



Planning Officer Report

Application Number

P/2011/0991

Site Address

27 - 29 Walnut Road
Torquay
Devon
TQ2 6HP

Case Officer

Mr Alexis Moran

Ward

Cockington With Chelston

Description

Change of use to create a single unit to provide sheltered housing accommodation with warden services for vulnerable adults (Re advertisement)

Executive Summary/Key Outcomes

The application seeks permission to amalgamate the planning status of 27 & 29 Walnut Road to create a single planning unit which provides warden-controlled sheltered housing for people with learning difficulties and mental health support needs.

At present both units offer a similar facility but act under differing planning permissions, the unity of the two, under one permission, will allow the same services to be provided on either part of the Site and will provide the Local Planning Authority with a single permission to monitor and control.

The proposal complies with the requirements of policy CF15 (accommodation for people in need of care) of the saved adopted Torbay Local Plan 1995-2011 as the property is within easy walking distance of local shops, the local community and public transport. There is no over-concentration of similar facilities in the immediate area and the availability of a warden ensures that there is appropriate care for the occupiers of the units.

The application is considered to be acceptable for conditional planning approval subject to the completion of a section 106 agreement.

Recommendation

Conditional Approval

Site Details

27 & 29 Walnut Road, Torquay ('the Site'), is a pair of semi-detached buildings at the junction of Walnut Road and Old Mill Road.

Detailed Proposals

The application seeks permission to change the use of the Site to form a single planning unit to provide warden-controlled sheltered housing for 'Vulnerable Adults' and an administration office. Consent would unify the facilities currently in use on the Site which presently consists of sheltered housing units operated under separate planning permissions but as part of the same business

The application also seeks to vary condition 2 of planning permission P/2005/1383/PA (which relates to 27 Walnut Road alone) which states

"The occupation of the property shall be limited solely to persons referred by (Torbay Council Adult Social Services) as being a person with a learning disability in need of support in the community or a person employed as a warden/supervisor for such persons who occupy the property, unless otherwise agreed in writing with the Local Planning Authority."

in order to allow that persons referred by Torbay Council Adult Social Services as being a person with a learning disability and/or mental health support needs and being in need of support in the community to be accommodated in either part of the Site, rather than only at number 29.

Summary Of Consultation Responses

None

Summary Of Representations

Four letters of representation have been received. One of which considers that the proposal results in an "over saturation" of such uses in the area. Other comments brought up in the representations related to the backgrounds of the likely occupiers.

Because of concerns raised a meeting was held between representatives of the local community, the applicant and Torbay Adult Services. At that meeting representatives of the applicant and Torbay Adult Services clarified the type of client that the Site would accommodate and the measures that would continue to be utilised to ensure that the use of the Site did not cause unnecessary disruption to local residents.

The letters of representation, which were received after the last committee meeting, are not considered to raise any new material planning considerations which would alter the recommendation previously given to the committee. The

concerns raised in the letters of representation and at the meeting with the applicant can be overcome by the addition of suitable planning conditions and conditions within the section 106 legal agreement. These are re-produced at Page T.202.

A draft section 106 agreement will be added to this application as a late representation and therefore will be available to members of the Development Services Committee on the day of the meeting.

Relevant Planning History

- P/2005/1383/PA Conversion of Dwelling Into 6 Self-Contained Flatlets (Sheltered Housing For Persons With Learning Difficulties) With Warden Based At No 29. Approved by committee 26.09.2005
- P/2003/1115/PA Conversion of dwelling into 6 self-contained flatlets (Sheltered Housing for persons with learning difficulties) with warden based in number 29 Walnut Road. Refused 25/7/05.
- P/2002/0978/PA 29 Walnut Road. 5 flatlets (sheltered housing for persons with learning difficulties and warden's accommodation). Approved 14/8/2002.

Key Issues/Material Considerations

The key planning issues this application is required to comply with relate to policy CF15 (Accommodation for people in need of care) of the saved adopted Torbay Local Plan 1995-2011.

Policy CF 15 requires an application to meet certain criteria, the most relevant of which are listed below,

- premises are well related to the local residential community, accessible to public transport and within walking distance of local shops and other everyday facilities;
- there is adequate amenity space within schemes, having due regard to the character of the surrounding area, together with appropriate landscaping to ensure attractive surroundings for residents;
- there is appropriate provision for service vehicles and car parking in accordance with Local Authority standards;
- the development or change of use would not lead to an over-concentration of uses within the area and would not be to the detriment of the character or amenities of the neighbourhood;

- appropriate accommodation is provided for staff whether on site or with direct communication with residents, to ensure that there is proper care for occupants.

