

Application Number

P/2012/1093

Site Address11 Tor Church Road
Torquay
Devon
TQ2 5UR**Case Officer**

Mrs Ruth Robinson

Ward

Tormohun

Description

Formation of 8 houses and 3 flats with vehicle and pedestrian access

Executive Summary/Key Outcomes

The proposed scheme is for 8 houses and 3 flats on a site at the junction of Tor Church Road and St Efrides Road which is prominent within the Tormohun Conservation Area. It is currently used on an unauthorised basis for car parking.

A lawful start onsite was made for the implementation of application P/2008/0705 for 10 flats in 2012. This was confirmed via a Certificate of Lawful Development. There is a long planning history to this site and a need to achieve a good quality and viable scheme that will help to re knit the street scene and deliver much needed family homes.

The main issues are design, amenity and highways.

In terms of design, the scheme has evolved over some considerable time from a retained villa to a rebuilt villa with a large rear extension which was 'pastiche' in terms of appearance. This revised scheme adopts a more contemporary approach and seeks to relate more closely to existing building lines picking up the varying architectural styles of buildings which radiate from the site. A grander 'villa' form faces Tor Church Road with a more 'domestic' terrace addressing St Efrides Road.

Amendments to the scheme have been carried out to respond to concerns expressed by the DRP and to overcome impacts on amenity.

Information is awaited to confirm visibility and manoeuvring concerns from Highways.

Recommendation

Site Visit: Conditional Approval (conditions to be delegated to the Executive Head of Spatial Planning and to include the items listed at the end of this report); Subject to revised plans in relation to the position of Unit 1 and design of the end

elevations to Unit 1 and 2; subject to information to satisfy Highway concerns in relation to visibility and manoeuvring, and; Subject to the conclusion of a S106 Agreement at the applicant's expense to secure the specified community infrastructure contributions. The s106 to be completed, signed and sealed by the 19th December 2012. That the application be refused for lack of a 106 agreement if the agreement is not completed by 19th December in order that the application can be determined within 13 weeks.

Site Details

Comprises a vacant area of land, currently in use as a car park and located at the junction of St Efrides Road and Tor Church Road. It is prominent within the Tormohun Conservation Area and in local views. The most important of these are from St Lucius Street and Tor Church Road and on the approach from Croft Road.

The site is slightly elevated and retained by a natural limestone wall which contains a redundant drinking fountain. The site is backed by a rocky outcrop with tree planting.

The Greek Orthodox Church, which is Grade II* Listed sits on the opposite side of St Efrides Road with its grounds providing significant softening in the street scene. The adjacent Villas on Tor Church Road, which rise with the lie of the land are Grade II Listed.

Vehicular access currently operates on a gyratory system with access from Tor Church road and egress from St Efrides Road.

The site was formerly occupied by the Tor Social Club which was demolished some years ago.

A lawful start on site was carried out and confirmed via a Certificate of Lawful Development [P/2012/0632] for 10 flats as approved under P/2008/0705.

Detailed Proposals

This is a full application for the construction of 8, 3 bed houses and 3, 2 bed flats with car parking for 11 cars in a communal car park and 2 spaces in a car port.

Summary Of Consultation Responses

Highways: Require more information about visibility and manoeuvrability in relation to the access to Tor Church Road. In relation to St Efrides Road there is concern about the lack of visibility and on site turning which will require reversing onto the highway with consequent risk to users of the road. Visibility and tracking for the proposed lay-by is required.

English Heritage: Are satisfied that the proposals follow pre app advice although express some concern about the relationship of the building as it addresses Tor Church Road and the units facing St Efrides Road. It is requested that the LPA 'ensure that the transition allows each element to respond with integrity to its respective street scene context while still presenting a coherent design whole'.

Archaeologist: Requires a condition regarding a watching brief and site investigation.

RSPB: Have requested nesting boxes incorporated into building design.

Drainage Engineer: Does not want to see any increase in surface water discharge due to the risk of flooding in the Town Centre. A Sustainable Drainage System will be required to deal with any surplus.

Design Review Panel: Considered an earlier iteration of the scheme at its meeting of the 20.07.12. In summary, their comments are:

Support for intent to re-establish building lines but considers that 'could sweep around more tightly' to coordinate more closely to the St Efrides Road frontage. This would help ameliorate the unsatisfactory relationship to the immediately adjacent property.

