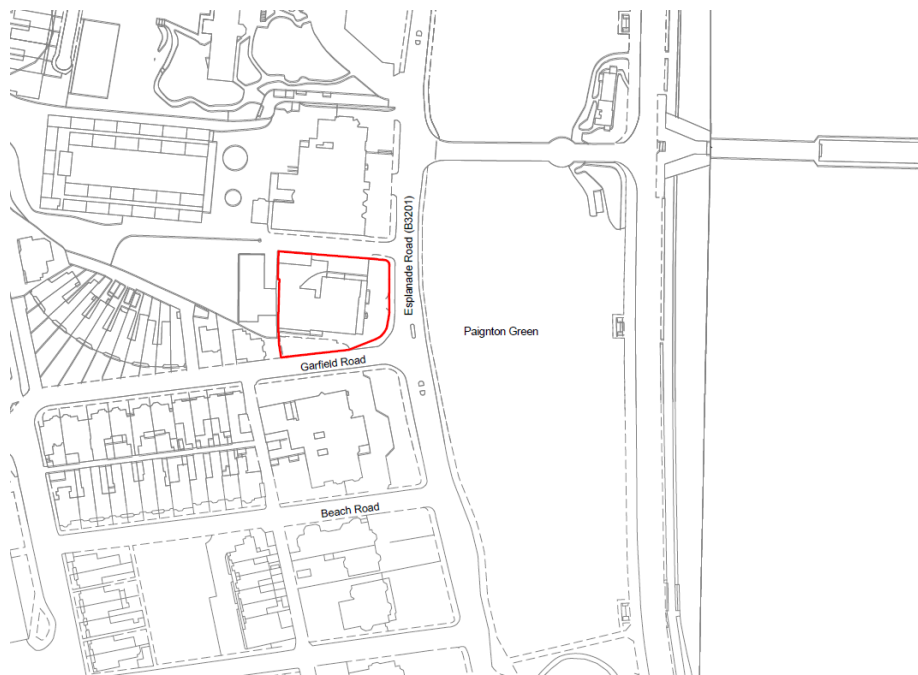




Application Site Address	The Lighthouse 26 Esplanade Road Paignton TQ4 6BG
Proposal	The demolition of the existing building and the formation of a 119 bedroom hotel with ancillary facilities and associated works.
Application Number	P/2019/0804
Applicant	Mr Periakaruppan Aravindan – Fragrance UK
Agent	Ms Yolanda Alonso – Kay Elliott Architects
Date Application Valid	20 th August 2019
Decision Due Date	19 th November 2019
Extension of Time Date	
Recommendation	Delegate authority to the Assistant Director of Planning & Transport on receipt of acceptable amended plans to grant Conditional approval subject to the conditions detailed below and the completion of a legal agreement. Final drafting of conditions, negotiation/completion of the legal agreement, and addressing any further material considerations that may come to light following Planning Committee, to be delegated to the Assistant Director of Planning and Transport.
Reason for Referral to Committee	The application is Major.
Planning Case Officer	Emily Elliott

Location Plan:–



Site Details

The application site relates to land currently occupied by a property known as The Lighthouse (a former night club) in Paignton. The existing building is vacant and has been boarded up for some time. The site is located on Paignton's seafront, within the Paignton Seafront, Harbourside and Green Core Tourism Investment Area, and within the Paignton Town Centre Community Investment Area.

The existing building is two storeys in height, it is not accessible by lift and the ground floor level is below the level needed to accommodate flood risk and climate change. The area to the front of site which is highly prominent given the seafront location comprises a tarmac parking area.

The building is an undesignated heritage asset located outside of a Conservation Area. The site is located within Flood Zone 3.

Description of Development

The application seeks permission to demolish the existing building and construct a development of a 119 guestroom hotel arranged over six storeys (lower ground floor to fourth floor), to include a restaurant, a gym, a spa and associated facilities.

The main pedestrian entrance would from Esplanade Road, providing direct access into the lobby, there would also be a lower ground floor access from the rear (western flank) of the building for those using the car parking facilities, which then has stairs and lifts up to the ground floor lobby area.

The lower ground floor area would include various 'back of house' facilities including linen handling, a bin store, and bike storage, WC and showers for staff. It would also include 19 parking spaces, of which 2 would be for disabled spaces, there would also be motorcycle and bicycle parking. The service entrance would be at the south west corner of the building, adjacent to a new service bay off Garfield Road. The drainage attenuation would also be sited under the al fresco terraced area.

At ground floor level would be the reception, a front desk office, a luggage room, a meeting room, a 70-cover restaurant (154 square metres) with bar facilities and al-fresco dining (117 square metres – 59 covers), WCs, kitchen, storage, and 15 guestrooms. The restaurant would occupy the eastern side of the building.

The first and second floors would each have 31 bedrooms, the third floor would have 23 bedrooms, and the fourth floor would have 19 bedrooms and roof access.

The gross internal area of the proposed hotel is 4,952 square metres, and it would have a footprint of approximately 1,022 square metres. Six guest bedrooms are Universal Access with shower. The guestrooms range in area from 16 square metres to 25 square metres.

It is anticipated that the building would be occupied by a 2/3-star hotel operator.

The proposed hotel would be of a modern design, and appear as 5 storeys in height when viewed from the Esplanade Road, as the lower ground floor would not be visible from this road. The overall height would be 18 metres, (including the plant on the roof it would take the proposed development to a height of approximately 20 metres). The height would be approximately 5.6 metres (excluding the plant) higher than the existing 2 storey building. There would be a modest area of plant set on top of the roof and these plant structures would be set well within the main elevations of the building.

The footprint of the proposed hotel building would measure around 38 metres in width along its frontage, and would have a depth of approximately 33 metres.

There would be an alfresco terrace area over two levels at the front of the proposed hotel, which the lower level is approximately 1 metre in height from street level. This area includes a scheme of landscaping.

The reception and restaurant would be located above the 1:200 flood event with sleeping accommodation located approximately 1 metre higher for additional safety. The main vehicular access would be from a private road accessed off Esplanade Road into a 19 space, enclosed car park located within the site, which vehicles would then exit onto Garfield Road.

The hotel would be clad in a traditional hierarchy of materials ranging from coursed sandstone on the lower levels, to honed sandstone on the ground floor entrance and restaurant and stucco above.

The proposed hotel development also includes the total demolition of the existing building.

Pre-Application Enquiry

DE/2019/0007 – Meeting attended by Planning Officers – The pre-application enquiry was made in order for the applicant to go to Design Review Panel and the meeting was to go over the alterations made as a result of Design Review Panel, supportive towards the evolved design as a result of the Design Review Panel.

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 Paignton 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.

Summary of Representations

Thirty-one representations have been received, fourteen in objection (eight objections were received by the same contributor; and three objections were received by the same contributor), seven in support and one was deemed to be a representation which made points neither specifically for nor against the proposal. The following provides a summary of the main issues identified and where appropriate a summary response is provided by the planning officer. Where appropriate the issues raised are discussed further in the Key Issues/ Material Considerations section of this report.

A summary of the main points of objection are as follows:

- Impact on small independent hotels and guest houses/B&Bs.
Planning Officer Response: *Competition between businesses is generally not regarded as being a material planning consideration, however, the principle of a hotel development and economic benefits section of the report consider the potential impacts, and also the wider context in terms of the tourism policies.*
- Loss of light
- Noise
- Overdevelopment
- Privacy/overlooking
- Sets precedent
- Traffic and access
- Visual impact
- Not in keeping with the local area
- Impact on local area
- Right to a view
Planning Officer Response: *The right to a view is not regarded as being a material planning consideration.*

The letters of support state that the proposal will;

- Provides/retains jobs

- It removes an eyesore
- It provides amenities
- Economic benefits
- Provides tourist facilities
- Makes tourist facilities better

Summary of Consultation Responses

Police Designing Out Crime Officer:

From a designing out crime, fear of crime and antisocial behaviour perspective please find the following advice and recommendations:-

Generally hotels create a regular and consistent turnover of visitors but their temporary status can lead to a relaxed approach to security and a reduced level of ownership and responsibility for their surroundings, which can make them and their property vulnerable to criminal activity. As such life should be made as difficult as possible to prevent those with criminal intent gaining access into the hotel and private areas by considering the following attributes of Crime Prevention through Environmental Design (CPTED) and the associated advice and recommendations, as this will assist in ensuring a consistent level of security throughout and opportunity for crime, fear of crime and disorder minimised:-

Access and Movement - Places with well-defined and well used routes, with spaces and entrances that provide for convenient movement without compromising security

- *There are no particular issues with regard to the internal design of the hotel but to increase safety and security there should be some form of internal access control system to reduce unwanted human movement, especially to each floor of accommodation and to staff/private areas.*

Structure & Ownership - Places that are structured so that different uses do not cause conflict.

Surveillance - Places where all publicly accessible spaces are overlooked; have a purpose and are well managed to prevent the creation of vulnerable areas which could attract criminal activity, the antisocial to gather or for unacceptable behaviour to go unnoticed.

