agreement relating to affordable housing and Natura 2000 contributions (agreement over the level of the former to be delegated to the Head of Planning in consultation with the Chair of Planning Committee), Approval subject to the following conditions :-

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement

- 2) C15 - Compliance with Drawings
- 3) C17 - Submission of Materials
- 4) C35 - Landscape Scheme
- 5) Development shall not begin until a scheme for protecting the proposed dwellings from noise from Rydon Lane has been submitted to and approved by the Local Planning Authority, and all works which form part of the scheme shall be completed before any of the permitted dwellings are occupied.
Reason: In the interests of residential amenity.
- 6) No part of the development hereby approved shall be occupied until the on-site car and cycle parking facilities as shown on drawing no....., together with any means of access thereto have been provided, allocated, surfaced and marked in accordance with the requirements of this permission. Thereafter the said facilities shall be retained for those purposes at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site and to encourage travel by sustainable means in accordance with Local Plan policy T3.
- 7) Prior to the first occupation of any of the units hereby approved the road markings within the site entrance, and the warning signs, as shown on drawing no..... shall be installed. Thereafter they shall be maintained in accordance with the approved details at all times.
Reason: In the interests of highway safety.
- 8) 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 the construction period, in the interest of public safety.
- 9) C57 - Archaeological Recording
- 10) The development hereby approved shall not commence until details of the proposed finished floor levels and overall ridge heights of the dwelling/building(s), in relation to an agreed fixed point or O.S datum have been submitted to, and been approved in writing by, the Local Planning Authority.
Reason: In the interests of the visual amenities of the area and the residential amenities of the occupants of surrounding properties.
- 11) No development shall take place until a Wildlife Plan which demonstrates how the proposed development will be managed in perpetuity to enhance wildlife has been submitted to and approved by the Local Planning Authority. Thereafter the development shall be carried out entirely in accordance with the approved plan.
Reason: In the interests of protecting and improving existing, and creating new wildlife habitats in the area.
- 12) No development shall begin until a scheme for generating a proportion of the energy requirement of the development from on-site renewable sources which reduce the predicted CO2 emissions by 10 per cent (or other proportion as agreed in writing), has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the building is brought into use and shall thereafter be maintained so that it provides the required level of generation.

Reason: To ensure that the scheme is developed in such a way as to reduce reliance on non-renewable energy sources and maximise energy efficiency in the interest of sustainable development.

- 13) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of occupants of nearby buildings.

- 14) If, during the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the Local Planning Authority (LPA)) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall then be implemented as approved.

Reason: To protect controlled waters.

- 15) Prior to the commencement of the development hereby approved a drainage strategy for the disposal of surface water shall be submitted to and be approved in writing by the Local Planning Authority. Such strategy shall demonstrate how the disposal of surface water shall be managed to ensure that it does not mobilise any residual contamination on the site.

Reason: To protect controlled waters.

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