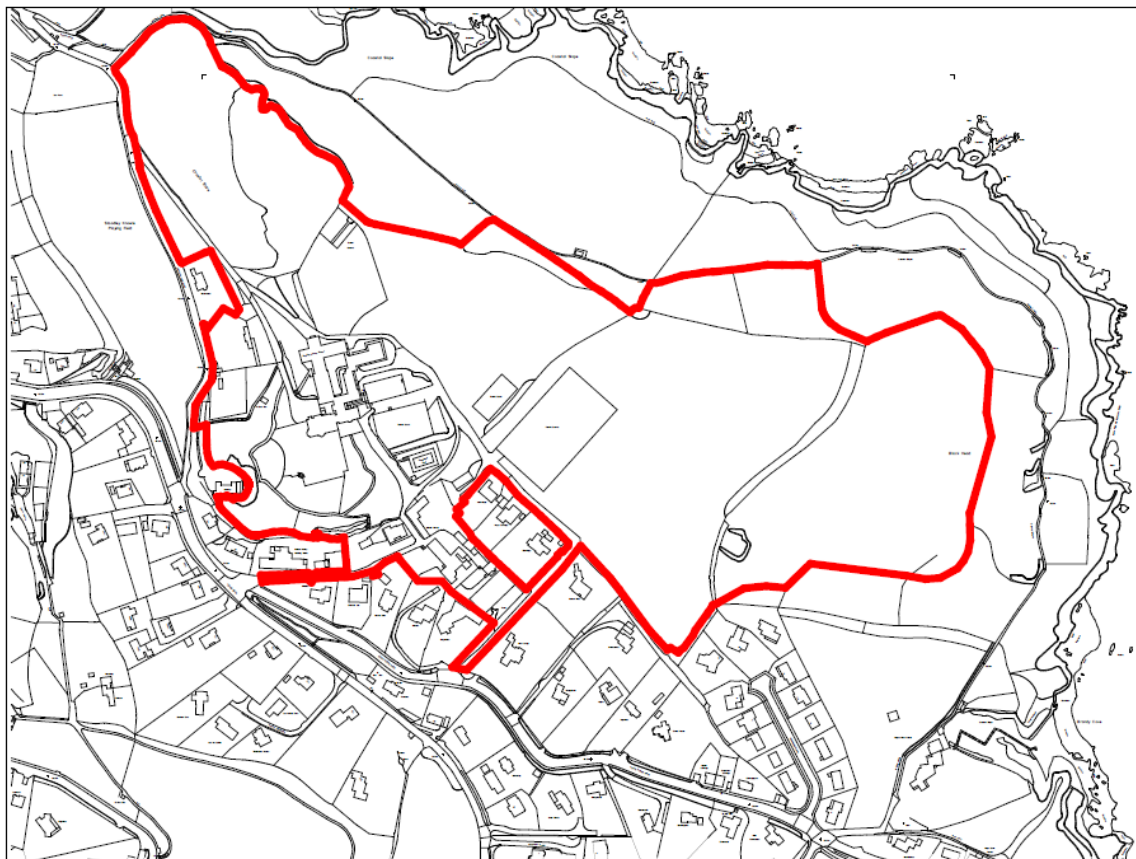


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|---|---|
| Application Site Address | Stoodley Knowle School, Ansteys Cove Road Torquay TQ1 2JB |
| Proposal | Listed Building Consent for works to the listed buildings (related to P/2019/1334 - Demolition of school site and construction of 90 residential units (houses and apartments), with associated car parking, landscaping and infrastructure). |
| Application Number | P/2019/1334 |
| Applicant | The PG Group |
| Agent | Bell Cornwell LLP |
| Date Application Valid | 13.12.2019 |
| Decision Due date | 07.02.2020 |
| Extension of Time Date | 17.07.2020 |
| Recommendation | Approval; subject to conditions (detailed wording at the end of this report) |
| Reason for Referral to Planning Committee | Linked to Major Development |
| Planning Case Officer | Scott Jones |

Location Plan –



Site Details

The site is that of the former Stoodley Knowle School, an independent girls school which closed in 2015, set within the suburb of Wellswood in Torquay and located on an elevated coastal position between Ansteys Cove to the north-west and Hope Cove to the south-east.

Towards the south of the site sit a group of buildings, some of which are listed.

Ilsham Manor Oratory – Grade II* Listed - A three-storey small rectangular building of circa 15th century origins, which represents one of three surviving medieval structures at Ilsham. These are associated with a grange established by the nearby Premonstratensian Abbey of Torre.

