

TORBAY COUNCIL

Application Site Address	The Imperial Hotel, Parkhill Road, Torquay
Proposal	Renovation of existing hotel to retain (up to) 111 bedrooms. Construction of spa, 26 residential apartments and 25 apartments from conversion of bedroom wing with associated parking, access and landscape improvements.
Application Number	<u>P/2021/0120</u>
Applicant	The Bath Priory Limited
Agent	Kay Elliott Architects
Date Application Valid	04.03.2021
Decision Due date	03.06.2021
Extension of Time Date	08.11.2021
Recommendation	Delegate authority to the Divisional Director - Planning, Housing & Climate Emergency to grant conditional approval subject to the conditions detailed below and the completion of a Section 106 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 Divisional Director - Planning, Housing & Climate Emergency
Reason for Referral to Planning Committee	Major Application
Planning Case Officer	Jim Blackwell

Location Plan



Site Details

The site is located approximately 300m to the south-east of Torquay Harbour. It occupies a prominent position on the coastline with the range of buildings visible around the Bay. The hotel is accessed from Parkhill Road, with a driveway that continues into the South West Coast Path (SWCP) as it passes the site to the east. To the north-east of the driveway is the hotel car park with a small, covered section and a triangular shaped, surface parking area arranged around a prominent mature oak tree.

Parkhill Road continues to rise to the east past the car park. The approach road slopes down to a forecourt at the hotel entrance. The southern areas of the site are landscaped, with terraces following the falling topography to the east and landscaped gardens to the south and west. The site boundary is separated from the immediate coastline by Council owned land where access can be gained by pathways down to a landing platform. The Prince of Wales Steps provide access to the water through a narrow inlet between the low lying cliffs at the foot of the site.

The main hotel building is nine storeys at its highest from the southern side with seven storeys facing within the site. Imperial Court lies further to the west and is seven storeys at its highest. It appears lower down and smaller in scale than the hotel due to its design and topography. Separating the buildings is a wedge-shaped two-storey building housing the hotel's main event space, known as the Torbay Suite, spa and leisure facilities. The upper floors of the main hotel block can be read as three distinct built elements when viewed from the sea, with horizontal balconies fronting all sea-facing guestrooms. The lower levels project out beyond the line of guestrooms above, with the glazed frontages of the restaurant and lounge spaces. A disused staff accommodation block sits adjacent to Parkhill Road, with a pair of tennis courts close to the spa and leisure building. The staff building also houses a substation, squash court and storage areas.

The site is located within:

- Torquay Harbour Conservation Area (THCA).
- Flanked to the north and east by the Lincombes Conservation Area (LCA).
- The designated 'Town Centre' under the Torbay Local Plan 2012-2030.
- Flood Zone 1.
- CIL Zone 2.
- Listed building grade II.
- 250m of Dyers Quarry SSSI.
- Coastal Change Management Area.

Description of Development

It is proposed to redevelop the entire site using residential development to enable the level of regeneration that is required to recreate a modern, high quality 4 star hotel. It is proposed to:

- Refurbish the exterior and interior of the hotel.
- Reorganise the hotel rooms reducing the number from 152 to (up to) 111.
- Redevelop the former staff quarters, tennis courts, conference suites and the west wing as follows:

- Building A (new build) – 4 storey new build containing 8 open market apartments and 8 open market maisonettes.
 - Building B (new build) – 3 storeys of new build one storey higher than the former conference suites to create 10 open market maisonettes.
 - Building D (conversion of West Wing) – 9 floors of conversions to create 25 open market apartments.
- The creation of 51 new dwellings with decked amenity spaces, private balconies and private parking on a one for one basis.
 - A new beach club and spa complex to the south of the hotel.
 - Reorganised reception and arrival area including relocating the service area under an entrance landscaped deck to Building D and splitting hotel service access from hotel customer access.
 - A new public footway on the west side of the road leading to the hotel reception and a new public footway along the north side of the main hotel car park and the south side of Parkhill Road to improve public highway safety.
 - Improved car park layout and access to and from reception.

Amendments to the original application include:

- Site location plan.
- Site layout plan.
- The footway connection on Parkhill Road, to the east of the site.

