

Application Number

P/2016/1316

Site Address1-2 Kents Road
Torquay
TQ1 2NL**Case Officer**

Mr Scott Jones

Ward

Wellswood

Description

Conversion and change of use from care home (C2) to 12 residential apartments (C3); Internal and external alterations

Executive summary

The site is Numbers 1 and 2 Kents Road, which is a former 30-bed care home that sits at the eastern entrance to Kents Road. The care home use has ceased and the building currently lies empty. The building is two former Victorian townhouses that are part of a wider Grade II listed terrace.

Consent is sought for internal and external alterations and the change of use of the building to provide 12 apartments. The scheme proposes 5 one-bed apartments, 6 two-bed apartments, and 1 three-bed apartment, together with bin storage, cycle storage, garden space and parking for 5 cars.

The use of the building for good quality self-contained residential apartments is welcomed. The use will sit comfortably aside and would reinforce the overriding residential character of the street and area. When considering the buildings' former use the proposal would have little impact upon the amenity of adjacent occupiers. It would also provide a viable use to bring the empty listed building back into use.

The apartments provide a good standard of accommodation in terms of space, natural lighting and outlooks, and the units are well located as occupants will benefit from a location in close proximity to a diverse local shopping centre and bus links.

The proposal takes the opportunities available to provide on-plot parking without undue harm on the setting of the listed building, but fails to meet the expected requirement outlined in the local plan of one space per flat. As the building sits in close proximity to a relatively strong and vibrant Local Centre and is also close to bus links to a Town and District Centre, it is considered reasonable to accept parking below the expected standard, as occupants could reasonably enjoy good access opportunities without the need for a car, in the context of bringing a listed building into good use.

The scheme secures suitable enhancements to the heritage asset with a number of deleterious features being removed and the exterior and internal fabric being improved and made good where necessary.

The proposed development is considered to provide good quality residential units in a sustainable location and provides a good use for an empty listed building, and is such comfortably aligned with the aims and objectives of Policies HE1, SS10, DE1 and DE3 of the Local Plan and advice contained within the NPPF.

Recommendation

Approval, subject to:

1. conditions delegated to the Head of Business Services to include those outlined within this report.
2. signing of a S106 legal agreement or the receipt of an upfront payment to secure necessary planning obligations, delegated to the Head of Business Services, prior to the 14th March 2017 or within 3 months of the date of this Committee if an extension of time is agreed with the applicant.

Statutory Determination Period

Major Application - 13 week deadline 14.03.2017.

Site Details

The site is Numbers 1 and 2 Kent's Road, which is a former 30-bed care home that sits at the eastern entrance to Kent's Road. The care home use has ceased and the building currently lies empty.

The building is two former Victorian townhouses that were subsumed into a single operating care home, with interconnecting doors created through the central party wall.

The building forms Part of a Grade II listed terrace that is numbers 1-7 Kent's Road, which date from the 1870s and set in a pleasant tree lined street with a residential character. The listed terrace also sits in the Lincombes Conservation Area and is adjacent to the Wellswood Local Shopping Centre.

In terms of setting there are two vehicular entrances to an expanse of hardstand that sits to the east of the building adjacent to Higher Erith Road which provide an un-marked parking area. To the rear of Number 1 there is a modern flat-roofed extension that has removed the natural circulation around the building to the rear garden.

Detailed Proposals

Consent is sought for internal and external alterations and the change of use of the building from a 30-bed care home to provide 12 apartments.

The scheme proposes 5 one-bed apartments, 6 two-bed apartments, and 1

three-bed apartment.

Two apartments are proposed within the basement and these will be independently accessed from the rear of the building. Four apartments are proposed on each of the ground and first floors, with access split from the two historical front doors. Two apartments are proposed at second floor in the roof storey.

There are a number of internal alterations proposed to the listed building in order to permit the building's conversion from the care use layout to provide 12 apartments.

The general concept is to remove the various partitions and interventions to the historical fabric from the care use era, make good all detailing such as cornicing, and then to provide a layout for an apartment scheme that seeks to re-emphasise the building as two buildings with each function around a principal entrance to a central lobby and stairs, with principal rooms restored where possible.

