

Application Number

Site Address

P/2016/0730
P/2016/0729
P/2016/0914

Former B & Q
41 Tor Hill Road
Torquay
TQ2 5RY

Former Korean Martial Arts Academy
37 Tor Hill Road
Torquay
TQ2 5RY

Former Zion Road Chapel
Zion Road
Torquay
TQ2 5RZ

Case Officer

Ward

Mrs Ruth Robinson

Tormohun

Description

P/2016/0730 – Former B & Q site: Change of use, alterations and extensions to form 19 residential units to include parking/storage facilities and the retention of 663 sqm retail/commercial floorspace.

P/2016/0729 – Former Korean Martial Arts Academy: Change of use from Martial Arts Centre into three dwellings, to include roof extension and alterations

P/2016/0914 – Former Zion Road Chapel: Alterations to and conversion of former chapel to form 6 apartments including car parking at ground floor level and extensions to both roof slopes. Demolition of northern workshop extension and formation of single dwelling

Executive Summary/Key Outcomes

This report relates to three associated applications on closely related vacant sites which are prominent within the Tormohun Conservation Area.

They are:

- P/2016/0730: The former B&Q site 47 Tor Hill Road. This involves refurbishment and extension of the existing buildings to provide (following amendment) 19 residential units, ground floor commercial floor space, 10 car parking spaces and 3 garage spaces.
- P/2016/0729: The former Martial Arts Academy (MMA) 37 Tor Hill Road. This involves the extension, refurbishment and alteration of the existing building to provide 3 residential units.
- P/2016/0914: The former Zion Road Chapel Zion Road. This involves the extension, refurbishment and alteration of the former chapel building to provide 7 residential units and 7 car parking spaces.

These buildings have been disused for many years and are all in a very poor physical condition. They are each of some architectural or historic merit and have the potential therefore to contribute positively to the regeneration of this rather run down part of the town centre.

It is a defined Community Investment Area in the newly adopted Local Plan.

The first two applications occupy contiguous sites. The former B&Q site extends along the majority of the Laburnum Row frontage and extends eastwards to the head of Southlands Road. A more recent 3 storey extension to the building occupies the corner of the plot and it extends at this height along Tor Hill Road until it meets the more diminutive MMA former chapel building.

The Zion Road chapel, previously used for tyre fitting sits opposite the MMA building.

The three sites have been recently purchased by the same applicant. Only the application on the B&Q site which is a 'major development' could not be determined under delegated powers.

However, it is useful to consider the B&Q site and the MMA building together as there are design issues which are common and they are interrelated in terms of amenity and the overall functioning of the site.

The Zion Road Chapel site is more of a separate entity however the design approach is quite unorthodox and it could be argued that this does not sit entirely in accordance with national and local plan expectations in relation to the extension of traditional buildings.

Historic England and the Council's Conservation Officer, whilst finding much positive about the proposals have reservations about the dominance of the roof extension to the B&Q building and the nature of the extension to the MMA chapel building. There have been amendments to both these features to try and overcome these concerns although they still remain.

The Conservation Officer has particular concerns about the nature of the roof extensions to the Zion Road Chapel and considers that this will harm the traditional chapel building and the wider Conservation Area in terms of its impact on public views. Historic England have not expressed a view in relation to this proposal as due to the size of the development, they are not statutory consultees.

However it does tie in with the overall design ethos emerging from these closely related and prominent sites and on balance it is considered that the rather quirky but high quality approach to converting this former chapel building is acceptable

in the circumstances of effecting a wider regeneration of Torre.

Under NPPF guidance, whilst there is a clear responsibility to first consider the duty embodied in the legislation to 'preserve and enhance' the character of the Conservation Area, 'harm' to the historic environment can be weighed against the public benefit of bringing these redundant buildings back into use and the contribution this will have in terms of regenerating what is a very run down area.

It is considered overall that all three applications are acceptable. They involve the retention of significant elements of the historic fabric of buildings which form an integral part of the townscape of this part of the Tormohun Conservation Area, the interventions and extensions are contemporary and high quality.

