

ITEM NO. 3**COMMITTEE DATE:****29 JUNE 2015****APPLICATION NO:**

15/0185/03

FULL PLANNING PERMISSION

APPLICANT:

Enterprise Inns

PROPOSAL:

Proposed development of four dwellings (three terrace units and one detached).

LOCATION:

Land to rear of Crawford Hotel, Alphington Road, Exeter, EX2 8JD

REGISTRATION DATE:

13/02/2015

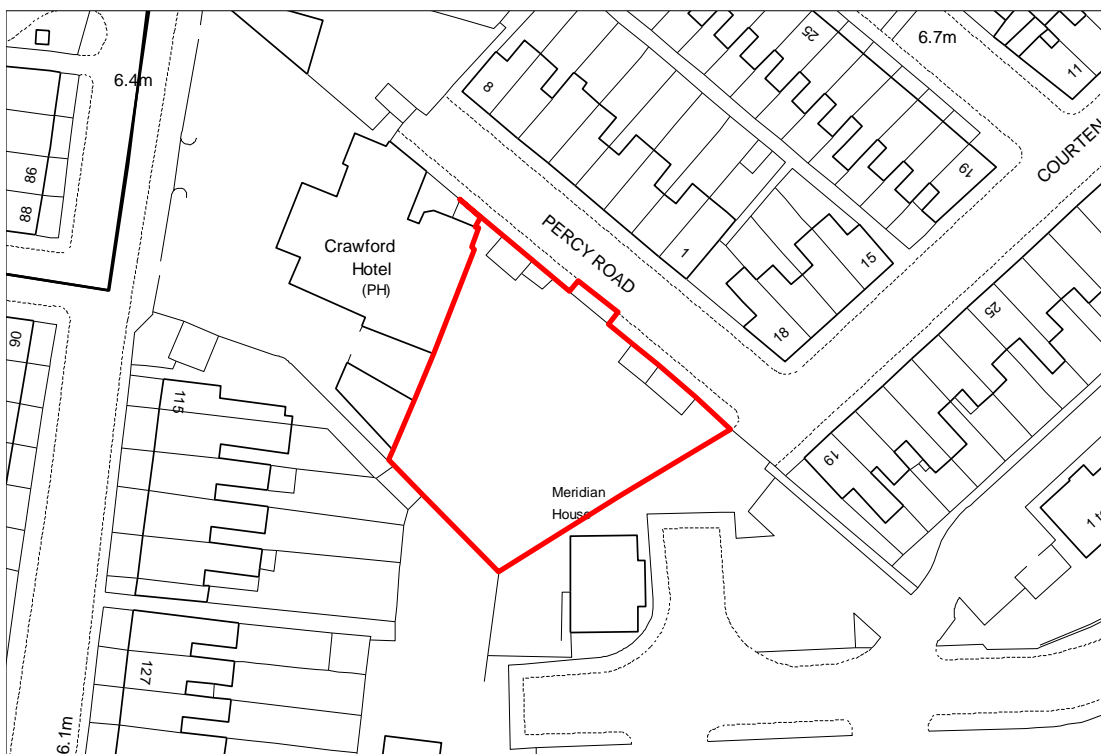
EXPIRY DATE:

10/04/2015

HISTORY OF SITE

15/0185/03 -

Proposed development of four dwellings (three terrace units and one detached).



Scale 1:1000

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DESCRIPTION OF SITE/PROPOSAL

This application for four dwellings (three terraced and one detached) is on land directly to the rear of the former Crawford Hotel, Locally Listed Building. The site, approx 0.1ha in size, is vacant and has no clear use. A 2-3m high wall fronts Percy Road. Percy Road is otherwise predominantly lined by terraced housing with on street parking. The remainder of the site is surrounded by commercial development on Retail Park Close or the former Crawford Hotel (now Co-op Store). The site is surrounded by brick walls with an existing pedestrian access on to Retail Park Close. The NW boundary is located some 1m from the rear elevation of the former Crawford Hotel.

This four unit development provides private gardens, parking and pedestrian access to Retail Park Close to the rear. The vehicular entrance will be on to Percy Road where the existing concrete block wall will be breached - the remaining wall left intact or dropped in height for

reasons of visibility. There are a small number of semi mature and mature native and ornamental trees / shrubs on the site.

SUPPORTING INFORMATION SUPPLIED BY APPLICANT

Flood Risk Assessment: the site is located in Flood Zone 3a. The site does not lie within 500m of any flood defences. Exeter's Flood Relief Channels lie with 800m and provides a level of defence against flooding. The site size and number of proposed units does not trigger any requirements under the NPPF. SUDs will be utilised to minimise surface water runoff. As a precautionary measure flood resilient construction techniques are recommended to reduce the potential of flood water ingress and damage. Finished floor levels will be set 600mm above ground level. Future occupants are recommended to sign up to the EAs Flood Warning Service.

