

PLANNING APPLICATION REPORT

Case Officer: Mr Matthew Jones

Parish: Totnes

Application No: 56/1085/15/F

Agent/Applicant:

Ron Milne
Mitchell Architects
Tourism House
Pynes Hill
Exeter
EX2 5WS

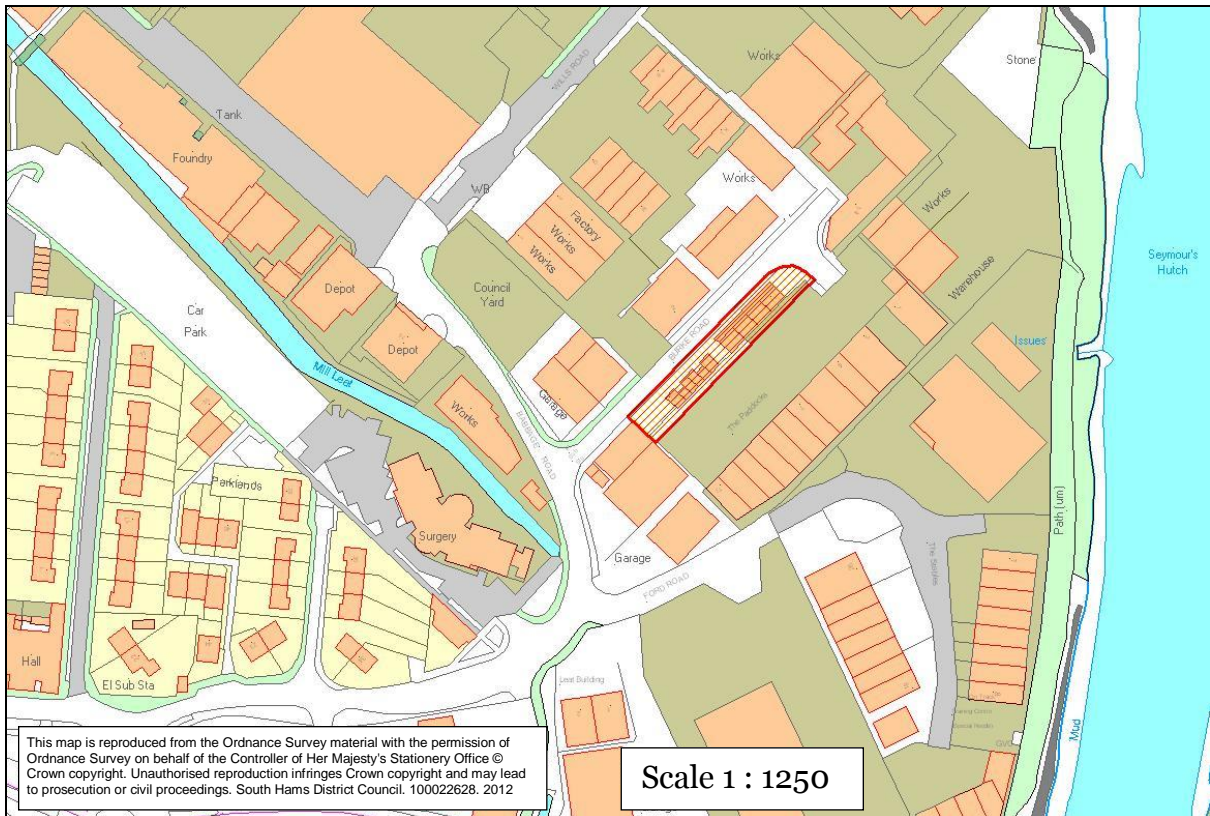
Applicant:

Mr C Brook
South Hams District Council
Follaton House
Plymouth Road
Totnes
TQ9 5NE

Site Address: 11-20 Burke Road, Totnes TQ9 5XL

Development: Demolition of existing single storey offices/workshops (D1/B1). Erection of 5No 2 storey units with associated off-street parking and bin stores (B1)

Reason item is being put before Committee: The application is put before members of the Development Management Committee as South Hams District Council is the applicant.



Recommendation: Conditional approval

Conditions:

Time

Accord with plans

Retention of proposed parking in perpetuity

Conform to submitted emergency flood plan

Construction Environment Management Plan prior to commencement

Removal of Permitted Development Rights (B8 storage and distribution)

North eastern unit for D1 homeless shelter as conforming to current land use

Informative :

Section 171 licence will be required to make kerb adjustments for new parking spaces

Protected species

Key issues for consideration:

The main issues are design and appearance, the public benefit of the homeless drop in centre, drainage, flooding, ecology and parking provision

Site Description:

The application site is situated on an existing industrial estate on the northern side of Totnes, between the A381 to the east and train station to the west. The site, which measures approximately 717.97 square metres, forms a relatively flat narrow strip of land located immediately off Burke Road. The site is bounded by to the north by the road, to the south east by a parking area and to the south west by South Devon House.

