

Application Number

P/2015/1108

Site Address4 - 24
Torwood Street
Wellswood
Torquay
TQ1 1EB**Case Officer**

Mrs Helen Addison

Ward

Wellswood

Description

Variation of conditions P1, 4 and 22 regarding P/2014/0965 - Condition P1 plans, Condition 4 Floor Levels and Condition 22 materials. Proposal includes a 'pop up' on the roof to conceal lift over runs, duct work and to provide safe access for maintenance. Gross external area of ground floor to be increased from 1,612 sqm, to 1,713 sqm.

Executive Summary/Key Outcomes

This application is for a number of changes that the applicant wants to make to the approved scheme for redevelopment of the site. It is normal for changes to be made to major development proposals as they progress towards implementation. These revisions have arisen from further consideration of how the development will work operationally i.e. provision of mechanical ventilation, to meet incoming tenants needs and design improvements.

The majority of the proposed changes are minor and would have little impact on the appearance of the scheme. There are however two revisions where securing a good quality design is essential in order to ensure that the appearance of the development enhances the appearance and character of the conservation area. These are a) how the boundary with the adjoining property to the west is treated and b) the visual impact of 'pop up' box on the roof. Further detail of these revisions has been requested from the applicant. Providing this reaches the standard set in Policy SS10 (conservation and the historic environment) the proposal would be acceptable.

Recommendation

Subject to the receipt of satisfactory information about the design of the following revisions; a) how the boundary with the adjoining property to the west is treated and b) the visual impact of 'pop up' box on the roof, and a deed of variation to link this application to the approved redevelopment granted under application reference P/2014/0965, conditional approval. The deed of variation to be completed within three months of the date of this meeting.

Statutory Determination Period

The thirteen week target date is 12 February 2016.

Site Details

The site comprises the frontage buildings of 4 - 24 Torwood Street and includes the land to the rear of these buildings, which has previously been used as a car park. It is bound to the south by Torwood Street and to the north by a concrete faced rock wall of approximately 10m in height beyond which is The Terrace at a notably higher level. To the west of the site is a public right of way which provides pedestrian access between the two roads. The car park originally provided stabling and garaging for the former Royal Hotel which is to the west of the application site. There is an existing vehicular access onto Torwood Street between building numbers 16 and 22. None of the former stables and garages remain on the site. The site area is approximately 0.23ha.

In terms of constraints; the site is within the Torquay Harbour Conservation Area. The Torquay Harbour Area Character Appraisal identifies most of the buildings on the site as key buildings within the conservation area with largely unspoilt frontages. Within the Local Plan the frontage buildings are identified as being within a Secondary Shopping Frontage. In the new Torbay Local Plan 'A Landscape for Success' the site is within the secondary shopping frontage and is also identified as a 'committed and other deliverable development site'. Torwood Street is shown as being part of the major road network.

The buildings on the site have been closed and boarded up for several years.

The site is in a prominent location in the town centre, and is located close to the harbour and the clock tower which is a notable land mark. The surrounding area is largely in commercial use with a number of shops, cafes, take aways, night clubs and offices in the area. There are also residential flats within the vicinity of the site, some of the closest being to the west and to the south at the former Queens Hotel. The Terrace car park is to the north of the site. The site is within an area that has a vibrant night time economy due to the proximity to nightclubs and takeaways.

The site is visible in long distance views from the harbour, Torwood Street to the east and west and from Montpellier Road to the north.

Detailed Proposals

The application is submitted to vary conditions P1 (list of approved plans), condition 4 (finished floor levels to accord with approved plan) and condition 22 (details of materials to be submitted and to be based on those detailed in the approved plans) of application reference P/2014/0965.

A series of changes to the approved plans is proposed. The full list of changes is

set out in letter dated 6th November from the agents which is reproduced with the representations for this agenda. The most significant changes to the plans are:

1. External terraces integrated into the retail units at ground floor level to facilitate external seating, with frameless glass balustrades
2. The line of glazing to the retail units has been pushed back to facilitate the terraces and concertina/bi-fold glazed doors have been integrated to the shop fronts to facilitate 'opening up' these units to the street during the summer months
3. A3 (restaurants and cafes) unit 1 extended to first floor level and a concertina/bi-fold glazed door with juliette balcony integrated into the facade
4. Louvers added to the elevations facing Torwood Street, The Terrace and the public footpath in order to facilitate mechanical ventilation
5. Boundary line to left hand side of Torwood Street elevation moved to avoid existing overhanging cornice on neighbouring building. Louvers added to conceal gap between buildings
6. Dark grey granite clad planters have been incorporated into the hotel and office entrances facing The Terrace, and a ceramic tile finish (dark grey) is proposed to the hotel and office entrances
7. A 'pop up' has been incorporated at roof level adjacent to the site boundary with 26 Torwood Street in order to conceal the hotel lift over runs, distribution of kitchen ductwork from retail units at ground floor and provide safe access for maintenance. This will be finished in white render
8. The gross external area of the ground floor has increased from 1612 sqm to 1713 sqm. This is due to the realignment of the rear wall (to the escape and service corridor/retail plant) in order to optimise the space for retail use on this level and improve the projects viability.

Summary of Consultation Responses

Community Safety - recommends the concertina doors are closed no later than 11 pm. This is consistent with the vast majority of businesses that operate these type of windows in this area. Further to this I would not anticipate restaurants operating in this area would significantly contribute to existing noise levels before 11:00p.m. After 11:00pm open windows would allow noise to breakout which may significantly impact on the local environment.

Summary Of Representations

One received and reproduced.

Relevant Planning History

Various applications have been submitted in relation to the existing buildings on site including changes of use, minor alterations including shop-front alterations and signage.

P/1986/2379 Erection of 43 sheltered flats plus wardens accommodation, offices and retail/storage space. Approved 25/9/1987

Subsequently an application for a certificate of lawfulness was submitted in 2005 in an attempt to prove that work had commenced on the scheme which was approved in 1987, thereby allowing the work to continue. The certificate of lawfulness application was refused on 6/3/2006 and subsequently dismissed at appeal on 22/08/2007.

P/2009/0689 - Demolition Works. Approved 06/07/2010

P/2009/0690 - Demolition of 4 - 24 Torwood Street. Redevelopment of site comprising 12 residential apartments with residential parking, 80 bedroom hotel and associated facilities, 6 screen cinema. 1 retail unit and 3 restaurants. Approved 6/1/11

P/2011/0035MPA Demolition works; formation of mixed use development to form hotel, A3 units, 2 external purpose units (D2 use for fitness centre and B1 use for office suite) and 14 apartments with vehicular and pedestrian access, approved 11/5/12

P/2011/0036CA Demolition works granted 12/5/11

P/2014/0965 Mixed use development of hotel, 1 No A1 unit, 3 No A3 units, 3 No B1 office use units and 1 No B1 office use or D1 gym use unit at former Royal Garage site, involving the demolition of property Nos 4-24 Torwood Street, Torquay. Approved 16.10.15.

Key Issues/Material Considerations

The main issues are the whether the proposed changes to the external appearance are acceptable in terms of the impact on the appearance and character of Torquay Harbour conservation area, whether the changes to the uses within the building are acceptable and impact on residential amenity.

Principle and Planning Policy - The relevant policies are SS10 which defines what form of development is acceptable within the Conservation Area, DE1 which defines design quality, DE3 which relates to amenity of neighbouring and surrounding uses and DE4 which relates to building heights.

Impact on the appearance and character of Torquay Harbour conservation area - The majority of alterations to the external appearance of the building are relatively minor and would not change the overall character of the development. The introduction of terraced external seating areas with glazed balconies to the Torwood Street elevation would add interest to the building and this part of Torwood Street. A number of the proposed alterations such as adding ceramic tiles to the ground floor on the Torwood Street elevations and Terrace elevation would enhance the appearance of the building. There are a number of relatively

minor changes that the applicant has been asked to amend/clarify which mainly relate to detail on the submitted plans. The insertion of a louver panel at fourth floor level on The Terrace elevation is considered to be unacceptable and the agent has been asked to remove this.

The two principle revisions that will make a notable change to the approved scheme are identified in the list above as number (5) introduction of louvers between the proposed building and 17-18 Torwood Street and (8) the 'pop up' on the roof. In both cases the applicant has been asked to submit further details of these revisions so that their visual effect on the appearance and character can be assessed in detail. The height of the development was a sensitive matter when the application was originally granted planning permission. The proposed 'pop up' will increase the height of the corner of the building by approx. 2.3 metres. The design quality of both these revisions will be important to the overall appearance of the development. As submitted, there is insufficient detail to be confident that these two alterations would meet the standard for development within a conservation area required by Policy SS10 of the new Local Plan 'A landscape for success'. The applicant has been asked to submit further detail in respect of these revisions.

Whether the changes to the uses within the building are acceptable - The proposed use of 145m² of approved office space at first floor level in conjunction with the restaurant below it on the ground floor would result in a minor loss of office floor space that would have little impact on the overall provision of office floor space in the development. The gross internal area that would be in office use in the entire development would be 3505m². This revision represents a change of 4% of the office space to restaurant use.

Impact on residential amenity - There are residential properties in the vicinity of the site, notably at the former Queens Hotel and adjoining the western boundary of the site. One proposed revision is the introduction of bi-fold/concertina doors to the restaurants. In order that these don't cause noise nuisance to nearby residents the Community Safety team have recommended that these are closed at 11pm. This can be controlled through the imposition of a condition.

S106/CIL - The existing Section 106 agreement will need to be tied to the new application through a deed of variation.

Conclusions

In conclusion, the majority of the proposed revisions to the approved scheme are minor and would have little impact on the appearance of the proposed development.

There are two changes that have the potential to have an effect on the appearance of the building, which are a) how the boundary with the adjoining property to the west is treated and b) the visual impact of 'pop up' box on the

roof. These both require further information to be submitted in support of them in order to clarify whether these are acceptable. Subject to receipt of this further information and the design quality of these two revisions being acceptable, the application should be granted planning permission.

Condition(s)/Reason(s)

01. Sound Insulation
02. No Demolition Without Contract For Redevelopment
03. Accord With Flood Risk Assessment
04. Finished Floor Levels
05. Contamination Scheme
06. Control Over Hours Of Demolition And Construction
07. Operation Of Construction Equipment
08. Method Of Piling To Be Agreed
09. Method Of Controlling Vibration In Relation To Construction Of Scheme
10. Minimise Dust During Construction
11. Details Of Off Site Highway Works
12. Drainage Details
13. Archaeological Scheme Of Investigation
14. Scheme For Footpath Improvement
15. No Equipment On Roof
16. Details Of Impact On Highway Wall
17. Monitoring Of Retaining Wall
18. Details Of Loads On Retaining Wall
19. Assessment Of Change In Loadings To Retaining Wall
20. Details Of Protection To Original Masonry Wall

21. Gym To Be Used For No Other Purpose In Class D2
22. Large Scale Details
23. Detailed Schedule Of Materials
24. Provision Of Cycle Parking
25. Flood Management Plan
26. Incorporation Of Flood Resilience Measures
27. Lighting Strategy
28. Improvements To Public Realm
29. Extract Ventilation System
30. Travel Plan
31. Doors To Restaurants To Be Closed At 11pm

Relevant Policies

-