

P/2011/0351/MR3

Tormohun Ward

Town Hall Car Park, Lymington Road, Torquay

Demolition of one-storey building in the south-east corner of the site and formation of a 3-4 storey office building to provide a mix of A2 (financial and professional services) and B1 use (business) with vehicular and pedestrian access

Site Details

The site is the council-owned Town Hall Car Park, which sits adjacent to the grouping of municipal buildings that include the Town Hall and Library. The site is framed by the adjacent public highways of Lymington Road and Trematon Avenue, along with the Court House and the Grade Two Listed St Mary Magdalene's Church to the southwest. Although the site is dominated by the expanse of open car parking it also contains a small single-storey building in the southeastern corner, which currently accommodates a shopmobility operation.

Contextually in addition to it being a town centre site the land sits within the Upton Conservation Area and has been long identified as a site for employment use within the Local Plan. It is also pertinent to note that there are prohibitive services infrastructure and a substantial culverted watercourse which cut across the site, the later of which results in the land also sitting under flood risk zoning.

Relevant Planning History

No relevant planning history, however the proposal has been subject to extensive pre-application discussion that has included English Heritage and the Torbay Design Review Panel.

Relevant Policies

Saved Torbay Local Plan 1995-2011:

- BES Built Environment Strategy
(Proposals should conserve or enhance the built environment)
- BE1 Design of new development
(Design should take into account the wider context in terms of scale, massing, detail etc, and positive enhancement sought in Conservation Areas)
- BE5 Policy in Conservation Areas
(Proposals should conserve or enhance the built environment)
- BE6 Development affecting Listed Buildings (Development proposals should have regard to preserving any listed building or its setting)
- ES Employment and local economy strategy
(Development of a sustainable and competitive business sector providing economic regeneration and new jobs, and protecting environmental quality)
- E1.7 New employment on identified sites (Lymington Road Car Park)
(The development of land for employment purposes, noting that the Lymington Road site would be suitable for mixed use and offices, and due to high profile there should be a requirement for high quality, well-landscaped development)
- E2 Town centre office sites
(New office development will be permitted, provided it does not conflict with other local plan policies)
- E9 Layout, design and sustainability
(Development should feature suitable traffic and environmental implications and provide suitable layouts and servicing)
- TS Land use transportation strategy
(Promotion of a sustainable transport model that reduces the need for car travel and encourages alternatives)
- T1 Development accessibility
(Development should have the potential to be accessed via a variety of travel modes that should, in the main, allow access via foot, cycle, or public transport)

- T3 Cycling
(The needs of cyclists should be taken in to account)
- T19 District Distributor Road Network
(Road safety should not be reduced through development)
- T25 Car parking in new development
(Maximum parking provision standards should be adhered to)
- T26 Access from development on to the highway
(Safe access that does not conflict with the function of the route and provides acceptable parameters in regards to highway safety implications)
- T27 Servicing
(New development should account for appropriate access for service vehicles, loading/unloading etc)

National Guidance

- PPS1 Delivering Sustainable Development
- PPS4 Planning for Sustainable Economic Growth
- PPS5 Planning for the Historic Environment
- PPS25 Development and Flood Risk

Proposals

Proposal from the Torbay Development Agency for the demolition of the existing single-storey building in the Southeastern corner of the site in order to redevelop the site to provide a 3-4 storey office building fronting Lymington Road, which will provide a mix of A2 (Financial & Professional Services) and B1 (Business) uses, along with a reconfigured car parking area to the rear of the site and a revised vehicular access adjacent to the bordering library.

As a guide to scale the proposal will provide approximately 2500m² of B1 office space and 900m² of A2 professional services space within a flexible internal footprint. The building is clearly modern in design and is to be externally finished in a mix of reconstituted stone, glass and colour-coated metal panels. The car parking available will drop as a result of the development from 199 spaces to 87 spaces, however the scheme also provides for 45 cycle parking spaces where none currently exist.

There is separate conservation area consent for the demolition of the single-storey building on the site that has been held in abeyance until this planning application for the redevelopment is determined.

Consultations

Conservation Officer: Pending comments.

English Heritage:

Advice confirms that English Heritage has been involved in extensive pre-application negotiations and reasserts that the contextual analysis supports a distinctly contemporary design approach to the development. The concept that has evolved is, in its design, scale and form, a good response to the varying heritage considerations and represents a valuable opportunity to boost the viability of the commercial sector and enhance conservation at the same time.

The advice concludes that the proposal should be assessed at a local authority level against the statutory requirements of PPS5 and the determination of whether further finessing and amendments are required.

Highways Officer:

The Highways group raise no objections in principle, however, the location of the new access to the car park will be very close to the informal crossing point on Lymington Road, which may compromise safety. Therefore consideration should be given to relocation or re-engineering the crossing point.

Strategic Transport Officer:

The creation of business jobs negates the need for any sustainable transport contributions, inline with the SPD guidance. However green travel commitments should be managed via S106 or planning conditions.

South West Water:

No objections, however it is advised that a major public sewer, as acknowledged in the flood risk assessment, lies within the site and no building will be permitted within five metres of it.

Arboricultural Officer: Pending comments.

Environment Agency Pending comments.

Drainage Department Pending comments.

Representations

One letter of representation has been received that states broad support for development in this area but cites concern that the scheme appears to make use of land leased by St Mary Magdalene Church to SWEB. The letter goes on to state that a reduction in parking spaces and an increase in workers in the area will have implications upon parking and that consideration should be given to the environmental effect on the area (light, trees, night-time danger and historic buildings) and how the buildings connect and work as a community space. This representation is re-produced at Page T.201.