2 ranges of outbuildings to the northwest of Ilsham Manor Oratory – Grade II Listed, which are former farm buildings of potential medieval origins, which have been much altered in the 20th century.

Outbuilding to southeast of Ilsham Manor Oratory – Grade II Listed, which is an outbuilding now converted into a classroom, again with possible medieval origins, and rebuilt in the 19th century.

More broadly the site covers a total of 17.4 hectares and comprises a large complex of buildings along with areas of open meadow, gardens and woodland. The existing buildings, which are primarily located towards the centre and western parts of the site are a mixture of styles and ages and vary in scale between larger more modern institutional buildings to much smaller one and two storey period buildings.

Description of Development

Listed Building Consent is sought for associated works to facilitate in part the wider proposals for the demolition of the majority of the school buildings in order to redevelop the site to provide 90 residential units comprising 68 apartments, 13 new-build dwellings and 9 dwellings via the conversion of existing buildings.

Listed Building Consent is sought for all works of demolition, alteration or extension to the listed buildings.

The objectives of the works are to provide a mix of high quality housing, and thus uses for the listed buildings, the creation of a distinctive and attractive place that reflects the existing local character, relating well to the historic context, which is low density housing provided in an arrangement that reflects the historic character. It includes the conservation of existing heritage assets and the removal of inappropriate C20th additions.

Through the conversion of existing buildings and extensions the proposed development provides a total number of 7 no. 2, 3 and 4 bedroom residential units plus a 4 bedroom replacement dwelling.

Building 1 (Threshing Barn)

Seeks to sensitively convert the existing building identified as the threshing barn. Externally, the elevations of the existing barn will be retained and where necessary restored. Works will include the repair of areas of localised cracking using appropriate methods and compatible materials. The infilled opening in the north-west elevation will be opened up, and a new opening is proposed in the north east gable end. The main entrance to the existing barn is to be infilled with new glazed timber joinery as indicated on the elevations. The existing roof is to be retained and where necessary overhauled including new lead flashings to ensure weather tightness. A structural assessment of the building has identified that the roof has failed and spread in the vicinity of the door opening in the south elevation, with sections of the adjoining stonework leaning outwards. These failures will be rectified in accordance with the recommendations of a structural engineer.

Building 2 (Shippon Building)

Proposals seek to convert the existing building and to provide a new building to the west providing a 3 bedroom 6 person dwelling. Externally, the elevations of the existing barn will generally be retained and where necessary restored, with alterations to window openings where appropriate to suit the proposed internal layout. Works will include the repair of areas of localised cracking using appropriate methods and compatible materials. A structural assessment found that the existing roof has failed, causing localised displacement of the stonework, and advises that the roof will require complete dismantling and reconstruction. Existing clay roof tiles will be retained and reused. The proposed new build element comprises of matching limestone faced walls and clay tile roof finishes. High level timber joinery reflects the fenestration of the larger new building to the north.

Building 3 (Playschool)

Proposals for Building 3 seek to convert the existing building, including providing a new first floor of accommodation, and to provide a new single storey extension to the south east providing a 3 bedroom 6 person dwelling. Externally, the elevations of the existing building will generally be retained and where necessary restored, with alterations to window openings where appropriate to suit the proposed internal layout. Works will include the repair of areas of localised cracking using appropriate methods and compatible materials. The late 20th Century entrance porch is to be removed and the first floor bay window extended down to ground floor level.

Building 4 (Ilsham Manor)

Not specifically listed, arts and craft building style building, with the elevations of the original building generally be retained and where necessary restored. It is proposed to remove the range of original single storey buildings to the northern end of the main two storey house. Works will include the repair of areas of localised cracking and repair works using appropriate methods and compatible materials. A structural assessment found that overall the structural condition of the building appears to be relatively good and capable of conversion and renovation. The existing roof is to be retained and where necessary overhauled including new lead flashings to ensure weather tightness. Existing timber fascias and soffits are to be replaced with new.

Building 5 (Cart Shed)

Proposals for Building 5 seek to convert and extend to provide a 3 bedroom 5 person dwelling. Externally, the elevations of the existing barn will generally be retained and where necessary restored. Works will include the repair of areas of localised cracking using appropriate methods and compatible materials. New timber joinery is to be inserted into existing openings on the north east elevation, with all non-original external steps and handrails to be removed. Existing window openings to the two storey range will be amended as indicated on drawings to suit the proposed internal layout. New window openings are to be provided in the south west elevation of the single storey range with the arrangement to suit the proposed bedroom layout. Areas of existing render finish are to be removed to expose existing limestone wall finishes (subject to the condition of the stonework beneath). The existing unoriginal 20 degree pitch roof to the two storey range is to be replaced with new. All roof lights are to be omitted and the roof is to be set at a 30 degree pitch that is both more appropriate for the clay tile finish and a closer match to the original roof profile. All modern rooflights to the single storey range are also to be removed.