The residential accommodation to be provided meets local plan standards in terms of size of units, outlook and access to amenity space. The scheme includes the provision of ground floor commercial space which will help to boost the local economy.

Of prime importance is that these applications, if implemented, represent an opportunity to achieve the reuse of vacant and redundant buildings for beneficial uses that will lift this neglected part of the town and enhance the character and appearance of the Tormohun Conservation Area.

Recommendation

1. That application No P/2016/0730 in relation to the B&Q building be approved subject to the TDA confirming the IVA presents a robust assessment of the viability of the scheme and to the possible inclusion of minor works to secure improved connectivity with the wider urban area and to the conditions detailed below.
2. That application No P/2016/0729 in relation to the MMA Building be approved subject to the conditions detailed below.
3. That application No P/2016/0914 in relation to the Zion Road Chapel be approved subject to the submission of a revised plan incorporating the Council owned land to be purchased adjacent to Tor Hill Road and extending the redline to include this land within the application site and to the conditions detailed below.

Statutory Determination Period

P/2016/0730: The applications in relation to the B&Q site which is a major development should have been determined by the 9.10.16.

P/2016/0729: The application in relation to the MMA building should have been determined by the 4.09.16

P/2016/0914: The application in relation to the Zion Road Chapel site should have been determined by the 21.10.16.

Determination has been delayed due to ongoing negotiations in relation to design and amenity but extensions of time to the end of January have been agreed by the applicant.

Site Details

The character of the area is of mixed commercial and residential uses.

These sites have long been left with vacant buildings which have deteriorated to the point where they now blight the area.

There has been increasing pressure from the local community to achieve refurbishment or redevelopment of these sites which are prominent within the Tormohun Conservation Area and which in their current condition seriously detract from its architectural and historic value.

The B&Q site extends along the majority of the Laburnum Row frontage. This part of the building comprises four, two storey, surprisingly unspoilt terraced units with ground floor shopfronts that step up the hill culminating in a more recent but unattractive two/three storey modern extension that occupies the corner of the plot with Tor Hill Road. This extends along the Tor Hill Road frontage to meet the MMA building which is single storey to the street.

The site extends to the east to the head of Southlands Road and to the north to the rear of properties on Higher Union Street. Within the site area are some existing buildings including some original warehouse buildings which have over time been included within the wider B&Q site.

The MMA building is a simple single storey chapel building to the street with a brick finish and felted pitched roof. It increases to two storeys facing into the site.

The two sites are bounded by busy traffic routes to the south and west which isolate it from the wider urban area.

The Zion Road Chapel sits opposite the MMA building. It is a traditional stone built chapel building which faces Zion Place. It is equivalent in height to adjacent three storey buildings. It has a very distinctive pitched slated roof and due to its height and elevated position this feature of the building is widely visible from the lower parts of the town and from higher land across the valley.

It has been previously used for Tyre Fitting and has been much altered through operation of these uses. A vehicular access to the building has been created through the stone façade which is now secured with metal shutters. Windows have been blocked off and a large single storey flat roofed extension occupies the Tor Hill Road frontage. This is immediately bounded by a stone wall and abutting this is a strip of Council owned land which is let out for car parking.

The building has been vacant for many years and is in a very poor condition. In its current condition, it is seriously damaging to the amenity of the area.

The area immediately surrounding the chapel is otherwise a very attractive part of the Conservation Area in quite stark contrast to the area to the north of Tor Hill Road.

Detailed Proposals

P/2016/0730: B&Q site: This involves the retention and refurbishment of a majority of the historic fabric of the former B&Q site and recladding of the more modern corner extension to give it an 'Art Deco' appearance with a strong horizontal emphasis created by the fenestration along with a three storey part building/roof extension to a modern design.

The Laburnum Row frontage provides for ground floor retail floor space with 2, 2 bed apartments above in a refurbished terrace.

The balance of the B&Q building is converted to provide 11 apartments with ground floor commercial space and parking for 10 vehicles.

