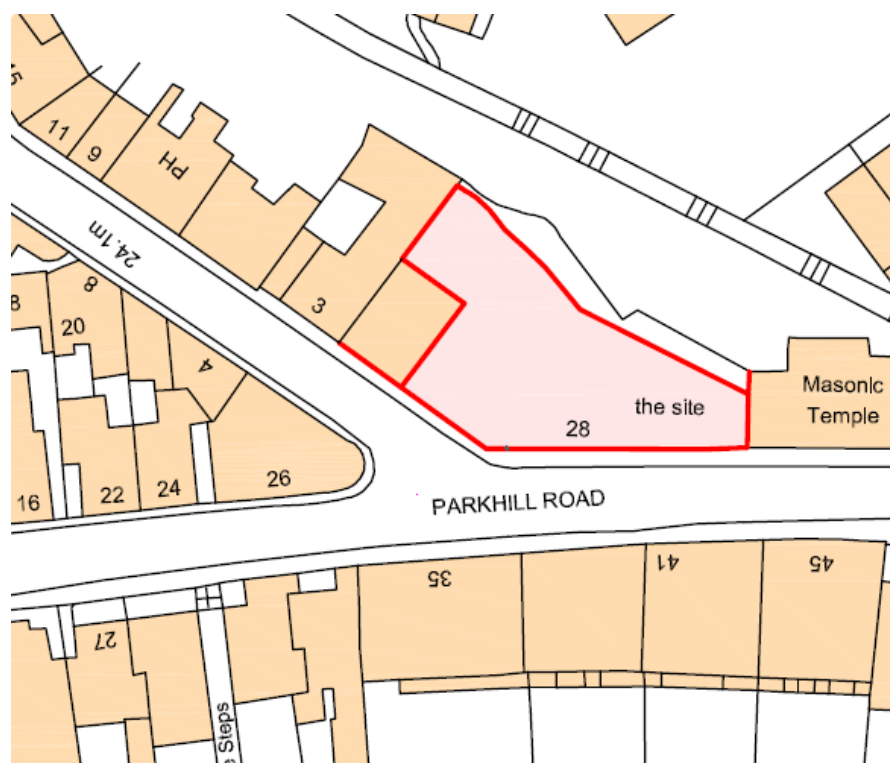




Application Site Address	Former Torwood Conservative Club 28 Parkhill Road Torquay TQ1 2AR
Proposal	Change of use from conservative club to 3 self-contained dwellings
Application Number	P/2019/0423/PA
Applicant	Mr J O'Dwyer
Agent	Mr Rob Boulton – Parkes Architecture and Design
Date Application Valid	24.04.2019
Decision Due date	20.06.2019
Extension of Time Date	16.08.2019
Recommendation	That Planning Permission is granted, subject to the conditions detailed below. The final drafting of conditions and addressing any further material considerations that may come to light to be delegated to the Assistant Director of Planning and Transport.
Reason for Referral to Planning Committee	The application has been referred to Planning Committee as the applicant is a local ward councillor and the proposal is not considered to be minor in nature.
Planning Case Officer	Ross Wise



Site Details

The application site is the former Torwood Conservative Club, 28 Parkhill Road, Torquay. The application site comprises of a complex of buildings, currently vacant, but that have previously been in commercial use. The application site is composed of three elements. A central section and a series of extensions that physically connect to two adjacent listed buildings, No.1 Meadfoot Lane and the Freemasons Lodge of St John. The central section of the building, not listed in itself, is mentioned within the Torquay Harbour Conservation Area Appraisal (CAA) as forming a key building and/or building groups of architectural importance or which make a significant contribution to the townscape. Also mentioned for similar reasons within the CAA are buildings within a terrace that are located directly opposite the application site.

Description of Development

The proposal seeks to change the use of the former Conservative Club and form three self-contained dwellings, including one single-storey, two-bedroom unit and two two-storey units of two and three bedrooms. Each of the dwellings would have their own amenity spaces and two of the dwellings would share a main entry point from the public highway, with separate private access to each dwelling after this point. Only one of the proposed dwellings would have allocated parking, with associated development for this element approved under previous applications P/2018/1118/PA and P/2018/1119LB.