- *The reception appears well positioned, maximising views out and will enable good levels of surveillance over the terrace and persons entering and leaving the building.*
- *Wherever possible external service doors should be designed so they are fitted flush to the building line to prevent creating recessed or concealed areas.*

- *There appears to be no mention of CCTV for the premises in the Design and Access Statement. It is strongly recommended that a monitored system is considered.*

CCTV cameras should be distributed throughout the building and external areas with a clear passport to compliance document in place prior to installation to ensure the system is fit for purpose. Coverage over access controlled areas, entry and exit points, bike and bin stores, under-croft parking and walkways etc. are of particular importance.

CCTV should be designed to co-ordinate with external lighting and landscaping (if applicable).

The CCTV must have a recording format that is acceptable to the Police. Recorded images must be of evidential quality if intended for prosecution.

Physical security - Places that include necessary, well-designed security features as laid out in Secured by Design (SBD) guidance Commercial 2015 & Homes 2016:

- *All external doors and easily accessible windows should be sourced as tested and certificated products*
- *Ideally all entrance doors to guest rooms should meet PAS 24 2016 standard of security*
- *Restricted opening of any easily accessible windows (if applicable) should be adopted to prevent reach in burglaries (where offenders simply take whatever is within reach through the open window).*

For further information on police preferred security standards, specifications and products please do not hesitate to contact me.

Activity - Places where the level of human activity is appropriate to the location and creates a reduced risk of crime, fear of crime and a sense of safety at all times.

Parking - The police do not object in principle to the proposed development but do raise concern over the proposed parking provision and ask that this be carefully considered prior to determination.

It is appreciated that the site of the proposed hotel is in fairly close proximity to a multi-storey car park but this may not be a preferred parking option for future guests of the hotel. It is considered that guests are likely to want to park their vehicle on site or as close to the hotel as possible, as such the Police are concerned that the proposed 19 parking spaces for a 119 room hotel is likely to prove wholly inadequate and the

potential to introduce a source of conflict due to inconsiderate and/or obstructive parking in the local area.

Under-croft parking - The preferred advice would be to not construct buildings on top of parking areas but if unavoidable then please note the following recommended protective security measures:-

Project ARGUS Professional is aimed at encouraging architects, designers and planners to consider counter terrorism protective security measures within the built environment at the concept design stage. It encourages debate and demonstrates that counter terrorism measures can be designed into structures and spaces to create safer crowded places. It is fully supported by the various organisations associated with these professions.

Whilst it is not directly linked to the planning process all staff should receive counter terrorism awareness briefings such as the aforementioned Project Argus or Project Griffin to improve staff awareness and resilience of the site.

Ideally an access control system should be applied to the vehicular and pedestrian entrances to restrict unauthorised or unwanted access into the parking area.

Lighting should be at the levels recommended by BS 5489:2013 and be provided by 'on building' solutions or pole mounted luminaires wherever possible. To assist, bollard lighting works well for wayfinding or as supplementary lighting but they are not recommended from a safety and security perspective as the limited light they do emit is generally at the wrong height to aid facial recognition.

The cycle parking area must be secure and have an access control facility and also monitored by CCTV.

The parking area, pedestrian walkways and all external doors and windows from the parking area must be covered by CCTV.

Walls should have light colour finishes to maximise the effectiveness of lighting as this will reduce the luminaires required to achieve an acceptable light level and assist the functions of the CCTV.

It is hoped that crime prevention and safety measures as detailed above would be negotiated into any approval without having to resort to conditions but in the event that this is not desirable I would be grateful if consideration could be given for the following to be worded into an appropriate condition/s:-

A scheme acknowledging designing out crime and/or crime prevention shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include details of a monitored CCTV system with a clear passport to compliance document which should include how the CCTV shall cover all external areas of the building, including public walkways, parking and entrance and exit doors and include details of an external lighting plan.

Reason:- To ensure the safety and security of persons and property and minimise opportunity for crime, fear of crime and disorder.

Torbay Council Corporate Security and CCTV Manager:

We are looking at seeking planning contributions regarding the installation of a new CCTV Camera.

The new camera would be sited at the junction of Garfield road and Esplanade Road. The CCTV system in the street has been modernised in front of Vue Cinema and on the Esplanade, this has increased our visibility across this area but currently we don't have anything that thoroughly covers this area. With the increased footfall / Visiting Families this development will bring the additional camera would increase our field of view along Esplanade Road, it would also give us coverage of Garfield road down to the entrance of Victoria Car Park. Increasing our field of view will increase our proactive monitoring, this in turn will bring added security for people using this area and surrounding areas and the hotel itself.

Therefore under Policy TC5 Evening and Night time Economy, I would be looking for them to make an appropriate contribution towards the cost of any monitoring and its subsequent maintenance. In this case that would be to fund a new camera located at the junction of Garfield road and Esplanade Road.

Current costing of the camera along with the installation are detailed below.

Products Qty	Part Numbers	Description
1	610570	BX520 HD IR PTZ External Pendant
1	130176	High PoE Injector 95W
1	130182	pole mount
1	440010-U	IndigoUltra - SUP for single device connection
1		license
1		Huawei switch
1	110060	24V Power Supply - 3.33A
1	NBE-M5-16	NANOBEAM M5
1	MONT-KIT-85C	Mount Kit for 19 dBi 5 GHz subscriber terminal:
1		300x300 steel box ip65
1	OSSL	commissioning

Installation and Commission = £3,980.39 ex VAT

Torbay Development Agency Senior Economic Development Officer:

This letter is in support of the proposed planning application for the Lighthouse redevelopment, Paignton.

The proposals for a new, purpose built, 117 bed, internationally recognised 2-3 star hotel with gym restaurant, bar and outdoor dining is a welcome investment to Torbay and the English Riviera.

Situated on Paignton's popular seafront, the hotel is well positioned to benefit from the English Riviera UNESCO Global Geopark. The new hotel will support the development of Torbay's visitor economy, currently worth c£430m, attracting 4.6m visitors a year. The proposed hotel investment aligns to the ambitions of the English Riviera's Destination Management Plan 2017-2021 specifically:

- Attracting new visitors (particularly international)*
- Attracting investment*
- Improving the quality of accommodation*
- Improving hotel occupancy throughout the year*

The proposals present a purpose built hotel with facilities which the modern fully independent traveller (FIT) expects. The new hotel will help to make the destination more attractive to visitors, satisfying the growing demand by both domestic and international visitors for high quality accommodation, open all year round.

For overseas visitors especially, having an internationally recognised hotel brand available to book online, all year round will undoubtedly attract new visitors to the destination. The demand for quality, all year round holidays in the UK is continuing, with domestic 'staycations' expected to increase and importantly, moving into the 'shoulder' and winter months.

TDA projects that the proposed development will create:

- Accommodation for around 10,810 net new visitors, which will create around £2,784,904 of new spend.*
- 39 direct FTE jobs, plus 6 indirect FTEs (based on 1 job per 3 bedrooms).*
- Direct net GVA of £492,481.63 per year (assuming 75% occupancy rate), and that it will take around 25% of visitors away from other local accommodation providers).*
- Additional tourism expenditure of £147,744.49 indirect benefit.*

This is a welcome investment to support the development of Torbay's visitor economy and develop local skills. We encourage the operator to link with South Devon College to develop accessible apprenticeships and skills, and to also attend Torbay's annual recruitment events to employ local talent.

Torbay Council Senior Environmental Health Officer:

I would confirm that that although I do not have any objections to the above Planning Application, I have the following comments to make:

Construction/Demolition Management Plan:

No development shall take place until a site specific Construction/Demolition Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, & dust. The plan should include, but not be limited to:

- *Procedures for maintaining good neighbour relations including complaint management.*
- *All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.*
- *Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.*
- *Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.*
- *Control measures for dust and other air-borne pollutants.*

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development.

Torbay Council Drainage Engineer:

The proposed development lies within Flood Zone 3 and the developer has submitted a site specific flood risk assessment in support of the planning application.

Within the site specific flood risk assessment the developer has identified the flood risks associated with the site and the floor levels for hotel bedrooms have been designed to a level above the 1 in 200 year flood level plus 600mm freeboard. In addition for areas of the building g below this flood level the developer has identified flood mitigation works which are to be incorporated within the building.

The proposed drainage strategy complies with the requirements of the Torbay Critical Drainage Area with surface water discharging to the culverted watercourse at a controlled discharge rate limited to 1.5l/sec.

The developer has submitted calculations showing how the 1 in 10 year Greenfield run-off rate has been calculated.

Within the site specific flood risk assessment hydraulic calculations have been included for a proposed surface water system.

It should be noted that the site specific flood risk assessment assumes that the sea defence at Paignton is to be maintained for the life of the development. As a result of climate change this sea defence will not provide significant flood protection in the future and therefore Torbay Council are currently proposing significant works to improve the level of this coastal defence. Should the existing flood defence structure be breached the flood risk associated with the development would be significant and therefore the Council should seek Section 106 funding from the developer as a contribution to the proposed works to the coastal defences at Paignton.

Providing the surface water drainage is constructed in accordance with the submitted hydraulic calculations and the development is constructed in accordance with the site specific flood risk assessment, I have no objections on drainage grounds to planning permission being granted.