The site is currently occupied by two, single storey buildings. The building to the south of the site is a rendered blockwork, flat roof building which is currently used as an emergency drop in shelter. The planning unit subsequently carries a mixed B1 and D1 use.

The site is within flood zones 2 and 3.

The Proposal:

The application seeks full planning consent for the demolition of the existing buildings and their replacement with one larger building which would be subdivided to provide 5 B1 units.

The building would measure approx 45 metres by 7.6 metres with a height of 5 metres to the eaves rising to 6 metres to the ridge. It would be a steel frame construction, clad externally with composite panels with mezzanine floors.

The development will provide 357.2 square metres of floor space, divided into 4 units of 74.2 square metres and 1 unit of 134.6 square metres. The proposal also includes 10 off road parking spaces, to serve the units, and makes provision for bin storage.

Consultations:

- County Highways Authority -

Recommend approval subject to condition requiring Construction Management Plan

- South West Water

No objections with applicant's proposal to continue utilising existing sewer connection for foul and storm.

- Totnes Town Council

Objection - Clarification sought on future of homeless shelter.

- Environment Agency

Objection due to lack of information – Revised comments awaited

Representations:

None received

Relevant Planning History

56/1812/11/CU - READVERTISEMENT: Change of use from offices (use class B1) to charity drop-in centre (use class D1) – Conditional approval

56/0540/13/CU - Change of use from D1 (homeless drop in centre) to allow overnight and temporary emergency shelter/accommodation in addition to the existing use as a D1 (homeless drop in centre). Conditional approval. Now ceased due to condition of approval:

The use of the building for overnight and temporary emergency shelter/accommodation hereby authorised shall cease no later than 30th April 2015.

Reason: Permission is only granted having regard to the special circumstances of the case.

56/3234/14/PREMIN - Pre-application enquiry for proposed demolition of existing building and construction of commercial building sub-divided into 5 units - Officer support forthcoming

Analysis

Principle of development

The site is located within an existing industrial estate in Totnes where there is no objection in principle with further development subject to its design. Due to parking restrictions a B8 use would need further consideration and therefore Permitted Development Rights to B8 are recommended to be removed through planning condition.

Design/Landscape Considerations

The building would take the form of a utilitarian industrial building finished in composite cladding. Although it is a sizeable structure it would be situated within an existing industrial estate where the existing character is of large, utilitarian buildings.

Residential Amenity

There are no neighbouring residential buildings which would be affected by the proposed development.

Highways

Devon County Council Highways Officers have not raised any objections to the proposal. They note that the footprint of the new building is less than that of the existing buildings and although it is proposed to subdivide the building to provide multiple units, the provision of off road parking is welcomed and will have a *'significant highway parking demand benefit'* within the area. A planning condition requiring submission of a Construction Environment Management Plan, prior to the commencement of development, is recommended.

Drainage

The applicants propose to continue using the existing sewer connection for foul and storm. South West Water have not raised any objections to the proposed development.

Ecology

The submitted ecology survey confirms that the proposal will not disturb any protected species. *'None of the buildings were considered suitable for use by bats and no evidence of breeding birds past or present was identified'*.

Flooding

The application is accompanied by an 'Emergency Flood Plan'. However, the Environment Agency, at the time of writing this report, are objecting on the basis that a full Flood Risk Assessment has not been completed. The application has revised the submitted flood related documentation and the revised comments of the EA are awaited.

The applicant has undergone a sequential test of more appropriate sites within the area. This site maintains the current land uses and is within a designated Development Boundary and within a designated industrial estate.

As this is for the replacement of existing buildings, maintaining the current land uses, this is considered to be sequentially the most appropriate site for the development and the test is considered to be satisfied.

Town Council response and the D1 drop-in shelter

Officers acknowledge the content of the objection raised by Totnes Council and the importance of securing homeless facilities within the town. However, the tenancy of the existing homeless mission could be ceased at any time, regardless of the outcome of this application. Nonetheless, officers consider the homeless drop in centre to fall within the remit of policy DP9 (Local Facilities). DP9 requires alternative provision to be made for the existing facility, either off site or within the new buildings.

The applicant has confirmed that the current D1 unit will be replaced within the new submission. A condition is also imposed restricting the use of the north eastern most unit to that of a homeless drop in shelter, unless otherwise agreed through submission of a future

planning application. This conforms to the current land use and secures retention of a local facility as required within DP9.

Conclusion

For the reasons outlined above this application is considered acceptable and in accordance with the relevant development plan policies. This application is therefore recommend for approval subject to appropriate conditions.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP5 Conservation and Wildlife
DP7 Transport, Access & Parking
DP9 Local Facilities

National Planning Policy Framework

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.