

**Application Number**

P/2015/0715

**Site Address**Maycliffe Hotel  
St Lukes Road North  
Torquay  
Devon  
TQ2 5PD**Case Officer**

Mrs Ruth Robinson

**Ward**

Tormohun

**Description**

Change of use of hotel to form 10 flats including communal space and 9 car parking spaces. Demolition of more recent additions to villa and remodelling of some existing extensions, new windows and balconies. Modification of roof to include slated pitched elements. (Re-Submission P/2015/0067)

**Executive Summary/Key Outcomes**

This application relates to a former Victorian Villa which occupies a prominent corner location within the Belgravia Conservation Area.

It has been used as a hotel for many years and been unsympathetically extended to create a large 3 storey flat roofed structure that extends across the entire plot and is wholly out of character with surrounding buildings.

It is located outside a Principal Holiday Accommodation Area (PHAA) and the proposed use for residential purposes is in accordance with Policy TU7 in the adopted Local Plan.

A priority in policy terms (TO2 in the Emerging Local Plan) is to secure the removal of later additions to these buildings and to

'Restore buildings or land to their original historic form by the removal of unsightly features, signage, clutter and extensions relating to the holiday accommodation use'.

An application to convert the building to 10 flats was submitted earlier this year but involved re-cladding the whole building in a mix of render and timber panels with no attempt to return to the original villa form. It was withdrawn following advice that the application would be recommended for refusal.

In response, the applicant undertook a thorough assessment of the buildings

evolution and has produced a scheme that exposes the original villa form and delivers a sympathetic conversion that will enhance the character and appearance of the Conservation Area.

The scheme is very slightly deficient in terms of internal space standards however this is largely due to the constraints set by the retained core of the Villa. It does not adversely affect the quality of the residential environment and the proposed flats are well laid out with satisfactory levels of amenity.

Car parking levels (9 spaces for 10 flats) are slightly less than the maximum provision identified in the Adopted Local Plan of 1 space per unit with 1 space per unit for visitor parking. However it includes a cycle space per flat and 2 motor cycle spaces. Given the traffic levels that would have been generated by the existing use of the building as a hotel and its central location it is not considered that a refusal of planning permission on these grounds alone would be defensible.

Four letters have been received in response to consultation. Two offering support and two raising concerns about amenity, parking levels, quality of the scheme and noise. These matters are addressed in the body of the report.

It is recommended that planning permission is granted subject to payment of waste contributions only and to the conditions highlighted in the body of the report.

### **Recommendation**

Approve: subject to a Unilateral Undertaking/S106 agreement to secure community infrastructure contributions in relation to waste only and to the conditions detailed below.

### **Statutory Determination Period**

13 weeks expiring on the 28th October.

### **Site Details**

The Maycliffe Hotel, formerly a 28 bedroom hotel occupies a relatively prominent corner location to the north of the Belgravia Conservation Area. It has frontages to St Lukes Road North and Cary Road with lesser elevations to St Lukes Park and to the rear of the adjacent Brampton Court Hotel.

The Conservation Area generally is characterised by quintessentially Italianate

Villas in generous plots laid out along the contours of Waldon Hill. Plots are bounded by rubble stone walls.

The larger, grander villas generally occupied plots with sea views to the south of Waldon Hill; the application site is situated to the north of Waldon Hill where the typical Italianate Villas are more domestic in character.

The area is mixed, including some holiday related uses but is predominantly residential in character.

This building was one of the earliest villas laid out on St Lukes Road North and probably dates from around the 1860's. Originally set in a spacious plot, it has been much altered over its years in holiday use through unsympathetic alteration and extension, to the extent that the whole plot has been subsumed by building and car parking.

The roof has been extended upwards to create a predominantly flat roofed structure.

There is currently a tarmac car park which occupies the whole of the Cary Road frontage and provides spaces for up to 10 vehicles.

It is not located within a defined PHAA.