Suggest that re-establishing vehicular route via St Efrides Road might help reconcile the urban form or re orientating the terrace might help in terms of presenting a front rather than a flank to the street view.

Key view of the site from Lucius Street needs more refinement.

Do not consider that the concept of a shared space for the car park is wholly successful due to the level of car parking. Suggest reduction to 1:1 in this central urban location.

Concern at apartments that oversail entrance due to restrictions it would impose on service vehicles. A lay-by maybe needed and consideration needs to be given to access for fire tenders.

Commend emerging ideas for roof gardens and would like to see this developed.

Encouraged by general character and consistent language of architecture suggest subtle use of colour and use of natural materials.

Summary Of Representations

There are a number of objections from adjacent occupiers.

In summary, there are concerns about impact on views, light, privacy and location of the bin stores. Other concerns relate to the impact of character and scale of the proposal on the Conservation Area and possible overdevelopment.

Traffic concerns relate to the revised access arrangements involving all traffic movements from Tor Church Road in place of the gyratory system which previously operated on the site. Bats have been sighted in the locality and concerns raised about the impact of works on their habitats.

Civil concerns about access for maintenance/ undermining of foundations have also been raised.

These are re-produced at Page T.202.

Relevant Planning History

The site has a long planning history:

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|----------------|--|
| P/2004/0243/PA | Conversion of Social Club and extension to provide 8 units. Approved 08/10/04. |
| P/2005/1490/PA | Part demolition of Social Club. Approved 17/10/05. |
| P/2005/1491/PA | Erection of two flats. Approved 17/10/05. |
| P/2007/0676/PA | Demolition of façade. Approved 19/06/07. |
| P/2007/0677/PA | Erection of 8 flats with vehicular/pedestrian access. |
| P/2008/0705/PA | Construction of 10 residential units and 12 car parking spaces. Approved:30/06/09. |
| P/2008/1004/CA | Demolition of remaining façade. Approved 11/08/08 |
| P/2012/0632/CE | Implementation of material operation to preserve consent for 10 residential dwellings. |

The site has also most recently been used as a car park on an unauthorised basis.

Key Issues/Material Considerations

The key issues are design and its impact on the character of the Conservation Area, the scale of development on the site, the impact on the amenities of adjacent occupiers, highways, and impact on wildlife. Each will be addressed in turn as will the civil concerns raised in the representations.

Impact on the Character of the Conservation Area

The site was originally occupied by a formal villa which was significantly extended over time and subsequently became used as a Social Club. Earlier approvals on the site sought to include what remained of the villa and through a substantial rear extension to the retained building achieved a scheme of 10 dwellings on the site in a 'pastiche' style. The attempts to retain the building were not successful and the remaining façade was finally demolished 3 years ago. Permission has since been granted for a replica villa with extension which accommodated 10 flats. A lawful start on site has been made in respect of this application.

Residents have commented that the scheme which retained and extended the villa was more sympathetic than this revised scheme. However, it is quite legitimate to consider other options for the design of the scheme providing it is based on a proper analysis of the context of the site. A Design and Access Statement has been submitted which does justify an alternative approach.

The site occupies an elevated and prominent corner position which is transitional in nature between the grander villas which extend up Tor Church Road and the more domestic architecture of St Efrides Road. Whilst the previous approvals addressed this transition through use of the villa form this was somewhat distorted by the scale of the rear extension needed to achieve the requisite quantum of development.

The new housing adopts a more linear layout and responds more closely to the established building lines of Tor Church Road and St Efrides Road. It has been carefully designed to reflect this transition through the use of more substantial villa forms facing Tor Church Road, while having more domestic scale terraced units wrapping around the corner onto St Efrides Road. The terrace element is set back from the retaining wall with front gardens to pick up on the southerly aspect, to reflect the garden layout of St Efrides Road, to achieve a reasonable garden setting to the building, to soften the street scene and to relate to the church yard opposite.