Externally it is proposed to remove modern Upvc windows where they exist and replace with timber windows to match the historical window form, to repair and redecorate the original timber windows where necessary, and to repair and replace lead flashing where required. The scheme also ensures the removal of the care home signage, the removal of a metal escape stair and small extension to the rear. The scheme also proposes to introduce an archway in the modern rear extension at lower ground floor to reintroduce circulation around the building and provide access to the two basements apartments and also access to bin and cycle storage and rear garden space.

The informal parking area to the east of the building adjacent to Higher Erith Road will be formalised to provide 5 parking spaces to serve the development.

Around the building boundary landscaping is to be reinforced, light wells to the south fronting Kent's Road will be restored to aid light ingress to the basements units, high quality patio covering will be provided adjacent to the building and a garden formed to the rear of the building.

Summary Of Consultation Responses

Design and Conservation Team

The scheme is an improvement on the 13 unit scheme seen at pre-app and the basement configuration of 2 flats rather than 3 as suggested is welcomed. The archway intervention to allow access to the rear is acceptable as it provides a number of benefits in terms of circulation and general use. The scheme is supported.

Strategic Transport / Highways

The proposal provides 5 parking spaces and this appears the maximum level that can be provided on site. This is below the expected requirement outlined within the Local Plan which is one space per flat. It is accepted that traffic movement is unlikely to increase when considering the former care home use and sustainable transport obligations would be fully mitigated and not required.

It is noted that the police liaison officer has highlighted concern about provision below parking standards and the potential conflict of this. Should the Highway Authority justify the requirement it is suggested that a monitoring/enforcement obligation would be necessary to the sum of £5760.00 in order to mitigate the likely increase in pressure for evening and weekend parking. The absence of mitigation will present development that is contrary to Local Plan Policy TA3 (Parking standards) and the application would not be supported by the Highway Authority.

The provision of cycle parking is welcomed and it would be beneficial to seek an electric charging point within reach of the parking area.

Drainage Engineer

The scheme will not increase the risk of flooding in a Critical Drainage Area as there is no increase in impermeable area.

South West Water

No objection.

Green Infrastructure Officer

There is no identifiable scheme in the area to pool obligations towards and hence greenspace obligations should not be sought.

Community Safety

No comment.

Police Liaison Officer

The ramifications of sub-policy level parking should be duly considered. General advice on security based design is also provided.

Summary Of Representations

None.

Relevant Planning History

Pre-Application Enquiry for 13 units - General support given but advised that the scheme could be improved by providing 2 units at basement level.

Historical application for Number 2 only - Conversion to 8 units - Refused- Due to poor design and impact upon the listed building and with an informative that the

proposal should deal with the entire care home which occupies No.1 and No.2.

Key Issues/Material Considerations

The key issues are:

1. Impact upon the listed building, its setting and the Lincombes Conservation Area
2. Quality of the residential environment proposed
3. Impact upon local amenity
4. Impact upon highways and parking
5. Surface water drainage and flood risk
6. Other matters.

1. Impact upon the listed building, its setting and the Lincombes Conservation Area

The key issue is whether the proposals have due regard to the desirability of preserving the listed building and its setting, as outlined within Policies HE1 and SS10 of the Torbay Local Plan 2012-2030.

HE1 states that suitable uses for listed buildings will be supported where it will help to conserve the historical fabric and character of the building.

In addition Paragraph 131 of the National Planning Policy Framework (NPPF) states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness.

Also relevant is Paragraph 132 of the NPPF which states that great weight should be given to a heritage asset's conservation and that as heritage assets are irreplaceable any harm or loss should require clear and convincing justification.

Further to the above Paragraph 137 cites that Local Planning Authorities should look for opportunities to enhance or better reveal the significance of heritage assets.

The proposed external alterations provide a comprehensive scheme to address certain deleterious features and to make good areas that are in poor repair. By addressing the window stock and alien elements such as signage and a metal escape stair the external appearance of the building will be positively addressed to an acceptable level.