The proposal seeks to remove previous extensions of the property that currently form the entrance canopy/lobby to the north-west elevation. Additionally, the flat roof extension to the rear would be removed in order to create amenity space for each of the proposed units. Existing blocked apertures are to be re-opened with timber doors and windows inserted within the openings. An increase in ridge height of the stone-faced, pitch-roofed building that adjoins the central two-storey structure is proposed to facilitate the addition of a second floor. The roof would be finished in slate to match the adjoining building. A range of internal alterations would be undertaken to convert the building into three dwellings. Bin and secure cycle storage would be provided for each of the proposed dwellings.

Pre-Application Enquiry

N/A

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Adopted Torquay Neighbourhood Plan

Material Considerations

- National Planning Policy Framework (NPPF)
- Planning Policy Guidance (PPG)
- Published standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report:

Relevant Planning History

P/2018/1118/PA. Demolition of section of the building, formation of parking space, replacement roof material, installation of balustrading and gates (Revised plans received 18/12/18). Approved 14.02.2019

P/2018/1119/LB Demolition of section of the building, formation of parking space, replacement roof material, installation of balustrading and gates (Revised plans received 18/12/18). Approved 14.02.2019

Summary of Representations

The application was publicised through a site notice and neighbour notification letters.

0 objections and 0 letters of support were received.

2 objections were received in relation to the associated Listed Building Consent application, but appear to concern planning matters:

Concerns raised include:

- Impact on parking.
- Overdevelopment.
- Loss of privacy.

Summary of Consultation Responses

Historic England: *On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.*

Torbay Council Heritage Advisor: *The proposal concerns significant alterations to a listed building, and key building in a Conservation Area.*

The listed building concerned is the Grade II building 1 Meadfoot Lane listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 entry number 1292372. This listing reads as follows:

House. c1840s, disused and boarded up on survey. Plastered; slate roof; stacks with rendered shafts with platbands. PLAN: Overall L-plan. Rectangular main block, cross wing to right. EXTERIOR: 2 storeys. 3-bay front. Deep eaves on brackets. C20 central front door with opening immediately above described in 1975 list as "marginal glazed casement". Ground-floor window right 12-pane horned sash. Other windows boarded

(described as "glazing bar sashes" in 1975 List). First-floor window right was a bowed French window giving onto a balcony, still in situ, with a decorative cast-iron balustrade. INTERIOR: Not inspected.

The listing description is not particularly helpful however, the proposed scheme is sensitively designed, will remove some very unsightly and unsympathetic additions to the building, including a canopy and flat roofed extension which are physically attached to the listed building. The removal of these items are a major positive step and are fully supported. Internally the ground floor layout is amended to accommodate a proposed residential use in place of the club office, toilets and snooker room. Whilst this involves creating a new link internally it is considered that there is no resultant harm to the listed building. Overall this element of the scheme is considered to represent an enhancement of the building.

The right hand side of the club building (when viewed from the street) is curious in terms of its architecture and is clearly of some age and is located within the Torquay Harbour Conservation Area. This section of the building arrangement is of a raised stone faced construction with circular windows surrounded by bath stone and is quite rightly noted in the Conservation Area Appraisal as forming a key building and/or building groups of architectural importance or which make a significant contribution to the townscape.

Again the proposed scheme is sympathetic and the public face of this element will in effect be restored, whilst the rear and side elevation will benefit from the removal of the canopy and extension referred to above.

The final element of the proposal concerns the removal of a section of a corrugated roofed building which currently attaches the club to the listed Freemason's Lodge, which is an attractive and architecturally ornate building. The separation proposed is considered to be positive however the renovation of the exposed Lodge wall will need to be handled with care and as such a condition should be imposed requiring details of this work to be approved. The remaining link building is proposed to be amended and replaced with a larger slate roof. On balance this revision is considered to represent an enhancement to the Conservation Area.

In conclusion the proposed alterations balanced against the considerable gains in terms of removing inappropriate additions is considered to be positive in terms of heritage impacts. Conditions should be imposed provided suitable details of any new fenestration, materials and railing details.

Local Highway Authority: Whilst the proposed buildings are just outside the Town centre, and the off road parking spaces do not comply with the requirements of the Local Plan. As the site is close to local car parks, walking distance to the Town Centre and main Bus routes and would probably have less trips than its use as a Conservative Club, Highways would have no objections.

Key Issues/Material Considerations

1. Principle of Development.

2. Impact on Visual Amenity.
3. Impact on Heritage Assets.
4. Impact on Residential Amenity.
5. Impact on Highway Safety.
6. Flood Risk and Drainage.
7. Sustainability.