### **Detailed Proposals**

This application is for the conversion of the hotel to provide 10 x 1 and 2 bed apartments with removal and remodelling of the more unsympathetic extensions to the hotel building. It also includes improved landscaping of the site and 9 car parking spaces, 9 cycle spaces and 2 motorcycle spaces.

### **Summary Of Consultation Responses**

*Conservation Officer:* Considers that the scheme delivers sufficient enhancements to the existing building to satisfy Policy TO2 of the Emerging Local Plan.

*Highways:* Have no objection to the scheme.

*Strategic Transport:* Object to the lack of 1:1 parking, failure to provide 2 visitor spaces and in relation to the emerging Local Plan lack of a space for a commercial vehicle and electric charging point.

*Drainage Engineer:* Has no objection.

*Police Architectural Liaison Officer.* Raises minor points of detail that can be dealt with via a condition.

### **Summary Of Representations**

Two letters of objection have been received raising concerns about the impact on amenity, particularly on light to a dwelling and overlooking from balconies, noise and disturbance from traffic, lack of parking, loss of hotel and unsympathetic appearance of the scheme.

Two letters of support have been received based on the quality of the scheme, the improvements to the appearance of the building that will be delivered and inclusion of a community room that will be available for local residents to use.

These representations have been sent electronically to Members for consideration.

### **Relevant Planning History**

P/1989/1287: Extensions and Alterations to provide additional bedroom accommodation: 4.10.89.

P/2015/0067: Conversion and extension of building to provide 11 flats: Withdrawn following advice that it would be refused planning permission on the grounds of adverse impact on the Conservation Area and failure to deliver improvements to the building in line with the requirements in policy TO2 of the emerging Local Plan.

### **Key Issues/Material Considerations**

The key issues are the impact on the character and appearance of the Conservation Area, the quality of the residential accommodation to be provided, the impact on amenity and the impact on parking. Each will be addressed in turn.

### **Principle and Planning Policy -**

In terms of the relevant policies, the Adopted Local Plan (policy TU7) and the SPD 'Revised Guidance on PHAA's' 2004 indicates that a change of use to residential accommodation is acceptable in principle subject to the development providing an acceptable standard of accommodation (Policies H4, H9 and H10) and delivering development that preserves or enhances the character of the

Conservation Area (BES, BE1 and BE5).

Paragraph 4.10 of the Adopted SPD 'Revised Guidance on PHAA's' requires that in approving a change of use, improvements to buildings have been compromised by past extensions and alterations during their time as holiday accommodation.

This requirement is now included in a more robust form in the emerging Local Plan. Policy TO2 confirms that where a change of use away from tourism is permitted, there will be a requirement to 'restore land or buildings to their original historic form by the removal of unsightly features, signage clutter and extensions'.

It also states that amenity space lost through overdevelopment as holiday use should be reinstated and that a high priority will be given to restoring the character and appearance of buildings within conservation areas.

In functional terms, the rationalisation of sites by the removal of later poor quality extensions also leads to the delivery of better laid out homes with amenity space, adequate onsite parking and buildings with proper settings.

Detailed policies in the emerging Local Plan, DE1 DE2 and DE3, build on the more generalised policies in the Adopted Local Plan and provide detailed guidance on the quality of residential environments including space standards for dwellings along with minimum garden sizes.

In terms of parking standards, the Adopted Local Plan defines a maximum number of 1.5 spaces per unit. The emerging Local Plan defines a minimum of 1 space per unit with visitor parking.

### **Impact on the Character of the Belgravia Conservation Area**

As has been established, development in Conservation Areas must preserve and enhance their character. In addition, the Adopted SPD and the emerging Local Plan require improvements to be secured to buildings previously used for holiday accommodation which have been compromised by past extensions and alterations.

The increase in land value arising from the change of use provides a funding opportunity to secure these improvements. In Conservation Areas and where buildings have a discernible pedigree this requirement is particularly important.

The Maycliffe Hotel extends virtually across the whole plot and has been significantly and unsympathetically extended in recent years to virtually double the available floor space.

The roof has been massively remodelled to provide a large series of flat roofed elements with a single retained pitched gabled roof. Poor quality extensions envelop the shell of the original villa leaving little of its original form visible and extending the bulk of the building close to the boundaries of the site.