Standard Commercial Drainage and Water Search: a detailed question and answer analysis is provided.

Ecological Appraisal: the site has historically been improved and managed. There are opportunities to provide wildlife / habitat protection by including two 'sparrow terraces' and a detailed landscape design for the communal area to enhance wildlife and plant species.

Planning Statement: The proposal seeks to improve the setting of the Locally Listed, Crawford Hotel. Bins are integrated into the units / garages creating more of a shared surface environment within the site. A pedestrian / cycle link is provided to Retail Park Close. The Highway Authority support the proposal in principle. The ECC Arboricultural Officer has confirmed that the trees will not prevent development. Parking for the terrace is provided on a ratio of 1.5 spaces per dwelling and will be unallocated. The detached unit will have dedicated parking for 2 vehicles. Close board fencing will divide the plots. Boundaries to the new access drive will be brick walls / hedging. Each unit meets the requirements of the Residential Design SPD. Cycle parking will be provided in rear gardens.

Design and Access Statement: providing a detailed assessment of the existing site, policy and evolution of the proposed scheme.

Exeter Cycle Map: detailing existing provision.

Transport Statement: demonstrating the connectivity of the site, range of facilities in the local vicinity and its sustainable location.

REPRESENTATIONS

13 objections and 3 comments have been received. The main points include:

- loss of on street parking associated with the development of the site would mean many residents would not be able to park their cars at all. The proposal will take away on street parking worsening the existing parking congestion.
- Retaining the existing entrance and reconfiguring the layout of the development would allow on street parking to remain.
- Seek to provide vehicular access through Retail Park Close both during construction and after.
- Concerns relating to the impact on road congestion, noise and general disruption during the construction period.
- Insufficient parking provision within the scheme resulting in further on street parking on Percy Road and those neighbouring.
- Construction vehicles will damage the already poor state of neighbouring roads.
- Emergency and refuse vehicles will find access problematic.

- The proposal will damage the wall on Percy Road.

CONSULTATIONS

Environmental Health: Approve subject to conditions relating to noise and land contamination.

DCC Highway Authority: Approve subject to conditions.

Environment Agency: We do not object in principle, to the proposal, however revisions to the Flood Risk Assessment (FRA) are required. The proposal does not constitute 'minor development' and the Sequential Test (ST) is required. There is no evidence that the ST has been passed. Whilst we can broadly support the implementation of SUDS to manage surface water drainage, we would wish to ensure that any scheme can mimic green field run-off characteristics for the entire range of storm events and, in particular, for low intensity rainfall events where infiltration and on site storage can be realised. There is an absence in the FRA of any reference to a design water level and flood risk 'hazard' associated with the site.

Further correspondence received 16 June confirmed that the Environment Agency support the conclusions and recommendations of the Revised FRA (March 2015).

OBSERVATIONS

The proposal seeks to provide four units (three terrace and one detached) on the former Crawford Hotel garden. Each terrace unit will provide three bed, four person accommodation. They are of a scale, massing and form that complements the immediate area. Each dwelling meets the requirements of the Residential Design SPD. Solar PV panels are provided on the front elevation roof slope. The detached dwelling provides four bed, five person accommodation with attached garage. It too meets the requirements of the Residential Design SPD.

A modest level of pre-application discussion has taken place and as a result a scheme is provided that respects the urban grain of the immediate area whilst respecting and seeking to improve the setting of the rear elevation of the (former) Crawford Hotel. The dwellings have been set away from the rear elevation of the Locally Listed building seeking to improve its setting and the main entrance to the first floor residential accommodation within it. A condition of planning consent will be required to ensure the boundaries, particularly adjacent to the (former) Crawford Hotel, are appropriate and in keeping. The new point of access into the scheme, through the existing wall, is proposed where it is constructed of modern concrete block. Lowering the remaining block wall to the brick plinth will not result in a loss of privacy to existing properties on Percy Road. The remaining brick wall will be retained at full height.

The proposal presented can accommodate all Highway and emergency requirements. However, it is noted that the proposal has received a number of objections associated with the impact of the proposal on current on street parking provision. It has been outlined that the proposal will result in the loss of at least two on street parking spaces, in an area, heavily constrained with provision. Provision of a vehicular access through to Retail Park Close is volunteered as a suitable alternative to allow the retention of on street parking. However, direct access on to the highway of Retail Park Close is not possible without being 'ransomed'. It would be unreasonable for the Planning Authority to enforce a means of access on to Retail Park Close when access can be achieved on to Percy Road, to a standard that satisfies the Highway Authority and which does not result in additional costs to the developer. Pedestrian access, that will be available to residents of Percy Road and beyond, is to be provided through the scheme on to Retail Park Close.

