

COMMITTEE DATE: 01/10/2018

APPLICATION NO: 18/0890/ECC

APPLICANT: Mr Gary Stenning

PROPOSAL: Demolition of 54no. garages and redevelopment of site comprising construction of 9no 3 bed 4 person terraced and semi-detached houses and associated access and parking.

LOCATION: Existing Garage Site Between Thornpark Rise And Birchy Barton Hill, Exeter

REGISTRATION DATE: 08/06/2018

EXPIRY DATE:

HISTORY OF SITE

13/4988/ECC - Demolition of 54no. garages owned by Exeter City Council, and erection of 9no 3 bed 4 person terraced and semi-detached houses and associated access and parking. Resolved to grant never issued.

DESCRIPTION OF SITE/PROPOSAL

The application site comprises an area of land measuring approximately 0.32 ha in the Council's ownership that currently contains 54 garages situated in two rows either side of a central access, a path linking Thornpark Rise and Birchy Barton Hill and incidental open space that is mainly grassed with a couple of trees. The site slopes up quite steeply from the level of Thornpark Rise to Birchy Barton Hill with the garage blocks occupying a flat plateau of land sandwiched between the housing on each road. The area of open space backs onto properties on Blackthorn Crescent.

Full planning permission is now sought for the redevelopment of the site to provide nine 3 bedroom dwellings with associated gardens, access and parking facilities. The proposal comprises 3 pairs of semi-detached dwellings and a terrace of 3 units. One pair of semis would be located on the elevated area currently comprising the open space whilst the other two pairs of semi and small terrace would be located on the site of the existing garages. The proposed dwellings will be constructed to Lifetimes Homes standard and a highly energy efficient design based on Passivhaus methodology. Each garden will contain a shed suitable for cycle storage and incorporate direct pedestrian access to the rear garden. The design of the proposed dwellings reflects that of other recent Council own build projects and comprises plain clay roof tiles, timber framed fenestration and rendered walls.

The existing vehicular access off Thornpark Rise (between nos.104 and 106) would be used to provide vehicular access to serve the dwellings. This would incorporate a turning head. A total of 12 parking spaces would be provided to serve these dwellings. The existing pedestrian link between Thornpark Rise and Birchy Barton Hill would be retained as part of the scheme

SUPPORTING INFORMATION SUPPLIED BY THE APPLICANT

- Design & Access & planning Statement
- Ecological Appraisal
- Demolition Design Information
- Geotechnical and Geo-Environmental Assessment
- Arboricultural Impact Assessment

REPRESENTATIONS

- 2 representations raising the following issues –
- Will existing public footpath through site between Birchy Barton Hill area and Thornpark Rise be retained?
- Security of gardens of existing properties
- Adequacy of proposed boundary treatments
- Potential damage to retaining walls/existing boundaries during construction process
- Drainage
- Query over boundary treatment along rear of properties on Thornpark Rise
- Increased congestion

CONSULTATIONS

County Head of Planning, Transportation and Environment (Highways) – Comments as follows and recommends conditions relating to Construction Environment Management Plan (CEMP) and cycle parking –

“The site is on a Residential Road; W4902, with a 20mph speed limit. The visibility is acceptable to our standard of 25m for a 20mph speed limit road. If they wish to have the access road adopted by the County Authority they will need to enter into a S38/278. The site plans appear to be missing dedicated cycle storage, and as part of Exeter City Council residential supplementary document this is required along with a requirement to include a travel pack as part of the development. The access is likely to have an increased use with the proposed development as opposed to the existing therefore the dropped kerbs ideally needs to be extended to ensure that an adequate splay is present to get vehicles off and onto the Thornpark Rise at the same time. The loss of parking from this sites former use is likely to increase the on-street parking in this vicinity and therefore discussions should be made with Stagecoach to best mitigate the impact upon the local bus route service.”

Environmental Health – No objection in principle – recommends conditions relating to Construction Environment Management Plan (CEMP) and contaminated land.

Police Architectural Liaison Officer – No comments received.

SWW – Comment that revised drainage details are acceptable.

PLANNING POLICIES/POLICY GUIDANCE

Central Government Guidance

NPPF - National Planning Policy Framework

Exeter Local Development Framework Core Strategy

CP1 - The Spatial Approach

CP3 - Housing Distribution

CP4 - Density

CP9 - Transport

CP11 - Pollution and Air Quality

CP15 - Sustainable Construction

CP16 - Green Infrastructure

CP17 - Design and Local Distinctiveness

CP18 - Infrastructure

Exeter Local Plan First Review 1995-2011

AP1 - Design and Location of Development

AP2 - Sequential Approach

H1 - Search Sequence

H2 - Location Priorities

H7 - Housing for Disabled People

T2 - Accessibility Criteria

T3 - Encouraging Use of Sustainable Modes

T10 - Car Parking Standards

EN2 - Contaminated Land

DG1 - Objectives of Urban Design

DG2 - Energy Conservation

DG4 - Residential Layout and Amenity

DG6 - Vehicle Circulation and Car Parking in Residential Development

DG7 - Crime Prevention and Safety

This document represents a material consideration but has not been adopted and does not form part of the Development Plan.