A range of additional information has been provided:

- Viability assessment.
- Tracking drawings showing access for fire vehicles and coaches.
- Submit a swept path analysis to illustrate a fire tender accessing and egressing Block D/the main forecourt of the Hotel.
- A plan showing how coaches will be guided when manoeuvring within the site car park.
- Details relating to how the demarcation between private and adopted highway will be Implemented.

Relevant Planning Policy Context

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

Development Plan:

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

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:

The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. With regard to Conservation areas the Act requires that in the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Signed Planning Performance Agreement

A Planning Performance Agreement (PPA) was signed on 10th March 2020 between Torbay Council, the agent and applicant. A range of key matters were addressed during this process around community and stakeholder consultation, member engagement and the use of themes relating to each core area set out below in the Material Considerations section. Early workshops with theme leads enabled this proposal to be led to this formal application stage using a collaborative approach.

Statement of Community Involvement

The application is supported by a Statement of Community Involvement. This sets out the clear sequence of engagement with the community and well as critical organisations such as Historic England and Design Review Panel. Engagement with Members, officers, consultation letters to adjacent residents, a public exhibition, social media and the local press were all utilised to gain feedback. The on-line exhibition attracted 7141 unique visitors between 10th November and 5th December. Of the 170 respondents to the on-line feedback forms 83% of respondents were supportive of the proposals. This process demonstrates the value in early engagement which saw the scheme evolve as a result.

Relevant Planning History

- External alterations including new glazed corridor and fire escape Ref. No: P/2014/1183: Approved.
- Removal of balconies on part of South West and South East elevations to be replaced with windows and making good elevations Ref. No: P/2012/1238: Refused – appeal split decision.
- External alterations including new glazed corridor and fire escape. Ref. No: P/2009/1051: Approved.

Summary of Representations

2 representations in support and approximately 53 objections to the scheme had been received at the time this report was drafted.

The reasons for support are summarised as follows:

- Positive impact on local area.

- Highway improvements.
- Housing provision.
- Removes unsympathetic buildings and features.
- Improves tourist facilities better.
- Employment provision and retention.

The concerns (of planning merit) raised are summarised as follows:

- Impact on local area.
- Noise.
- Not in keeping with local area.
- Over development.
- Traffic and access.
- Loss of light.
- Over development.
- Privacy / overlooking.
- Impact on trees and wildlife.

Torbay Heritage Trust has also submitted approximately 30 comments and objections broadly covering the themes below:

- Road and pedestrian safety.
- Impact on marine ecology.
- Building heights.
- Impact on climate change and a lack of appropriate landscaping.
- Design Review Panel minutes and commentary.
- Disagreement with Historic England comments.
- Questions around the design approach.
- The built hierarchy between old and new.
- Impact of the new build development on the Conservation Area.
- Impact on coastal landscape.

Summary of Consultation Responses

Torquay Neighbourhood Forum:

We believe that the scheme will enhance the tourist offer within the Bay whilst contributing 51 dwellings to the available housing stock. We support the scheme, however we have two reservations which we would respectively request that the Planner considers prior to making his recommendation.

1) We are pleased to see the proposal to provide a footpath within the site, behind the boundary wall alongside Parkhill Road. However, the site does not cover the upper 20m section of Parkhill Road leading to its junction with Rock End Road. The Traffic Consultant employed by the Developer has made a proposal to Council Highways Department to introduce a give way, single carriageway here so that a safe footpath and cycle path can be established over this section of Parkhill Road which currently has no provision.

This section of road is considered to be extremely dangerous for pedestrians and its rectification formed part of the aspirations of the Wellswood Community Partnership within the Torquay Neighbourhood Plan. This development, in conjunction with support from the Council Highways Department, can provide a solution to this long term safety problem.

2) We note that the Developer is proposing to utilise the road which runs in front of Imperial Court for vehicles servicing the Hotel. We cannot comment upon legal matters relating to ownership or Rights of Way, however we would request that a compromise is sought between the Developer and the residents of Imperial Court to minimise disturbance and disruption.

Subject to suitable clarification and resolution of the above the proposed development has the support of the Torquay Neighbourhood Forum.

County Archaeologist and Historic Environment Manager:

No objection but recommends a limited programme of historic building recording.