The design of the buildings picks up key features of the surrounding building types but in a contemporary way. The scheme has an appropriate grain reflecting the terrace or villa form and includes an appropriate glazing to solid ratio. The units have balconies to maximise the amount of amenity space available to residents and to open up the facades. The roof is a recessed pavilion form which, being quite subservient, keeps the scale of the building in acceptable proportions. Key view points are handled in a bold manner to properly punctuate the street scene. The view down Lucius Street is particularly important and this view is framed by use of a natural stone facade with balconies that wrap around the corner. This is in response to concerns expressed by the DRP in relation to the definition required on this important corner.

The DRP and English Heritage wished to see the relationship to St Efrides Road improved either by setting the terrace back or by re orientating the end unit so that a 'front' rather than 'flank' elevation framed the view down St Efrides Road. This has been achieved by moving the end unit further into the site and redesigning the elevation which faces up the street to create a more open appearance. It is considered that this, subject to detail, satisfies this key outstanding design issue.

It also improves the relationship to the neighbouring property which will be addressed later.

In terms of the car park and its use for shared purposes this has been amended through a reduction in the numbers of spaces and an upgrade in the quality of the landscaping and the inclusion of informal gardens on the rocky outcrop that frames the site.

Scale of Development on Site

The scheme delivers 8 houses and 3 flats whereas the approved and preserved scheme delivered 10 flats. This is a better mix, delivers family houses which is desirable in this area and there are no discernible impacts arising on the neighbourhood from the numbers of units on the site. The development provides gardens, adequate parking and limited impact on neighbours, following recent amendments to the layout. In terms of the quality of the residential environment created, whilst it is quite high density, it is well thought out and will provide good quality outside space with dual use of the car park areas, well landscaped gardens and balconies.

Impact on Amenity

Neighbours to the site have commented on impacts on light, privacy, outlook, views and on nuisance from bins. This was most evident arising from the relationship with properties on St Efrides Road. This has now been amended and the 'intrusive' dwelling directly adjacent to No 3 St Efrides road has been relocated further back into the site. This alleviates the impact on views, outlook and light. The issue in relation to the location of the bin store has also been satisfactorily addressed.

Highways

At the moment the site is accessed on a gyratory system with access in from Tor Church Road and out from St Efrides Road. This means of accessing the site has prevailed since the site was used as a Social Club. Access and egress is now proposed from Tor Church Road with the St Efrides Road access converted to a pair of car ports. Highways consider that more information is needed in relation to visibility and manoeuvring in respect of both access points. A lay-by is

proposed for service vehicles adjacent to the Tor Church road entrance. Highways would like to see tracking information demonstrating that this is workable prior to commenting. This information is awaited at the time of writing.

The suggestion of evolving a layout that perpetuated the existing means of accessing the site was considered, however, this reduces the amount of development that can be accommodated on the site. The site has not been developed for many years because of marginal viability and as it stands the current scheme is said to only just be viable. However, it is necessary to show that this option is workable from a highways point of view.

Wildlife

A resident has raised concerns about the impact on bat flight paths. The development of the site itself, being vacant land does not impact on bats. Furthermore, the previous consent for a villa on the site has been implemented and could be completed at any point in the future. It may be appropriate to include a condition on the consent requiring a 'Method Statement' detailing how construction can be carried out without unduly impacting on bats use of the site.

Civil matters

Points have been raised about impact on foundations and access for maintenance. These are civil matters which should be addressed via The Party Wall Act.

S106/CIL

In terms of S106 the level of contribution is as follows:

Waste	£ 100
Education	£13,995
Sustainable Transport	£ 6,566
Greenspace	£ 3,171
Lifelong learning	£ 628

This reflects the sum agreed in relation to the 10 units, P/2008/0705 for which a formal start on site was confirmed, plus contributions in relation to the 11th 3 bed unit. This needs to be completed at the applicant's expense by the 28th December if the application is to be determined in time.

Conclusions

The scheme is considered to be acceptable from a design and amenity

perspective. Highways information is needed to ensure that the site can be safely accessed. Progress on this matter will be reported to the DMC.

Suggested Conditions

- 1:20 details
- Samples of materials and colours of render
- Specification of natural stone details
- Landscaping
- Refurbishment of drinking fountain
- Archaeology
- Method statement re construction and bats
- Sustainable Drainage
- No PD
- Nesting/bat boxes