DD1 - Sustainable Development

DD8 - Housing on Unallocated Sites

DD9 - Accessibility, Adoptable and Wheelchair User Dwellings

DD13 - Residential Amenity

DD20 - Sustainable Movement

DD21 – Parking

DD25 - Design Principles

DD26 - Designing Out Crime

DD30 - Green Infrastructure

DD31 - Biodiversity

DD34 - Pollution

Exeter City Council Supplementary Planning Document

Residential Design Guide (adopted September 2010)

Trees in Relation to Development

OBSERVATIONS

The main considerations in respect of this proposal are compliance with relevant national and local planning policy, relationship to surrounding properties, visual impact, and highway/transportation impacts.

The proposal will assist in the provision of a wide choice of quality homes within the Exeter area, particularly in terms of addressing an identified and pressing need for further housing, and constitutes a quality design incorporating sustainable development objectives. In this context the proposal is considered to be consistent with the NPPF and local plan policies. Most of the proposed gardens meet the standards for external amenity space set out in the Residential Design SPD, and the dwellings proposed meet the internal space standards. Those gardens that are under the advocated size are only marginally below and benefit from a south-westerly aspect. Consequently overall it is considered that the proposed dwellings will provide a decent standard of residential amenity for future occupants.

Each dwelling will also be provided with a storage shed within the rear garden and purpose built refuse storage facilities located at the front of the property in a convenient position for collection. The dwellings are designed to Passivhaus and Lifetime Homes Standards.

Existing properties on Birchy Barton Hill are situated at a higher level than the application site. Whilst the proposed two storey dwellings will have a greater impact on their outlook than the existing single storey garages it is not considered that the massing would have any significant adverse or overbearing impact on those properties or the enjoyment of their gardens. Any impact in terms of loss of view from those properties, and associated perceived impact of their value, is not a material planning consideration.

The proposed semi-detached dwellings to be situated on the current area of open space would have an acceptable relationship to the properties above and below them. They do not have a direct back-to-back relationship with the existing dwellings and would not result in any significant overlooking of them. Given the relative levels, and the separation distances involved, the relationship in terms of the massing of the buildings is also considered acceptable.

The open space to be lost as a result of this development is sandwiched between private gardens and of sloping character. In this context it is not suited for recreational use and its current function is more visual as a gap between existing housing above and below the site. The development as proposed will retain a smaller element of open space and some of the existing trees so that visually the character of the locality will not be unduly compromised. In the context of other existing open space in the locality, including formal play areas and incidental open space the loss of open space associated with this proposal is not considered significant. There is a significant open space incorporating play equipment within walking distance of the site.

The properties most affected by the proposed development are those on Thornpark Rise as they sit at a lower level with gardens that rise to a retaining wall forming their rear boundary with the current garages. On this part of the site the proposed dwellings are orientated so that the main living windows face predominantly north-east and south-west. This results in the gable ends of these properties facing towards the properties in Thornpark Rise. The proposal incorporates a road alongside the boundary with the existing properties which increases the

separation distance between the rear living windows of the existing houses and the proposed gable ends of units 3, 5 and 7. Clarification of the difference in levels between the site and the existing properties was requested and appropriate sections have been submitted to demonstrate that the relationship complies with the standards set out in the Residential Design SPD.

The access road stops in front of unit 7 (which is one of a terrace of 3 dwellings) and then becomes a foot path giving access to the rear of the properties and links to an existing footpath on adjoining land. The gable end of unit 7 would have a more oblique relationship to the property below than the gable ends of units 3 and 5 with their nearest neighbour. Section plans submitted as part of the application demonstrate that the relationship with the property below is now considered acceptable and compliant with guidance set out in the Residential Design SPD.

The general design and palette of materials proposed is also considered acceptable in the context of the area and the specific passivhaus construction of the proposed dwellings. Whilst there will be some works to trees (including the felling one of tree) as part of the proposal it is not considered that this will have any significant adverse visual impact in the longer term. The submitted Arboricultural Implications Assessment sets out the nature of these trees and justification for the works proposed. Overall the visual impact of the proposal is considered acceptable.

The site currently comprises 54 garages for rent providing potential parking spaces for local residents. The proposal incorporates 12 parking spaces. The level of parking provision to serve the number of dwellings proposed is considered acceptable. It is acknowledged that the loss of the existing garages constitutes a net reduction in potentially available parking in the locality (assuming that all the garages are in fact used for parking a vehicle and not for storage). Clarification of the current levels of use of the garages has been requested from the applicant. Whilst the displacement of parking onto adjacent residential streets would be undesirable in terms of adding a further strain in an area of high parking demand, the Highway Authority have advised that it is not felt to constitute a severe impact (as per Para 32 of the NPPF) such that it would amount to a reason justifying refusal of the application.

The means of access to the site, and the parking and turning provisions associated with the development, are all considered acceptable in the context of prevailing highway safety conditions in the locality. The Highway Authority have confirmed that there is no objection in principle to the development from a transportation impact perspective. The representations regarding the loss of parking and impact on the locality have been considered. Notwithstanding the loss of the garages, and the potential reduction in overall parking provision in the locality, in the absence of any objection from the Highway Authority it is considered that any concerns about the reduction in parking facilities are outweighed by the need to provide additional housing. The site is well related to existing bus routes and local facilities and as such represents a sustainable location for residential development.