In terms of setting the proposal seeks to provide a balance between the provision of parking and the ability to provide a garden setting for the building. The

scheme proposes that the expanse of parking will be softened by landscaping and the area formalised by parking bays, which will help create some order to the area. High quality paving is also proposed closer to the building to provide patio areas. Considering the constraints of the plot the setting of the listed building is also adequately addressed.

Internally the scheme recreates the vertical division between No.1 and No.2 and will return the building back to the two operating buildings as per the original townhouse arrangement. Excluding the basement units, which will be independently accessed, each building will be accessed and circulated through the principal doors with units off the communal lobby and feature staircases. The overriding principal of seeking to return the layout as close to the original principal rooms is welcomed, as is the return of missing architectural features such as cornicing.

The elements outlined above are considered to present a positive and well thought out treatment of the building, its fabric and its setting, which have due regard to the desirability of preserving the listed building.

The proposal is considered comfortably aligned to the aims of Policies SS10 and HE1 of the Torbay Local Plan and relevant guidance contained within the NPPF in regard to heritage assets.

2. Quality of the residential environment proposed

Policy DE3 (Development amenity) of the Torbay Local Plan 2012-2030 seeks a good level of amenity for all future residents or occupiers and provides specific guidance on internal and external space standards for residential units .

The units are self-contained and provide key rooms with natural light and generally good standards of outlook. The apartments appear a suitable size in order to provide a good standard of accommodation for future occupiers. In regard to internal floor areas the one-bed units range from 51 square metres to 59 square metres, the two-bed range units from 79 square metres to 140 square metres, and the three-bed unit has a floor area of 167 square metres. All units exceed the minimum space standards which are expected of new dwellings as outlined within Policy DE3 (Development amenity) of the Local Plan.

The creation of circulation around the building to a lower level bin and cycle stores is welcomed within what is a restricted plot and in an area where subdivided buildings have created unfortunate bin clutter in the street scene.

The proposal has considered the provision of operable parking spaces that provide adequate space (2.4m by 4.8m spaces) and manoeuvring (6m behind spaces for turning) and proposes 5 spaces to serve the 12 apartments. Guidance within the Torbay Local Plan 2012-2030 states an estimated requirement of one space per flat and hence the scheme is deficient when

considered against policy guidance. The lack of parking is unlikely to demonstrably affect the quality of the residential environment for occupants as the building is close to shops and services and also to transport links.

The general level of amenity for occupants would be good and the proposal would provide an adequate level of amenity in-line with Policy DE3 of the Local Plan.

3. Impact upon local amenity

The proposal has been considered against the aims and objectives of Policy DE3 (Development amenity) of the Torbay Local Plan 2012-2030, which seeks that development should not unduly impact the amenity neighbouring and surrounding uses.

A residential use is comfortably aligned with the prevailing residential character of the street within which it sits. It is unlikely that the subdivision and use would demonstrably affect the amenity of adjacent occupiers.

Although the level of movement to and from the plot is unlikely to increase the pattern of movement may change with greater pressure on street parking in the evening and weekends. The proposal seeks to provide the maximum available on-plot parking to limit any impact, which is welcomed. It is also appreciated that the entire terrace is subdivided and none of the adjacent flatted buildings in the terrace provide any on-plot parking and hence the proposal is a better arrangement than the established residential uses adjacent.

On balance the proposed use would retain an adequate level of amenity for occupants of adjacent buildings in-line with Policy DE3 of the Torbay Local Plan 2012-2030.

4. Impact upon highways and parking

The proposal has been considered against the aims and objectives of Policy TA3 (Parking requirements) and Appendix F of the Local Plan, which seeks that development should provide adequate parking and cycle parking facilities.

There is parking provision for 5 spaces to serve the 12 units, which is below the 1:1 ratio of the expected requirement for flats as identified within the Local Plan.

The development may increase pressure on local roads in the evening and weekends due to the change in transport patterns, but overall there is unlikely to be an increase in transport movement to and from the site due to the extent of vehicular movements that the previous use as a 30-bed care home is likely to have generated. .

It is however accepted that the proposal seeks to maximise the provision of on-plot parking without harming the setting of the listed building and there is the

consideration to be made on the scheme bringing forward a viable use for a large listed building.

