

Application Number

P/2014/0030

Site Address

The Pines
78 St Marychurch Road
Torquay
Devon
TQ1 3HG

Case Officer

Mrs Ruth Robinson

Ward

St Marychurch

Executive Summary/Key Outcomes

This application for the construction of 14 flats on The Pines, St Marychurch Road was considered by DMC at its meeting of the 10th February. The officer report is attached as appendix 1. The application was deferred for further consideration of the following matters:

Parking

Boundary treatment

Design and Impact on properties to the rear

Trees/ landscaping

Access

Level of community infrastructure contributions/s106

Parking

The scheme is for 14 flats and contained parking for 14 vehicles which is the same ratio as the outline approval, P/2011/0552). However, the lack of visitor spaces was raised as a particular matter of concern in consultation and the committee requested further investigation of this matter.

The applicants have been asked to investigate whether more visitor spaces could be identified. Moving the building closer to the TPO trees would have allowed the inclusion of 2 additional spaces but the proximity of the building to protected trees would have led to pressure to fell.

Retention of the building in its existing position, and relocation of the bin store does allow the creation of one additional space. It is not possible to identify any further spaces mainly due to the levels across the site and the need to safeguard trees.

It is considered that the increase in one space is beneficial and in view of the extant permission which only has a 1:1 ratio of car parking a refusal of permission on the grounds of inadequate parking levels would be difficult to defend.

The site is on a route well served by buses and is within easy walking distance of local shops and services and so is not contrary to local plan car parking standards.

Boundary Treatment

The site is bounded by stone walls in poor repair and Members were anxious to ensure that these were repaired. The applicants have confirmed that the walls have been surveyed and they are to be repaired and reinstated. This can be secured by condition. Advance boundary planting is recommended to ensure that screening is quickly established to help secure privacy between this and adjoining sites. The applicants are agreeable to advance planting.

Design and Impact on Properties to Rear

Members were concerned that the design was bland and that the impact on the properties to the rear should be mitigated. In response, the applicants have agreed to introduce full width balconies to the front elevation which adds significant visual interest and breaks up the façade. It also improves the overall amenity of the flats. Access to the gardens from the flats has also been improved as a result of changes to the layout.

In terms of the impact on the properties to the rear, the fenestration has been modified by replacing the full height windows with Juliette balconies with smaller windows on the central part of the rear elevation.

This does improve the relationship particularly when coupled with the repairs to the boundary walls and the advance boundary planting which will in time secure improved privacy for the residents of Studely Road. Again, this relationship is similar to that which would have resulted from pursuance of the extant outline permission. This makes a refusal of permission difficult to defend.

Trees/Landscaping

Members were concerned that some trees appeared to be damaged and required some confirmation regarding advance planting. The tree in question was felled during demolition, was not protected and was too close to the building to have survived demolition or redevelopment. In terms of advance planting, the applicants are agreeable to this and this can be secured by condition.

Access

The existing access is to be widened as requested by Highways officers and this will not unduly impact on protected trees. Appropriate detailing of the revised access can be secured by condition.

Level of community infrastructure contributions/s106

To accord with the SPD 'Planning Contributions and Affordable Housing' the developer contribution should amount to £58,000 rather than the £20,000 currently offered.

An IVO has been submitted which has been checked by TDA Officers. This concluded that a greater interrogation of the purchase price and build costs should be undertaken to establish whether the applicants concerns about viability were justified.

The applicants have reconfirmed that, in their opinion, the scheme does not generate any surplus profit that would allow any additional money to be paid. They are reluctant to consider deferred payments but this would seem a sensible way forward.

The applicants contend that the improvements to the appearance and form of the building, particularly the change from a traditional roof form to a more contemporary one have led to unforeseen construction costs. The introduction of balconies to the front elevation in response to Members concerns about its bland appearance are a further cost which they say will erode the already marginal viability. They have agreed to this change but look for some recognition of this in agreement to a relaxation of the level of developer contribution.

The progress on the additional interrogation of purchase price and construction costs will be reported verbally.

Officers remain of the opinion that the scheme is acceptable, but welcome the changes achieved as a result of the committee's concerns. These are the additional parking space, the improvements to the appearance of the front elevation and the reduction in the scale of fenestration to the rear elevation.

Recommendation

Conditional Approval; Subject to the conclusion of a S106 legal agreement to secure an agreed level of sustainable development contributions.

Conditions

Large scale architectural details

Samples of materials

Tree protection during construction

Reinstatement of stone boundary walls

Advance boundary planting/ landscaping

Implementation of bins and bike storage

Details of widening of vehicular access (subject to tree investigation)