It is considered desirable that residents of the proposed dwellings are provided with residential travel packs informing them of walking/cycling and public transport options in the locality to encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles. This will be conditioned accordingly.

Sustainability

The building design is based on 'Passiv-Haus' principles. A passive house is a building in which a comfortable interior climate can be maintained without active heating and cooling systems. The buildings heats and cool themselves. The principles were developed in Germany and are used to achieve the highest levels of energy efficiency and ecological design standards. Increased insulation standards, exceptional levels of air tightness and a compact building skin mean that heat losses can be reduced to a minimum resulting in a requirement for very low space heating. By choosing the best orientation for the buildings and by optimising solar gains, the energy performance of the proposed design has been improved so that a conventional heating system is not required. The proposal has also been designed such that part of the roof space of each dwelling is suitable for future provision of solar panels, and the level of provision possible would be sufficient to offset all remaining carbon emissions associated with the dwellings.

Ecology matters

This development has been screened in respect of the need for an Appropriate Assessment (AA) and given the nature of the development it has been concluded that an AA is required in relation to potential impact on the relevant SPA's. This AA has been carried out and concludes that the development is such that it could have an impact primarily associated with recreational activity of future occupants of the development. This impact will be mitigated in line with the South-east Devon European Site Mitigation Strategy prepared by Footprint Ecology on behalf of East Devon and Teignbridge District Councils and Exeter City Council (with particular reference to Table 26), which is being funded through a proportion of the CIL collected in respect of the development being allocated to funding the mitigation strategy.

The proposal incorporates the provision of integral bat/bird bricks within the fabric of the building in line with advice contained within the Council's Residential Design SPD.

Financial Considerations

The proposal will be CIL liable and generate New Homes Bonus.

Conclusions

The proposal will help to meet the demand for housing within the city, and represents a sustainable form of development. On balance it is concluded that the scheme is acceptable and should be approved subject to conditions.

RECOMMENDATION

Approve subject to the following conditions –

1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To ensure compliance with sections 91-92 of the Town and Country Planning Act 1990.

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 8th June, 9th and 21st August, and 3rd and 13th September 2018 (dwg. nos E1206-GSA-TR-DR-A-501 Rev C2, AL(0)201TR Rev P6, AL(0)202TR Rev P6, AL(0)203TR Rev P6, AL(0)204TR Rev P7, E1206-GSA-TR-DR-A-500 Rev P6, AL(0)205TR Rev P3, AL(0)206TR Rev P2, E1206-GSA-TR-DR-A-2206 Rev C1 and 170501/TR/104 Rev B) as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.

3) In the event of failure of any trees or shrubs, planted in accordance with any scheme approved by the Local Planning Authority, to become established and to prosper for a period of five years from the date of the completion of implementation of that scheme, such trees or shrubs shall be replaced with such live specimens of such species of such size and in such number as may be approved by the Local Planning Authority.
Reason: To safeguard the rights of control by the Local Planning Authority in these respects and in the interests of amenity.

4) No part of the development hereby approved shall be brought into its intended use until the on-site parking facilities and access thereto, have been provided 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.

5) Prior to occupation of the development hereby permitted, secure cycle parking shall be provided as shown on drawing no. E1206-GSA-TR-DR-A-501 Rev C2, and the cycle parking shall be maintained at all times thereafter.
Reason: To ensure that cycle parking is provided, to encourage travel by sustainable means in accordance with Local Plan policy T3.

6) **Pre-commencement condition:** A Construction Environmental Management Plan 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 and traffic routing, 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 for pre-commencement condition: In the interest of the environment of the site and surrounding areas. This information is required before development commences to ensure that the impacts of the development works are properly considered and addressed at the earliest possible stage.

7) The development shall be implemented in accordance with the approved remediation scheme (from South West Geotechnical Ltd Report No. 8851d, August 2018 Version 2) unless otherwise agreed in writing by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a validation report that demonstrates the

effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An updated investigation and risk assessment must be undertaken, and where remediation is necessary an updated remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

8) 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: in the interests of local amenity.

9) Within 1 month of occupation all occupants of the new dwellings hereby approved shall be provided with a residential travel pack containing details (and maps if appropriate) of walking and cycling routes in the area and their links to wider networks within the city, and timetables and routes of public transport provision in the area.

Reason: To encourage the adoption of sustainable modes of transport and minimise reliance on private motor vehicles.

10) Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015, and any Order revoking and re-enacting that Order with or without modification, no development of the types described in the following Classes of Schedule 2 shall be undertaken on any of the dwellings comprised in this consent without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

Part 1, Class A extensions and alterations

Part 1, Classes B and C roof addition or alteration

Part 1, Class D porch

Part 1, Class E swimming pools and buildings incidental to the enjoyment of the dwellinghouse

Reason: In order to protect residential amenity and to prevent overdevelopment.

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