The applicant's initial response to the need to deliver improvements to the appearance of this building, as embodied in P/2015/0067, involved the retention of the building in its entirety, remodelling of the existing range of gable roofs and box dormers to create a more regular shaped but flat roof and to re-clad the wings with contrasting coloured render panels and the central core with timber cladding. Existing pitched roofs were largely remodelled to provide flat roofed terraces.

However, this produced a building that was wholly out of character with the Belgravia Conservation Area which is primarily defined by stucco Italianate Villas with generous garden plots defined by stone boundary walls.

The applicants were advised that the application would be recommended for refusal of planning permission and they were advised to undertake a more robust analysis of the building's evolution to provide a better understanding of its intrinsic character and therefore a clearer idea about how a more sympathetic and considered design solution might be achieved.

The current application is the result of this analysis and produces a much more sympathetic conversion of the building.

The basis of the approach is to remove or substantially alter the more modern extensions to reveal the original villa form with its subservient servants' wing to the rear. The whole of the top floor is removed and replaced with a pitched roof attic storey (of no greater height than the existing building) with paired new gabled bay features which extend into the roof and pick up the detail on the adjacent building, Brampton Court.

This strategy reduces the apparent bulk of the building as it lowers the eaves level by 2 metres, achieves a more symmetrical elevation to Cary Road and facilitates the use of the roof space for accommodation in a sympathetic and well detailed manner. The original servants wing which had been extended upwards to form a three storey flat roofed extension is returned to a 2 storey pitched roof form. The elevation facing St Lukes Park is also significantly improved through the removal of fire escapes and poor quality structures.

More modern extensions particularly at ground floor level are removed to expose the form of the original villa, to open up space around the building and to allow the original entrance to the Villa to be re-established.

The more modern extensions that remain are successfully incorporated into the

scheme. New single storey wings are created on the north and eastern sides of the retained villa to enable a viable conversion to be carried out. However these are carefully designed to sit comfortably with the overall character of the building and incorporate quality materials such as natural stone and introduce sedum roofs to integrate visually with the site.

Careful assessment of the likely original window pattern has resulted in the introduction of new aluminium casement and sash windows throughout the scheme.

New external space around the building is sensitively landscaped and existing areas of landscaping upgraded. The existing tarmac car park is poorly surfaced and completely open to the street with all the original stone boundary walls having been demolished. The proposed scheme sees the incidental planting beds upgraded, repairs to the wall and resurfacing to include granite sets to define the individual car parking spaces. The applicants have been asked to consider what further improvements could be introduced to upgrade this important part of the streetscape.

Over 55% of the more modern additions to the building are removed as a result of this scheme and key features restored. This represents a significant improvement to the character and appearance of this building and fully validates the aim and ambition of policy TO2 in the emerging Local Plan

To sum up, the use is acceptable in principle and in accordance with policy TU7 and the poor visual quality of the building accrued through its use for tourism purposes is successfully mitigated thus complying with the requirements in TO2.

### **Quality Of Residential Accommodation to be Provided-**

The emerging Local Plan includes detailed requirements in relation to the quality of residential schemes in terms of amenity, layout and space standards.

This scheme provides for 6 x 1 bed and 4 x 2 bed flats on the site. They are well laid out with acceptable levels of amenity in terms of light, privacy and outlook. In respect of space standards, 3 are slightly below the minimum size for 1 bed flats (50m<sup>2</sup>) and 1 is slightly below the minimum size for 2 bed 3 person flats (61m<sup>2</sup>).

The demolition of poorly designed more recent ground floor additions allows the provision of a communal garden of around 60m<sup>2</sup> and all of the ground floor flats have access to balconies/terraces and courtyard space and the two roof level flats have small balconies which cumulatively delivers across the site compliance with the minimum provision of 10m<sup>2</sup> of amenity space per unit.