Torbay Council Drainage Engineer – Update:

The S106 contribution to the Paignton and Preston Coastal Defence Scheme has been based on the area protected behind the existing sea wall for the 1 in 10 year storm event plus 50 years of climate change. This storm event has been chosen as the design horizon of the scheme is for 50 years of climate change.

The estimated scheme cost for the Paignton and Preston Coastal Defence Scheme is in the sum of £3,750,000.

Based on the 1 in 10 year storm event plus 50 years of climate change flood maps produced as part of the Torbay Coastal Defences Climate Change Adaptation Report, the overall flooded area behind the existing sea walls is as follows:



Paignton = 165,153m²
Preston = 33,605m²
Total flooded area = 198,758m²

The scheme cost per m² of area protected by the coastal defence scheme is therefore:

$$3,750,000/198,758 = \text{£}18.87/\text{m}^2$$

The overall site area for the proposed development at The Lighthouse Hotel in Paignton is 1,630m².

Therefore the S106 contribution from the development towards the coastal defence scheme is as follows:

$$1,630\text{m}^2 \times \text{£}18.87 = \text{£}30,758.10$$

Environment Agency:

We confirm that we do not object to the proposal as submitted subject to your authority deeming that both the Sequential Test and part 1 of the Exception Test (i.e there are wider sustainability benefits to the community that outweigh flood risk) can be satisfied.

The proposed development lies within Flood Zone 3 and is at risk of flooding from numerous sources, flooding from the sea being the predominant risk.

We have reviewed the applicants Flood Risk Assessment and deem that this is an accurate reflection of the risks flooding poses over the lifetime of development. The form and layout of the proposal is such that all 'more vulnerable' uses would be above the predicted design flood level the sea poses including an allowance for climate change over the developments potential lifetime.

We advise that flood warning procedures be drawn up including a management plan for the purpose of safeguarding, as much as is practicable, the welfare of occupants of the building, including those with limited mobility.

The Environment Agency would support any suggested recommendation to obtain S106 funding towards the maintenance of, and indeed improvements to, Paignton Sea defences, a need that Torbay Council recognises, given that the proposed development would benefit from the continued presence of the asset.

South West Water:

No objection or comment.

Torbay Council Senior Tree and Landscape Officer:

Having looked at the proposal I can confirm that no arboricultural input is required during the design phase of the development. However, I would request that if approved a landscape scheme should be conditioned to be submitted prior commencement of the development.

Torbay Council Waste Client Manager:

No objection to the proposed development.

Paignton Neighbourhood Forum:

The Forum is not raising an objection to this application as it accords with the Paignton Neighbourhood Plan (PNP) - PNP1 (Para 6.17) - "Development proposals will be supported which: a) provide new employment on sites able to meet infrastructure needs" and specifically:

Policy PNP14 – Paignton Neighbourhood Plan Core Tourism Investment Area:

"To improve tourism opportunities in the seafront Core Tourism Investment Area shown (Fig. 6.8 page 46) further investment in tourist accommodation will be actively supported".

However, account needs to be taken of:

1. Policy PNP 1(c) Para 6.48, Design Principles:

Development proposals, should where possible and appropriate to the scale and size of the proposal:

1. Strengthen local identity by:

ii) being in keeping with the surroundings respecting scale, design, height, density, landscaping, use and colour of local materials;

iii) respecting important landscape or townscape vistas.

iv) protecting residential amenity in terms of noise, air, or light pollution.

(Taken together with planning application P/2018/0804, the 'cube' effect of two similar looking buildings is considered to be inappropriate).

Policy PNP 1(e)

Commercial Development: New commercial development should aim to achieve where appropriate and subject to viability:

i) the highest standards of sustainable construction such as Passivhaus or EnerPHit;

and ii) out of sight waste storage in seagull proof structures for not less than two wheelie bins of 1100 litres in size for each commercial unit proposed.

Policy PNP1 (h)

New development should aim to achieve where appropriate and subject to viability: i) electric vehicle charging points.

Policy PNP1 (i)

Developments will be required to comply with all relevant drainage and flood risk policy. Proposals, which achieve more than sustainable drainage improvements and move beyond Sustainable Urban Drainage systems (SUDs) by keeping surface water out of the combined sewer network at source are encouraged.

(The site location is in a significant flood risk area and risk of overspill pollution to the designated Torbay Marine Special Area of Conservation).

Policy PNP15

To reduce the risk of flooding within the Town Centre Area defined by the inset plan (Fig. 6.3 page 31) development proposals must comply with all existing Flood Risk policy requirements.

Proposals to remove buildings, structures, or other physical features that act as a brake on areas liable to flood from the sea, inland water flow, or drainage network, will not be supported unless alternative compensating proposals are submitted and agreed;

Where appropriate new developments will be required to demonstrate how surface water will be managed to achieve the reduction of the amount of surface water entering the combined sewer network including water harvesting for use within the development, and by temporary storage solutions so that surcharging of the ground and sewer network is reduced during periods of intense rainfall;

The removal of hard surface areas and their replacement with soft surface landscaping will be encouraged in all developments to increase natural drainage and thereby increase capacity in the combined sewer network for additional development proposed in the Town Centre; and

Where appropriate, development proposals in locations at risk of flooding from seawater will be required to make financial contributions towards the strengthening of sea defences in accordance with Torbay Council CIL regime or S106 Obligation.

Parking:

It is considered that more thought needs to be given to potential parking problems associated with similar inadequate parking problems identified with the neighbouring site of P/2018/0804 (old Park Hotel). There is too little car parking for both proposed hotel sites coupled with an over reliance on nearby but inadequate public parking. Further to this, no account has been taken into account for parking requirements for special functions.

Torbay Council Highways Engineer:

As Strategic Planning will lead on this one, the number of proposed parking Spaces will need to be checked for acceptability.

Highways Technical issues are:

- *One Way markings on the entrance of the car park off the private road.*
- *No Entry and left turn arrow on the exit of the car park on too Garfield Road.*
- *As the build out on Garfield Road will be on the Highway and will erase the beginning of the existing cycle lane, bollards will be required on each end of the build out and one on the Beginning of the existing footway, with hatching approaching the build out and give way markings on the exit.*
- *Reinstate cycle Lane and no Loading Markings.*
- *Reinstate existing vehicle crossing to full height kerb footway on Esplanade Road.*
- *Provide tactile paving on Esplanade Road at pedestrian crossing with Garfield Road.*

Torbay Council Senior Strategy and Project Delivery Officer: In light of the concerns expressed by the Highway Engineer revisions have been suggested to the applicant with a view to resolving and a response is awaited.

Torbay Design Review Panel:

14.12.2018 (Note the Design Review Panel considered the proposals at the pre-application stage and their observations represent a material planning consideration). *We discussed the location of the site within the broader context of the seafront and again noted the 'crank', the shift, in the building line to Esplanade Road and planning grid of the hinterlands here. The site marks the final one that is currently influenced by the alignment which prevails to the north, whereas the Park Hotel project site has been allied to the alignment to the south.*

The existing buildings seem to have very little architectural merit and if an historic core of fabric still exists within the extended complex then it could have very little of the original qualities of the original 'Oldenburg Villa' remaining. We see no reason to argue against a development strategy for wholesale demolition and replacement.

You drew our attention to the presence of the existing property located immediately to the west along Garfield Road – having a bay window presentation to its east elevation, which currently benefits from views out to sea. We note your intention to respect this arrangement, the existing building line does this with some generosity and closer analysis may be helpful in ensuring efficient use of the site, whilst preserving this sightline (or part of it).

The 'Heritage Spine' that has been identified in emerging policy includes this part of Garfield Road and we might expect that, in time, this will mean stronger footfall and pedestrian movement – making this street a good location for the main entrance of the

new hotel. However, we also note the one-way traffic management that is in place for this network of streets and this frustrates a direct approach by vehicles to a drop off point in Garfield Road when approaching from The Esplanade.

We commend the ideas that are emerging in your East-West cross section. These neatly deal with the issues relating to flood risk, whilst generating extra height/volume in the main public areas of the building. Inevitably, entrance at street level will be set below the main (upper) ground level and the graceful management of this climb up to reception level will be a key determinant of the final quality of the experience for guests and visitors. This needs to be achieved both within the building and as part of the landscape design of the 'terrace'.

If we accept that drop off to the north, in the private street, is the 'best compromise' amongst competing alternatives (as discussed above) then we strongly believe that a direct entrance into the building from the north is therefore needed. The arrangement currently shown would involve guests returning to the eastern front and negotiating external steps or ramps and a considerable journey before shelter is achieved. The planning of the interior would suggest that direct access to the lower lobby might easily and directly be arranged and from there to reception?

The arrangement of external steps and ramps which are let into the terraced areas are not very elegantly handled (should be more seamlessly integrated) and the awkward approach to the front door (angled away from the main approach) does not anticipate a natural or graceful pedestrian flow. The 45 degree chamfer here seems to generate very little benefit. With the entrance being located towards the northern part of the eastern elevation, then a significant 'invitation' and welcome needs to be presented by the landscaped area to receive patrons approaching from Garfield Road – only a mean set of steps is currently shown here...

