

Application Number

P/2013/0745

Site Address

Former Day Nursery
Barum Close
Paignton
Devon
TQ3 2AX

Case Officer

Mrs Helen Addison

Ward

Roundham With Hyde

Description

Construction of a pair of semi detached dwellings and associated parking.

Executive Summary/Key Outcomes

The application is for demolition of a vacant children's nursery on the site and for outline consent for the construction of a pair of semi detached dwellings. Access is to be considered as part of this application but the remaining matters of appearance, landscaping, layout and scale are to be addressed at reserved matters stage.

The principle of residential use on the site would be consistent with the character of the surrounding area and would offer an opportunity to enhance the appearance of the area.

Recommendation

Subject to completion of a S106 legal agreement, outline planning permission be granted with conditions as set out at the end of the report.

Statutory Determination Period

The eight week target date for the application is 20th September. The timescale for signing the S106 agreement which in this case will be on the sale of the site (as it is in the Council's ownership) will determine when the decision is issued. It is likely this will exceed the target date.

Site Details

The application site is situated on the east side of Barum Close. On the site is a single storey building that was most recently used as a children's nursery and is currently vacant. The existing building is sited close to the road. There is a garden that is part hard surfaced at the rear of the site.

Barum Close is a cul de sac and has no footpaths. To the south and west of the site is modern residential development. To the north is the car park of the Polsham Arms pub which is a Listed Building. In the Torbay Local Plan 1995-2011 there is no specific allocation relating to the site. The boundary of the Polsham Conservation Area runs along the north and east boundaries of the site.

Detailed Proposals

The application is submitted in outline with all matters reserved apart from access for construction of a pair of semi detached dwellings with parking. A plan has been submitted that shows there would be an access from Barum Close to each dwelling. A feasibility plan has been submitted to demonstrate how two dwellings could be accommodated on the site. The feasibility plan shows the proposed dwellings set further back into the site than the existing nursery building with integral parking and a deep plan.

Summary Of Consultation Responses

Two letters of representation has been received that raise the following points:

- Roof should be tiled and not metal
- New building should be single storey or first floor should have velux roof lights
- Access to Barum Close is narrow with limited visibility, special arrangements would be necessary to deal with construction traffic.
- First floor windows to site will result in overlooking.
- Lack of privacy
- Council should adopt Barum Close
- No indication of duration of development.

Summary Of Representations

Highways-consultation response awaited

Community Safety-consultation response awaited

Relevant Planning History

1993/1036 Formation of additional classroom with toilet facilities and staff/office area approved 19.10.93

1990/0107 extension to form staff room approved 9.3.90

Key Issues/Material Considerations

The main issues are the principle of residential development in this location, highways and the impact of the proposal on the amenity of adjoining occupiers.

Principle and Planning Policy -

The existing single storey building on the site has no design merit and is not worthy of retention. Its demolition would provide an opportunity to improve the appearance of the site and the surrounding area.

The principle of constructing two dwellings on the site would be consistent with Policies H2, H9 and H10 in the Torbay Local Plan 1995-2011. The predominant existing use of Barum Close is residential and it would be appropriate for this site to be used for new dwellings as it would be less intrusive in terms of noise, disturbance and activity than a commercial use. The resulting form of development would have a narrow plot width but this would be fairly consistent with the form of development in Barum Close and would not harm the character of the area.

It is considered that constructing two dwellings on the site would make effective use of the land and this would be an appropriate size of development on the site.

As the application is in outline with appearance, layout and scale to be considered at reserved matters stage the form of development does not need to be addressed at this time. It is the principle of the development on the site that should be considered under this application.

However, it is relevant to comment on the feasibility plan and this could be included in an informative to the decision. The feasibility plan shows a modern design of dwelling with a deep plan. In order for the proposed development to relate positively to the character of the area a simpler more traditional approach to the dwellings would be appropriate. The bulk of the roof could be changed by changing the form of the roof.

Accessibility -

The application site is in a sustainable location reasonably close to the town centre and also within walking distance to Paignton Green and the seafront. The feasibility plan demonstrates that two off street car parking spaces could be provided per dwelling. It would also be necessary for secure cycle parking to be provided on site. It is noted that the traffic generation from two dwellings would be less than from the nursery.

Amenity -

A nearby resident has raised concerns about materials and inter-visibility. Materials are a matter to be considered at reserved matters stage and not at this outline stage. The relationship to properties on the opposite of Barum Close would be a front elevation to front elevation and it would be reasonable to expect windows facing each other. The distance between properties would be in excess of 18 metres. The front elevation of the building opposite the site is already visible from Barum Close for this reason the proposal would not have a detrimental effect on residential amenity if a two storey dwelling were constructed on the site.

S106/CIL -

Section 106 contributions in accordance with the SPD "Planning Contributions and Affordable Housing: Priorities and Delivery" would be required for the following;

Waste Management
Education
Lifelong Learning
Greenspace and Recreation
South Devon Link Road

There would be no requirement for a Sustainable Transport contribution as the level of trip generation for two residential properties would be less than the previous use as a day nursery.

The actual level of contributions would be dependent on the size of the dwellings.

Conclusions

In conclusion, the proposal is for outline consent for demolition of the existing single storey nursery building on the site and the construction of a pair of semi detached dwellings. The only detail to be agreed at this stage is the access to the site. All other matters are to be considered at reserved matters stage.

The existing nursery building is not worthy of retention. The proposed use for residential use would be consistent with the predominant residential character of the area and would constitute an appropriate form of development in this location, which would enhance the character of the area.

Condition(s)/Reason(s)

01. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To ensure a satisfactory form of development and in accordance with policies BES, BE1, H2 and H9 of the saved adopted Torbay Local Plan 1995-2011.

02. The development shall not be occupied until the vehicle and cycle parking areas shown on the details to be submitted and approved under Condition 1 above have been provided and made available for use. The areas shall be kept permanently available for parking purposes to serve the development.

Reason: To ensure that adequate off-street parking is provided in accordance with policy T25 of the Saved Adopted Torbay Local Plan 1995-2011

03. No development shall take place until there has been submitted to and approved in writing by

the Local Planning Authority a plan indicating the positions, design materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced or before the building occupied. Development shall be carried out in accordance with the approved treatment.

Reason: In the interests of the amenity of the area in accordance with Policy BE1 of the Torbay Local Plan 1995-2011.

04. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development. whichever is the sooner, or at such other time as agreed by the Local Planning Authority in writing, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenities of the area, and to accord with policies H10, L10, BE1 and BE3 of the Torbay Local plan (1995 - 2011).

05. No development shall take place until a schedule of the materials to be used in the construction of the external surfaces of the buildings hereby permitted has been submitted to and approved in writing by the Local Planning Authority. Samples of the materials shall be made available on site for inspection as necessary. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policy BE1 of the Torbay Local Plan 1995-2011.

06. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- i. The parking of vehicles of site operatives and visitors
 - ii. Loading and unloading of plant and materials
 - iii. Storage of plant and materials used in constructing the development
 - iv. Measures to control the emission of dust and dirt during construction
 - v. A scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: In the interests of the amenity of the area, in accordance with Policy H9 of the Torbay Local Plan 1995-2011.

07. The development hereby approved shall be constructed in accordance with detailed drawings, which shall previously have been submitted to and approved by the Local Planning Authority, showing the datum level at which it is to be constructed in relation to an agreed fixed point or O.S. datum.

Reason: To ensure a satisfactory completion of development in accordance with policies BE1 and H9 of the saved adopted Torbay Local Plan 1995-2011.

Relevant Policies