Key Issues/Material Considerations

The site has long been an identified site allocated for employment purposes within the Local Plan through Policy E1(7) *New employment on identified sites*. It is therefore considered that the principle of redevelopment for employment is clearly inline with general land use policy. It is noted that the land use allocation also highlights the following for the site;

- High profile location where high quality, well-landscaped development will be required. Class B1 (Business) uses (in particular offices and high tech) are appropriate.
- Office site.
- Subject to the review of parking requirements in the context of Torquay Central Area Transportation Strategy.
- Town centre site suitable for mixed use development, inline with Policy S2 *Town centre mixed use developments*.
- Site requiring strategic landscaping inline with Policy L10 *Major development and landscaping*.

In view of the above and other matters pertinent to this specific scheme, the key issues in this case are considered to be the following;

Principle of proposed uses

As outlined above, the site has long been an identified site allocated for employment purposes within the Local Plan (Policy E1(7)). It is therefore clear that the principle of redevelopment for employment is inline with established planning policy.

The proposed use, as a mix of B1 (Business) and A2 (Financial & Professional Services), accords with the policy objectives of securing an office or high tech use for the site. Although the two classes of use proposed are considered acceptable in policy terms, in order to secure the intended uses it will be necessary to restrict usual permitted changes of use in the following ways:

1. The permitted change from A2 to A1 (retail) be removed.
2. The permitted change from B1 to B8 (Storage & Distribution) be removed.
3. That B1 Use be restricted to exclude part (c) light industry.
4. That A2 Use be restricted to exclude Betting Shops.

Scale, Design & Layout

In respect to scale, the proposal is for a three/four storey building that sits comfortably within the local context. The plot can support this scale as the predominant building height locally is three storeys, and there is potential to step up on key parts of the building to accentuate corners, create a sense of enclosure and articulation. Considering the largely municipal context the general bulk of the building is befitting of the surroundings.

The layout, which principally provides for frontage development with car parking to the rear of the plot, provides a positive resolution to the constraints of the site whilst being sensitive to the parameters of some key principles of urban design. Not only does the position of the building frame the street and provide a natural extension to the building line, it also provides a substantial building away from the constrained areas of the site, notably the central area of the site, where the culvert runs through and the northern and eastern boundaries, where development is somewhat prohibited due to substantial underground utility cabling. Considering the opportunities that the site presents the position of the building fronting Lymington Road is considered to provide the best practicable option in both design terms and development feasibility.

In regard to design, the scheme has undergone an evolutionary path to respond to comments that have been passed from officers, English Heritage and the Torbay Design Review Panel over a protracted period of time. A modernist approach is considered to be the most suitable design solution within this key, high-profile, corner plot and the principle shown is therefore supported. It is also noted that the detail design, which for example includes the use of reconstituted stone and a strong fenestration pattern, suitably reflects the civic feel of the area and visually grounds the building within its context.

All matters considered the proposal provides a strong building, which is appropriately formed and detailed, which will sit comfortably beside the existing public buildings.

Trees & Landscape

The scheme details the removal of tree specimens that sit on highway land adjacent to the site on Lymington Road, although these are proposed to be replaced by Pin Oak specimens within the supporting landscape strategy. The proposals also detail landscaping within the site, where currently none exists, through the inclusion of a 'pocket park' set centrally within the revised parking area. There is broad agreement that the proposals provide a suitable landscape strategy that provides an acceptable setting for the building, the plot and the wider area. Final comment on the scheme is however still pending and will be reported at the committee meeting.

Highways & Parking

The proposal details two key issues, the revision of the site entrance and the reduction in car parking.

The revised entrance, which remains on Lymington Avenue but is set closer to the library, affords the most efficient use of the developable space along the frontage. The Authority's highways team support the revisions, however they do highlight that the new entrance will be closer to an unofficial crossing point near a neighbouring retail outlet, opposite the site. It is their advice that this off site arrangement may wish to be addressed should the scheme come to fruition.

The reduced level of public car parking that will result from the development of the site sits comfortably within the Council's assessment of parking needs. There are a number of under-used multi-storey car parks within a sustainable walking distance of the site and the proposal also sits within a sustainable central town centre location that is well-served by public transport. It is also noted that the scheme will provide covered cycle parking, which will improve the local facilities supplied for cyclists.

Impact on the amenity of neighbouring occupiers

The building is not considered to overtly affect the occupiers of any businesses or residences in the vicinity, due to the level of physical detachment.

Flood risk issues

The proposal has come forward in conjunction with ongoing discussions with the Environment Agency. Formal comment on the final scheme is still pending at this point in time. It is expected that it will be possible to outline the views of the Environment Agency at the committee.

Sustainability - The scheme will provide for the redevelopment of a sizeable, but somewhat under-utilised, town centre site that would provide the potential for many new jobs to be created and would support the wider vitality and viability of the area.

Crime and Disorder - No issues.

Disability Issues - Level access and the provision for movement within the building have been provided.

Conclusions

The scheme provides modern office/business premises on a designated employment site set within a sustainable town centre location. The development will create the opportunity for businesses wishing to relocate or expand and it therefore has the potential to enhance and strengthen Torquay Town Centre and the general wider economy of the area.

The proposal is considered to be a suitable solution when considering the constraints of the site and also provides a building of a suitable scale and detailed design within this prominent location.

Recommendation

Committee Site Visit; Approval, subject to conditions covering the issues listed below and additional conditions as deemed necessary by the Executive Head of Spatial Planning

- Provision and retention of car and cycle parking facilities
- Landscaping provision and management
- Contaminated land assessment
- Sustainable travel commitments
- Flooding risk issues and management
- Restriction of Use Classes