It is also appreciated that the site sits very close to a thriving local centre and school and is close to bus links, which may limit the need for occupants to own or use a car generally.

In the context the level of parking is considered acceptable as the scheme is a well-balanced residential conversion that will bring wider improvements to the listed building and its long-term condition.

Although the previous use fully mitigates any requirement for sustainable transport obligations it may be justified to seek mitigation towards parking enforcement issues in line with advice from the Police Designing Out Crime Officer. The Highway Department have been requested to confirm whether this may be necessary in the context of Kent's Road.

Cycle parking has been provided and an electric charging point should be located close to the car park in-line with guidance. These should be secured by planning conditions.

Subject to clarification on the need for a monitoring contribution the proposal would provide an acceptable form of development in-line with Policy TA3 of the Local Plan.

5. Drainage and flood risk

With no increase in impermeable area the proposal would not increase the risk of flooding with the Critical Drainage Area and it is aligned with Local Plan Policies ER1 and ER2.

6. Other matters

In line with Natural England's SSSI Impact Risk Zone designations, the development is not considered likely to have an effect on the nearby SSSI designations.

The proposal is unlikely to impact protected species due to the limited nature of external works. An informative in regard to having due care is recommended.

S106/CIL -

Policy SS7 (Infrastructure, phasing and delivery of development) of the Torbay Local Plan 2012-2030 sets out that a range of physical, social and green infrastructure will be sought commensurate to the type and scale of development.

The impact of the change of use to provide 12 apartments on infrastructure is likely to be limited when considering the existing use of the building as a 30-bed care home.

Based on the provision of 12 units as detailed the level of obligations is outlined below:

Site acceptability

Parking monitoring and enforcement - £5,760.00* (*subject to Highway Authority confirmation that it is necessary)

Affordable Housing - N/A

A scheme of 12 units on brownfield land does not trigger any affordable housing requirement, as identified within Policy H2 (Affordable housing) of the Torbay Local Plan 2012-2030.

Sustainable Development Obligations

Sustainable Transport - N/A (Fully mitigated by the existing use)

Greenspace - N/A (No schemes identified for pooling within the immediate area)

Education - N/A (not currently requested for Torquay applications)

Waste - N/A (Not currently requested)

Lifelong learning - £1,620.00

Sustainable Development Obligations subject to the revised draft Supplementary Planning Document being adopted by the Council prior to determination of the application

Education - £22,180.00

Lifelong learning - £1,252.00

Conclusions

The use of the building for apartments is acceptable as this will reinforce the overriding residential character of the street and area and would have little impact upon the amenity of adjacent occupiers.

The provision of 12 apartments provides a good standard of accommodation and the change of use secures a good use for an unoccupied listed building. It also secures suitable enhancements to the building to better reveal it as a heritage asset.

The layout takes the opportunities available to provide on-plot parking without undue harm on the setting of the listed building. As it is close to a relatively strong and vibrant Local Centre and also close to a bus route that links to a Town and District Centre, it is considered reasonable to accept parking below the expected standard as occupants could reasonably enjoy good access

opportunities without the need for a car. It also secures improvements to a heritage asset and a use for a presently unoccupied building.

The proposed development is considered to be appropriate and comfortably aligned with the aims and objectives of Policies HE1, SS10, DE1, DE3, H1, and TA3 of the Local Plan.

Proposed conditions:

- Completion of all external works prior to occupation
- Completion off all internal works prior to occupation
- Provision of parking prior to occupation and retention at all times thereafter for the purposes of parking for occupants
- Provision of bin and cycle storage prior to occupation and retention at all times thereafter for those purposes
- Submission of a detailed landscaping scheme and implementation within first available planting season following the first occupation of the building
- Submission of patio sample prior to commencement of development
- provision of an electric charging point prior to the first use of the building.

Relevant Policies

DE1 - Design

DE3 - Development Amenity

HE1 - Listed Buildings

SS10 - Conservation and Historic Environment

SS11 - Sustainable Communities Strategy

SS12 - Housing

ER1 - Flood Risk

ER2 - Water Management

TA2 - Development access

TA3 - Parking requirements

SS7 - Infrastructure, phasing and employment

H6LFS - Housing for people in need of care