

Application Number

P/2012/0870

Site Address25 Roundham Road
Paignton
Devon
TQ4 6DN**Case Officer**

Mr Scott Jones

Ward

Roundham With Hyde

Description

Change of use of one holiday unit to residential. internal alterations to turn 6 holidays units in 2 full residential units.

Executive Summary/Key Outcomes

The proposed change of use of the holiday flats and manager's maisonette to form a total of 4 residential apartments is considered to be acceptable on planning merit. The loss of the holiday use is not considered to be detrimental to the character of the PHAA and the resultant built environment improvements will secure a beneficial enhancement within the Roundham and Paignton Harbour Conservation Area. The level of parking provision is appropriate to the urban setting close to local amenities.

Recommendation

Conditional Approval; subject to the receipt of revised plans showing the windows to the front elevation of the Victorian villa being replaced with uPVC sliding sash, showing the new dwarf wall to the front curtilage being constructed of natural red sandstone and clarifying the removal of existing signage from the building; this is also subject to the signing of an S106 agreement or upfront payment being resolved before 31 January 2013. In the event that the S106 is not resolved by this date, the application will be refused for reasons of the lack of an S106 obligation. Conditions to be delegated to the Executive Head of Spatial Planning and to include those listed in the draft conditions at the end of this report.

Site Details

The proposal site is an existing holiday apartment block with owner's accommodation in the form of a maisonette. The site consists of one of a semi-detached pair of Victorian properties from the Arts and Crafts era. The Victorian building is constructed of natural red sandstone, red brick and render, with a natural slate roof. The windows have been replaced with uPVC and are not of traditional sliding sash design. A linked corridor extension joins the semi-detached Villa to the subservient extension block that houses the owner's maisonette and one holiday flat.

The main Villa was sub-divided into 6 holiday flats with shared bathrooms and entrance. There are 8 parking spaces to serve the development and a private rear garden and garage.

Detailed Proposals

The proposal is part retrospective, in that works have commenced. The proposed development is to convert the main villa into 2 flats for permanent residential occupancy, to retain the existing residential maisonette in the block extension and to convert the

ground floor holiday flat in the extension block to permanent residential occupancy.

Following negotiations with officers, the link extension between the original Victorian property and the extension building is to be removed as part of the conversion. In addition, the door to the bay window on the Victorian villa is to be replaced with a window and dwarf wall to re-instate the bay. Furthermore, works are proposed to form a dwarf wall to the front of the extension building and to enclose the garden and create a green frontage.

Following further discussions, officers have clarified the desire to see the dwarf wall to the front curtilage being built of natural red sandstone and have also sought the replacement of the windows to the front elevation with sliding sash.

Summary Of Consultation Responses

Highways: No objection, provided that in building the new wall to the front curtilage, the edge of the adopted Highway is returned to its original profile. A copy of their comments are re-produced at Page P.200.

Summary Of Representations

None received.

Relevant Planning History

None relevant to this application at the site, however, the following recent decision in this PHAA is relevant:

P/2011/0632 Change of use from hotel accommodation to residential care home.
Approved. 30.08.2011

Key Issues/Material Considerations

Principle and Planning Policy -

The following issues of principle and policy are of relevance in this case;

- 1) Impact on the Principle Holiday Accommodation Area
- 2) Design and Appearance in the Conservation Area
- 3) Highways Impact.

1) Impact on the Principle Holiday Accommodation Area in relation to the principle of the proposed development, the key consideration is policy TU6.13 – Principle Holiday Accommodation Areas.

As originally approved by the Council, the purpose of this policy was to resist changes of use away from holiday accommodation where that change would be detrimental to the character and function of the Principal Holiday Accommodation Area.

Recent changes in holiday trends have led the Council to re-examine and re-interpret the policy in order to ensure that it is up to date, clear and gives a degree of flexibility in the current economic climate. The Council's adopted Tourism Strategy (2009) recommends a reduction in small and marginally located accommodation and the promotion of the best areas as Core Tourism Development Areas. Last year, the Council adopted a revised interpretation of the PHAA policy. Although the Revised Guidance does not form part of the LDF or Local Plan and as such does not carry the

same weight, it is capable of constituting a material consideration.

Section 38 of the Planning and Compulsory Purchase Act 2004 indicates that applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore the tests in Policy TU6 should be the starting point when determining applications for proposals affecting PHAAs. This policy states clearly that applications involving the loss of holiday accommodation within an identified PHAA should be tested against 4 key criteria and that they may be permitted where the following criteria apply:-

- a) the premises lack an appropriate basic range of facilities and do not offer scope or potential for improvement, thereby failing to meet the reasonable requirements of the tourist;
- b) the premises have restricted bed space capacity, having a limited number of bedrooms (if serviced) or apartments (if self-catering);
- c) the loss of the premises would not be to the detriment of the holiday character of the particular locality, nor set an unacceptable precedent in relation to the concentration and role of nearby premises; and
- d) the proposed new use or development is compatible with the surrounding tourism related uses and does not harm the holiday character and atmosphere of the PHAA.