Along a private lane off Laburnum Row is proposed a short terrace of 3 two storey 2 bed houses to a contemporary design and to the east of the site a former warehouse building is converted to provide a further 3 two storey houses with integral garages.

P/2016/0729: MMA building: this involves the refurbishment of the former chapel to provide 3 dwellings. The roof is re slated, fenestration restored and alterations otherwise kept to a minimum. In order to achieve sufficient useable space an existing single storey flat roofed extension to the chapel is redeveloped to provide a distinct standalone three storey link which is intended to form a transition between this and the adjacent B&Q building. This takes the form of a single storey extension with a double height dormer extension to an unusual cuboid design. To the rear of the building are minor roof level alterations to provide amenity space.

P/2016/0914: Zion Road Chapel: This involves the extension and conversion of the chapel to provide 7 dwellings; 6 apartments within the existing fabric of the chapel along with 7 car parking spaces on the ground floor and a single/two storey metal clad extension to the Tor Hill Road elevation to provide a single two bed dwelling. In order to accommodate the required level of accommodation, it is proposed to construct two flat roofed copper clad dormers to each roof slope. The scheme also includes alterations to the scale and form of the vehicular entrance and to retain the blocked off nature of a majority of the windows. It is proposed to remodel and introduce new windows to the south facing elevation.

As a later amendment and in response to concerns about the shortage of external amenity space and the need to soften the impact of the Tor Hill Road frontage and deliver some public realm improvements, the applicant has agreed to purchase a narrow strip of Council owned land which runs along the side elevation of the chapel building currently used for car parking. It is proposed that this will be used to provide some garden space, some parking, be enclosed by a natural stone wall include tree planting and landscaping and thus better meet the needs of the development, soften the impact of the side extension and introduce a considerable upgrade to the appearance of the site and the adjacent public realm. Negotiations are well advanced in relation to this aspect of the proposal and revised plans are awaited. It is proposed to secure the implementation of this aspect of the scheme via a Grampian condition.

Summary Of Consultation Responses

In relation to statutory consultees, **Historic England** raised a formal objection to the original scheme to extend and convert the B&Q building due primarily to the scale, massing and elevational treatment of the three storey extension to the corner part of the plot which they consider produces a building that is out of character with the lower scaled, more domestic grain of the surrounding area and to the impact of the transitional link designed to infill the gap between the B&Q building and the adjacent MMA building.

This concern was echoed by the **Council's Conservation Officer**. The roof extension has since been substantially modified and whilst the original form of the transitional link has been amended this has not overcome concerns. A comment in relation to the revised scheme is awaited from Historic England and Members will be updated verbally.

The Council's Conservation Officer has concerns about the form, scale and dominance of the building/roof extension to the B&Q building and takes particular exception to the form and appearance of the transitional link between the B&Q site and the MMA building.

He also raises objection to the proposals to convert and extend the Zion Road chapel. He particularly takes exception to the form of the flat roofed copper clad dormers which occupy both these prominent roof slopes. In his view, the development of all three sites include aspects that amount to a significant level of harm.

There have been continuing negotiations to try and ameliorate the impact of the conversion on the character of the building which have been positively responded to as will be explained in the body of the report.

It is of significance to note that earlier 'pre app' discussions on the site took place when the Council relied on external 'conservation' advice. This produced a more positive response to the schemes in relation to all three buildings. Whilst the

building/roof extension to the B&Q site was considered over dominant and top heavy, the transitional link between the B&Q site and the MMA building and the proposals to convert and extend the Zion Road chapel were broadly supported subject to detail which has largely been secured.

Strategic Transport have no objection to the scheme subject to a servicing plan being secured and improved linkages to the surrounding area to improve accessibility to nearby services and facilities. A Travel Plan to encourage more sustainable means of movement generated by the site should be secured by condition.

Drainage raise no objections to the proposals as the schemes are essentially conversions and include no increase in surface water discharge.

