

Application Number

P/2011/0507/PA

Site Address3 - 5 Walnut Road
Torquay
Devon
TQ2 6HP**Case Officer**

Mrs Helen Addison

Ward

Cockington With Chelston

Description

Demolition of two storey office building, conversion of existing car garage into a retail shop and store with external customer parking and the installation of an external ATM unit

Executive Summary/Key Outcomes

The application is for demolition of an existing two storey building on the site and a change of use of the remaining single storey building from car sales to retail. A sensitively designed new shopfront and forecourt is proposed. As the site falls partly within the designated Local Shopping Centre the proposed use and conversion would be acceptable.

Recommendation

Conditional approval, subject to receipt of views of the highway engineer and environmental health officer (conditions are outlined at the end of the report).

Site Details

The application site relates to premises in use as car sales situated on the north side of Walnut Road. Walnut Road runs along the southern boundary of the site and Walnut Lane runs along the western boundary. The site has an open forecourt clearly visible in the street scene, a flat roof two storey building and a large storage building at the rear of the site.

The surrounding area is in mixed use. To the west, Walnut Road is used as a local shopping centre. To the north, south and east there are properties in residential use. In the Torbay Local Plan 1995-2011 the southern part of the site is allocated as part of the Local Shopping Centre, the site is also within the Chelston Conservation Area.

Detailed Proposals

The application is for demolition of the two storey building on the site and conversion of part of the rear storage area into a retail shop with storage area and an atm. (The existing commercial unit accessed from Walnut Lane would be retained). The forecourt area would be hard surfaced, with regular paving in

front of the shop and resin bonded gravel to the main forecourt area. Space would be provided on the forecourt for a delivery lorry to park. A disabled parking space would be provided. The original submitted plan has been revised to delete a number of poplar trees on the site and replace this with a walnut tree. Some seating is proposed in the forecourt area. A new stone retaining wall with a railing over would be constructed along the boundary of the site with Walnut Lane. The existing vehicular crossover from Walnut Road would be reduced in width. Refrigeration plant would be incorporated into the roof space at first floor level, and an air conditioning unit above the flat roof of the ATM, which would be switched off at night.

The new shopfront would be finished in sandstone to match nearby walls with two display windows.

Summary Of Consultation Responses

EHO - no objection in principle. Recommends a condition to address potential contamination on the site. Further response awaited in respect of noise assessment.

Highway engineer – requests the current access to the site to be closed up completely forming one footway and then accessed by a vehicular crossover.

Arboricultural Officer- the popular trees would be inappropriate for this location, suggest provision of a single tree.

Senior Transport Officer- requests cycle stands and SPD contribution to improve cycle routes.

Summary Of Representations

Five letters of objection received which raise the following issues;

- * Potential of contaminated land following previous use as a garage
- * On site seating will cause a nuisance
- * Request no noisy refrigeration units in Walnut Lane
- * Object to refrigeration units on the roof
- * Gathering point for people causing nuisance and noise
- * Access for deliveries would be better sited away from corner
- * Block paving will result in unacceptable noise
- * Concern over management of deliveries
- * Only one parking space to serve the proposal
- * Proposal will lead to illegal parking
- * Risk of contamination from petrol/oil tanks
- * No evidence that local people want a public square

These are re-produced at Page T.203.

Relevant Planning History

Extensive history – most recent applications are;

2011/0508CA	Demolition of two storey office building – current application
2003/1289	Demolition of existing garage and erection of 14 dwellings (2 houses and 12 apartments) with vehicular and pedestrian access approved 18.12.03
2003/1288	Demolition of existing garage approved 15.9.03
1997/0180	erection of 21 residential flats renewal of 92/0110 approved 30.6.97
96/0251	erection of 13 dwellings approved 1.8.96

Key Issues/Material Considerations

The main issues are the principle of the proposed retail use of the premises, the appearance and design of the proposed development, highways, noise and contaminated land.

Principle and Planning Policy -

The forecourt area of the site is defined in the Torbay Local Plan 1995-2011 as being within the Local Centre. Policy S10 protects Local Centres as a shopping area and focal points serving their local neighbourhood. The use of the site for retail purposes would be consistent with the designation of the site and the objectives of Policy S10. It would be an appropriate use in this location as Walnut Road to the west of the site has a strong retail character.

