

**Application Number**

P/2011/0991

**Site Address**27 - 29 Walnut Road  
Torquay  
Devon  
TQ2 6HP**Case Officer**

Mr Alexis Moran

**Ward**

Cockington With Chelston

**Description**

Change of use to create a single unit to provide sheltered housing accommodation with warden services for vulnerable adults (Re advertisement)

**Executive Summary/Key Outcomes**

The application seeks permission to change the use of 27 & 29 Walnut Road to create a single planning unit which provides warden controlled sheltered housing for people with learning difficulties and mental health support needs. At present both units offer a similar facility but act under differing planning applications, the unity of the two, under one permission, will allow equal services to be provided and will provide the Local Planning Authority with a singular permission to monitor and control.

The proposal is considered to comply with the key requirements of policy CF15 (Accommodation for people in need of care) of the saved adopted Torbay Local Plan 1995-2011 as it is within easy walking distance of local shops, the local community and public transport. There is no over concentration of similar facilities in the immediate area and the availability of a warden ensures that there is appropriate care for the occupiers of the units.

The application is therefore deemed to be acceptable for conditional planning approval subject to the completion of a section 106 legal agreement.

**Recommendation**

Conditional Approval

**Site Details**

The site, 27 & 29 Walnut Road, Torquay, relates to a pair of semi -detached buildings at the junction of Walnut Road and Old Mill Road.

**Detailed Proposals**

The application seeks permission to change the use of numbers 27 & 29 Walnut Road to form one single unit to provide an administrative office with warden

controlled sheltered housing for people with learning difficulties and mental health support needs.

This, in essence, would result in unifying the two facilities currently in use at 27 & 29 Walnut Road which presently provide a similar facility under separate permissions.

The application would therefore also seek to vary condition 2 of a previous planning application (P/2005/1383/PA) which relates to 27 Walnut Road. This condition is as follows..,

“The occupation of the property shall be limited solely to persons referred by (Torbay Council Adult Social Services) as being a person with a learning disability in need of support in the community or a person employed as a warden/supervisor for such persons who occupy the property, unless otherwise agreed in writing with the Local Planning Authority.”

This would therefore allow both units to house referred individuals with learning difficulties and mental health support, a service which is currently provided at number 29 Walnut Road.

### **Summary Of Consultation Responses**

None.

### **Summary Of Representations**

None received at the point of writing this report.

### **Relevant Planning History**

P/2005/1383/PA Conversion of Dwelling Into 6 Self-Contained Flatlets (Sheltered Housing For Persons With Learning Difficulties) With Warden Based At No 29. Approved by committee 26.09.2005

P/2003/1115/PA Conversion of dwelling into 6 self-contained flatlets (Sheltered Housing for persons with learning difficulties) with warden based in number 29 Walnut Road. Refused 25/7/05.

P/2002/0978/PA 29 Walnut Road. 5 flatlets (sheltered housing for persons with learning difficulties and warden's accommodation). Approved 14/8/2002.

### **Key Issues/Material Considerations**

The key planning issues this application is required to comply with relate to policy CF15 (Accommodation for people in need of care) of the saved adopted Torbay Local Plan 1995-2011.

Policy CF 15 requires an application to meet certain criteria, the most relevant of which are listed below:

- premises are well related to the local residential community, accessible to public transport and within walking distance of local shops and other everyday facilities
- there is adequate amenity space within schemes, having due regard to the character of the surrounding area, together with appropriate landscaping to ensure attractive surroundings for residents;
- there is appropriate provision for service vehicles and car parking in accordance with Local Authority standards;
- the development or change of use would not lead to an over-concentration of uses within the area and would not be to the detriment of the character or amenities of the neighbourhood;
- appropriate accommodation is provided for staff whether on site or with direct communication with residents, to ensure that there is proper care for occupants.

The application site is within easy walking distance of local shops, the local community and public transport. There is no over concentration of similar facilities in the immediate area and the availability of a warden ensures that there is appropriate care for the occupiers of the units. The proposal is therefore considered to comply with this policy.

The amalgamation of the two units to one will provide a more controlled planning unit and one which provides equal facilities for people of similar needs, at present this is not the case.

The removal of the condition would allow number 27 to facilitate similar submissions as currently available to the adjoining property number 29. This would allow the property to be used more efficiently and allow SILS to provide an improved service.

The Organisation that owns the properties has installed a CCTV system in both number 27 and 29 to enable a warden to monitor the comings and goings in both parts of the building. It is however considered that a condition to maintain the CCTV and to ensure that it covers both properties should be added to approval.

The Supporting People team consider SILS to be a well managed provider and there have been few issues in the area since the service began.

At present a section 106 legal agreement is in place to ensure that:

- A person employed as a warden/supervisor for the facility shall be on duty at 27 & 29 Wall Nut Road at all times
- The occupancy of 29 Walnut Road shall be limited to persons referred by Torbay Adult Services as someone with a learning difficulty in need of support in the community or a person employed as a warden/supervisor for such occupants of the property
- The applicant shall not sell, lease or otherwise dispose of either 27 or 29 Walnut Road separately from the other and shall maintain ownership and management of the two properties as one facility at all times.

As part of the application a revised/new section 106 legal agreement will be required to ensure that:

- A person employed as a warden/supervisor for the facility shall be accessible to 27 & 29 Wall Nut Road at all times
- The occupancy of 29 Walnut Road shall be limited to persons referred by Torbay Adult Services as someone with a learning difficulty and/or mental health support needs
- The applicant shall not sell, lease or otherwise dispose of either 27 or 29 Walnut Road separately from the other and shall maintain ownership and management of the two properties as one facility at all times.

This will unify the properties and the permission to allow equality in terms of the service provided and in terms of the occupants which can be referred in both.

### **Principle and Planning Policy -**

CF15 Accommodation for people in need of care  
CF2 Crime Prevention

### **Closing the gap -**

The proposed development provides a much needed facility for the community, improving social mobility, reducing dependency and working towards reducing anti-social behaviour.

### **Conclusions**

The proposed change of use application is considered to be appropriate for conditional planning approval, having regard to all national and local planning policies and all other relevant material considerations and subject to the provision of a section 106 legal agreement.

### **Condition(s)/Reason(s)**

01. A CCTV system that monitors activities in public areas both inside and immediately outside both numbers 27 and 29 Walnut Road shall be installed (including facilities for recording) and permanently maintained at the property.

Reason: to ensure security for residents with special needs and prevent behaviour which may have a disruptive effect on the surrounding area in accordance with Policy CF2 of the Torbay Local Plan 1995-2011

### **Informative(s)**

01. Town and Country Planning (General Development Procedure) (Amendment) Order 2003.

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority, is not in conflict with the following policies:

CF15 Accommodation for people in need of care  
CF2 Crime Prevention

### **Relevant Policies**

CF2 Crime prevention  
CF15 Accommodation for people in need of care