

Application Number

P/2015/0983

Site AddressSpa View
Lower Warberry Road
Torquay
Devon
TQ1 1QS**Case Officer**

Mrs Ruth Robinson

Ward

Wellswood

Description

Erection of a building of 9 apartments with parking (revised scheme).

Site Details

This narrow but elongated plot forms part of the earliest Victorian development in the Warberries Conservation Area.

Originally occupied by a small 'cottage ornee', this building was subsequently extended to form a hotel which occupied the head of this elevated south facing plot enjoying views across the Warberry Valley.

The hotel was demolished several years ago following fire damage. The demolition works led to the loss of much of the existing planting on the site. The plot is closely bounded on three sides by residential properties.

A stone retaining wall defines the boundary of the site along Lower Warberry Road. This wall, through which the existing vehicular access is located, is recognised as being of merit in the Conservation Area Appraisal. This is to be adapted to improve the poor visibility.

A public footpath, part of the 'Wellswood Paths', which is in a poor condition, skirts the southern end of the site.

It is prominent within the Warberries Conservation Area due to the nature of the plot which is visible in many long views across the valley.

Detailed Proposals

This is a detailed application to construct a new build scheme of 8 x 2 Bed and 1x 3 bed apartments in a single villa form with a 14 space car park located adjacent to the building with vehicular access from Lower Warberry Road.

It is to be located in the position of the original building on the site at the head of the plot. It has the form and proportion of a typical villa. It consists of two principal stories with a distinct stone plinth and subservient roof element when viewed from the road frontage. Due to the change in levels, this increases to three main

stories with a plinth and roof element overlooking the garden.

It also involves modifications to the stone boundary wall to improve visibility. Replacement planting and landscaping is included in the proposals.

Summary Of Consultation Responses

Historic England: Are satisfied that this scheme overcomes the main concerns in relation to the previous proposal on the site subject to some amendments to the street facing elevation to provide a more open relationship.

Conservation and Design Officer: Is satisfied that the scheme is acceptable in terms of its relationship to the character of the Conservation Area.

Arboriculturalist: Whilst broadly satisfied with the scheme does require a detailed tree report and details of protection measures, substitution of some tree species, more specific details regarding sizes, densities and species and a landscape and ecological management plan (LEMP).

Green Infrastructure Coordinator: Finds the survey information in relation to ecology to be acceptable and recommends a number of informatives to secure long term biodiversity on the site. A condition is recommended to secure a detailed landscape plan to ensure that the concept plan included as part of the application delivers in terms of ecology and biodiversity.

Highways: Observations awaited.

Drainage Engineer: Observations awaited.

Summary Of Representations

None received to date.

Relevant Planning History

P/2009/1344: Construction of 8 apartments: Approved.

P/2010/ 0045: Demolition of hotel: Approved 3.03.10

P/2012/1107: Construction of 8 dwellings: Approved 27.08.13

P/2013/0222: Construction of coach house: Refused 6.6.13 and subsequent appeal dismissed 6.12.13

P/2015/0361: Construction of 9 flats: Withdrawn.

Key Issues/Material Considerations

Principle and Planning Policy - The key issues are the design of the building, amenity, the quality of the residential environment, the impact on remaining trees, measures to mitigate for loss of planting on site and the impact of the alterations to the boundary wall to achieve visibility.

The relevant local plan policies are SS10 in relation to development within Conservation Areas, DE1/DE2/DE3 in relation to design quality and amenity, SS8/SS9/C4/NC1 in relation to the biodiversity of the site, trees and landscaping and TA2/TA3 in relation to access and parking.

Design - There is a long history to the development of proposals on this site.

Concerted attempts to retain the building were eventually overcome by the continuing deterioration of the fabric and finally by the fire that swept through the building in 2009.

The remains of that building were demolished in 2011.

A replacement scheme of 8 flats was approved in 2009. This was a contemporary reinterpretation of a Victorian villa and this emerged following advice from Design Review Panel.

A slightly modified version of this scheme was then approved in August 2013 but this took the form of 8 town houses rather than apartments albeit in a Villa form.

There was little market interest in the site and in 2015 a further revised scheme was submitted which involved a large 6/7 storey block containing 9 flats but set more centrally on the site.

The applicants were advised that this would be recommended for refusal of planning permission due its poor design, lack of respect for the key characteristics of the site and impact on neighbours. It was subsequently withdrawn.

There has been negotiation since to establish a more suitable design approach.

The DRP had originally advocated a 'contemporary villa' approach to the site. This means reflecting the key design principles of a typical Torquay Villa in the emerging scheme. To be successful the design would need to respect its position in the site, the proportions of the building, incorporate a vertical emphasis, the use of key features and an appropriate range of materials.

It was considered that this advice was still relevant and provided the most sensible way of achieving the scale of development needed to render the development of the site viable.

This scheme involves building in the location of the original building on the site at the head of the plot. It has the form and proportion of a typical villa. It consists of two principal stories with a distinct stone plinth and subservient roof element when viewed from the road frontage. Due to the change in levels, this increases to three main stories with a plinth and roof element overlooking the garden.

The mass of the building is further broken up by the use of render panels and through articulation of the building which is split vertically along its axis with the western wing set back and the eastern wing projecting forward into the garden.

The fenestration picks up the recessed window forms of similar Victorian buildings and the bay forms are expressed in the balconies overlooking the garden.

There are some minor unresolved design issues relating to the treatment of the Lower Warberry Road elevation to create a more open relationship with the street and clarity about the cladding of the chimney feature and revised plans may be required. A verbal update will be provided at the meeting.

