

Application Number

P/2016/0555

Site AddressSilverlawns Nursing Home
31 Totnes Road
Paignton
TQ4 5LA**Case Officer**

Carly Perkins

Ward

Roundham With Hyde

Description

Variation of conditions application re P/2015/0908/MPA (Partial demolition of main building, extension to and conversion of main building to form 11 residential units, conversion and raising of roof of outbuilding to south western corner of site to form 3 residential units and erection of new building to south eastern corner of site to form 4 residential units to include new vehicular access on to Midvale Road and lane to south of site, parking provision for 18 cars and landscaping scheme.) - Vary condition P1 to include one additional residential unit within the proposed new building to the south eastern corner of site

Executive Summary/Key Outcomes

The site is located on the junction of Totnes Road and Midvale Road and vehicular access to the site is via Totnes Road with a secondary point of access from a private lane off Midvale Road. The original building occupied by a nursing home was identified as a key building within the Old Paignton Conservation Area but had since fallen into a derelict state following a fire. In 2015 an application for the partial demolition and repair of the original building to include extensions and the conversion of the building to form 11 residential units, the raising of the roof of the existing outbuilding to the south western corner of the site to form 3 residential units and the erection of a new building to the south eastern corner of the site to form 4 residential units was approved. This approval included vehicular access via Totnes Road, Midvale Road and a private lane off Midvale Road, landscaping and parking.

This application is for the variation of condition P1 to allow the inclusion of one additional residential unit within the approved new building to the south eastern corner of site, with one additional on site parking space. The unit would be provided within the lower ground floor of the approved building, and there would be no increase in size of this building. The addition of one unit would result in 19 residential units on the site each with 1 parking space, bin storage and cycle storage. The additional unit is provided at lower ground floor level and has a floor area of approximately 54sqm with an open plan lounge/kitchen, one double bedroom, bathroom and cupboard space. The proposal provides an acceptable level of residential amenity in terms of light and outlook for future occupants and subject to revisions to the position of the door serving the neighbouring flat is

considered acceptable in terms of privacy. The additional parking space is considered acceptable subject to the inclusion of a condition requiring a sleeping policeman with dragon's teeth within the application site adjacent to the access on to the private lane.

In line with the above the variation of condition P1 to allow the addition of one additional residential unit and 1 additional parking space is considered acceptable and compliant with both local and national policy.

The proposal would provide one additional unit (resulting in a total of 19 on site) to a good standard of residential accommodation without greater impact on neighbouring residential amenity, highway safety, the character and appearance of the conservation area, drainage, trees or biodiversity.

Recommendation

Conditional approval subject to the submission of revised floor plans and elevations (to show a revised door position serving the neighbouring flat. Conditions are listed at the end of this report, however final drafting and determination of appropriate planning conditions to be delegated to the Head of Spatial Planning.

Statutory Determination Period

8 weeks, the determination date is the 18th August 2016.

Site Details

The site is located on the junction of Totnes Road and Midvale Road and vehicular access to the site is via Totnes Road with a secondary point of access from a private lane off Midvale Road. The original building occupied by a nursing home was identified as a key building within the Old Paignton Conservation Area but had since fallen into a derelict state following a fire. In 2015 an application for the partial demolition and repair of the original building to include extensions and the conversion of the building to form 11 residential unit, the raising of the roof of the existing outbuilding to the south western corner of the site to form 3 residential units and the erection of a new building to the south eastern corner of the site to form 4 residential units was approved. This approval included vehicular access via Totnes Road, Midvale Road and a private lane off Midvale Road, landscaping and parking.

The site is noted within the New Torbay Local Plan 2012-2030 as a potential housing development site for consideration in the Neighbourhood Development Plan. The site is also located within Flood Zone 1 within the Critical Drainage Area.

Detailed Proposals

This application is for the variation of condition P1 to allow the inclusion of one additional residential unit within the proposed new building to the south eastern

corner of site. The addition of one unit would result in 19 residential units on the site each with 1 parking space, bin storage and cycle storage. The additional unit is provided at lower ground floor level and has a floor area of approximately 54sqm with an open plan lounge/kitchen, one double bedroom, bathroom and cupboard space.

Summary Of Consultation Responses

Green Infrastructure Co-ordinator:

No objections.

Arboricultural Officer:

The proposed additional residential unit does not alter the footprint of the building and therefore has no material impact on the proposed landscaping previously met with approval from arboriculture.

