

Application Number

P/2012/1264

Site Address

Land Rear Of Edinburgh Villas
Off McKay Avenue And Newton Road
Torquay
Devon

Case Officer

Mrs Ruth Robinson

Ward

Tormohun

Description

Development of site comprising 25 Retirement Living Apartments and 50 Assisted Living Extra Care Apartments with associated parking, landscaping and servicing and communal and care facilities.

Executive Summary/Key Outcomes

There is a long history to the development of this site which forms part of the former South Devon College. The site was originally included in the Master Plan for Torre Marine as the site is now known.

Permission was granted originally for 61 sheltered flats with 1500 m2 of office accommodation in a building that extended up to 7 stories. As the permission for the wider site has been implemented, this could be built out at any time.

Planning permission was granted in 2010 for deletion of the office accommodation and use of the whole building for 'higher dependency' extra care accommodation.

A start on site was made but mothballed due to the state of the housing market.

This application seeks to vary the tenure of the units and deliver 50 extra care and 25 sheltered units. The main issues are the level of car parking and the adequacy of the S106 'Loss of employment floorspace' contribution negotiated in relation to the 2010 application which saw the office floorspace deleted.

There are minor changes to the design to accommodate the split between extra care and sheltered accommodation but essentially the building is of the same size and appearance as the previous approvals on the site.

Recommendation

Conditional Approval: Subject to the conclusion of an amended S106 agreement at the applicants expense by the 24th February 2013 to secure the heads of

terms highlighted below and conditions as detailed at the end of this report. In the event that the s106 is not completed by 24th February 2013, the application be refused for reason of a lack of s106 agreement.

Site Details

This vacant site originally formed part of the old South Devon College before it was redeveloped for housing purposes. It is located to the north-west of Edinburgh Villas with the Foyer Project to the east, Kwik Fit to the south-west and the completed streets of Torre Marine to the north. These comprise 2 storey terraces on Mckay Avenue with taller bookend buildings which terminate the junction with Richardson Walk.

This site was included in the Master Plan for Torre Marine and was to provide 61 category II Sheltered units in a building that extended up to seven stories with office floorspace on the ground floor and in a discrete block to the north and included 42 car parking spaces.

The site is at a key location in terms of views and routes through the wider development site and key areas of public realm abut its boundaries.

McCarthy and Stone purchased the site soon after development was commenced on the wider site and have made 2 starts on site which have both been mothballed due to the state of the housing market.

As the permission for the wider development has been implemented, the permission to construct the 61 sheltered units and office floorspace remains live in perpetuity and can be built out at any time.

Detailed Proposals

This is a detailed application for the construction of 50 extra care apartments [30 x 1 bed and 20 x 2 bed] and 25 sheltered apartments [19 x 1 bed and 6 x 2 bed] with communal facilities, 32 car parking spaces and space for 19 mobility scooters. The building scales up from 4 to a maximum of 7 stories in height. It is largely rendered, with balconies, a brick plinth and curved metal roofs.

Summary Of Consultation Responses

Highways: Have no objections to the scheme.

Summary Of Representations

No representations at the time of writing; any received will be reported in late representations or verbally at the meeting.

Relevant Planning History

P/2005/0138: Redevelopment of South Devon College to provide 258 residential units, 61 Sheltered units and 1500 m2 office floorspace. Approved: 30.09.05

P/2007/0968: Amendments to the approved scheme comprising changes to

balconies, fenestration and roof detail. Approved: 9.08.07
P/2010/1389: Construction of 75 extra care units with 32 car parking spaces:
Approved.

Key Issues/Material Considerations

There are 2 key issues: The level of car parking and the adequacy of the S106 contribution in relation to the 'loss of employment floorspace'

Car Parking

In relation to car parking, this has long been a contentious issue in the area. A reduction in car parking levels from 42 to 32 spaces was agreed in relation to the 2010 scheme. Whilst this was due largely to the deletion of the office floorspace from the scheme, it was also thought to be acceptable as the accommodation was all 'high dependency' thus having a reduced need for on-site car parking.

The change now proposed involves a third of the units being sheltered rather than extra care and so potentially accommodating more 'mobile' residents. For this reason, the applicants were asked to commission an assessment of the car parking to be provided. This looked at the management of spaces, average age of residents, car ownership rates and the trip rates generated on similar schemes. It concludes that this level of car parking is appropriate given the location of the site and nature of occupation. Furthermore, Highways raise no objections to the proposal.

S106 Loss of Employment Floorspace Contribution

The scheme for 61 flats can be built out with no further contributions. In relation to the 2010 scheme, contributions were sought on the uplift only; this delivered SPD Community Infrastructure Contributions, 30% affordable housing contributions and a 'loss of employment floorspace' contribution to compensate for the loss of office space. This was mitigated to a degree by the fact that the scheme was high dependency and would have by its nature delivered more jobs than a standard sheltered scheme. Now that a third of the units have reverted to sheltered accommodation and the employment generation opportunities reduced it is appropriate to revisit the figure agreed and consider whether it is still appropriate. The matter is being discussed with the applicant and the response will be reported verbally.