Planning Officer Assessment

1. Principle of development

The proposal is for the material change of use of Torwood Conservative Club (Sui Generis) to three separate dwellings (use class C3).

Policy H1 of the Local Plan states that proposals for new homes within Strategic Delivery Areas, and elsewhere within the built-up area, will be supported subject to consistency with other policies in the Local Plan. It is noted that the Council is currently falling short of its 5-year housing land supply and that the proposal would make a contribution to this shortfall being addressed. There is no policy conflict identified with regard to the principle of the proposed development.

2. Impact on Visual Amenity

The National Planning Policy Framework (NPPF) states that 'good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities'. In addition, it states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. Policy DE1 Design of the Local Plan states that proposals will be assessed against a range of criteria relating to their function, visual appeal, and quality of public space. Policy TH8 of the Torquay Neighbourhood Plan states that development must be of good quality design, respect the local character and reflect the identity of its surroundings.

Much of the building's external appearance, with regard to the street-scene, would remain as currently exists. The existing entrance to the Club and the previously approved part-demolition and creation of a parking space being the main changes to the street-scene elevation. These two interventions would remove previous extensions of the building and are considered to result in an improvement in the visual appearance of the building. It is recommended that the planning conditions associated with the previously approved parking space, located adjacent to the Freemasons Lodge of St John, be employed again should planning permission be granted, to ensure continuity and coherence.

The proposal is considered to improve the visual quality of the site through the restoration and re-use of vacant buildings. Additionally the proposed materials to be used are considered appropriate and would preserve and enhance the visual amenity of the building and locality. Conditions are recommended to secure the details of

boundary treatment, hard and soft landscaping, refuse and cycle storage, openings, and cladding materials.

Subject to the conditions being met, the proposal is considered to be acceptable with regard to Policy DE1 of the Local Plan and TH8 of the Torquay Neighbourhood Plan.

3. Impact on Heritage Assets

Policy SS10 states that proposals will be assessed, amongst other things, in terms of the impact on listed and historic buildings, and their settings, and in terms of the need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas. Policy HE1 states that development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses. Policy TH10 of the Torquay Neighbourhood Plan support alterations to listed buildings where they safeguard and enhance their historic qualities and elements according to their significance.

The Council's Heritage Advisor has commented that the proposed scheme is sympathetic to the listed elements and the conservation area. It is noted that the public face of the building(s) will be restored, whilst the rear and street elevations will benefit from the removal of the canopy and extension. As mentioned previously the planning conditions concerning the previously approved parking space are also recommended in this case to ensure there are no adverse impacts to the heritage assets.

It should be noted that during the course of the application the proposal has been modified. The proposal originally sought to install white uPVC windows and doors within the south-east elevation within existing apertures to be re-opened. Following negotiation, the plans have now been amended to include timber replacement doors and windows that are considered to preserve and enhance the character of the heritage assets.

Subject to the previously mentioned conditions being adhered to, the proposal is considered to have an acceptable impact on heritage assets as the proposal would re-use and refurbish the majority of the existing building, remove unsightly additions and use of high quality materials. It is considered that there would not be any harm to heritage assets. As such the proposal is considered to be in accordance with Policies SS10 and HE1 of the Local Plan and Policy TH10 of the Torquay Neighbourhood Plan.

4. Impact on Residential Amenity

Policy DE3 of the Local Plan states that development proposals should be designed to ensure an acceptable level of amenity.

Table 23 in the Local Plan details Dwelling Space Standards for each dwelling type. Each of the proposed self-contained dwellings within the site would exceed the minimum space requirements and Gross Internal Area (GIA) for their dwelling type and capacity. Proposed Unit 1 would have a GIA of 107sqm which for its dwelling type (2 bed, 4 person, 1 storey) would exceed the requirements of 79sqm by 28sqm.

Proposed Unit 2 (3 bed, 5 person, 2 storey dwelling), has a GIA of 115sqm, where the requirements for this type of dwelling is 93sqm, again the proposed unit would exceed the standard. Finally, proposed Unit 3 (2 bed, 3 person, 2 storey) would measure 79sqm with regard to its Gross Internal Area, where this dwelling type is required to have a GIA of 70sqm.

Following negotiation, each of the proposed habitable rooms are now considered to provide adequate outlook and levels of natural light for future occupiers.