The **Police Architectural Liaison Officer** raises only one issue that would require an amendment to the scheme and that is the inclusion of a gated access to the cottages off Laburnum Row.

The **Green Infrastructure Coordinator** confirms that no further investigative work is required in relation to bats and bird nesting but asks that a condition is applied to ensure that if evidence of bats is found then work should cease immediately and that works that involve ivy removal should only take place out of the bird nesting season unless otherwise advised by a suitably qualified ecologist. A greenspace contribution is also requested towards Upton Park.

Summary Of Representations

There is support from the Community Partnership in relation to the wider proposals.

Of 5 letters received in relation to the B&Q site, 1 offered unqualified support, 3 qualified support and 1 objected to the inclusion of cottages on the lane off Laburnum Row on the grounds of land ownership issues, loss of privacy and noise.

Neighbours who offered overall support for the scheme expressed initial concerns about the design of the extensions to both the B&Q building and to the Zion Road Chapel and raised concerns regarding the loss of privacy arising from the roof extensions to the Zion Road Chapel.

In terms of design, the roof extension to the B&Q building has been scaled back and its dominance reduced and improvements have been secured to soften the impact of the extensions to Zion Road Chapel.

The privacy concerns have been to some extent mitigated by subsequent modifications to the form and design of the dormer roof extensions and whilst there will inevitably be some overlooking, neighbours to the south of the chapel have confirmed that any residual impact is 'worth it' to get the future of the

building resolved and to ensure that an un-neighbourly use doesn't re-establish on the site.

In respect of the objection, land ownership issues are not a planning matter and 'noise' from new residential properties would not be a sustainable reason to resist otherwise acceptable development.

In terms of privacy, the area is densely developed and some overlooking is unavoidable between the rear of properties on Union Street and the site. Due to the nature of the site and its configuration it is not considered that this would represent grounds for refusal and the external roof terraces include screening.

Relevant Planning History

There is limited planning history of note in relation to the three buildings due to the length of time they have been vacant.

The B&Q building has a lawful use for retail purposes and was subject to a pre app inquiry some years ago for redevelopment for residential purposes. It has been vacant since 2008.

The MMA building has a lawful for community use.

Zion Road Chapel has a lawful use for exhaust and tyre fitting. Planning permission was granted in 2007 for conversion of the building to provide 8 flats but was not implemented.

Key Issues/Material Considerations

The key issues are:

- the impact of the alterations and extensions to the buildings on the character and appearance of the Tormohun Conservation Area and the ability of these proposals to cumulatively lift the quality of the area and deliver genuine regeneration of a very rundown part of the town centre ,
- the quality of the residential accommodation created and its compliance with local plan policies in relation to size of units, outlook, arrangement of space, access to amenity space and parking levels,
- the impact on the amenity of neighbours to the site
- the impact on the wider highway network and the means of integrating the proposals into the wider urban area through the promotion of more sustainable means of movement.
- the scale of contribution towards the local infrastructure bearing in mind viability and its location in a Community Investment Area.

Of particular relevance are policies SS11 which identifies the area as a Community Investment Area and one that requires additional support and investment in the fabric of the place that will help secure regeneration and create more mixed and balanced communities, SS10 in relation to the impact on the

historic environment, policies DE1 and DE3 in relation to the innate quality of the schemes and the impact on neighbours, DE4 in relation to the height of the B&Q building within its immediate context, TA2 and TA3 in relation to the impact on the highway network and the means of improving connectivity with the wider urban area. Each will be addressed in turn.

1. The Impact on the Character and Appearance of the Tormohun Conservation Area and the contribution to the Regeneration of Torre Community Investment Area.

In their current condition, these three buildings seriously compromise the character and appearance of the Tormohun Conservation Area. The impact of this dereliction is causing blight to the neighbourhood.

This part of Torre is within a defined Community Investment Area in recognition of the fact that it experiences significant deprivation as confirmed in the 2010 Indices of Multiple Deprivation. Policy SS11 requires development to 'improve the sustainability' of new and existing communities and to try and create more cohesive communities in a high quality environment where people want to live and work. It is important to approach development opportunities in a positive way and to recognise how vital it is to achieve development with a capacity to deliver regeneration.

As a starting point, all three schemes seek to maximise the retention of the existing historic fabric which is welcomed. This approach contributes significantly to maintaining a sense of place and belonging. There is a common design ethos in relation to all three sites in terms of the contemporary design detail and consistent use of high quality materials.

The concerns that have been expressed relate to the new extensions and interventions.

In relation to the B&Q site and the MMA building the concerns related to the size and form of the three storey building/roof extension to the corner of the B&Q plot and the three storey transitional link to the MMA building.

As submitted, the extension to the former B&Q building provided for three new storeys of accommodation comprising an additional floor along with a two storey roof extension. The roof extension included little set back between the main part of the building and the new roof. This led to a very dominant and top heavy impact.

This has since been modified by some adjustment of the cladding to the lower levels of the extension to create a more balanced appearance and the deletion of one of the roof top flats to allow a greater level of setback and subservience to be achieved. This does reduce its overall dominance. Design amendments have

produced a more consistent relationship with the character of the 'Art Deco' levels beneath.

However Historic England and the Council's Conservation Officer consider that this doesn't overcome their concerns about the impact of this roof extension on the character of the Conservation Area and on wider public views. Their position is that the development in this form will be harmful and suggest that the whole of the top floor should be deleted. This has been resisted by the applicant on the grounds of viability.

The transitional link between the B&Q building and the MMA building has been modified since submission by amending the design to create a standalone link rather than it being read purely as a rather quirky roof extension set between two very different buildings. It therefore is more successful as a transitional link although the rather unusual cuboid double height roof extension persists in the revised scheme.

These changes have gone some way to responding to concerns about the impact of the scheme on the conservation area. A LVIA has been submitted which does show that the revisions to the form and dominance of the roof have succeeded in reducing its impact on wider views and on the immediate townscape. Nonetheless, there is no disguising the fact that the roof extension to the B&Q building is prominent within the townscape and will be widely visible from a number of key vantage points as it occupies such a prominent and elevated location in the town.

Policy DE4, which provides guidance in relation to tall buildings recognises that whilst new buildings should generally be constructed to the prevailing height, particularly in sensitive locations such as conservation areas, they may exceptionally be acceptable if they introduce positive benefits in terms of enhancing vitality, achieving regeneration and delivering socio economic benefits. It is considered that the wider benefits do mitigate for concerns in relation to the impact on the historic environment.

The form of the roof extension to the MMA building is of an unusual design that is somewhat at odds with the prevailing character of this part of the Tormohun Conservation Area. However it is relatively well screened from wider views and its rather playful design, subject to detail, represent quite an interesting means of transition between these two quite different buildings.

It must be stressed however that apart from the impact of the roof extensions, the retention and refurbishment of both these buildings is welcomed by Historic England and the Council's Conservation Officer alike.

The more unorthodox approach to dealing with the Zion Road Chapel is also problematic in terms of its impact on the character of the building and the wider

conservation area.

The scheme involves the insertion of two large flat roofed copper clad dormers to each roof slope along with redevelopment of the existing side extension in a matching style to provide a separate dwelling. Whilst well designed and using good quality materials, their contemporary appearance sits in contrast to the more solid traditional character of the chapel.

This is most apparent in relation to the changes to the roof which is the most attractive part of the building. The banded slated roof is very prominent within the townscape particularly from views up to Tor Hill from the south of the site and from higher ground across the valley.

The applicant has sought to minimise the impact of the roof extension by reducing its size and scaling it back from the ridge and eaves. It has also been designed with care in terms of maintaining as open a character as possible. On the south facing slope the inclusion of an open balcony (albeit set behind a framework of copper columns) does allow views and light to penetrate and lighten the visual impact of the structure. A recent revision extends the same principle to the north facing roof slope and a glazed roof to the stairwell acts in a way to lighten its impact.