Conditions of planning consent can ensure disruption during the construction period is kept to a minimum.

The proposal complies with Para's 17(iii, iv, v, vi, viii, x and xi) and Section 7 of the National Planning Policy Framework, Policy CP15 and 17 of the Exeter Local Development Framework Core Strategy and Policies AP1, AP2, H1, H2, T1, T2, T3, DG1(a, b, c, d, f, g, h, and i) and DG4(a, b and c) of the Exeter Local Plan First Review 1995-2011 because:-

- i) by virtue of the size, position, design and materials the proposed scheme will have a limited impact on the character and appearance of the locally listed (former) Crawford Hotel and wider townscape; and
- ii) will not have a detrimental impact on neighbouring residential amenity.

The proposal is therefore recommended for approval.

Financial Considerations

Financial considerations are a material consideration:

New Homes Bonus - £20k (approx.)

CIL - £31k (approx.)

Delegation Briefing 24 February 2015

Proposed development of four dwellings (three terrace units and one detached). The application was deferred for consideration at the next meeting.

Delegation Briefing 10th March 2015

The main hotel had been converted into a Co-op and four residential units were sought in the former garden to the rear. Eleven objections had been received (to date) relating to parking and access, notable in respect of Percy Road a narrow cul de sac, already heavily congested. One and a half parking spaces would be provided per dwelling for the terraced houses and two for the detached house and the site design would facilitate pedestrian access through the development onto neighbouring roads.

Members supported a site inspection prior to submission of the application to the Planning Committee.

Members Site Inspection 17 March 2015

The site was viewed by Councillors Mitchell, Lyons, Choules, Bialyk and Clarke. They viewed it from Percy Road and Retail Park Close. Members were very concerned that the proposal would lead to loss of parking (two or three spaces) together with potential for increased demand for parking and traffic movements through narrow terraced streets. They considered that Percy Road and surrounding roads could not accommodate this. The views of the Highway Authority were noted. Members considered that notwithstanding the likelihood of a recommendation of approval from officers, the proposal would be unacceptable. It was considered that there is potential to facilitate access to the site from Retail Park Close but it was acknowledged that this would require use of land belonging to the Council and thus outside of the applicant's control.

Planning Committee 30th March

The report was considered by Planning Committee. The Minute states:

"The City Development Manager presented the application for a development of the four dwellings (three terrace units and one detached) to Planning Committee. He advised that the Environment Agency had no objection on flood prevention and drainage grounds. Following some discussion Members considered that a preferable solution would be to access the site from Retail Park Close.

RESOLVED that planning permission for a development of four dwellings (three terrace units and one detached) be **DEFERRED** for discussions with the City Council regarding the possibility of access from Retail Park Close.”

The Assistant Director City Development (ADCD) and Corporate Manager Property subsequently met Cllr Edwards and Cllr Bialyk (13 April 2015) to examine the possibility of access being gained over ECC land to the rear of the site, prior to contact being made with the agent. Following the meeting the ADCD contacted the agents to seek a meeting. The agents agreed to approach the applicant to discuss their position but indicated a reluctance to consider a change in the access arrangements. The Agent subsequently met the ADCD and Corporate Property Manager on site 12 May 2015.

On 16 April DCC’s Highway Development Management Officer met with the agents on site. Discussions included narrowing of the access on to Percy Road from 4.8m with 3m radii to 3.5m with 2m radii, so only one parking space was lost on street. DCC Highways were comfortable with this solution. The new access would also act as a turning head for the benefit of the existing residents on Percy Road. The developer could also look at whether a turning head and adoption of the road could be provided on the development site. The Highway Authority view is that access via the Retail Park Close is better, particularly for construction, but is not essential.

23rd March to 8 June

Officers looked in detail at facilitating access from Retail Park Close. Following protracted correspondence, meetings and site visit attended by the agent, Assistant Director (City Development) and the Corporate Property Manager, the agent advised that the client would not be willing to purchase the land to facilitate access from Retail Park Close, that DCC Highways has not objected to the access off Percy Road and that there is no requirement to provide a separate construction access and DCC Highways has not objected to the proposed Percy Road access being used for both residential and construction traffic (5 June 2015). In addition, the agent advised that the applicant does not require additional garden land (8 June 2015). The Highway Authority have confirmed that a permanent access to serve the residential units from Percy Road and access for construction vehicles during the construction period from the same access is satisfactory.