In relation to outdoor space provision, each of the units exceeds the respective 20sqm and 10sqm requirements of Policy THW4 of the Torquay Neighbourhood Plan relating to the amount that should be provided for a house or a flat/apartment. Unit 1 would have approximately 42.4sqm; Unit 2 would have approximately 35sqm; and Unit 3 would have approximately 41sqm. It is noted that only proposed Unit 3 has any denoted soft landscaping for planting. Proposed units 1 and 2 would have access to a communal area of planting at the main access point from Parkhill Road. Additionally, both would have sufficient areas within their individual private amenity spaces to facilitate additional planting. Due to the site's location, all of the proposed units would be within an easy walk of a public park and the harbourside/waterfront area.

Although there has been a neighbour objection based on a perceived loss of privacy, there are no additional windows proposed within the street-facing elevations. All windows relating to the street elevations are existing and are not considered to present any unacceptable instances of overlooking or adverse impacts on neighbouring residential amenity, given the separation distances involved and the urban nature of the locality. No unacceptable harm has been identified in relation to the amenities of neighbours in terms of their outlook, privacy, or access to natural light.

The proposal is considered acceptable having regard to Policy DE3 of the Local Plan, Policy THW4 of the Torquay Neighbourhood Plan, and guidance contained within the NPPF.

5. Impact on Highway Safety

Policies TA2 and TA3 of the Local Plan establish criteria for the assessment of development proposals in relation to access arrangements and vehicle parking. Policy TH9 of the Torquay Neighbourhood Plan states that all new housing development must meet the guideline parking requirements contained within the Local Plan unless it can be shown that there is not likely to be an increase in on-street parking arising from the development or, the development is within the town centre and an easy walk of a public car park which will be available to residents for the foreseeable future. Policy THW5 of the Torquay Neighbourhood Plan supports new development proposals where they are located on or near to public transport routes wherever possible and appropriate.

It is noted that the impacts relating to the parking space for proposed Unit 3 have already been considered and approved by the Council as part of two previous

applications P/2018/1118/PA and P/2018/1119/LB. Therefore, they will not be discussed as part of this assessment.

It is noted that there is no provision of parking for the established use. Members visiting the Club would have to utilise locally available parking facilities (either on-street parking or using the Meadfoot Road car park) or travel using public or sustainable transport (walking, cycling, etc.). The submitted design statement has identified the existing requirement as being 11 vehicle spaces, not including parking for staff and access for deliveries. This has been based on a rate of 1 space per 25sqm and has been generated based on the associated public accessible areas of the site.

Using appendix F of the Local Plan, the parking required for the proposed development would be for six spaces. One space has been detailed within the proposal. As mentioned by the Local Highways Authority, the site's location is such that it is within walking distance of the Town Centre and local car parks. The proposal would include the provision of secure cycle storage within each of the associated amenity areas for each unit. The installation of these can be secured through the use of a planning condition. Additionally, there would be no increase in the demand for on-street parking arising from the development compared to the existing situation, if anything, there would be a significant decrease in parking demand. In light of the above, it is considered that the shortfall in parking spaces to be provided in relation to Policy TA3, is acceptable given that the impact on highway safety amenity is likely to be improved by the proposed development.

Subject to the conditions being met, the proposal is considered to be acceptable with regard to Policies DE3, TA2 and TA3 of the Local Plan and Policies TH9 and THW5 of the Torquay Neighbourhood Plan.

6. Flood Risk and Drainage

Policy ER1 of the Local Plan states that proposals should maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere.

The proposal would not result in the creation of any additional impermeable surface and so would require no conditions on drainage grounds.

The proposal is considered to be acceptable with regards to Policies ER1 and ER2 of the Local Plan.

7. Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development.

The proposal is considered to make sustainable use of land by re-using an existing structure to provide new dwelling units. This reduces the pressure to develop greenfield sites, and promotes urban regeneration. The site's central town centre location in itself promotes sustainable forms of transport as locally available services are within easy walking distance, removing the need for additional car journeys.

Additionally secure bicycle storage has been included within the proposal, as a method of promoting sustainable transport options.

Statement on Human Rights and Equalities Issues

Human Rights Act - The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

Local Finance Considerations

S106/CIL –

S106:

Not applicable, subject to the use of a planning condition to ensure the facility serves local residents only.