It is considered that in relation to criterion a) although the existing holiday flat use is appropriate for the site, the size of the units is restricted and would be improved with the proposed change of use and reconfiguration. There are no on site facilities such as spa/leisure/communal facilities to support the use as holiday flats.

As to criterion b) the property is of a relatively restricted size, currently offering 7 holiday flats along with one owner's/manager's maisonette. There is no scope for the provision of additional accommodation or facilities within the plot, albeit that the existing arrangement is considered acceptable for visiting tourists and offers suitable accommodation for holidaying purposes.

Criteria c) and d) relate to the impact of the change of use on the character of the area. The 2011 PHAA monitor records a predominance of holiday (hotel and holiday flats) uses within this PHAA, and also records two properties in use as C2 (care home). However, it is worthy of note that the recent permission to change the use of the Roscrea Hotel to a care home (reference P/2011/0632) resulted in the expansion of the care home at Harbour Rise and the loss of a 17 bed hotel.

In addition, it is important to note that in terms of character, the PHAA in this location does not offer an obvious and appreciable change in character from the surrounding residential environs. Although there is a collection of holiday uses in this PHAA, the area itself does not exhibit the qualities that one would necessarily expect to see in a holiday / tourism area, in terms of sea views, proximity to open space, relationship to other leisure/tourism uses and a general holiday atmosphere that is distinct from a residential street.

This is not a densely packed and linear PHAA, rather it is a loosely knit allocation that

covers a collection of blocks of holiday uses. As such it is considered that the change of use would not be to the detriment of the holiday character of the area since its character is considered to be akin to a residential environment in terms of appearance and nature. Furthermore, the proposed use as larger family sized accommodation is compatible with the scale and nature of uses in the more general area

In relation to criteria c) and d), it considered that these tests are also met in this case, due to the change of use falling within the 'green' zone in the revised guidance for PHAAs. This revised guidance was produced following an assessment of all PHAAs and their character. The development would result in the loss of a relatively small number (7) of existing holiday flats.

2) Design & Appearance

The proposed development will result in the general improvement of the appearance of the building in the Conservation Area. The removal of the link extension between the main villa and the extension block will act to partly restore the character of the original property as part of a pair of semi-detached villas. Furthermore, the removal of the front door in the bay to the villa and the creation of a green frontage to the block extension bounded by a front curtilage wall will enhance the appearance of the properties in the street.

In addition to these measures, officers have requested that the front boundary wall be constructed of natural red sandstone as opposed to red brick and that the windows to the front elevation of the main villa be replaced with sliding sash windows.

Provided the improvements to the building are appropriately secured by condition it is considered that the development would result in the enhancement of the appearance of the buildings in the Conservation Area.

3) Highways

The proposed development will provide 1:1 parking and an additional visitor space to the rear of the property. Rather than retain the additional parking to the front of the property, it is proposed to improve the street scene by replacing the hardstanding to the front of the extension building with a new garden and dwarf wall. This will be more in character with the prevailing Conservation Area context. It is considered on balance that 1:1 parking with a visitors space to serve the flats is an acceptable compromise and preferable to the retention of parking to the front curtilage.

Economy -

The proposed development would be unlikely to result in any significant loss of jobs and the investment in the building is welcomed.

Climate change -

The refurbishment will result in the provision of family size accommodation that will be required to meet updated Building Regulations and as such provide improved thermal efficiency for the building. The use as residential flats is an appropriate use for a building within the existing urban environment and will reduce the requirement to depend on new Greenfield development for the delivery of much needed housing.

Environmental Enhancement -

In accordance with the revised guidance on PHAAs and existing Conservation Area and

Built Environment policies, the opportunity has been taken to improve the appearance of the building by removing the link extension between the original Victorian Villa and the side extension. Further enhancements have been sought including the provision of a natural red sandstone dwarf wall to the front and a new lawned front garden. In addition, officers recommend that the windows within the front elevation of the Victorian villa be replaced with sliding sash windows more akin to the original appearance of the property.

Accessibility -

Adequate access is provided by way of the existing access drive to the side of the property, visibility can be retained so long as the new front wall does not exceed 600 mm in height.

S106/CIL -

Policies CF6 and CF7 and document LDD6 (Planning contributions and affordable housing) adopted April 2008 along with the subsequent update (mitigation and clarification) paper of March 2011 are applicable in relation to planning obligations. It has been confirmed that the following 106 payments will be required to mitigate the impact of the development in line with adopted policy. The applicant is considering whether these will be paid upfront or through the signing of a s106 agreement. In either case the policy requirement contributions will be met by either a 106 or upfront payment.

Total S106 contribution: **£11,029.50** (sustainable transport, waste management, lifelong learning, green space and education).

Conclusions

The proposed change of use will result in the creation of 4 residential properties, to the character of the PHAA and the resultant built environment improvements will secure a beneficial enhancement within the Roundham and Paignton Harbour Conservation Area. As such it is recommended that this application should be approved.

Draft Conditions

- External works to form wall, front garden, replacement front windows to the villa and removal of the link extension to be completed within set timescale
- Parking to be provided and made available for use and retained as such
- Details of bin store and secure cycle parking to be agreed, as shown on the submitted layout plans, and these to be provided and retained on site

Relevant Policies

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