Whilst there is a minor shortfall in terms of the sizes of a proportion of the flats, minor discrepancies between proposed schemes and policy standards should not necessarily be fatal to a scheme and a balanced assessment should be made of the scheme in the round.

In this case, the slight shortfall in internal space standards, which is largely due to the constraints set by the retained core of the Villa, does not create any demonstrable shortfall in the quality of the individual flats and is more than compensated for by the quality and character of the conversion which transforms this degraded villa.

### **Impact on Amenity -**

Objections have been raised about impact on amenity, in terms of loss of light, privacy and noise generation. These are from dwellings on the opposite side of Lukes Road North. These are sufficiently removed from the application site to ensure that any changes to the level of amenity enjoyed would be very minor in nature.

### **Impact on Car Parking -**

Objections have been raised about the impact of the development on the availability of street car parking. The Adopted Local Plan requires a maximum provision of 1 space per unit with 1 space per 2 units for visitor parking. This would indicate a maximum number of 15 spaces to be provided on site whereas only 9 are included. However, given the levels of car parking that could be generated by an operation of the existing use and the Adopted Local Plan standards which define a maximum number of spaces in a central location such as this then it is not considered that this could be sustained as a reason for refusal.

### **Ecology -**

A bat survey has been submitted in support of the application which concludes that no evidence of bats was found during a survey of the building. An inspection was carried out of the flat roof that showed the roof was in good condition. No hanging tiles, lifted tiles or significant gaps within the building were identified as suitable roosting for bats.

The scheme makes provision for a 'community room' in the basement which the applicant wishes to make available to residents of the building and the wider area. Whilst laudable this is not a planning requirement but a private arrangement between the applicant, the residents group and the future



occupiers. Its delivery should not be subject to a condition. Its use should however, be subject to a management plan to ensure that its operation does not impact on local amenity which should be supplied via a condition.

## **S106/CIL -**

The Adopted SPD 'Planning Contributions and Affordable Housing' would have required a contribution of £ 42,430 to meet the impact of the development on local infrastructure.

From April 6th 2015, revised government guidance limits the pooling of contributions and as a consequence, contributions can only be requested when there are specific schemes in close proximity to the site and which would be directly affected by the scheme in question. No sustainable transport or greenspace schemes that would meet the relevant tests have been identified so in this case only the waste management contribution (£550) can be collected. It is proposed to do this via a Unilateral Undertaking.

## **Conclusions**

This building is located outside a PHAA and the proposed use for residential purposes is in accordance with Policy TU7 in the adopted Local Plan.

The scheme now proposes a range of improvements to the building which complies with the requirements of TO2 in the Emerging Local Plan which is to secure the removal of later additions to these buildings and to restore buildings or land to their original historic form.

The scheme is very slightly deficient in terms of internal space standards however this is largely due to the constraints set by the retained core of the Villa. It does not adversely affect the quality of the residential environment and the proposed flats are well laid out with satisfactory levels of amenity.

Car parking levels are below the maximum standards identified in the Adopted Local Plan. However it includes a cycle space per flat and 2 motor cycle spaces. Given the traffic levels that would have been generated by the existing use of the building as a hotel and its central location it is not considered that a refusal of planning permission on these grounds alone would be defensible.

Two neighbours to the site raised concerns about the impact of the proposal on their amenity (light, privacy and noise). However due to their location in relation to the application site and the nature of the changes to the building any impacts would be negligible.

It is recommended therefore that planning permission be granted.

## **Recommendation.**

Approval: subject to the applicants entering into a Unilateral Undertaking to pay the waste contribution prior to the 28th October and to the conditions indicated below.

1. Large scale details of key features.
2. Samples or specification of materials.
3. Sample panel of natural stone and trigger for implementation.
4. Specification for sedum roof and management regime.
5. Details of landscape proposals and requirement for implementation.
6. Details of resurfacing of car park, introduction of granite sets and specification for repair of boundary wall and timetable for implementation.
7. Details and implementation of bin storage/parking/cycle and motor cycle parking.
8. Phasing agreement tying works of improvement to occupation.
9. Submission of a management plan for Community Room prior to use.