The replacement side extension, similarly clad in metal and with limited openings is quite 'harsh' in terms of its relationship to the street. This is to some extent mitigated by the applicant's agreement to purchase the Council owned car parking land which sits between the Chapel and Tor Hill Road and to incorporate this within his site. A new stone wall is to be constructed along the street edge and although it will accommodate some parking, landscaping and tree planting will be included which will act in a way to considerably soften and screen the new extension. It will also provide an opportunity to improve the public realm along this part of Tor Hill Road.

As originally submitted the scheme involved painting the stone and brick detailing, leaving windows boxed in and maintaining the rather squat scale of vehicular opening to the building. In response to pressure from Officers, the stone façade and brick detailing is now to be repointed repaired and cleaned, although windows cannot be fully opened up, frames are to be reinstated which will improve the external appearance and the proportions of the vehicular opening are to be restored to a close approximation of the original entrance.

Whatever reservations there might be about the nature of the extensions on the historic character of this building, it is demonstrably of a high quality in terms of the use of materials and detailing. The extensive use of copper cladding ties it into the new roof extension on the B&Q site and this common palette and its rather quirky appearance does tie these proposals together in a way that will lift this part of Torre.

Less than substantial harm to the historic environment can be acceptable providing the decision maker has fully taken into account the duties under S.66 and S.72 of the 1990 Act regarding the need to preserve and enhance the character of the Conservation Area. The public benefits of proposals can then be weighed in the balance as explained in paragraphs 131 to 138 of the NPPF.

Revised proposals in relation to all three sites have been submitted by the applicant in an attempt to overcome concerns particularly from Historic England. These have significantly improved the visual quality of the overall scheme but have not entirely overcome the concerns about the impact on the historic environment. It must be recognised that the scheme is high quality, it involves retention of much of the original fabric of the respective buildings, uses good quality materials and whilst the design approach may be unusual it is capable of creating a cohesive piece of townscape in an area that is in dire need of investment.

A key priority has to be achieving the reuse of these buildings which have been left vacant for many years. They contribute in no small way to the blight that affects this part of the town and despite understandable concerns about the impact of the various roof extensions it is considered that this is outweighed by the wider benefits of the proposals in terms of delivering new homes, jobs and regeneration of the townscape.

2. The quality of the residential accommodation created and its compliance with local plan policies in relation to size of units, outlook, arrangement of space, access to amenity space and parking levels.

In respect of the overall quality of the residential environment, the scheme on all three sites is largely in compliance with policy DE1 and DE3 of the Local Plan in terms of dwelling size, access to amenity space, outlook and arrangement of space.

One of the units in the B&Q site is at 50m², just compliant with the minimum specified dwelling size. The remaining units are all of a good size. All the dwellings have access to external terraces or balconies most of at least 10m².

The dwellings converted from an existing warehouse building to the north of the B&Q building have, through the internal arrangement of space, more limited outlook to the living accommodation as it is set within the building and lit with roof lights. The applicant did look to improve this by swapping bedroom and living accommodation but this resulted in very limited living space and on balance, the accommodation is considered to be of an acceptable standard. They are spacious and include roof terraces off the living space and will not present poor quality residential environments.

The standard of amenity has been improved in respect of the Zion Road Chapel site by the inclusion of the Council owned car parking area which delivers useable garden space and some screening from traffic on Tor Hill Road. In terms of outlook and arrangement of space, the dwellings are to a high standard.

In terms of car parking, the B&Q building includes 10 car parking spaces to serve 11 apartments, the conversion of the existing warehouse building to the north includes existing integral garaging, the MMA building will be allocated spaces in the newly acquired strip of land adjacent to the Zion Road Chapel site the conversion of which includes 7 car parking spaces for 7 dwellings.

Given the central and very accessible nature of the site, this level of car parking is considered acceptable.

3. The impact on the amenity of neighbours to the site

The only concerns in terms of impact on neighbours arose from the inclusion of dormer extensions on the southern slope of the Zion Road Chapel roof. Amendments to the design and to the position of the internal balcony have resulted in this objection being withdrawn and an acceptance that some impact is preferable to the building being left derelict any longer or a more unneighbourly use being introduced.

4. The impact on the wider highway network and the means of integrating the proposals into the wider urban area through the promotion of more sustainable means of movement.

A Transport Assessment has been submitted to support the application.

This confirms that the impact on the wider highway network is negligible bearing in mind the uses that the B&Q building and the Zion Road chapel site could lawfully be put and that the site is well located in relation to shops and services and is close to cycling routes and public transport. Strategic Transport consider that the promotion of measures to reduce traffic impact and to increase more sustainable movement should be secured via a Travel Plan and are satisfied that this can be secured by condition along with achieving delivery of secure cycle storage/electric charging points.

It is important to try and integrate the more isolated traffic locked B&Q and MMA buildings into the wider urban area. This can be done through creating improved pedestrian linkages to local facilities and improving access to cycle lanes and public transport facilities. This can only partly be achieved via the Travel Plan.

Localised small scale improvements to connectivity can be achieved through conditions, a s106 Agreement or unilateral undertaking or through local infrastructure contributions. This aspect of the scheme is currently under review and Members will be advised at the meeting whether there are benefits to local cycling and pedestrian links that could be achieved to improve connectivity.

5. The scale of contribution towards the local infrastructure bearing in mind viability and its location in a Community Investment Area.

The sites are located in a community investment area and any contributions to be derived can be directed towards local improvements to the area which will improve its attractiveness as a place to live.

An IVA has been submitted in relation to the B&Q site; this is the only application which would, due to its size be liable for Affordable Housing and Community Infrastructure Contributions. This appears to indicate marginal viability and is currently in the process of being assessed by the TDA.

Initial feedback confirms that the scheme is likely to generate a level of profit well below the standard 20% margin. For this reason, the scheme cannot afford to meet the community infrastructure contributions defined in the Adopted SPD 'Planning Contributions and Affordable Housing'.

The schemes in relation to the MMA building and Zion Road Chapel, would not under current guidelines be liable for any scale of contributions unless aspects of the proposal were not policy compliant and this was capable of mitigation through investment in a nearby facility.

The Zion Road Chapel site for example was slightly deficient in terms of amenity space. This could have been mitigated through a 'greenspace' contribution to be invested in a nearby park or, addressed (as has been the case in this application) by the inclusion of adjacent land to overcome the deficiency. This measure will also improve the quality of the pedestrian environment thus potentially satisfying sustainable transport ambitions.

It would appear therefore that there is little justification for requesting any further contributions towards investment in the local area (subject to confirmation from the TDA that the IVA is robust) other than possible improvements to linkages to the wider urban area.

6. Impact of the commercial floor space

Commercial retail floor space (600m²) is included on ground floor of the terrace units on Laburnam Row and within the ground floor of the B&Q building. The lawful use of the entire premises is for retail purposes, therefore there are limited planning implications arising from the use of the premises for retail purposes. Clearly the space available within the B&Q building is quite significant and could

attract a food retailer or similar. Again, subject to servicing needs being met then this is of little concern in planning terms. A service bay is available to serve the B&Q site on the opposite side of Tor Hill Road which would ease servicing requirements. It is proposed to impose a condition to ensure that servicing and refuse needs are fully reflected in the ongoing design.

The applicant has explained that although potential occupiers are unknown, he hopes to provide space for small independent retailers and businesses and whilst this would be very welcome, it is not possible to restrict occupation to such more attractive uses.

7. Ecology

Whilst the buildings have the potential to accommodate bats and nesting birds, surveys have been submitted which confirm that there is limited likelihood of any adverse impact. This has been confirmed by the Council's Green Infrastructure Coordinator who requires advisory conditions to apply when works are in progress.

8. Contamination

A Desk top study identifies only limited contaminants arising from a fuel tank and provides advice about how to remove the structure and ensure no ongoing contamination results.

S106/CIL -

All these sites are within a Community Investment Area. Policy SS11 (Sustainable Communities) supports contributions as defined in the Adopted SPD 'Planning Contributions and Affordable Housing' being directed to improving the immediate area as a place to live through improvements to the local environment, creation of jobs and sustainable transport . A viability study suggests very limited profit margin but this is being assessed by the TDA. Some investment in the public realm may be justified on a site related basis to improve connectivity with the wider urban area and Members will be updated on this at the meeting.

Conclusions

It is considered that all three schemes are acceptable. They largely seek to retain and refurbish existing buildings that contribute in no small way to the sense of place. These are buildings that have been vacant for a significant period of time and are blighting what is a deprived neighbourhood that is in desperate need of investment.

Historic England and the Council's Conservation Officer, whilst finding much positive about the proposals have reservations about the dominance of the roof extension to the B&Q building and the nature of the extension to the MMA chapel

building. There have been amendments to both these features to try and overcome these concerns although they still remain albeit less strongly felt.

Historic England consider that the scheme would be acceptable if the top floor to the B&Q building were removed to present a more simple subservient roof extension and whilst this has been considered by the applicant it has been discounted as unviable. The IVA submitted to support the application confirms a very limited profitability and the loss of the top floor flat with its views would further erode viability.

In respect of the Zion Road Chapel, the Council's Conservation Officer is singularly opposed to the form and appearance of the extensions to this traditional chapel building.

In considering the schemes in the round and the benefit in terms of regeneration of Torre it is thought that this rather unusual design approach to the future use of the Chapel is acceptable.

Harm on the historic environment can be acceptable providing the decision maker has fully taken into account the duties under S.66 and S.72 of the 1990 Act regarding the need to preserve and enhance the character of the Conservation Area. The public benefits of proposals can then be weighed in the balance as explained in paragraphs 131- 138 of the NPPF.

The clear public benefits are the refurbishment of key local buildings, the regeneration of a deprived and run down part of the town where there has been long standing vacancy and dereliction, the delivery of good quality homes on brownfield sites in an accessible central location, the delivery of commercial floor space which will add vibrancy to the area and a boost to the local economy in terms of jobs.

Despite reservations about the impact on the historic environment, it is considered that the quirky unusual design approach and its evident quality in terms of materials will play a major role in kick starting the regeneration of this part of Torre and that planning permission should be granted.

Recommendation.

1. That application No P/2016/0730 in relation to the B&Q building be approved subject to the TDA confirming the IVA presents a robust assessment of the viability of the scheme, to the possible inclusion of minor works to secure improved connectivity with the wider urban area and to the conditions detailed below.
 - Large scale details.
 - Samples of materials.
 - Servicing Plan including refuse strategy based on preliminary strategy included in approved Transport Statement.

- Implementation of parking facilities prior to occupation.
 - Provision of bike storage and electric charging points.
 - Advisory conditions in relation to Bats and Breeding birds.
 - Implementation of recommendations included in contaminated land report.
2. That application No P/2016/0729 in relation to the MMA Building be approved subject to the conditions detailed below.
- Large scale details
 - Samples of materials
 - Advisory conditions in relation to Bats and Breeding birds
 - No PD.
3. That application No P/2016/0914 in relation to the Zion Road Chapel be approved subject to the submission of a revised plan incorporating the Council owned land to be purchased adjacent to Tor Hill Road and extending the redline to include this land within the application site and to the conditions detailed below.
- Implementation of works to former Council owned land adjacent Tor Hill Road including erection of natural stone wall in accordance with previously agreed sample panel prior to occupation.
 - Implementation of schedule of works including stone and brick detail cleaning, reinstatement of windows and works to restore appropriate dimensions to vehicular access prior to occupation.
 - Implementation and maintenance of landscaping.
 - Implementation of parking facilities prior to occupation.
 - Implementation of refuse storage, bike storage and electric charging points prior to occupation.
 - Large scale details.
 - Samples of materials.
 - Provision of bike storage and electric charging points.
 - Advisory conditions in relation to Bats and Breeding birds.