The application site is within easy walking distance of local shops, the local community and public transport. It is understood that there are approximately 4 similar sheltered housing facilities within a mile of the Site; as such there cannot be considered to be an over-concentration of similar uses in the immediate area. The availability of a warden ensures that there is appropriate care for the occupiers of the units. The proposal is therefore considered to comply with this policy.

The amalgamation of the two units to one will provide a more controlled planning unit and one which can provide the same facilities for people of similar needs; at present this is not the case.

The removal of the condition would allow the applicant to accommodate people with mental health support needs as well as those with learning difficulties in number 27 as well as number 29. This would allow the Site to be used more efficiently and allow the applicant to provide an improved service.

The applicant has installed a CCTV system in both numbers 27 and 29 to enable a warden to monitor the comings and goings in both parts of the building. It is however considered that a condition to maintain the CCTV and to ensure that it covers both properties should be added to approval.

The Supporting People team consider the applicant SILS to be a well managed provider.

At present a section 106 legal agreement is in place to ensure that:

1. A person employed as a warden/supervisor for the facility shall be on duty at 27 & 29 Wall Nut Road at all times
2. The occupancy of 29 Walnut Road shall be limited to persons referred by Torbay Adult Services as someone with a learning difficulty in need of support in the community or a person employed as a warden/supervisor for such occupants of the property
3. The applicant shall not sell, lease or otherwise dispose of either 27 or 29 Walnut Road separately from the other and shall maintain ownership and management of the two properties as one facility at all times.

As part of the application a revised/new section 106 legal agreement will be required to ensure that..,

1. A person employed as a warden/supervisor for the facility shall be accessible to 27 & 29 Wall Nut Road at all times

2. The occupancy of 27 & 29 Walnut Road shall be limited to persons referred by Torbay Adult Services as somebody classified as a 'Vulnerable Adult'. 'Vulnerable Adult' is to be defined as a person:

a. over the age of 18

b. with a learning disability and/or mental health support needs, in need of support in the community to meet their everyday living needs. This includes disabled people who have physical or sensory impairments, learning difficulties who experience mental illness or distress, frail older people, or people who for any other reason are unable to care for or protect themselves; and

c. who has a local connection with Torbay.

For the avoidance of doubt 'Vulnerable Person' will not include persons referred on the basis of substance dependency and/or criminal offending alone

3. The applicant shall not sell, lease or otherwise dispose of either 27 or 29 Walnut Road separately from the other and shall maintain ownership and management of the two properties as one facility at all times.

This will unify the properties in planning terms and allow consistency in terms of the service provided and in terms of the occupants who can be accommodated in either part of the Site.

Principle and Planning Policy -

CF15 Accommodation for people in need of care

CF2 Crime Prevention

Closing the gap -

The proposed development provides a much needed facility for the community, improving social mobility, reducing dependency and working towards reducing anti-social behaviour.

Conclusions

The proposals are considered to be appropriate for conditional planning approval, having regard to all national and local planning policies and all other relevant material considerations and subject to the provision of a section 106 legal agreement.

Condition(s) / Reason(s)

01. A CCTV system that monitors activities in public areas both inside and immediately outside both numbers 27 and 29 Walnut Road (including facilities for

recording) shall be permanently maintained at the property.

Reason: to ensure security for residents with special needs and prevent behaviour which may have a disruptive effect on the surrounding area in accordance with Policy CF2 of the Torbay Local Plan 1995-2011

02. A person employed as a warden/supervisor for the facility shall be available either on the Site or via telephone

Reason: to ensure proper care and security for the occupants of the development and prevent behaviour which may have a disruptive effect on the surrounding area in accordance with Policy CF2 of the Torbay Local Plan 1995-2011

03. The occupancy of 27 and 29 Walnut Road shall be limited to persons referred by Torbay Adult Services as somebody classified as a vulnerable adult being a person with a learning disability and/or mental health support needs and with need of support in the community.

Reason: to prevent behaviour which may have a disruptive effect on the surrounding area in accordance with Policy CF2 of the Torbay Local Plan 1995-2011

Informative(s)

01. Town and Country Planning (General Development Procedure) (Amendment) Order 2003.

The proposed development has been tested against the following policies of the Development Plan and, in the opinion of the Local Planning Authority, is not in conflict with the following policies:

CF15 Accommodation for people in need of care
CF2 Crime Prevention

Approved Plans

OS Map/Site Location - 1153-101 (Received 27/04/12) - (Version A)

Refused Plans

Relevant Policies

CF2 Crime prevention

CF15 Accommodation for people in need of care