

Application Number

P/2011/1112

Site AddressE F House
Castle Road
Torquay
Devon
TQ1 3BG**Case Officer**

Mrs Ruth Robinson

Ward

Ellacombe

Description

Formation of a terrace to the southern elevation of EF house, to be built over the existing car park; formation of new opening from an existing window in the cafeteria to provide access to the terrace

Executive Summary/Key Outcomes

This application involves the provision of a terrace to the front elevation of EF house with access from the cafeteria to create an elevated area for meeting, eating and drinking for students of the school. The applicants contend that its provision would help resolve student management issues for the school as it would encourage students to remain on site at lunch time rather than congregating in the street. Whilst the design is acceptable and would not detract from the appearance of the building there are amenity concerns arising from the proximity of residential properties that would experience noise and overlooking due to the relationship of the terrace to their homes.

Recommendation

Site Visit: Refusal due to impact on residential amenity.

Site Details

EF House, a language school, is prominently located within the Upton Conservation Area. It is described as a building of merit in the Conservation Area Appraisal. It has a distinctive early Gothic architectural character which has been somewhat compromised over the years through a range of alterations and extensions. Planning permission has recently been granted for a new classroom block on the elevated ground to the rear of the existing school and a range of alterations to the main building to include the provision of a 140 space cafeteria and dining hall. Work on this has now started on site.

Detailed Proposals

Is for the erection of a 90m2 timber terrace with steel and hardwood rail and natural stone supports to be located at an elevated level above the existing car park with a new access from the proposed cafeteria. It is to provide an outside

area where students can congregate, eat and drink.

Summary Of Consultation Responses

Conservation Officer: Considers that the proposal is acceptable in design terms and acts in a way to help break up the tarmac expanse of the car park.

Summary Of Representations

1 letter of objection from adjacent occupier concerned at noise and overlooking. This is reproduced at Page T.203. A rejoinder to these observations from the agent is reproduced at Page T.203 and explains that the idea of the terrace arose in response to resident concerns about students congregating outside the building. This current proposal would provide an attractive space where the students could eat their lunch in a controlled environment and be supervised thus curbing littering and anti social behaviour. The Agent points out that use of the terrace would move the main point of assembly for the students away from the entrance to the site which is closer to residential properties. It is being put forward for committee consideration at the applicants request.

Relevant Planning History

P/2010/0876: Alterations and Extensions to existing building to provide administrative offices/dining hall/cafeteria. Approved 10.05.11
P/2010/0536: Construction of new classroom block: Approved 10.05.11
P/2010/0877: Demolition of gymnasium. Approved 10.05.11

Key Issues/Material Considerations

There are two main issues. Firstly the effect of the elevated terrace on the amenity of nearby residential properties. This has to be balanced against the benefits to the school from enhanced student facilities and the visual benefit of the structure which does help break up the impact of the car park. The principle of including a terrace on this elevation was initially explored in discussions on the overall scheme to extend EF House which was approved in 2010 and is now on site.

The second main issue concerns design and appearance. It is considered that the appearance of the building would benefit from an appropriately designed terrace, as it would help break up the tarmac expanse of the car park and would sit comfortably with the appearance of the reworked southern elevation. From an operational point of view the creation of a terrace would provide a spill out area from the café which is to be provided as part of the overall proposals and it was hoped that this would provide an attractive place for students to meet and deter them from congregating on the street which, as was evident from consultation on the scheme, is a matter of concern for residents.

These possible benefits have to be balanced against the amenity of people who live adjacent to the site. Its elevated position and the nature of its use would lead

to some loss of privacy to the residential properties opposite and lead to noise intrusion. However, the nearest property (no. 5 Castle Road which is in use as two flats), would be 24 metres away from the nearest point of the new balcony. It is noted that there are no objections from either flat at no. 5 Cadstle Road. It should also be noted that the deck would be at a much higher level than the properties on the opposite side of the road, due to differences in levels.

The 1 objection received comes from the occupier of no. 7 Castle Road. This property would be approximately 33 metres away from the nearest point of the new balcony and looking at its side. The occupier of no. 7 has had concerns about the project as whole and this has been dealt with through the corporate complaint procedure and the Ombudsman who found no fault with the Councils handling of the matter.

Conclusions

It is a matter of balance between design improvements, improvements to student's welfare and facilities, and the rights of neighbours to privacy from intrusion. However, in this instance it is thought that the impact on local amenity outweighs the design and operational benefits outlined. However it is recommended that a site visit be carried out by Members to assess the likely impact for themselves.

Condition(s)/Reason(s)

01. The provision of an elevated terrace for use as a spill out area for students from the cafeteria area will lead to overlooking of adjacent residential properties and noise intrusion which would be harmful to their amenity contrary to policy EP4 of the Saved Adopted Torbay Local Plan (1995-2011).

Relevant Policies

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