RECOMMENDATION

Subject to receipt and written approval by the Local Planning Authority of a revised plan detailing the front elevation fenestration on the terrace and the rear elevation of the detached dwelling, APPROVE subject to the following conditions:

CEMP condition with construction access from RPC - but not necessarily now!

APPROVE subject to the following conditions:

- 1) C05 - Time Limit - Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on 13 February 2015 (*dwg. no(s). 14-018 0-0001; 14-018 0-0002; 14-018 1-0003 (access as amended by drawing 8519-PHL-001B)*), on 5 June 2015 (*dwg. no. 8519-PHL-001B*) and supporting documents including the FRA (Revised March 2015), Ecological Assessment J1103.013 and transport Assessment (dated 13 February 2015) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) C17 - Submission of Materials

- 4) C35 - Landscape Scheme
- 5) C37 - Replacement Planting
- 6) Construction/demolition 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: to protect neighbouring residential amenity.
- 7) The applicant should undertake a noise assessment to determine whether noise from plant, equipment and deliveries at the adjacent retail store would be likely to cause disturbance and annoyance to residents of this site. The assessment shall be submitted for approval in writing by the LPA prior to commencement of the development. If, following the above assessment, the LPA concludes that noise mitigation measures are required, the applicant shall then submit a scheme for protecting the proposed development from noise from the adjacent store. This shall be based on the results of the above assessment and shall be submitted to and approved by the Local Planning Authority before development commences. All works that form part of the scheme shall be completed before any of the permitted development is occupied.
Reason: to protect the residential amenity of future occupants.
- 8) No development shall take place on site until a full investigation of the site has taken place to determine the extent of, and risk posed by, any contamination of the land and the results, together with any remedial works necessary, have been agreed in writing by the Local Planning Authority. The building(s) shall not be occupied until the approved remedial works have been implemented and a remediation statement submitted to the Local Planning Authority detailing what contamination has been found and how it has been dealt with together with confirmation that no unacceptable risks remain.
Reason: to protect the health and safety of future occupants
- 9) No part of the development hereby approved shall be brought into its intended use until the vehicular access from Percy Road and visibility splays providing intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.4 metres and the visibility distance along the nearer edge of the carriageway of the public highway (identified as Y) shall be 25 metres in both directions have been provided and maintained in accordance with details to be approved by the Local Planning Authority and maintained for this purpose at all times.
Reason: To provide adequate visibility to achieve a safe and suitable access, in accordance with paragraph 32 of the National Planning Policy Framework.
- 10) No part of the development hereby approved shall be occupied until the on site layout, footpaths, car and cycle parking facilities have been provided and maintained in accordance with Drawing 1-0003, or similar arrangements as otherwise agreed with the Local Planning Authority, and retained for that purpose at all times.
Reason: To ensure that adequate facilities are available for the traffic attracted to the site
- 11) No more than three of the dwellings hereby approved shall be occupied until a shared use pedestrian/cycle connection to the south east boundary of the site, as indicated on drawing 1-0003, has been provided and made available for public use in accordance with details to be approved by the Local Planning Authority and maintained for this purpose at all times.
Reason: To provide adequate facilities to promote the use of sustainable modes, in

accordance with Section 4 of the National Planning Policy Framework.

- 13) Prior to occupation of any dwelling hereby approved place until details of provision for nesting birds has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.
Reason: In the interests of preservation and enhancement of biodiversity in the local
- 14) Any individual dwelling hereby approved shall achieve Code for Sustainable Homes (CSH) Level 4 (including a 44% CO2 emissions rate reduction from Part L 2006) as a minimum, and CSH Level 5 (Zero Carbon) if commenced on or after 1st January 2016, in accordance with the requirements of the Code for Sustainable Homes 2006, the Code for Sustainable Homes Technical Guide November 2010 and the Code Addendum May 2014 (or such equivalent standard that maybe approved in writing by the Local Planning Authority) and Exeter Core Strategy Policy CP15.
Reason: In the interests of sustainable development.
- 15) Prior to occupation of any dwelling hereby approved place until details of provision for nesting swifts has been submitted to and approved in writing by the Local Planning Authority in consultation with the RSPB. Upon written approval of the details, the scheme shall be fully implemented as part of the development and retained thereafter.
Reason: In the interests of preservation and enhancement of biodiversity in the local
- 16) A Construction Environmental Management Plans (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development on site and adhered to during the construction period. This should include details of monitoring and mitigation measures to control the environmental impact of the development during the construction and demolition phases, including site traffic, the effects of piling, and emissions of noise and dust. The CEMPs should contain a procedure for handling and investigating complaints as well as provision for regular meetings with appropriate representatives from the Local Authorities during the development works, in order to discuss forthcoming work and its environmental impact.
Reason: In the interest of the environment of the site and surrounding areas.

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