Senior Strategy and Project Officer:

No objection to the principle of increasing the number of residential properties on site given its sustainable location. The use of the narrow unadopted lane was a major highways issue and the use of a traffic hump was considered but not pursued. The current proposal increases the number of parking spaces using this lane from 5 to 6 (i.e. approximately 6-7 additional traffic movements per day). On this basis it would be reasonable to mitigate the impact of additional traffic on the unadopted lane. A sleeping policeman on the entrance to the site to slow down vehicles entering the narrow lane (i.e. on the applicant's land) to mitigate the impact of additional traffic using the land should be provided. This should also have dragon's teeth marked with reflective paint. This can be achieved by condition.

Summary Of Representations

None received.

Relevant Planning History

P/2015/0908 Partial demolition of main building, extension to and conversion of main building to form 11 residential units, conversion and raising of roof of outbuilding to south western corner of site to form 3 residential units and erection of new building to south eastern corner of site to form 4 residential units to include new vehicular access on to Midvale Road and lane to south of site, parking provision for 18 cars and landscaping scheme APPROVED 21.12.2015

P/2006/0319 Alterations and change of use to form 21 sheltered residential flats (as revised by plans received 13th June 2006 APPROVED 30.08.2006

P/1990/0082 Alterations and extension to form C2 residential institution nursing home for 30 residents APPROVED 30.04.1990

P/1989/1758 Alterations and extension to form C2 residential institution nursing home for 30 residents APPROVED 06.12.1989

P/1988/1273 Erection of 6 sheltered flats to be run in conjunction with approved residential home REFUSED 30.09.1988

P/1988/1098 Removal of existing building and erection of sheltered accommodation (in outline) REFUSED 30.09.1988

P/1988/1097 Demolition of existing buildings REFUSED 30.09.1988

P/1987/1788 Use as an elderly persons home APPROVED 18.12.1987

P/1987/1635 Use of ground floor flat as office accommodation APPROVED 30.10.1987

P/1981/0151 Alterations and extension to office accommodation APPROVED 18.03.1981

Key Issues/Material Considerations

The relevant considerations are the principle of residential accommodation in this location, the impact of the proposals on residential amenity, highways, drainage, biodiversity, trees and the impact of the proposals on the character and appearance of the conservation area.

Principle of residential accommodation:

The application site is within the urban residential area of Paignton and noted within the New Torbay Local Plan 2012-2030 as a potential housing development site for consideration in the Neighbourhood Development Plan. Policy H1 of the New Torbay Local Plan states that proposals for new homes within Strategic Delivery Areas and elsewhere within the built environment will be supported subject to consistency with other policies within the plan. Residential accommodation in this location with a good standard of amenity is considered acceptable and in accordance with the policies of the Torbay Local Plan 2012-2030. In line with policy H1 the principle of residential accommodation on this site is considered acceptable.

Impact on the conservation area:

Paragraph 131 of the National Planning Policy Framework 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. At a local level, policy SS10 of the Torbay Local Plan 2012-2030 states that development will be required to sustain and enhance those monuments, buildings, areas, walls and

other features which make an important contribution to Torbay's built, natural setting and heritage, for their own merits and their wider role in the character and setting of the Bay.

The physical works proposed by this application are limited to external alterations to the new building (approved under P/2015/0908) towards the south eastern corner of the site. These include an element of excavation to amend the position of the external walkway and stairs and the addition of windows and a door to the north west elevation. Materials have not been specified but this can be controlled by condition to ensure the materials match those already approved by conditions of P/2015/0908 which refer to building details and materials. The changes to the external appearance of the building are considered acceptable and in line with the contemporary design of this building. As part of application reference P/2015/0908, the overall building in terms of its impact on the conservation area was considered, whilst it was recognised that a level of harm would be caused through the inclusion of this building, this was considered to be less than substantial and offset by public benefit by means of the wider regeneration of the site. The inclusion of the additional residential unit is not considered to result in any greater impact to the character or appearance of the conservation area, the scale of the building remains unchanged with the additional unit being contained within the approved footprint and the design reflects that approved.

Impact on highway safety and parking provision:

The proposal continues to provide for 1:1 car parking with 13 spaces to the front of the building and 6 to the rear, this ratio of parking provision was considered acceptable in the previous application due to the sustainable location of the site. The Council's Strategy and Project Officer and Highways Engineer have not raised any objections to the scheme subject to the inclusion of a sleeping policeman (to be secured by condition) to the entrance of the site adjacent to the private lane. This is required to mitigate the impact of the additional car movements by slowing down vehicles entering this lane. Subject to the inclusion of this condition the proposal is considered acceptable in terms of highway safety.

Impact on residential amenity:

The proposal is provided within the footprint of the approved building, whilst additional excavation is required to reveal the elevation of the additional unit this does not increase of the footprint of the building. Openings are provided to front on to the application site and no direct views are provided towards neighbouring dwellings beyond the application site. In light of this the proposal is not considered to result in any greater impact to neighbouring residential amenity by reason of loss of light, privacy or by reason of being unduly dominant or overbearing and is considered acceptable and compliant with policy DE3 of the Torbay Local Plan 2012-2030.

Standard of residential accommodation:

The supporting text to policy DE3 of the New Torbay Local Plan seeks to achieve a minimum size for dwellings and gardens. The unit size is consistent with the suggested standards and the amount of communal garden space continues to reflect the guidelines noted. The unit depth is 9m and whilst this is not ideal with daylight only provided by one elevation, the arrangement of this room is such that the main habitable spaces (lounge, dining area and bedroom) are positioned closest to these windows which are positioned as high as possible in this elevation. In light of this the level of light entering this room is considered adequate. Outlook from the unit is adequate with views on to the gardens serving the site. The position of the neighbouring door to the flat is in close proximity to the windows serving the additional unit which has the potential to impact upon residential amenity in terms of loss of privacy. In light of this it is considered necessary to request a revised arrangement to the front elevation of the neighbouring flat whereby the door is repositioned to this elevation. Revised plans to demonstrate this have been requested and subject to this change the proposal is considered acceptable in terms of residential amenity and is considered compliant with the relevant paragraphs of the National Planning Policy Framework which refer to creating good quality living environments and policy DE3 of the New Local Plan.

Impact on trees:

The proposal does not impact upon the building footprint and in line with the comments from the Council's Arboricultural Officer is acceptable in terms of arboricultural merit. Conditions relating to trees imposed on P/2015/0908 will be reflected in this decision.

Impact on biodiversity:

The proposal does not impact upon the building footprint and in line with the comments from the Council's Green Infrastructure Officer would not result in any greater impact in terms of biodiversity. Conditions relating to biodiversity imposed on P/2015/0908 will be reflected in this decision.

Impact on drainage:

The application site is within the Critical Drainage Area as designated by the Environment Agency. The applicant has indicated that surface water from the development will be drained to via soakaways. Conditions relating to drainage imposed on P/2015/0908 will be reflected in this decision.

S106/CIL -

Due to the high construction costs incurred at this site due to the dilapidated nature of the site and the need to retain the principal facade of the existing key building on conservation grounds, the applicants submitted information with the original application to demonstrate that the application would be unviable if affordable housing and section 106 contributions were incurred. As a result an independent viability assessment was carried out for the approved development

under P/2015/0908; this noted that the development would not be viable if it were to incur section 106 contributions or affordable housing requirements. The addition of this one residential unit is not considered to significantly alter the outcome of this viability assessment as the construction costs identified continue to be incurred and therefore no contributions have been sought.

Conclusions

The proposal would provide one additional unit (resulting in a total of 19 on site) to a good standard of residential accommodation without greater impact on neighbouring residential amenity, highway safety, the character and appearance of the conservation area, drainage, trees or biodiversity. In line with this, the variation of condition P1 to allow the addition of one additional residential unit and one additional parking space is considered acceptable and compliant with both local and national policy.

Condition(s)/Reason(s)

01. Materials
02. Phasing
03. Landscaping
04. Tree Protection
05. Bin and Cycle Storage
06. Provision and Retention of Parking
07. Mitigation in relation to Bats and Nesting Birds
08. Removal of PD Rights
09. Surface Water Drainage
10. Obscure Glazed Rooflights to West Elevation of Stable Building
11. No Use of Flat Roof above Cycle Store for Amenity
12. Section 278 Agreement for Vehicular Access to Midvale Road
13. Construction Method Statement
14. Retention of Front Door
15. New Building Window and Doors

16. Rainwater Goods
17. Entrance Piers
18. Inclusion of Sleeping Policeman within Application Site Adjacent to Access on to Private Lane.

Relevant Policies

DE1 - Design
DE3 - Development Amenity
SS10 - Conservation and Historic Environment
H1 - New housing on identified sites
H6LFS - Housing for people in need of care
NC1LFS - Biodiversity and Geodiversity
ER1 - Flood Risk
ER2 - Water Management
C4 - Trees, hedgerows and natural landscape
W1LFS - Waste hierarchy
W2LFS - Waste audit
TA1 - Transport and accessibility
TA2 - Development access
TA3 - Parking requirements
SS8 - Natural Environment