CIL:

The CIL liability for this development is Nil.

EIA/HRA

EIA:

Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

Planning Balance

The proposal is considered to represent an appropriate and beneficial use which will give both the listed building and a key building in the Conservation Area a sustainable future. The alterations in terms of design and heritage impact are considered to be acceptable. Whilst concern has been raised in respect of Impact on parking, over

development and loss of privacy, these issues are addressed in the main body of the report and are not considered to be so significant as to warrant a refusal of planning permission.

Conclusions and Reasons for Decision

The proposal would provide much needed housing and bring a vacant building back into use, helping to restore and enhance heritage assets in a manner that would not be injurious to neighbouring amenity, highway safety, flood risk, or ecology. The proposal is considered acceptable, having regard to the Torbay Local Plan, the Torquay Neighbourhood Plan, and all other material considerations.

Officer Recommendation

That Planning Permission is granted, subject to the conditions detailed below. The final drafting of conditions and addressing any further material considerations that may come to light to be delegated to the Assistant Director of Planning and Transport.

Conditions or Refusal reasons

Materials

No development above damp proof course shall take place until details of the proposed use of external building materials (including samples) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details, and shall be retained as such for the life of the development.

Reason: To ensure an acceptable form of development in the interests of the character and appearance of the heritage asset and the Torquay Harbour Conservation Area in accordance with Policies DE1, HE1 and SS10 of the Adopted Torbay Local Plan 2012-2030.

Landscaping

No development shall take place until details of all proposed hard and soft landscaping have been submitted to and approved in writing by the Local Planning Authority. All planting, seeding or turfing comprised within the approved scheme shall be carried out in the first planting season following the completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next available planting season with others of a similar size and the same species. The approved hard landscaping details shall be installed prior to the development being brought into use, and shall thereafter be retained for the life of the development.

Reason:

In the interests of visual amenity and in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030.

Railings

Prior to the installation of the railings hereby approved, a sample or technical detail of the railings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall be retained as such thereafter.

Reason: In the interest of visual amenity in accordance with Policy DE1, SS10 and HE1 of the Torbay Local Plan 2012-2030.

Windows/Doors

Prior to the installation of new windows and doors, the following shall be submitted to and approved in writing by the Local Planning Authority, which seek to respond to the positive aspects of the local prevailing character of the area:

- Sections at a scale of 1:1 and elevations at a scale of 1:10, of all new windows and doors
- Reveal sections, drawn to a scale of 1:1-1:10
- Sill sections, drawn to a scale of 1:1-1:10

The development shall then proceed in full accordance with the approved details and shall be retained as such thereafter.

Reason: To ensure an acceptable form of development in the interests of the character and appearance of the heritage asset and the Torquay Harbour Conservation Area in accordance with Policies DE1, HE1 and SS10 of the Adopted Torbay Local Plan 2012-2030.

Bicycle Storage

Prior to the first occupation of the development hereby approved, provision shall be made for the storage of bicycles according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Once provided, the agreed storage arrangements shall be retained for the life of the development.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with Policies TA2 and TA3 of the Adopted Torbay Local Plan 2012-2030.

Boundary Treatment

Prior to the first occupation of the development hereby permitted, a scheme of boundary treatment shall be fully installed in accordance with details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Once provided, the agreed boundary treatment shall be retained for the life of the development.

Reason: In interests of visual and residential amenity and in accordance with Policies DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030.

Refuse Storage

Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Once provided, the agreed storage arrangements shall be retained for the life of the development.

Reason: In interests of visual amenity and in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030.

Provision of Parking Space

The dwellings hereby approved shall not be occupied or brought into use until the parking spaces and manoeuvring area detailed on the plan referenced "Proposed Floor Plans" have been provided. These elements shall thereafter be retained for the use of the associated dwellings for the life of the development.

Reason: In accordance with highway safety and amenity, and in accordance with Policy TA3 of the Adopted Torbay Local Plan 2012-2030.

Relevant Policies

DE1 - Design
DE3 – Development Amenity
HE1 – Listed Buildings
SS10 – Conservation and the historic environment
TA2 – Development access
TA3 – Parking requirements
ER1 – Flood risk
ER2 – Water management
TH8 – Established architecture.
TH9 – Parking facilities.
TH10 – Protection of the historic built environment.
THW4 – Outside space provision.
THW5 – Access to sustainable transport.