At pre application stage the proposal was considered and supported by the Design Review Panel. A copy of their report is re-produced at Page T.203. A number of recommendations by the Panel have been incorporated into the design of the proposal such as the continuation of the red stone wall to form the shop front, the use of rough stone and reducing the number of openings in the front elevation. The proposed redevelopment would result in a significant enhancement to the appearance and character of the site. The unsympathetic two storey flat roof building on the site would be removed and the resulting shop would be low key and responsive to its setting. The provision of a paved and gravel forecourt in front of the shop would provide an attractive setting to the building and would open up views of the adjoining villa to the east, which has an attractive elevation facing east along Walnut Road. For these reasons the design and appearance of the proposal would accord with the objectives of Policies BES, BE1 and BE5 of the Torbay Local Plan 1995-2011.

The highway engineer has requested the existing vehicular access be closed and the pavement extended across the site frontage. The applicant has been asked to revise the layout plan to show this. The submitted plan demonstrates that there would be sufficient space on the site for a delivery vehicle to pull off the highway. A condition can be imposed requiring a management plan for

deliveries to be submitted to the Council to ensure that the times of deliveries are managed to prevent a number of vehicles waiting on the highway. Local residents have raised concerns about vehicle parking in the area. It is noted that there is limited waiting parking on the opposite side of Walnut Road close to the site.

The original submission included the provision of refrigeration units on the roof of the building. This has now been revised to incorporate these units within the building. An air conditioning unit would be installed adjacent to the ATM but this would not be used at night. A noise assessment has been submitted in support of the proposal and the Environmental Health Officer's comments are awaited.

Due to the previous use of the site as a garage there is the potential of contaminated land on the site. The Environmental Health officer has suggested that this issue can be addressed by means of a condition.

Local residents have raised concerns about the proposed timber seats on the site, on the basis that they could encourage unruly behaviour. These have been incorporated into the scheme at the Council's request. There is a bench outside the existing Co op store which is frequently used. The proposed seats would contribute to the overall appearance and character of the forecourt and potential unruly behaviour by a small proportion of the population should be weighed against the advantage to the majority of people in providing seats within the attractive forecourt. The applicant has indicated that they would remove the benches if the Committee consider this to be appropriate.

Economy -

This application is to enable the relocation of the Co op from its existing store at 25 Walnut Road. It is proposed to increase the number of full time employees as a result of the proposal from 2 to 4 and to increase the number of part time employees from 13 to 19.

Climate change -

The site is in a sustainable location within a local centre. There is a bus stop opposite the site, it is also close to the number 32 bus route.

Environmental Enhancement -

The proposed alterations to the forecourt would improve the appearance of the site in comparison with the existing tarmac forecourt area. There is an opportunity for the pavement to be extended across the site frontage which would improve pedestrian accessibility in the site vicinity. A walnut tree is proposed to be planted on the site forecourt which would contribute to the appearance of the development.

Accessibility -

The applicant has agreed to provide cycle parking within the site. A disabled parking space is proposed on the site. The shop would be at ground floor level and would be accessible to disabled persons.

S106/CIL -

On the basis of the previous use of the site as a garage no S106 contributions would be applicable as the traffic generation from a retail use would be less than that from a garage use.

Conclusions

In conclusion, subject to receipt of further comments from the highway engineer and environmental health officer, the proposal is for a high quality development that would provide significant benefits locally, in accordance with the objectives of the Torbay Local Plan 1995-2011.

Conditions

- * Hours of opening 7am to 10pm
- * Delivery times (tba)
- * Submission of delivery management plan
- * Parking, cycle parking and delivery hardstanding provided before use commences
- * Works to footpath carried out before use commences
- * Report to be submitted on ground contamination
- * Tree to be planted at agreed size before use commences
- * Stone to shopfront to be random rubble in a lime mortar, a sample of which to be agreed by LPA.
- * Windows to be aluminium and not coloured silver
- * Air conditioning unit adjacent to ATM to be turned off at night

Relevant Policies

- SS Shopping strategy
- S10 Local Centres
- BES Built environment strategy
- BE1 Design of new development
- BE5 Policy in conservation areas
- EP4 Noise
- EP7 Contaminated land
- TS Land use transportation strategy
- T1 Development accessibility
- T2 Transport hierarchy