The proposal will not impact on any currently known sites of archaeological interest. The potential for as yet undiscovered archaeology within the site is unknown, but likely to be low due to modern era building and terracing.

However, the Imperial Hotel is in origin a significant structure associated with Torbay's Victorian and tourism heritage. It warrants inclusion as a heritage asset on the Devon and Torbay Historic Environment Record (HER). I would therefore recommend that a historic building report should be deposited with the HER and with OASIS, the public facing repository managed by the Archaeological Data Service.

In my opinion an appropriate report could be based on an edited and redacted version of the submitted Heritage Statement, supplemented by a selection of additional historic plans and photographs that may be available to the applicant. This report could be secured by agreement with the applicant or by condition. I will be happy to advise on appropriate wording for a condition, should that be required.

TDA - Senior Economic Development Officer

Supports the proposed development and renovation of the Imperial Hotel, Torquay.

The proposal aligns with the aims and objectives of the English Riviera Destination Management Plan, specially investing in the quality of hotel accommodation and supporting the year round offer to attract new visitors (domestic and international). The product development will also provide skills opportunities further developing the career aspirations in the tourism and hospitality sector.

Natural England:

No objection subject to the appropriate mitigation being secured.

We consider that without appropriate mitigation the application would:

- Have an adverse effect on the integrity of the Lyme Bay and Torbay Special Area of Conservation (SAC) and may hinder the conservation objectives of the Torbay Marine Conservation Zone (MCZ).

We concur with the conclusions of the Appropriate Assessment and MCZ Assessment that in order to mitigate these adverse effects and make the development acceptable, the following mitigation mechanisms should be secured via an appropriate planning obligation and/or conditions:

- All mitigation measures within the Appropriate Assessment and MCZ Assessment are appropriately secured in any planning permission.

Torbay Council's Engineering Service Manager:

1. The developer has identified that infiltration drainage will not be feasible at this development and is therefore proposing to discharge surface water run-off from the site directly to coastal waters. Providing all licenses are secured for the disposal of surface water to the Bay the proposal complies with the requirements of the Torbay Critical Drainage Area.
2. The developer must take measures to ensure that during and post demolition/construction there is no risk of pollution to any surface water drainage system on or adjacent to the site which could result in pollution to the Lyme Bay and Torbay Marine Special Area of Conservation.
3. The developer is proposing to discharge surface water run-off from the site directly to coastal waters via a new borehole/directional drilled outfall. Although there are details of the ground conditions likely to be encountered as identified from a desk top study, prior to construction works commencing on site detailed geotechnical investigations must be undertaken in order to assess the effects of the borehole/directional drill on the stability of the cliff. I would be happy for a planning condition to be used to cover this requirement.
4. Within the drainage strategy report there is a hydraulic design for the proposed surface water drainage system discharging to coastal waters via the borehole/directional drill. The surface water drainage system has been designed in order that there is no risk of flooding to buildings on the site and there is no increased risk of flooding to land or buildings off the site for the critical 1 in 100-year storm event plus 40% for climate change.
5. A drawing showing the proposed surface water drainage for the development showing the pipe numbering system used in the hydraulic design, proposed manhole cover levels, invert levels, pipe gradients and impermeable areas discharging to each pipe length has been included within the drainage strategy.

Based on the above comments I can confirm that I have no objections on drainage grounds to planning permission being granted for this development providing a condition is used with regards to the stability of the cliff as identified in item 3 above.

Further clarity has been provided on the issue of coastal erosion:

As the proposed development at the Imperial hotel is not extending beyond the existing building line towards the cliffs, I do not see an issue with regards to increased risk from coastal erosion to that which currently exists. The policy for this area of coastline within the existing SMP is no active intervention for the three epochs (0-20 years, 20-50 years and 50-100 years). The SMP is currently being reviewed and a refresh will be issued in the next year or so however there is no intention to revisit the policy for this area under the refresh programme.

As previously highlighted within my drainage response, any works that are being undertaken in constructing the proposed surface water outfall will have to demonstrate that the works will not impact on the stability of the coastal cliffs. This requirement would be the same for any proposed works in advance of the existing building line.