Building 6 (Replacement Dwelling)

Not listed and outside the curtilage of the listed buildings. It is proposed to replace the 20th century dwelling with a modern dwelling.

Building 7 (The Chapel / Oratory)

Its setting is to be improved by the proposed demolition works to adjacent 20th century buildings. Externally, the elevations of the existing Chapel will be retained and where necessary restored. Works will include the repair of areas of localised cracking using appropriate methods and compatible materials. The existing roof is to be retained and where necessary overhauled including new lead flashings and rainwater goods to ensure weather tightness. A full schedule of works will be prepared by a structural engineer and agreed with the Local Authority Conservation Officer prior to commencement of works on site.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Torquay Neighbourhood Plan ("The Neighbourhood Plan")

Material Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Published Standing Advice
- Planning matters relevant to the case under consideration, including the following

advice and representations, planning history, and other matters referred to in this report.

Relevant Planning History

Pre-Application:

DE/2017/0138: Conversion of 5 x listed barns and restoration of the Grade II.* Chapel. Demolition of all other buildings and replacement with 25 x new houses, 60 to 80 x 1,2 and 3 bedroom flats and a 60 bedroom nursing home. Landscaping and amenity space. Split Decision.

Applications:

P/2019/1334: Demolition of school site and construction of 90 residential units (houses and apartments), with associated car parking, landscaping and infrastructure. (*Associated Listed Building Consent to P/2019/1330*). Pending determination

*P/2018/0472: Demolition and conversion of former school buildings; creation of 106 dwellings comprising apartments and houses (97 new build units); and construction of a 60-bed care home, along with car parking, landscaping, and other associated infrastructure. Pending determination.

*P/2018/0473: Demolition and conversion of former school buildings; creation of 106 dwellings comprising apartments and houses (97 new build units); and construction of a 60-bed care home, along with car parking, landscaping, and other associated infrastructure. (*Associated Listed Building Consent to P/2019/1330*). Pending determination.

*The consideration of these applications has been paused whilst the Authority considers the current 'reduced' scheme for 90 units, which the applicant has submitted to try and respond to officer concerns (principally) regarding the extent and location of development within the Undeveloped Coast.

P/2011/1245: Demolition of house at St Gerard and construction of 2 new houses within the site curtilage (In outline). Approved.

P/2014/1018: Construction of two new dwellings within the site curtilage, illustrating appearance, external landscaping, site layout and dwelling layouts (reserved matters following outline approval P/2011/1245). Approved.

Summary of Representations

A total of 7 public representations have been submitted objecting to scheme but none raise points relevant to the listed building application.

Summary of Consultation Responses

Historic England:

Historic England has concerns regarding the applications on heritage grounds. The council should ensure that they have sufficient information by which they and their heritage advisors can assess the impact of the wider development, with particular

reference to the north-west, on the setting of the historic complex and its contribution to significance.

Due to the lack of justification for the proposed increase in scale of the new additions to the complex, the council in discussions with their heritage advisor and the applicant should explore ways in which the scale and bulk of these new additions can be reduced to ensure that they continue to make a positive impact to this highly significant complex of buildings.

The council should also secure the on-going management of the grade II* listed Oratory, including its maintenance, repair and interpretation through the planning application. This will ensure the building has a sustainable future.

In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

Torbay Council Interim Heritage Advisor:

This scheme has been the subject of considerable negotiations over a long period, with a view to reaching a proposal which could reasonably receive a recommendation of approval. This has also involved consultation with the previous conservation officer.

I am pleased that the latest application has clearly been designed with a view to addressing the major issues identified in respect of the original application.

In terms of heritage context, the site has development over the years and is now of a somewhat mixed character. However there are some strong and important elements of heritage (including high quality non-designated assets) contained within the mix, these include designated heritage assets in the form of listed buildings.

The application includes an assessment of heritage (including archaeology) which suitably considers all of the designated and non-designated heritage assets on the site and their setting where appropriate. The impact on some of the settings are further helpfully covered by illustrations of before and after viewpoints. The submitted Planning Statement also provides a useful summary of the potential heritage impacts and assessments.

In my view whilst providing a new context for the heritage assets involved the design has been carefully considered and is of a high quality. Whilst there are numerous detailed considerations, in my opinion the overall scheme strikes a suitable balance which will help to restore the site back to an economic use and ensure that the heritage assets have a sustainable future, or at the very least are repaired to enable a reuse to be found in the longer term. The settings of the heritage assets was a concern expressed by Historic England, however, I consider that the additional material supplied by the applicant helps to clarify that whilst the setting will change this has been handled with care to ensure that the impact is limited.