In addition, given that the Council has adopted (on 6th December 2012) a new policy in relation to s106 contributions, it will be necessary to include a contribution for each of the 13 additional dwellings in relation to the South Devon Link Road.

Conclusions

The changes proposed to the nature of the occupation of the site are considered acceptable in principle and on parking grounds. In terms of the impact on employment opportunities, providing an enhanced figure to compensate for the

reduced employment capacity of the site can be agreed this is also considered to be acceptable.

Recommendation:

Conditional Approval; subject to the conclusion of a S106 Agreement at the applicants expense by the 24th February to secure the contributions as agreed in relation to P/2010/1389 and an enhanced loss of employment floorspace contribution and subject to the conditions detailed below. In the event that the s106 is not completed by 24th February 2013, the application be refused for reason of a lack of s106 agreement.

01. Prior to the commencement of development on site, details at a scale of 1:20 of key features of the building shall be submitted to and approved in writing by the LPA. These details shall show:

- a) Windows and doors showing materials, means of opening, position within the reveal glazing bars and profiles.
- b) Balconies.
- c) Eaves detail.

Reason: To ensure that the detailed appearance of the building is acceptable and to accord with policies BES, BE1 BE5 of the Saved Torbay Local Plan 1995-2011

02. Samples of all materials to be used in the construction of the building and on all external surfaces shall be submitted to and agreed in writing by the LPA. Thereafter, the materials, as agreed shall be used in the construction of the building.

Reason: To ensure that the detailed appearance of the building is acceptable and to accord with policies BES, BE1 BE5 of the Saved Torbay Local Plan 1995-2011.

03. Full details of the landscape scheme, including species, sizes and densities of all the trees, shrubs and plants comprised within the conceptual scheme included in the approved plans, shall be submitted to and approved in writing prior to the commencement of development on site. Thereafter, the approved scheme shall be implemented on site in the first available planting season following completion of development or occupation of the scheme whichever is the sooner. Any trees, plants or shrubs that become diseased, die are damaged or removed within a 5 year period shall be replaced with others of a similar size and species in the first available planting season unless otherwise agreed in writing with the LPA.

Reason: To ensure that the site is properly landscaped and the building provided

with an appropriate setting in line with policy BE2 of the Saved Torbay Local Plan 1995-2011.

04. The assisted living extra care accommodation hereby approved shall only be occupied by residents of who at least one is a 'qualified person' at the date of his or her first occupation of the unit in question. A qualified person means a person who is or has attained an age of 70 years and is in need of care by reason of old age or disablement An occupier of one of the individual units who is not a qualified person must share, or have shared with a 'qualified person' and must have attained the age of at least 60 years. The sheltered accommodation hereby approved shall be occupied similarly by persons who have attained 60 years of age.

Reason: The application is for accommodation for frail elderly, the decision has been made on this basis and as a consequence, reduced parking levels and amenity space are considered acceptable. Occupation by residents who were not in need of care would require higher provision of such facilities in accordance with policy T25 of the Saved Torbay Local Plan 1995-2011.

05. There shall be no reduction in the level of communal provision throughout the building from that shown in the approved plans unless agreed in writing with the LPA.

Reason: To ensure that an adequate level of communal provision is retained on site in the interests of meeting the needs of future occupiers of the site and to accord with the particulars of the application and with policy CF15 of the Saved Torbay Local Plan 1995-2011.

06. Prior to the occupation of the accommodation hereby approved, a staff and resident Travel Plan along with a detailed programme for implementation, shall be submitted to and approved in writing by the LPA. This shall look at ways of promoting more sustainable means of movement for both staff and residents and shall be tied to biennial reviews.

Reason: To promote more sustainable means of movement and to accord with policies TS and T2 of the saved Torbay Local Plan 1995-2011.

07. Full details of the provision of covered and lit cycle storage shall be submitted to and approved in writing by the LPA prior to the commencement of development on site. Thereafter, the agreed cycle storage shall be put in place prior to occupation of the building and permanently retained on site.

Reason: To ensure that facilities for cycling are available to meet the needs of staff and more active residents in accordance with policies TS and T2 of the Saved Torbay Local Plan 1995-2011.

08. Prior to its installation, full details of the public art feature to be located along the ground floor of the North Elevation and as shown on Plan No.PA-1541-104 rev E shall be submitted to and agreed in writing by the LPA. Thereafter, the public art feature shall be constructed in accordance with these details, prior to occupation of any of the approved flats, unless otherwise agreed in writing with the LPA.

Reason: To ensure that this is delivered and to an acceptable standard in accordance with policies BES and BE1 of the Saved Torbay Local Plan

Relevant Policies

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