The estimated rate of coastal erosion is identified within the SMP documents together with the National Coastal Erosion Risk Mapping (please note these are currently being reviewed by the EA). As no active intervention will take place the risk of coastal erosion at this location will remain.

South West Water:

Having read the comments of the LLFA engineer and the proposals contained in the drainage report, I would advise that South West Water has no objection subject to the foul and surface water being managed in accordance with the submitted drainage strategy.

Environment Agency:

No objection.

Police Designing Out Crime Officer:

No objection subject to a suggested condition:

A scheme detailing safety and security measures and how designing out crime and crime prevention per se has been considered for the scheme and where implemented shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:

Details of the physical security measures for both residential and hotel premises, detail of the external lighting plan and monitored CCTV system and confirmation that a clear passport to compliance document is in place.

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

The above submitted in accordance with the following Designing out Crime local and national planning policies: - Torbay Local Plan Policies DE1 and SS11

Torbay Council's Highways Engineer:

2.0 ACCESSIBILITY

2.1. The site is located to the south-east of Torquay Harbour with primary vehicular and pedestrian access taken from Parkhill Road. There is a bus stop located on Parkhill Road, approximately 250m from the Hotel, which is served by the Torbay Buses 64 route which runs an hourly service between Castle Circus and Middle Warberry Road.

2.2. Torquay Rail Station is located approximately 2.1km west of the site. The station is operated by Great Western Railway and operates services to Paignton and Exmouth in 30-minute frequencies. There are footways and street lighting present for the duration of the pedestrian movement between the rail station and the site.

2.3. It can be concluded that the proposed re-development site is located within a sustainable location.

3.0 PERSONAL INJURY COLLISION DATA

3.1. The applicant has obtained collision data for the latest available five-year period, which has identified zero collisions within the vicinity of the site.

4.0 HOTEL ACCESS

4.1. It is proposed to retain the existing access to the Hotel from Parkhill Road which comprises of a 7.3m wide carriageway with a 1.6m footway running along its eastern edge. It is proposed that a 1.8m footway will be installed on the western edge of the carriageway to facilitate improvements for pedestrian movement.

4.2. It is noted that the visibility splays submitted by the applicant do not meet the required visibility standard to the east, which is constrained by a wall fronting onto Parkhill Road. This reduces the required visibility from 48m to 25m. However, it is noted that there have been no personal injury collisions on Parkhill Road during the latest available five-year period that data is available for. Additionally, due to the re-development proposals, this access will experience a reduction in the number of service vehicles due to the creation of a new service access. This is considered acceptable.

4.3. A new service access is proposed to the west of the Hotel via the Imperial Court site, from which the Hotel benefits from rights of access. The applicant has submitted visibility splays that show splays of an 'X' distance of 2.4m and a 'Y' distance of 43m can be achieved in both directions.

5.0 RESIDENTIAL ACCESS

5.1. The car park for Block A will be achieved via a new vehicular access onto Parkhill Road into the proposed car park. The visibility splays submitted by the applicant show that a splay of 2.4m x 41m is achievable to the nearside kerb to the east of the access with a splay of 2.4m x 33m to the west. Whilst these splays are below the required standard, it is noted that there have been no collisions recorded within the latest available five-year period on Parkhill Road. This is considered acceptable.

5.2. Residential blocks B and D will access through the main hotel site access road and onto a new access to the west of this.

5.3. The applicant has provided a swept path analysis to illustrate a car accessing, parking and egressing the car parks for Blocks A, B and D. The applicant has not provided a swept path analysis to illustrate that an emergency service vehicle can access the proposed car parks.

6.0 PARKING

6.1. The re-development proposals will result in a reduction of car parking spaces for the Hotel to 115, which results in a ratio of 1.04 spaces per bedroom. The Torbay Local Plan (2012 – 2030) Parking Standards, contained within Appendix F, state that 1 car parking space should be provided per bedroom of which the applicant has met. The standards also state that there should be appropriate provision provided for coach parking / pick up and drop off of coach passengers. A review of the site plan identifies that passengers can be picked up / dropped off outside the hotel building, however, there does not appear to be provision for coach parking. If capacity for on-site coach parking is unavailable, proposals should be included for arrangements for coach pick-up/set-down, along with off-site parking availability.