In plan, we see that the main structural grid, determined initially by the car park arrangements, and then corrupted by the stepping back of the form to the northern edge, is generating some awkward conflicts and relates quite poorly to some of the bedroom interior planning. The attempt to maximise floor area (as evidenced by the close adherence in the building form to the allowable envelope predicted by daylight studies) is generating an inelegant solution. A clearer, more suitable, structural concept needs to be discovered and for this to then be more rationally a generator of the design. We wonder whether the northern arm of what is a horseshoe plan-form at upper levels might not be aligned to the street edge rather than be orthogonal with the grid to the south? That is, the northern wing of the hotel aligns to the north grid (as stated above) and the southern wing aligns to the southern grid and Garfield Road. Differences in geometry might then be resolved within the lightwell part of the plan.

The form that has been generated by a sincere respect for 'rights of light' of neighbouring properties has many steps and cutbacks. The complexity is unfortunate

and the architectural expression lacks a clear idea or concept – although accommodation may be lost, we think that a simplified form would create a much more satisfactory design and could have financial economies in terms of build costs.

With the structural grid better resolved, we would then hope to see its influence expressed in the general composition – the current expression tends towards the cloaking of the underlying frame. The calm handling of the facades for your consented Park Hotel scheme alongside now provides a useful precedent. We see no reason for a ‘forced variety’ on this site. On the contrary, we see merit in architectural consistency or, at least, consistency of materials (just as there was in the 19th century). In responding to the particularities of the brief then differences will emerge, but a common origin might be useful in thinking about the architectural language for these linked sites. Unlike The Park, this site does seem to be sitting in an asymmetrical setting – closer analysis of the immediate context may be fruitful in determining a more subtle compositional strategy.

The notion of the building sitting on a plinth is supported, but we wonder if the language / materiality of this base might permeate upwards to embrace the public areas in some way?

The planting shown within the front terraced area seems at this stage to be inconsequential – better to include say one significant tree? The planting in Torbay is so distinctive and hopefully local distinctive species and strategies can be adopted? We would make a plea for a more exotic, ebullient planting for this terrace and would encourage the Local Authority to make this a requirement for all future developments along the Esplanade.

The central lightwell / courtyard is obviously minimal, any opportunities to increase this space would be beneficial (the alignment of the north façade and the potential squeezing of the view corridor to the south, may help?). Think carefully about the nature of fenestration into this small space and do consider acoustic nuisance that may be generated on hot summer evenings if naturally venting here. An intensive green roof is of questionable value; consider an extensive (lightweight) solution or none at all, given the poor levels of light available.

The fins shown on the façade seems to be proposed ‘too early’ as a device – we welcome the consideration of passive solar shading and other low-energy tactics, but the general composition needs to be more resolved in the first instance. Likewise, the use of curved corners may be part of the language that is eventually adopted, but these should be kept under review as the design evolves.

The appearance of the building at night-time – lighting and signage – will be an important consideration and offers further opportunities to the design.

As discussed above, the comments made by the DRP were formed part of the pre-application discussions and a significantly revised scheme emerged in response.

Key Issues/Material Considerations

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 key issues have been identified and will be discussed in relation to the relevant development plan policies and material considerations.

1. The demolition of the existing building and principle of a hotel development
2. Economic benefits
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1. The demolition of the existing building and principle of a hotel development

As the Lighthouse is not a listed building, nor is it within a conservation area, the applicant has applied for an application for Prior Notification of Proposed Demolition under Schedule 2, Part 11 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

The purpose of this control is to give local planning authorities the opportunity to regulate the details of demolition in order to minimise the impact of that activity on local amenity. A Prior Notification of Proposed Demolition therefore assumes that the demolition of the building is acceptable and without being protected the Local Authority would be unable to prevent its demolition. The principle of demolition and redevelopment is considered to be acceptable.

However given the prominence of the site location it is considered imperative that any replacement development should be of a quality design.

Policy TO1 of the Local Plan promotes the improvement, modernisation and the addition of new tourism facilities in order to attract new visitors, particularly overnight, to increase overall spend. Proposals that make positive use of Torbay's marine environment, culture, heritage, biodiversity and Geopark are encouraged by this Policy. Policy TO1 states that the Council wishes to see the quality of accommodation improved with a wider range of new and refurbished facilities and services. This will be achieved by supporting the principle of new tourist accommodation subject to other

policies in the plan and the creation of new high quality tourism accommodation in sustainable, accessible locations.

Policy TO1 states that Core Tourism Investment Areas are the main focus for investment in tourism which includes Paignton Seafront. These are intended to ensure the retention and improvement of sufficient high quality accommodation and attractions in order to provide a critical mass needed by a premier resort. The new hotel provides a larger, modern and improved tourist facility within an area allocated for such developments within the Local Plan, and in place of an unsightly, vacant building. Therefore the principle of the new hotel is deemed to be acceptable, subject to compliance with other relevant Local Plan Policies.

Policy SDP1 of the Local Plan states that the role of Paignton Seafront as a leisure and employment hub will be promoted and enhanced, whilst protecting the areas environmental assets. The proposal provides additional job and modern leisure facilities.

Policy PNP1 of the Paignton Neighbourhood Plan states development proposals will be supported which provide new employment on sites able to meet infrastructure needs. The Paignton Neighbourhood Forum has stated that the proposed development accords with Policy PNP1. Policy PNP4 of the Paignton Neighbourhood Plan states that improvement of the seafront will be encouraged including upgrading the public realm and public shelters to provide enhanced seating, weather protection and information facilities that improve the tourism offer. Policy PNP14 of the Paignton Neighbourhood Plan states that to improve tourism opportunities in the seafront Core Tourism Investment Area, further investment in tourist accommodation will be actively supported. The proposed development would provide a modern hotel facility within an area that would upgrade the public realm and provide an improvement to the tourism sector. It should be noted that the site was identified as a potential site primarily for housing in the Local Plan, however this was not taken forward in the adoption of the Paignton Neighbourhood Plan. It is considered that a hotel use in the Core Tourism Investment Area is more appropriate than housing.

Bearing the aforementioned points in mind, the principle of a hotel in this location is deemed to be acceptable and would accord with the relevant development plan policies identified.

2. Economic benefits

Policy SS1 of the Local Plan states that development should reinforce Torbay's role as a main urban centre and premier resort. Policy SS4 of the Local Plan supports the regeneration of Torbay and improvement in its economic performance, with the aim of achieving a step-change in economic prosperity as set out in Torbay's Economic Strategy. The Local Plan supports existing businesses, it encourages new businesses and investment in order to create new jobs, and it enables expansion and

diversification of the economy of the Bay. The Local Plan seeks to promote growth in sectors that are particularly important in Torbay, namely tourism, hotel and catering. The submitted information states that new hotel would be likely to create 50 full- and part-time jobs. During the construction phase there are likely to be additional jobs created.

Policy SS11 of the Local Plan details that proposals that regenerate or lead to the improvement of social, economic or environmental conditions in Torbay will be supported in principle. The proposed development would regenerate the site and improve the social and economic conditions within the locality, therefore it is considered to comply with Policy SS11 of the Local Plan.

Policy TC5 of the Local Plan states that the Council supports, in principle, development that helps create a vibrant, diverse evening and night time economy within the town centres, seafront and harbour areas of the Bay. The proposed hotel development would include a gym, spa, restaurant and bar, in addition to hotel accommodation, on brownfield land that is currently under-utilised, and would therefore contribute in adding vibrancy and a complementary offer to that currently available in the centre, attracting people of all ages. The proposal is deemed to comply with Policy TC5 of the Local Plan.

An estimated 86,724 guests would stay at the new hotel annually. The economic benefits of the hotel are estimated to amount to approximately £2 million per annum in additional net tourism expenditure, with guests going out to eat, drink and be entertained in the local area. A direct investment of approximately £13 million will be made in construction and completion of the hotel itself. The job creation and benefits to the local economy are considered to be material and should be regarded as being beneficial.

A number of objections to the proposed hotel relate to competition, however business completion is not generally held to be a material planning consideration.

The applicant has advised that the building suffers from the following underlying issues:

- The building is not accessible by lift.
- The ground floor is below the level needed to accommodate flood risk and climate change.
- Parking dominates the sea facing frontage.

The Lighthouse has been vacant for a number of years. The applicant states that the existing building, due to its layout, facilities, size, and condition is unable to meet the needs of a hotel in the 21st Century. The new hotel planned for the site will be one of

the first purpose-built hotel built in Esplanade Road on Paignton seafront for over 100 years.

The Council's Destination Management Plan sets out visitor demands and expectations for holiday accommodation and sets out that, as a resort, Torbay still needs to increase the overall quality of its accommodation offer and introduce more branded stock. The site is located in close proximity to Paignton town centre and the project broadly accords with the Council's town centre regeneration aspirations.

The applicant states that the new hotel will create 50 full- and part-time jobs plus additional employment during the construction phase. It is anticipated that the hotel will accommodate up to 238 guests at any one time and will operate 12 months a year.

The applicant will be investing approximately £13 million into the site. When adopting a conservative occupancy rate of 80%, there will be over 86,724 sleepers per annum. This could generate up to £2 million extra leisure spend per annum in Torbay. The proposed development will inject cash into the local economy through staffing, associated employment, and increased customer spend in Paignton and Torbay, which could increase the Gross Value Added (GVA) to in excess of £3.5m per annum.

On balance, it is anticipated that the proposal would make a positive contribution to the local economy compared to the existing situation. As such, it is considered that the proposal corresponds with the aspirations of Policies SS1, SS4 and SS11 of the Local Plan, and would bring economic benefits to the Bay compared to the existing situation.

3. Design and visual impact

The National Planning Policy Framework states that one of the core land-use planning principles that should underpin decision taking is to always seek to secure high quality design. 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'.

Consistent with these paragraphs, Policy SS11 of the Torbay Local Plan states that development must help to create cohesive communities within a high-quality built and natural environment where people want to live and work and that development proposals will be assessed according to whether they achieve certain criteria as far as they are relevant and proportionate to the development. Policy DE1 of the Local Plan states that proposals will be assessed against their ability to meet design considerations such as whether they adopt high quality architectural detail with a distinctive and sensitive palette of materials and whether they positively enhance the built environment.

A key concern, which is echoed in the representations, concerns the loss of the historic

character of the existing building and the impact that the addition of a large, modern building would have on the character of the seafront.

Policy PNP1(c) Design Principles of the Paignton Neighbourhood Plan states that development proposals should where possible and appropriate to the scale and size of the proposal to be in keeping with the surroundings respecting scale, design, height, density, landscaping, use and colour of local materials. Although the Paignton Neighbourhood Forum support improvements to tourist facilities, their comments on the application state that the proposed development when considered with the approved redevelopment of the former Park Hotel would be inappropriate as the two similar looking buildings (the proposed and that approved on the site of the former Park Hotel) would create a 'cube' effect.

The proposed building is sited to align with the building lines of properties along Esplanade Road. The principle elevation is stepped further forward of the existing building. The orientation of the proposed hotel building calls for a highly glazed principal, eastern elevation which would provide wide-reaching sea views and a higher standard of available accommodation. In order to overcome the possibility of the building overheating the design proposes passive measures of vertical solar shading which avoids mechanical activation, has minimal impact on views from the building, and creates a strong rhythm and identity to the eastern elevation.

The external materials proposed on the principle elevation move away from the existing rendered appearance of many of the properties on the Esplanade to a more traditional hierarchy of materials for Paignton which includes coursed sandstone on the lower levels and honed sandstone on the ground floor entrance and restaurant, with stucco above.

It is considered that the form and layout of the scheme makes effective use of the land and responds well to the topography of the site. The reception is situated on the north-east corner which is considered to be a prime location in terms of legibility for the approach from the town, train station, public car park and seafront. The principle elevation accommodates access for all pedestrian users and provides an active frontage with the proposed alfresco dining. A loading bay is located on the southern side of the proposed development with direct access from Garfield Road.

The proposed hotel has clear separation of vehicular and pedestrian routes. The vehicular movement is kept to the non-sea-facing elevation with pedestrian movement to the east where the restaurant and external terraces can maximise the views.

The applicants have complied with a number of the suggestions received from the advisory Torbay Design Review Panel.

Bearing the above points in mind the proposal is deemed to comply with Policy DE1

of the Local Plan which, among other things, requires development to be uncluttered and attractive, and develop distinctive character in townscape and landscape terms, relate to the surrounding built environment in terms of scale, height and massing and have a clear urban structure and grain that integrates with the surrounding context.

The applicants have addressed a number of the suggestions received from the advisory Torbay Design Review Panel (the comments of which are a material planning consideration) along with the Council's pre-application advice provided by planning officers. For the avoidance of doubt pre-application advice is not binding on the Council in terms of the decisions made at the application stage.

To the south of site lies the former Park Hotel development which has recently undergone the demolition, this is a regenerative 161-bedroom hotel development with associated leisure facilities. The approved hotel would sit alongside the site with Garfield Road separating the two. The approved hotel would comprise a 5 storey building above street level on Esplanade Road.

Policy DE4 of the Local Plan states that the height of new buildings should be appropriate to the location, historic character and the setting of the development. New development should be constructed to the prevailing height within the character area in which it is located, unless there are sound urban design or socio-economic benefits to justify a deviation from this approach.

The policy goes on to state that new buildings above the prevailing height will be supported where they;

- Enhance the vitality of an area
- Contribute to the regeneration of Torbay
- Strengthen the character of an area
- Are appropriate in terms of their visual impact
- Provide wider urban design or socio-economic benefits
- Make a positive addition to the built form, townscape and surrounding landscape; and
- Preserve or enhance local and long-distance view, and key vistas

The proposed height of the hotel represents an increase from 2 to 5 storeys, an overall additional height of 5.4 metres compared to the existing situation (excluding the plant equipment associated with the redevelopment, which would be located within the roof space, and around 2.2 metres in height). The applicant states that the proposed massing follows the predominant building form seen along the Esplanade with subservient accommodation behind and goes on to state that the proposal creates a clear, bold, honest compositional strategy allowing the grander Esplanade elevation to maximise sea views whilst the lower rear building responds to the scale of the terraced houses behind.

In the context of the immediate neighbouring properties and the wider Esplanade, the increase in height is not considered to be significantly higher so as to be contrary to this policy, or harmful to the local character. In any case it is considered that the addition of the taller hotel building would meet the criteria listed above in terms of enhancing the vitality of the area, providing socio-economic benefits, and contributing to the regeneration of Torbay through providing quality tourist accommodation with improved facilities and the creation of jobs. It should be noted that the adjacent neighbouring site, which formerly had the Park Hotel situated on it, has permission to become a modern, contemporary 5 storey hotel. It is considered that the proposed design, although differing from the broader Victorian character would make a positive contribution to the visual amenities of the area. It is deemed that the scheme complies with Policy DE4 of the Local Plan.

Whilst the concerns of the Paignton Neighbourhood Plan forum regarding the creation of 'cube' effect, are noted it is considered that there is sufficient space between the proposed development and adjacent buildings including the approved new hotel on the adjacent site for the appearance of the seafront to retain a suitable character. Careful landscaping should also help to assimilate the proposed building into its surroundings. Therefore, on balance, it is considered that the proposal, given its siting, scale and design, along with the local context, would not result in unacceptable harm to the character of the area. Conditions are recommended to secure the high quality materials proposed; a scheme of hard and soft landscaping; refuse storage (public and private); boundary treatment; and details of any external plant equipment. Subject to these conditions, the proposal is considered to be in accordance with Policies DE1, DE4, and SS11 of the Local Plan, and the guidance contained in the NPPF.

5. Impact on Amenity

Policy DE3 requires that all development should provide a good level of amenity for future residents or occupiers and should not unduly impact upon the amenity of neighbouring or surrounding uses.

Representations to the application have also referred to the impact the proposal would have on the privacy and light levels available to the occupiers of properties to the west (rear of the site) and noise.

The nearest properties are 'Antony Court' and No.43 Garfield Road, which both are occupied as residential accommodation. When considering the impact on the surrounding properties, the property to the west, No.43 Garfield Road would have a separation distance of approximately 12 metres from the side elevation of No.43 Garfield Road and the rear (west) elevation of the new hotel. This property is currently separated from the existing site by approximately 7 metres, with the existing building

on site being some 11 metres in height. The site's existing western boundary is formed of a mixture of hard and soft boundary treatments. The proposal would result in a 3 storey elevation, measuring approximately 12 metres in height approximately 12 metres from this side elevation of No.43 Garfield Road. On the side elevation of No.43 Garfield Road at ground floor level, there are two large bay windows, and at first floor there is one large bay window and a further window. There would also be a degree of inter-visibility between the rear windows of the proposed hotel and the aforementioned side windows at the neighbouring property.

The application is supported by a 'Daylight and Sunlight Study'. The report states that the Inn on the Green and the former Park Hotel appear to be non-domestic properties which therefore do not have the requirement for daylight. However, all other properties appear to have a requirement for daylight and all main habitable room windows tested at these properties pass the Vertical Sky Component (VSC) test, with the exception of windows 76 and 77 at Anthony Court. However, the room served by windows 76 and 77 is also served by window 75, and all windows are of equal size. The BRE guide acknowledges that if a room has two or more windows of equal size, the mean of their VSC's may be taken, to which the windows then pass the test. All rooms tested at these properties pass the Daylight Distribution test, with the exception of the rooms served by window 68 at 43 Garfield Road and window 91 at Anthony Court. However, the rooms served by these windows only fall marginally short of the Daylight Distribution recommendations, achieving before/after ratios of 0.76 and 0.73 respectively (against a BRE recommendation of 0.8). Additionally, the rooms served by windows 68 and 91 are also likely to only serve bedrooms. Whilst under the BRE guide a universal test is applied to all room types, the BRE guide explains that daylight in bedrooms is less important than in other habitable rooms such as kitchens and living rooms. Therefore, the report concludes that the proposed development design is acceptable when considering the impact of daylight on adjacent properties. The results show that 54% or more of the area of each amenity space will receive at least two hours of sunlight on 21st March, this exceeds the BRE recommendation of 50%. The report concludes that the proposed development therefore passes the BRE overshadowing to gardens and open spaces test.

Access to natural light and outlook is considered to be significant, given the neighbouring properties providing residential accommodation. It is also noted that the locality has a built-up, urban character befitting its status as a tourist resort. To the extent that the proposal would result in a loss of outlook and natural light, it is considered that it would not be unacceptable under the circumstances. The business in question may also benefit from the redevelopment of what is currently a disused site, which is likely to bring significant benefits to the area and the local tourism offer. In terms of the potential for inter-visibility between windows, the western elevation of the proposed development would include minimal openings, the closest of which to No.43 Garfield Road are some 12 metres away and 'Antony Court' are some 10 metres away, these openings would serve the hallways to access the guestrooms. It should

also be noted that such windows are at a tangent and therefore the angle would not provide direct inter-visibility. It is considered not necessary to condition the hallway windows to be obscurely glazed on the western elevation of the proposed development, as the windows are to serve the hotel hallways with light rather than a vantage point for guests to overlook the adjacent properties.

Otherwise, it is considered that the amenities of the occupiers of the properties along Garfield Road and the private road would not be unacceptably affected by the additional built form on the Lighthouse site, in terms of their outlook, privacy, or access to light. It is considered that the more intense use of the site would not result in any unacceptable nuisance, subject to the use of conditions to secure the details of plant and other equipment, along with a construction management plan. Most of the external activity associated with the proposed development would occur at the front of the building, off Esplanade Road. The proposed vehicular arrangement sees vehicles enter and leave the hotel through the site's northern and southern boundaries and, under these circumstances, it is considered that the proposal would not result in unacceptable nuisance to the amenities of neighbours.

It is important to explain that the proposed development would not be without some impact upon the amenities of neighbouring properties, however, as explained in the assessment these impacts are not considered to be so harmful as to warrant the refusal of planning permission. Furthermore, the use of planning conditions will provide some mitigation, and as such given the proposed siting, scale, design, and relationship to neighbours, it is considered that the proposal would not result in unacceptable harm to the amenities of existing residents or hotel guests. As such, the proposal is considered to be in accordance with Policy DE3 of the Local Plan.

6. Trees and ecology

Policy C4 of the Local Plan states that development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features.

The site includes patches of vegetation that are low value shrubs and trees. The Council's Senior Tree and Landscape Officer has reviewed the proposal and confirmed that no arboricultural input is required during the design phase of the development. However, if minded to approve the proposed development then a suitable landscaping scheme should be employed through a planning condition, which would be prior commencement of the development.

Policy NC1 of the Local Plan seeks to conserve and enhance Torbay's biodiversity and geodiversity, through the protection and improvement of terrestrial and marine environments and fauna and flora, commensurate to their importance.

The submitted Protected Species Assessment Report states that there was no evidence of bats found. However, the building contained several potential bat roost features suitable to support individual or low numbers of crevice dwelling bats. The report stated that the site provides a suitable habitat for nesting birds, of which are present are likely to be common/widespread species. The report stated that the presence of any other legally protected species was considered unlikely.

The site is within an urban area and is isolated from areas of suitable bat foraging habitat or green corridors that are suitable for bat commuting/travelling. Due to the presence of potential roost features and taking into account the sites isolation from suitable foraging/commuting habitat, the building was considered to have 'low' suitability for roosting bats.

The Ecological Impact Assessment recommends the following mitigation and compensation measures required to minimise/prevent significant impacts to ecological features;

- Provision of replacement roosting opportunities for bats through the provision of the installation of two bat tubes (Schwegler 2F or similar approved).
- Provision of nesting opportunities for four Schwegler Type 1a Swift boxes (or similar approved) would be located on the exterior of the hotel.

A Habitat Regulation Assessment for the site has been undertaken by Torbay Council. At the time of publishing this report, the Habitat Regulation Assessment is still been carried out, an update to Members will be provided at Planning Committee.

In light of the foregoing, the proposal's ecological impacts are considered acceptable, having regard to Policy C4 and NC1 of the Local Plan.

7. Flooding and Drainage

Policy ER1 of the Local Plan states that development must be safe for its lifetime, taking account of its future use, function and government projections of how the risk of flooding may change in response to climate change. Development proposals will be expected to 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. Policy PNP1(i) of the Paignton Neighbourhood Plan states that developments will be required to comply with all relevant drainage and flood risk policy. Policy PNP15 of the Paignton Neighbourhood Plan states that reduce the risk of flooding within the Town Centre Area, development proposals must comply with all existing flood risk policy requirements.

The proposed development lies within Flood Zone 3 and is at risk of flooding from numerous sources, flooding from the sea being the predominant risk. South West Water raise no objections to the proposed development. The Environment Agency do

not object to the proposed development, subject to your authority deeming that both the Sequential Test and part 1 of the Exception Test (i.e there are wider sustainability benefits to the community that outweigh flood risk) can be satisfied.

The guidance contained in the NPPF requires the Local Planning Authority to apply the Sequential Test to the proposal, where the objective is to direct development towards land at the lowest risk of flooding. The proposal would result in the erection of a new hotel building which is located within flood zone 3. It is considered that the proposal would result in public benefits with the site in question being used to provide an improved tourist facility on the Paignton Esplanade which is within the Core Tourism Investment Area, with additional regeneration benefits for the Town Centre. Although a new hotel may be sited elsewhere, in within flood zone 1, in this case (i.e. the erection of a hotel in a prominent location on Paignton seafront and within the Core Tourism Investment Area) there are not considered to be more appropriate sites within flood zone 1 that could accommodate the development, and it is therefore considered that it passes the Sequential Test.

According to the PPG, the proposed less vulnerable and more vulnerable uses proposed are deemed to be appropriate uses within flood zone 3. The Exceptions Test requires the Council to consider whether there are wider sustainability benefits to the community of allowing the proposal, and whether it could be made sufficiently safe for its lifetime. As discussed, it is considered that the proposed development would result in wider sustainability benefits, by providing a modern, contemporary hotel, with associated economic and regeneration benefits contributing to the vibrancy of the Town Centre and the Core Tourism Investment Area. In terms of the proposal's safety, the submitted Flood Risk Assessment makes a number of recommendations intended to ensure this.

Should the existing flood defence structure be breached the flood risk associated with the development would be significant and therefore the Council should seek Section 106 funding from the developer as a contribution to the proposed works to the coastal defences at Paignton.

The Environment Agency, SWW and the Council's Drainage Officer have raised no objections subject to the use of conditions requiring adherence to the submitted Flood Risk Assessment and the approval of a flood management scheme.

Subject to the use of the aforementioned condition the proposal is considered to be acceptable, having regard to Policy ER1 of the Local Plan, Policies PNP1(i) and PNP15 of the Paignton Neighbourhood Plan, the NPPF, and the PPG.

8. Highway Impact

Policies TA2 of the Local Plan states that all development proposals should make appropriate provision for works and/or contributions to ensure an adequate level of

accessibility and safety, and to satisfy the transport needs of the development. Policy TA3 of the Local Plan states that the Council will require appropriate provision of car, commercial vehicle and cycle parking spaces in all new development. Greater flexibility on levels of provision has been provided in town centres, where there is more opportunity to make journeys through walking and cycling. The site is just outside of the town centre allocation. Appendix F of the Local Plan provides figures on car parking requirements, for hotels this states that 1 space per bedroom plus appropriate provision for coaches is required; in instances where the location of the hotel and its setting may limit the parking available the availability of public spaces will be taken into account.

Policy PNP1(e) of the Paignton Neighbourhood Plan states new commercial development should aim to achieve where appropriate and subject to viability: the highest standards of sustainable construction such as Passivhaus or EnerPHit; and out of sight waste storage in seagull proof structures for not less than two wheelie bins of 1100 litres in size for each commercial unit proposed. Policy PNP1(h) of the Paignton Neighbourhood Plan states that new development should aim to achieve where appropriate and subject to viability electric vehicle charging points. The site is just outside of the town centre allocation.

Objections received have referred to concerns with regards to the lack of parking provided by the development and the negative impact the proposed development would have in terms of traffic and access.

The site is accessed via Esplanade Road (B3210), part of the Torbay Major Road Network. The applicant indicates that the property benefits from a (shared) right of way with or without vehicles for all purposes from the private road that is accessed from Esplanade Road. Paragraph 105 of the National Planning Policy Framework allows Local Planning Authorities to set local parking standards, based on 5 criteria: accessibility; type, mix and use of development; public transport opportunities; local car ownership levels; and the need to reduce high-emission vehicles.

The proposal includes a parking area at lower ground floor level with 19 car park spaces which is accessed at street level to the rear of the proposed hotel for cars to enter from the private road accessed off Esplanade Road and exit onto Garfield Road. Policy TA3 and Appendix F of the Local Plan would seek the provision of 1 space per bedroom plus appropriate provision for coaches. The Council's Senior Strategy and Project Delivery Officer has stated that the provision of 19 spaces on-site for a 119 bedroom hotel is insufficient. The proposed layout makes provision for setting down picking up guests, alongside the provision of 2 disabled spaces, 2 electrical vehicle charging points and 12 cycle spaces and 5 motorcycles spaces. The proposed plans also include a demarcated pedestrian zone.