In conclusion, I consider that the scheme has been well researched and designed and in terms of heritage impacts a suitable balance has been achieved where overall the outcome in terms of heritage could be said to be neutral. Any negative overall impacts arising would in my view fall within the less than substantial harm category.

The development should be subject for the usual range of standard conditions applicable to works involving heritage assets, including details of all new material, with sample panels of materials to clarify finishes, pointing and pointing mix, and fenestration and joinery details including sectional drawings indicating reveals at an appropriate scale. The landscaping of the site will be critical to the success of the scheme, not least in terms of ensuring that the setting of the heritage assets are protected and enhanced. The submitted details indicate that landscaping has been carefully considered to date, and as such any conditions should ensure that the restoration elements are suitably phased to ensure that they are delivered in a timely manner.

Key Issues/Material Considerations

Planning Officer Assessment

1. Heritage Impact
2. Other Considerations

1. Heritage Impacts

1.1 In terms of the local Development Plan Policy TH10 of the Torquay Neighbourhood Plan cites that alterations to Listed Buildings will be supported where they safeguard and enhance their historic qualities and elements according to their significance. In doing so, proposals which at the same time contribute to providing a sustainable economic future for such buildings will be particularly supported. In regard to the Torbay Local Plan it guides that development proposals should have special regard to the desirability of preserving any listed building and its setting (Policy HE1), and Policy SS10 requires development to sustain and enhance assets which make an important contribution to Torbay's built and natural setting, and furthers that all heritage assets should be conserved, proportionate to their importance.

1.2 The NPPF guides that when considering the impact of a proposed development on the significance of a designated heritage asset, that great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (Para 193). The NPPF further states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (Para 194). It guides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (Para 196).

1.3 The policy landscape above accords with and is aligned to the duties for decisions as laid out within the Planning (Listed Buildings and Conservation Areas) Act 1990 c.9 para 66, where decisions shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

1.4 This scheme has been the subject of considerable negotiations over a long period which commenced at pre-application stage and included the consideration period of an earlier application submitted in 2018, and continued through the consideration period of this application.

1.5 The application includes an assessment of heritage which suitably considers all of the designated and non-designated heritage assets on the site and their setting where appropriate. The impact on some of the settings have been more recently explored through the submission of illustrations of before and after viewpoints, which sought to address comments made by Historic England.

1.6 The proposed development is extensive and will serve to change the character of the site but in turn will remove elements which are unsympathetic, and result in the conversion and re-use of existing listed buildings on the site. It is concluded that whilst providing a new context for the heritage assets the proposals are well considered and are of high quality and strikes a suitable balance which will help to restore the site back to an economic use and ensure that the heritage assets have a sustainable future, or at the very least are repaired to enable a reuse to be found in the longer term.

1.7 The settings of the heritage assets was a concern expressed by Historic England, however additional material has been supplied by the applicant and considered by the Authority's interim heritage advisor, who concluded that whilst the setting will change it has been handled with care to ensure that the impact is limited.

1.8 In conclusion it is considered that the scheme, as summarised on the description in this report, in terms of heritage impacts delivers a suitable balance where the overall outcome in terms of heritage are potentially neutral or fall within the less than substantial harm category. If the cautious view is taken Para 196 of the NPPF provides guidance in that "*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*". There are demonstrable benefits beyond finding a viable use of the listed buildings including housing supply and the re-use of an unused brownfield site.

1.9 In order to secure an appropriate form of development any grant of planning permission should be subject to such as detailed materials and finishes.

1.10 In accordance with the conclusions above the proposal is considered substantially in accordance with design and heritage policies contained within the Development Plan and guidance contained within the NPPF. This conclusion has taken account of the statutory duty under the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 c.9 para 66, where decisions shall have special regard to the desirability of preserving a listed building or its setting or any

features of special architectural or historic interest which it possesses.

2. Other Considerations

Housing Supply

2.1 The Council cannot currently demonstrate a 5 year housing land supply, as sought by Government, and the proposal will help with the delivery of housing with a form of development that is considered to accord with the Development Plan when considered as a whole. As stated within this report the development is largely proposed on previously developed land and land within the built up area.

2.2 Paragraph 11 of the NPPF outlines that decisions should apply a presumption in favour of sustainable development, which means approving development proposals that accord with an up-to-date development plan without delay.

2.3 The provision of housing is a significant benefit within the planning balance, certainly in light of the current published position where the Authority can only demonstrate between a 2.5 - 3 year supply, which is a significant shortfall.