In terms of materials, the use of render, natural Stoneycombe limestone for the plinth, metal standing seam for the roof and aluminium windows and rainwater goods has been recommended and agreed. This palette is sympathetic and will help create the finesse of detail required for a successful design.

Samples of materials and a sample stone panel to be erected on site are to be required by condition.

Whilst more detail is needed in respect of key features, the indicative detail provided appears acceptable and should produce a crisp modern finish. This can be secured by condition as there is sufficient confidence provided by the detail secured to date.

Amenity - In respect of amenity, there are residential properties bordering all three sides of this long narrow plot. To the east, dwellings are set at a lower level and there is surviving boundary planting which helps mitigate any impact on privacy. The relationship to the west of the site is the most sensitive due to the orientation of Spa Court, a building that is converted to flats and which overlooks a communal green space which abuts the boundary of this site.

This boundary was, until a few years ago, largely screened by heavy planting which was removed during demolition works. This does open up views between this and the neighbouring site and the elevated terraces and balconies will create some overlooking.

However, in contrast to earlier proposals on the site, the Villa footprint is split along a vertical axis and the western wing set back closer to the road which does substantially ease the relationship between the two.

The overlooking is also largely oblique, is confined to areas of Spa Court that do not have habitable room windows and where there is overlooking it is to areas that are not in themselves private being communal gardens.

The applicants have been asked to address this loss of screening and the landscape proposals do achieve this which should restore a degree of privacy and softening.

Despite widespread consultation, no objections have been received to the scheme which may reflect the fact that the long term condition of the site is probably of more concern to people living adjacent to the site than some loss of privacy.

Quality of the Residential Environment - The scheme provides for apartments which fully meet and exceed Local Plan standards regarding size, layout, outlook and access to adequate amenity space.

Trees/landscaping - Most of the trees on the part of the site to be developed have been lost since the building was destroyed by fire and demolished. They were not of any great merit individually but did provide softening and screening to the boundaries of the site

The landscape strategy involves substantial replacement of trees and boundary planting. A condition is required for protection of trees that have survived and to ensure that the works to create the drive do not damage the trees to the eastern boundary of the site.

The major portion of the extensive garden is to be sensitively landscaped and provides an appropriate setting to the building and a resource for future occupiers.

An ecology report confirms that there is not an adverse impact on habitat or biodiversity.

Highways/Visibility - In respect of highway matters, the scheme is considered to be acceptable.

There is adequate parking in a car park court situated to the rear of the building adjacent to Warberry Road. The visual impact of this is to be mitigated by the use of natural stone retaining walls which should screen the cars largely from view. Whilst this is welcomed in principle, the detail is not entirely clear and so further detail is required by condition.

Whilst an element of the boundary wall has to be demolished to improve visibility it is important that this is minimised and properly detailed. A condition is to be added to require more information about how this is to be done.

A public footpath, part of the distinctive 'Wellswood Paths' skirts the southern end of the site. It is in a poor condition, is little used but would provide occupants of the site with quick pedestrian access to the Harbour area of town. Its upgrade

should be justified through sustainable transport contributions as it would be increase the sustainability of the site and reduce reliance on movement by the private car.

Cycle parking is not included but there is ample space for this to be achieved so can be dealt with by condition.

S106/CIL - Due to recent changes to Government guidance which prevents LPA's from securing tariff style contributions, it is concluded that only funding for the provision of waste facilities (£450) and the upgrade of the public footpath which skirts the southern end of the site can be justified. The scheme, would under the adopted SPD 'Planning Contributions and Affordable Housing' deliver around £16,000. Advice on what level of contribution is required to secure the upgrade of this footpath has been sought from Highways.

There is no justification for any greenspace contribution as the site is fully compliant in terms of the level of amenity space provided as the garden is very large and requires substantial landscaping.

Conclusions

The design of the building reflects a contemporary take on a classic Italianate Villa. This is based on Design Review Panel guidance which established broad principles for this site in 2009 and which are still considered relevant today.

It is, in terms of the quality of accommodation to be provided, wholly in compliance with Local Plan standards.

Landscaping of the site has been much diminished by recent works of demolition and clearance which does expose the site to view from adjacent properties. However the design of the scheme seeks to minimise impact through careful siting of the building and the set back of the western wing does reduce the impact on Spa Court.

The landscape proposals will also help mitigate for this loss and will in time reintroduce softening and screening as well as improve biodiversity.

Car parking levels are considered acceptable and contributions towards the Wellswood Paths that skirt the southern boundary of the site will improve the sustainability of the site.

It is recommended that permission should be granted subject to the submission of revised plans in relation to the Lower Warberry Road elevation, the submission of details to satisfy the recommendations of the Arboriculturalist in terms of tree protection measures, species types and long term management measures, the completion of a S106 Agreement or Unilateral Undertaking to secure £450 towards the provision of waste facilities and a contribution (to be determined)

towards upgrading the adjacent public footpath and to the conditions highlighted below.

Conditions

1. Large scale details of key features.
2. Samples of all materials and a sample panel of stone to be inspected on site.
3. Detail of retaining walls and landscape to car parking area.
4. Detail of alteration to Boundary wall to improve visibility.
5. Detail of bin store, cycle storage and implementation of both prior to occupation.
6. Implementation of agreed landscape scheme.
7. Implementation of biodiversity measures.
8. Implementation of Tree protection measures.
9. Drainage plan to be implemented.

Relevant Policies

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