Concerns over the level of parking provided have been raised by the Council's Strategic Transport Officer, however this could be overcome through a commitment from the applicant and agreement from the Council (not the Local Planning Authority) that spaces would be able to be secured within the Victoria public car park on Garfield Road. It is noted that there is committed development on the adjacent site (the former Park Hotel) which also has insufficient on-site car parking that will require off street parking facilities. The closest public car park is Victoria, which is likely to form the most convenient facility and should be the focus of serving the new hotel to avoid overspill or indiscriminate parking on street. The Local Highway Authority seeks additional support for the enhancement of Victoria car park, including EVC facilities, lighting, CCTV and décor to provide a safe, attractive environment, the cost of which is detailed in the 'Section 106 Agreements' section of this report, this contribution would mitigate against the insufficient off-street on-site parking provision proposed.

For clarity there are currently 968 parking spaces at Victoria Centre, 441 spaces within the newer of the two car parks (alongside the railway line / behind Lidl) and, in theory, 527 spaces within the older car park, although we are advised that in reality only 183 spaces are available for the majority of the year within the old car park. The old car park is considered to be beyond economic repair and as such is likely to be the subject of redevelopment in the future. Nevertheless, there are also a number of other car parks serving the locality and the application site is reasonably accessible in relation to both the rail and bus stations.

A revised highway scheme for Esplanade Road and Garfield Road that provides a suitable and safe pedestrian and cycle links and provision for deliveries will be required and negotiations are on-going to find a suitable solution. A Section 278 agreement will be required for the necessary works to the highway. A traffic regulation order would also be needed to ensure there is no adverse impact on surrounding roads.

The secure bicycle storage is below the requirements of Appendix F of the Local Plan which states that there should be the bicycle storage provision of 1 per 2 employees, however the Council's Senior Strategic and Project Delivery Officer has verbally confirmed that this shortfall is acceptable subject to the improvements to the Victoria car park through the aforementioned Section 106 agreement. The proposed bicycle storage would serve both guests and staff of the hotel. To ensure travel by accessible modes for both staff and guests a planning condition in relation to the submission and approval of a travel plan prior to the recruitment of staff is recommended. The proposed car parking shows two electric vehicle charging points, the Council's Senior Strategic and Project Delivery Officer has verbally confirmed that this is acceptable, therefore a planning condition is recommended to secure the two electric vehicle charging points.

The Council's Waste Client Manager has been consulted with regards to the proposed refuse storage and raises no objection to the proposal, therefore a planning condition is recommended to secure the proposed refuse storage of the site.

Subject to further negotiations and information to comply with the above requirements it is deemed that a suitable outcome which complies with Policies TA2 and TA3 of the Local Plan and Policies PNP1(e) and PNP1(h) of the Paignton Neighbourhood Plan can be found.

9. Designing out crime

No objections are raised subject to the use of a condition to secure a scheme of crime prevention measures, such as CCTV. It is recommended that this condition be imposed should planning permission be granted. Subject to the use of this condition, the proposal is considered to be in accordance with Policy SS11 of the Local Plan.

10. Sustainability

The hotel building proposes to be a thermally efficient, low carbon development. The proposed development will look to minimise CO2 emissions. The development will be provided with insulation to meet the U-value targets exceeding the requirements of the Building Regulations Part L2A criterion.

The development will be constructed to achieve a low fabric air permeability. The target permeability for the building will be below the requirements of the Building Regulations. The implementation of an energy efficient lighting strategy will reduce overall emissions. We intend to use energy-efficient LED light fittings throughout the development due to their low CO2 impact and reduced operational costs. In addition, the use of lighting controls such as occupancy detection control would be encouraged to further reduce the use of artificial lighting in the circulation areas of the scheme.

The proposal seeks to deliver a high-quality development, with high performing, low carbon intensive building services design. The adoption of best practice building services technology, with high quality materials will yield a long service life, maintainable and sustainable Mechanical, Electrical and Piped (MEP) services design. The energy hierarchy approach to the development of the Hotel will reduce demand for energy consumption in the first instance prior to the consideration of integrating low/zero carbon (LZC) energy sources.

11. Section 106 Agreements

Coastal Defence Scheme

The Council's Drainage Engineer has advised that a contribution towards flood defences on Paignton seafront will be required. The Section 106 contribution to the Paignton and Preston Coastal Defence Scheme is based on the area protected behind the existing sea wall for the 1 in 10 year storm event plus 50 years of climate change. This storm event has been chosen as the design horizon of the scheme is for 50 years of climate change.

The estimated scheme cost for the Paignton and Preston Coastal Defence Scheme is

in the sum of £3,750,000.

Based on the 1 in 10 year storm event plus 50 years of climate change flood maps produced as part of the Torbay Coastal Defences Climate Change Adaptation Report, the overall flooded area behind the existing sea walls is as follows:

Paignton = 165,153m²

Preston = 33,605m²

Total flooded area = 198,758m²

The scheme cost per m² of area protected by the coastal defence scheme is therefore:
 $3,750,000/198,758 = £18.87/m^2$

The overall site area for the proposed development at The Lighthouse in Paignton is 1,630m².

Therefore the Section 106 contribution from the development towards the coastal defence scheme is as follows:

$1,630m^2 \times £18.87 = £30,758.10$

At the time of writing this report confirmation as to the method of how this sum is to be paid is yet to be confirmed.

Security

The Council's Corporate Security and CCTV Manager has advised that a contribution towards the installation of a CCTV camera. The Section 106 contribution is towards siting a CCTV camera at the junction of Garfield Road and Esplanade Road given the anticipated increased footfall of individuals, it will provide further views to monitor Esplanade Road and Garfield Road, along with coverage down towards the entrance of Victoria Car Park. The siting of the CCTV camera will increase pro-active monitoring and provide additional security for individuals using the area and the hotel itself.

The scheme cost is therefore:

£3,980.39 excluding VAT.

The calculation to get to this figure is detailed under the consultation responses section of this report.

Highways

The Council's Senior Strategy and Project Delivery Officer has advised that a contribution towards enhancing the facilities of Victoria car park, which includes electrical vehicle charging points, lighting, CCTV and décor, which would assist in providing a safe and attractive environment. The Torbay Council 'Planning Contributions and Affordable Housing Supplementary Planning Document provides the basis for this calculation. Table 4.3 calculates impact per unit at £171 per trip

(3.432 trips per room x 119 bedrooms x £171), this figure may be mitigated against the demand which could be generated by the extant Lighthouse use (1,561sqm/100 x £1,620), resulting in a planning contribution of £44,549 as a site acceptability matter.

This contribution is sought as a mitigation measure against the insufficient off-street on-site parking provision that is proposed.

12. Community Infrastructure Levy

The proposal is for the addition of a tourist facility, Torbay Council collect CIL payments for new dwellings and for larger out-of-town/district centre retail and food and drink developments. Therefore the proposal would not attract a CIL payment, as holiday accommodation will be zero rated for CIL so long as they are subject to a condition and planning obligation restricting their occupation for tourism purposes, and are rated for business rates. If permission is subsequently sought for either a change of use or release of condition in order to permit permanent residential accommodation, the Council will seek contributions towards the additional infrastructure impact of permanent residential use.

13. Planning Balance

The planning assessment considers the policy and material considerations in detail. It is considered that the scheme in terms of addressing the Development Plan aspiration to improve the core tourism offer would produce a significantly positive impact overall and help with the regeneration of the town. It is acknowledged that there are concerns about the potential impact upon the tourism sector however from the evidence available this does not appear to be significant, and as stated previously business completion in itself is not generally held to be a material planning consideration. Concerns about car on site car parking provision failing to meet the adopted standards are addressed in the body of the report and whilst the need would be accommodated by existing public parking provision and a robust travel plan, it is considered that the balance still remains in favour of approving the proposal.

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.

EIA

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

Proactive Working

In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant. The Council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service,
- as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case, concerns raised in relation to the proposal's overall scale, design and parking were addressed through revisions to the scheme, which reduced its overall size, and provides better outlook and daylight, which is complimented by proposed planning conditions and obligations seeking to enhance local access arrangements, encourage the use of sustainable means of transportation, and reduce the chances of overspill parking in the locality.

Conclusions

The proposal would result in the addition of a hotel facility on an underutilised brownfield site within a Core Tourism Investment Area. It is considered that the proposal would deliver visual, economic, and regeneration benefits and none of the harm identified is considered sufficient to outweigh these benefits. The proposal is considered to be acceptable for conditional approval, having regard to the Development Plan, and all other material considerations.

Officer Recommendation

Delegate authority to the Assistant Director of Planning & Transport to grant conditional approval subject to an acceptable resolution of the remaining highway matters, the conditions detailed below and the completion of a legal agreement securing the contributions identified in the body of the report. Final drafting of conditions, negotiation/completion of the legal agreement, and addressing any further material considerations that may come to light following Planning Committee, to also be delegated to the Assistant Director of Planning and Transport.

Conditions

1. Flood Management Plan

A flood management plan shall be prepared and agreed by the Local Planning Authority in writing prior to the occupation of the building for the uses hereby approved. The use shall thereafter be operated in accordance with the approved details.