2.4 It is concluded that there is some discordance with the Development Plan however this discordance is considered limited when the Development Plan is considered as a whole. Were this judgment different and the proposal considered to conflict with the Development Plan it should be noted that the absence of a 5 year housing supply principally sets a higher benchmark to resist development. In such a circumstance development should only be refused where any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. As offered in this report any harm is considered limited and thus the adverse impacts are not significant and demonstrable in this context, and the tilted balance in favour of granting permission should apply.

CIL: The listed building application is not CIL liable.

EIA/HRA

EIA:

This has been considered aside the associated Major Planning Application. Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

HRA:

This has been considered aside the associated Major Planning Application. A Habitat Regulations Assessment / Appropriate Assessment has been carried out for this development in consultation with Natural England aside the associated planning application P/2019/1330.

It has been concluded that the proposed development is unlikely to have a significant effect on the South Hams SAC or the Lyme Bay and Torbay SAC. Due to the proximity of the development to the coastline and the marine environment of the Lyme Bay and Torbay SAC it is concluded that mitigation to respond to additional recreational pressures should be secured. Natural England have been consulted and concur with

the Council's conclusions. A Payment of £90 per dwelling is proposed, to be secured under the associated planning application P/2019/1330.

Planning Balance

The planning assessment considers the policy and material considerations in detail. It is considered that the scheme in terms of addressing the Development Plan aspiration to provide housing would produce a significantly positive impact overall and help with the supply of much needed housing. As the Council cannot currently demonstrate a 5 year housing land supply the supply of housing should carry significant weight.

Statement on Human Rights and Equalities Issues

Human Rights Act: The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Proactive Working

In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Conclusions and Reasons for Decision

The development is considered to result in a neutral impact upon the Listed Buildings with a public benefit through the re-use of said Listed Building and the provision of much needed additional housing.

The proposals are considered to be in accordance with the provisions of the Development Plan.

Officer Recommendation

Approval: Subject to;

1. Planning conditions as outlined within the report, with the final drafting of conditions delegated to the Assistant Director of Planning, Housing and Climate Emergency and;

With the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Assistant Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

Conditions:

1. Schedule of works

Prior to the commencement of development a full schedule of works for the 'Historic Quarter' shall be submitted to and approved in writing by the Local Planning Authority, which shall include the timing of works in association with the wider development.

The conservation repair works to the 'Historic Quarter' shall be completed in full in accordance with the schedule and timing of works approved.

Reason: In order to preserve the heritage assets in a manner appropriate to their significance and in order to comply with Policies SS10 & HE1 of the Torbay Local Plan 2012-2030 and TH10 of the Torquay Neighbourhood Plan and the NPPF.

2. Materials

Prior to the commencement of any development other than demolition relating the 'Historic Quarter' a full external materials schedule shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall be supported by the provision of samples for the following;

1. All roof materials,
2. All stone and other wall coverings,
3. All means of enclosures,
4. All hard surfacing,
5. All fascia and soffit materials,
6. All sill materials,
7. All rainwater materials.

Samples shall be physical unless expressing agreed by the Local Planning Authority.

The development shall be carried out in full accordance with the approved details.

Reason: To ensure an acceptable form of development in the interests of the character and appearance of the area in accordance with policies DE1, SS10 & HE1 of the Torbay Local Plan 2012-2030 and policy TH10 of the Torquay Neighbourhood Plan.

3. Detailed Design

Prior to the commencement of development pertaining to the 'Historic Quarter', excluding demolition and groundworks, details of the following shall be submitted to and approved in writing by the Local Planning Authority;

1. Detailed drawings of all openings, windows and doors, including materials, joinery and reveals,
2. Details of all fascias, soffits and sills,
3. Details of all pointing and pointing mix,
4. Details of rainwater goods,
5. Details on ducting,
6. Detailed drawings of all flues,
7. Detailed drawings of all ventilation and extraction,

8. Detailed drawings of all meter boxes,
9. Details of all fencing, gates and other mains of enclosures including retaining walls.

Section and elevation drawings of all windows and doors, reveals and sills shall be drawn to a scale of 1:1 – 1:10.

The development shall proceed in full accordance with the approved detail.

Reasons: In order to protect visual character and heritage assets in accordance with Policies HE1, SS10 and DE1 of the Torbay Local Plan 2012-2030, Policy TH10 of the Torquay Neighbourhood Plan and advice contained within the NPPF.

Development Plan Relevant Policies

SS10 - Conservation and the historic environment
HE1 – Listed Buildings

TH10 - Protection of the historic built environment