6.2. It is proposed to provide 12 cycle parking spaces for staff at the Hotel, as well as a further 10 cycle parking spaces for staff. It is noted that the cycle storage will be covered and secure.

6.3. Car parking will be provided on the basis of one space per apartment, as is in accordance with the Torbay Parking Standards. It is noted that 20% of the car parking bays will be provided with electric charging points. Secure cycle parking will also be provided on the basis of one space per apartment. It is noted that, whilst no visitor car parking is proposed, there is public car parking available in the Shedden Hill Car Park.

7.0 REFUSE STRATEGY

7.1. It is proposed that the hotel and residential development will be serviced on-site via the construction of a new service access. The applicant has provided a swept path analysis for a refuse vehicle to show it accessing the site, manoeuvring and egressing the site in a forward gear.

8.0 TRIP GENERATION

8.1. The applicant has undertaken a TRICS trip generation analysis to determine the existing and proposed trip generation associated with the re-development proposals. This has determined that there will be an increase of two vehicles trips in the AM peak and one vehicle trip in the PM peak using the main site access (utilised by the hotel and 35 of the apartments).

8.2. The Block A residential apartment will be served by a new access onto Parkhill Road, which will result in a two-way movement of 5 vehicles in the AM and PM peaks respectively.

8.3. Due to the minor increase in trip generation using the main site access, as well as the small number of movements utilising the new access from Parkhill Road, it is determined that the trip generation is acceptable and will not have a material impact on the safety or operation of the local highway network.

9.0 OFFSITE HIGHWAY WORKS

9.1. It is proposed to introduce a publicly accessible path to the east of the main Hotel access junction, running east along the southern side of Parkhill Road. This path would form a continuation of the existing footway to the east of the junction. The path would be provided behind the existing boundary wall, extending approximately 40m to the east to a historic gateway to the Hotel site. Pedestrians will then pass through the gateway back onto Parkhill Road. The scheme would then provide a 3.2m carriageway, with 0.5m wide kerbs buffer on the northern side of Parkhill Road with the remaining width (approximately 2m) provided for a footway along the southern edge.

9.2. The scheme has been subject to a Stage 1 Road Safety Audit.

10.0 TRAVEL PLAN

10.1. The applicant has submitted an interim Travel Plan targeted for the employees of the Hotel which aims to set out sustainable access opportunities for the site and to identify measures to achieve a modal shift away from single occupancy car use. It is noted that a Full Travel Plan will be prepared by the operator of the Hotel, which will include details relating to baseline surveys, agreed targets and contact details for the Travel Plan Co-ordinator.

10.2. The full Travel Plan will be required to be submitted to and approved by Torbay Council 6 months after the completion of the re-development.

11.0 CONCLUSION

11.1. Prior to a recommendation being made by the Highway Authority, the applicant will be required to submit the following information:

- Provide a swept path analysis of an emergency service vehicle safely accessing / egressing all areas of the site layout; and
- Amend the Hotel car parking layout to provide for coach parking. If capacity for on-site coach parking is unavailable, proposals should be included for arrangements for coach pick-up/set down, along with off-site parking availability.

Following further details, the following comments were received:

Based upon the information submitted by the applicant, the Highway Authority offers no objection to the proposed re-development subject to the condition that the future management of the hotel, prior to occupation, provides information relating to how coaches will be safely manoeuvred on-site to egress the hotel forecourt in a forward gear and prevent conflict with other vehicles, buildings, pedestrians and cyclists. It is also subject to condition that the legal agreement between the applicant/Hotel and Torbay Council regarding the gate post sitting within the highway must be completed before the works to the access commence.

Torbay Council Community Safety Team:

I have some concerns about the need for SWISCo to drive onto unadopted highway to collect from these properties, although I do appreciate that the plans include some improvements to access on the site, removing the need to reverse in the collection vehicles. Would it be a possibility for an indemnity to be sought?

I would like to request a waste management plan for this development as a communal waste and recycling arrangement will be used as opposed to the bin and box system which is standard across Torbay, which is generally does not achieve the same levels of recycling that the standard box system does. The plan should detail how the waste and recycling will be managed within the residential apartments and allow for a decision to be made about which level of contributions can be sought.

Senior Tree and Landscape Officer:

Statutory protection

- