

**Application Number**

P/2015/0132

**Site Address**Eclipse Lodge  
Rawlyn Road  
Torquay  
Devon  
TQ2 6PQ**Case Officer**

Mrs Ruth Robinson

**Ward**

Cockington With Chelston

**Description**

Change of use from care home to 10 residential units including demolition of existing flat roofed first floor side extension and conservatory to rear elevation. Erection of pitched roof first floor side extension, replacement windows and minor alterations.

**Executive Summary/Key Outcomes**

Eclipse Lodge is a former Victorian Villa which has been much extended through its use as a Care Home. It is very prominent within the Chelston Conservation Area and is currently in a dilapidated condition. It is identified in the Chelston Conservation Area Appraisal as a key building, its stone boundaries as 'prominent' and its TPO protected boundary woodland planting as a key landscape feature.

The change of use of this former Care Home to provide new dwellings is acceptable from a policy perspective as it provides demonstrably well designed homes that meet with standards regarding layout, aspect, dwelling size and availability of amenity space in the Adopted and Emerging Local Plan.

It also, importantly, complies with Policy DE3 in that poor quality extensions and unsympathetic alterations are satisfactorily mitigated subject to agreement from the applicant in relation to additional landscaping, boundary treatment and replacement windows in the NW extension.

Concerns from local residents relate to the numbers of units being provided on site, the lack of parking, the quality of the work to the building and possible impact on trees.

There are no indicators of overdevelopment. The scheme complies broadly with policies in the emerging Local Plan regarding dwelling size and amenity space.

The parking ratio is 1:1 and whilst there is no onsite visitor parking provided, given the lawful use of the building and the relatively low levels of on street parking it is not considered that this could be sustained as a reason for refusal.

Improvements are secured to the building, the most damaging aspects of existing

extensions are removed and restoration works secured. However, in order to ensure that the quality of detail and scale of these works is sufficient to properly mitigate long years of neglect a schedule of works is required.

In terms of concerns regarding trees, protection measures are requested by condition and given the importance of the TPO woodland which borders the site, if it is under the control of the applicant, a Woodland Management Plan should be secured by condition to ensure that this strategically important landscape feature is maintained in perpetuity.

### **Recommendation**

Approve: subject to the conclusion of a S106 Agreement or Unilateral Agreement to secure the identified community infrastructure contributions, agreement in relation to the additional improvements to the property comprising (possible) new windows to the NW elevation, additional landscaping along Coach House Lane and improvements to the boundary treatments and the conditions identified below.

1. Large scale details of key features.
2. Materials.
3. Submission of Schedule of works/Phasing agreement for implementation of works.
4. Submission of Woodland Management Plan.
5. Details of Boundary Treatments.
6. Landscaping.
7. Tree Protection Measures.
8. Provision of Bins and Bike storage.

### **Statutory Determination Period**

As a major application the application has a 13 week determination period expiring on the 4<sup>th</sup> June.

### **Site Details**

Eclipse Lodge is a much extended, dilapidated former Care Home, located close to the junction of Rawlyn Road and Old Mill Road and is prominent within the Chelston Conservation Area. The side elevation of the property is very prominent in views from Old Mill Road/Walnut Road due to its elevated position. The rear of the property fronts Coach House Lane and is more screened from wider views.

The eastern boundary of the site is TPO woodland which offers some screening in the streetscape and provides a key landscape feature particularly in views along Old Mill Road. It is unclear exactly how much of this is under the control of the applicant. This should be resolved by the time of the meeting and a verbal update will be provided.

It is identified as a key building in the Chelston Conservation Area Appraisal and as part of an important group of similar buildings which make a positive contribution to the townscape.

The front and rear stone boundary walls are described as 'prominent' meaning that they make a positive contribution to the character of the conservation area. This study also identifies the wooded boundary as a key feature of the Conservation Area.

The building has been much extended through its life as a Care Home and its boundaries altered. To the original villa has been added a 2 storey flat roofed side extension occupying the garden area to the east of the villa, a 1-2 storey pitched roof side/rear extension and a UPVC Conservatory on the flat roof of the single storey rear extension. The original windows have been largely replaced or are in very poor repair and much of the period detail has been removed or remodelled.

There are 2 vehicular accesses to the site, one from Rawlyn Road to the front of the property and one from Coach House Lane. Each provides access to existing car parking which largely comprises tarmac. To the side and rear of the property are garden areas which are now neglected and overgrown.

### **Detailed Proposals**

The application involves conversion of the building to provide 10 residential flats (comprising 5x1 bed, 5x 2 bed and 1 x3 bed). This results in the provision of 11 units in total as there is an existing 1 bed owners flat included within the scheme.

It involves the removal of the top storey of the eastern bedroom wing along with replacement of the picture windows with UPVC sliding sash and the introduction of a low parapet wall to define the terrace area created by removal of this level of accommodation.

New sliding sash windows are introduced to the lower ground floor of the southern garden elevation, the elevated UPVC conservatory to the rear elevation is removed and a new single storey pitched roof extension is proposed to the eastern elevation to tie in alterations to the eastern elevation.

11 car parking spaces are proposed, comprising 7 to the front of the property and 4 to the rear.

### **Summary Of Consultation Responses**

Conservation Officer: Considers the scheme acceptable as the most damaging additions and alterations to the building are mitigated.

Highways: Raise no objections to the scheme.

### **Summary Of Representations**

3 letters of objection have been received which raise the following matters:

1. Excessive number of units in relation to car parking levels with consequent impact on Rawlyn Road which is already heavily parked.
2. Work already carried out to a poor standard not fitting to its position in a Conservation Area.
3. Possible loss of trees.
4. Concern about siting of waste bins.

### **Relevant Planning History**

P/1988/1986: 2 storey rear bedroom extension: Approved 9.01.89.

P/2007/2066: Alterations at Lower ground, ground and first floor extension: Refused 13.12.07.

P/2009/0028: Lower ground floor extension: Approved 3.03.09.

Pre App advice concluded that the scheme was acceptable providing that there was sufficient mitigation in terms of improvements to the appearance of the building and its setting.

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

The key issues are the adequacy of the proposed improvements to the building and its setting, the scale of the development on site and its compliance with emerging policies in relation the size of the units and the levels of amenity space, the adequacy of car parking levels, the impact on trees and bin storage. Each will be addressed in turn.

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

The relevant policies are H4, H9 and H10 in the Adopted Local Plan in terms of the principle of the use and its scale and impact on the neighbourhood. Policies BES, BE1 and BE5 are relevant in terms of the quality of design and its impact on the character of the area.

In the emerging Local Plan, and particularly relevant to this application is policy DE3 which specifies a minimum standard in terms of dwelling sizes and amenity space and also makes more explicit the requirement for aesthetic improvements to the conversion of previously overextended properties.

### **Adequacy of Proposed Improvements to the Building and its Setting**

The building has, over the years of use as a Care Home, been subject to a number of unsympathetic alterations to its form, its period detailing and its setting. These arose from increasingly prescriptive regulations regarding room sizes and facilities. The uplift in value arising from the change of use provides the one and only opportunity to redress the negative aspects of this buildings appearance. Failure to achieve proper mitigation now will result in this building of merit remaining in a degraded state in perpetuity with consequent effects on the

quality of the Conservation Area.

The original Villa has had 2 substantial extensions added to its core; these are a 2 storey flat roofed side bedroom wing which extends across the eastern garden and a 2 storey pitched roof extension to the North West.

The former is the most damaging to the character of the Villa. It is, in terms of form and location, wholly unsympathetic and the detail, including picture windows and a fire escape is out of character with the main villa.

The applicants have agreed to remove the top floor of this structure in its entirety which allows a better appreciation of the original villa and will also improve the building in longer distance views across the valley. All inappropriate windows in what remains of this extension are to be replaced with UPVC sliding sash along with those in the lower ground floor of the southern garden facing elevation.

The flat roof of this remodelled extension is to form a terrace for the adjacent flat and be defined by a low parapet wall. Fire escapes are to be removed and the use of render bands introduced to restore a better sense of proportion. A small single storey extension in the position of a former original conservatory is to be reintroduced to the eastern elevation. This will help tie in the changes to the eastern elevation.

The latter of the 2 substantial extensions forms a single storey wing extending from the western side of the Villa which, due to the change in levels across the site becomes 2 storeys to the rear. It is reasonably well screened in terms of public views through facing onto a rear lane.

It is described in the applicants Heritage Significance Statement as 'to some degree detrimental to the understanding of the Villa and its setting' but in mitigation, it is pointed out that the detailing is 'reasonably sympathetic'.

Whilst this is true in terms of form and roofscape, the fenestration is poor comprising UPVC top hung casements and the setting could be improved. The applicant has been asked to consider replacing the windows and to consider introducing landscaping to soften the relationship along Coach House Lane. The cost of these additional works was originally thought to be unviable.

Other improvements involve the removal of a large elevated UPVC conservatory which is prominent in views of the rear of the property and to replace the current railings to the terrace with a frameless safety glass.

In terms of period detailing, an ornate ironwork veranda to the front elevation appears to have been removed and there is a lack of clarity about the future of some key windows. A schedule of works is required to ensure that the building is sympathetically restored and period detailing either restored or reinstated.

The prominent stone boundary walls highlighted in the CAA require some improvement and would benefit from a reduction in the size of the openings/and/or reintroduction of piers.

Depending on agreement with the applicants in relation to the works to replace windows in the NW extension, to landscape the boundary of the site with Coach House Lane, to upgrade the boundary walls and reduce the size of the openings, and provide a schedule of works to ensure that the key characteristics of the building are retained and restored then it is considered that the scheme will satisfy the requirements of Policy DE3 of the emerging Local Plan and the relevant policies in the Adopted Local Plan BES, BE1 and BE5.

### **The Scale of Development on Site and the Quality of the Residential Environment**

The Adopted Local Plan contains policies to ensure that appropriate residential standards are achieved in all conversions. This is developed further in the emerging Local Plan which seeks to achieve a minimum size for dwellings and gardens and better designed homes. Concerns have been expressed about 'overdevelopment' from neighbours to the site although this largely stems from perceived shortfalls in car parking. The unit size is broadly consistent with the suggested standards and the amount of garden space is above the minimum standard. Apart from the 'existing flat', which is not included in this application, the units are all acceptable in terms of outlook, amenity and design. There are no obvious impacts arising from the inclusion of this number of dwellings on the site particularly if considered in light of the lawful use of the premises as a substantial Care Home. Thus it is considered that the scheme is in line with the requirements of DE3 in the emerging Local Plan and policies H9 and H10 in the Adopted Local Plan.

### **Adequacy of Parking**

The scheme provides for 1:1 car parking with 7 spaces to the front of the building and 4 to the rear. Highways have no objections to the scheme and it is compliant with the maximum standard in the Adopted Local Plan (Policy T25). The NPPF and emerging Local Plan have shifted the emphasis from seeking to reduce car parking levels within the urban area (by defining a maximum allocation) to a policy position that seeks to ensure compliance with parking standards. This now specifies that one space per unit is acceptable but that parking for visitors should be provided. However, it is not considered that the impact of visitor parking would be significant enough on what is a relatively uncongested road to warrant refusal of planning permission. Again, the former use as substantial Care Home and the on street parking that would have generated needs to be weighed in the balance.

### **Impact on Trees**

There are TPO trees which form the eastern boundary to the site and are

significant townscape features particularly in views along Old Mill Road. These are not affected by the proposal. By condition a Woodland Management Plan will be required in relation to those areas under the control of the applicant to ensure these trees are properly managed in the long term. Also Tree Protection Measures will be required by condition to ensure that the trees are fully protected whilst works take place on site.

### **Bin Storage**

Adequate and reasonably located bins stores are provided to the front and rear of the property. Details of their appearance will be required by condition.

### **S106/CIL -**

The Adopted SPD 'Planning Contributions and Affordable Housing' would have required a contribution of £30,892 to meet the impact of the development on local infrastructure.

From April 6th 2015, revised government guidance limits the pooling of contributions and as a consequence, contributions can only be requested when there are specific schemes in close proximity to the site and which would be directly affected by the scheme in question. It is being investigated whether there are local sustainable transport/greenspace schemes that could be eligible for funding by this means.

In the absence of any relevant schemes, only the waste management contribution (£550) could be collected. However, this would improve the viability of the scheme which would make some of the additional improvements to the building requested in terms of replacement windows, boundary treatments and improved landscaping more financially viable. A verbal update on this matter will be given at the meeting.

### **Conclusions**

The change of use of this former Care Home to provide new dwellings is acceptable from a policy perspective as it provides demonstrably well designed homes that meet with standards in the Adopted and Emerging Local Plan. It also complies with Policy DE3 in that poor quality extensions are unsympathetic alterations are satisfactorily mitigated subject to agreement from the applicant in relation to landscaping, boundary treatment and replacement windows in the NW extension.

Whilst there is no onsite visitor parking provided, given the lawful use of the building and the relatively low levels of on street parking it is not considered that this could be sustained as a reason for refusal.

### **Recommendation**

Approve: subject to the conclusion of a S106 Agreement or Unilateral Agreement to secure the identified community infrastructure contributions, agreement in

relation to the additional improvements to the property comprising (possible) new windows to the NW elevation, additional landscaping along Coach House Lane and improvements to the boundary treatments and the conditions identified below.

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**Relevant Policies**

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