Reason: In the interests of managing flood risk to occupiers in accordance with the National Planning Policy Framework, and to comply with Policies ER1 and ER2 of the Adopted Torbay Local Plan 2012-2030.

2. External Lighting

Prior to the first use of the development hereby approved, details of a lighting strategy relating to the illumination of the building, public realm and associated areas shall be submitted to and approved in writing by the Local Planning Authority. The submitted lighting strategy shall give particular consideration to preventing light intrusion at neighbouring properties, and in relation to bat habitats and flyways. The development shall thereafter be undertaken in accordance with the approved details and shall be retained as such indefinitely.

Reason: To ensure that the architectural quality of the building and its setting is highlighted through an appropriate scheme of lighting and to prevent harm to neighbouring occupiers and bats, and to comply with Policies DE1, DE3, and NC1 of the Adopted Torbay Local Plan 2012-2030.

3. Landscaping

Prior to the first use of the hotel hereby approved, 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 provided within six months of the development being brought into use, and shall 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.

4. Boundary Treatment

Prior to the first use 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 Policy DE1 of the Adopted Torbay Local Plan 2012-2030.

5. Designing Out Crime

Prior to the first use of the development hereby approved, a scheme of measures for designing-out crime shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be fully installed prior to the first use of the development and shall be permanently retained thereafter.

Reason: In the interests of amenity and preventing opportunities for criminal activity, in accordance with Policies DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030.

6. Removal of Vegetation

No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive in any given year, unless prior to the commencement of works a detailed biodiversity survey by a competent ecologist has been submitted to and approved in writing by the Local Planning Authority. The survey shall include the details of the check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on the site. The development shall then be carried out in accordance with the details submitted.

Reason: In the interests of protected species and in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

7. Refuse Storage

Prior to the first occupation of the development hereby permitted, the refuse and recycling facilities shown on the approved plans (plan reference '4311-KE-ZZ-B1-DR-A-(22)00-25 (Parking & LGF)', received 14th October 2019) shall be provided.

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.

8. Additional Paraphernalia

No equipment, signage or plant shall be located on the roof, walls or in the grounds of the development hereby permitted (other than those indicated on the approved plans) unless otherwise approved in writing by the Local Planning Authority, including air conditioning units, extraction equipment, aerials, tanks, satellite dishes and external lighting.

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

9. Bat and Bird Boxes

Prior to the first occupation of the development hereby approved 2 bat tubes (Schwegler type 2F or similar) and 4 bird nest boxes (Schwegler type 1A or similar) shall be installed (in accordance with manufacturer's instructions for correct siting and installation) on the approved development and retained at all times thereafter, in line with the mitigation measures outlined with the Protected Species Assessment Report (ead ecology) dated March 2018 (plan reference '180327-P877-BBAR-TD-MC Final -Protected species', received 30th July 2019).

Reason: To ensure that the development duly considers protected species and biodiversity, in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

10. Surface Water Drainage

In accordance with the submitted flood risk assessment received 30th July 2019, surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 40% for climate change unless an alternative means of surface water drainage is submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with Policies ER1 and ER2 of the Adopted Torbay Local Plan 2012-2030 and the guidance within the National Planning Policy Framework.

11. Finished Floor Levels

The finished floor levels of the development shall accord with the levels shown on the approved plans (plan references '4311-KE-ZZ-B1-DR-A-(22)00-25 (Parking & LGF)' and '4311-KE-ZZ-GF-DR-A-(22)01-23 (GF)' received 14th October 2019).

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

12. Section 278 Highways Agreement

The development hereby approved shall not be brought into use until all relevant highways agreements, such as Section 278, have been entered into and associated works on the highway carried out to the satisfaction of the Local Highway Authority.

Reason: To provide safe and sustainable access to, and around, the site for all users in accordance with Policies TA1, TA2 and DE1 of the Adopted Torbay Local Plan 2012-2030.

13. Materials

No development above damp proof course level shall take place until details of the proposed cladding materials (walls and roof) and openings have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details, and shall be retained as such for the life of the development. All sections of new stone wall shall be constructed of natural stone laid on its natural bed and lime mortar. A sample panel shall be constructed on site and agreed in writing by the Local Planning Authority prior to the construction of any new sections of wall.

Reason: To ensure a satisfactory form of development and to comply with Policy DE1 of the Adopted Torbay Local Plan 2012-2030 and Policy PNP1(c) of the Adopted Paignton Neighbourhood Plan 2012-2030.

14. Ventilation and Extraction

A Risk Assessment as identified in the document "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems" shall be submitted and approved by the local planning authority in writing prior to commencement of use. The applicant shall identify the intended cooking processes and style of cuisine, the location of the nearest sensitive accommodation and the proposed location of the exhaust. Calculations shall be provided that identify that the requisite air flow is achieved for a safe environment in the kitchen area, together with the

required level of treatment specified in the above document taking into account the type of cooking and location of the flue. An assessment of noise generated by all plant and equipment operating on the site and an assessment shall be made of the noise at the nearest sensitive receptor. The system shall be designed so that noise at the nearest receptor does not exceed more than 10dB below background noise levels when measured and rated with BS4142: 2014 Methods for rating and assessing industrial and commercial sound. The approved system shall be installed prior to the premises being opened for customers.

Reason: To ensure the development, hereby permitted, does not adversely impact on the amenity of the area by way of noise and odour and in accordance with the requirements of Policy DE3 of the Adopted Torbay Local Plan 2012-2030.

15. Construction/Demolition Management Plan

No development shall take place until a site specific Construction/Demolition Management Plan has been submitted to and been approved in writing by the Local Planning Authority. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise and dust. The plan should include, but not be limited to:

- Procedures for maintaining good neighbour relations including complaint management.
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours:
08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Control measures for dust and other air-borne pollutants.

Reason: To safeguard the Local Planning Authority's rights of control over these details to ensure that the construction works are carried out in an appropriate manner to minimise the impact on the amenity of neighbouring uses and in the interests of the convenience of highway users, having regard to Policies NC1 and TA1 of the Adopted Torbay Local Plan 2012-2030.

16. Bicycle Storage

Prior to the first occupation of the development hereby permitted, the bicycle storage shown on the approved plans (plan reference '4311-KE-ZZ-B1-DR-A-(22)00-25 (Parking & LGF)', received 14th October 2019) shall be provided. Once provided, the agreed bicycle storage shall be retained for the life of the development.

Reason: In the interests of sustainable transport and in accordance with Policies TA1, TA2, and TA3 of the Adopted Torbay Local Plan 2012-2030.

17. Electric Charging Points

Prior to the occupation of the development hereby approved, the electric charging points detailed on the plan reference '4311-KE-ZZ-B1-DR-A-(22)00-25 (Parking & LGF)' received 14th October 2019 have been provided, and thereafter permanently retained for the life of the development. The agreed electrical charging points shall be thereafter maintained.

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.

18. Travel Plan and Car Parking Management Strategy

Prior to the occupation of the development hereby approved, a Travel Plan and Car Parking Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out how at least 30% of the potential users can gain access by foot, cycle or public transport, and how this will be implemented and monitored including SMART targets and an annual review. The Travel Plan shall be continually monitored by a Travel Plan Coordinator (TPC) appointed to ensure that it meets its objectives and targets. In the event that the objectives and targets of the Travel Plan are not met, the Travel Plan shall be updated by the TPC setting out further measures in order to rectify this. A copy of the Travel Plan or updated Travel Plan, shall be made available to the Local Planning Authority upon request during normal business hours and the contact details of the TPC shall be provided in all iterations of the Travel Plan. The Car Parking Management Strategy shall include details of car parking allocation including details of staff and visitor parking.

Reason: In the interests of road safety and sustainability to encourage walking, cycling and public transport use by staff and visitors in accordance with Policies TA1 and TA2 of the Adopted Torbay Local Plan 2012-2030.

19. Parking and Manoeuvring Provision

Prior to the first use of the development hereby approved, the parking facilities and manoeuvring area detailed on the plan reference '4311-KE-ZZ-B1-DR-A-(22)00-25 (Parking & LGF)' received 14th October 2019 have been provided, and thereafter permanently 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.

Relevant Policies

Torbay Local Plan

C4 – Trees, Hedgerows And Natural Landscape Features
DE1 – Design
DE3 – Development Amenity
DE4 – Building Heights
ER1 – Flood Risk
ER2 – Water Management
NC1 – Biodiversity And Geodiversity
SDP1 – Paignton
SS1 – Growth Strategy For A Prosperous Torbay
SS4 – The Economy And Employment
SS11 – Sustainable Communities
TA2 – Development Access
TA3 – Parking Requirements
TC5 – Evening And Night Time Economy
TO1 – Tourism, Events And Culture

Paignton Neighbourhood Plan

PNP1 – Area Wide
PNP1(c) – Design Principles
PNP1(e) – Commercial Development
PNP1(h) Sustainable Transport
PNP1(i) – Surface Water
PNP4 – Seafront
PNP14 – Paignton Neighbourhood Plan Core Tourism Investment Area
PNP15 – Flood and Sea Defences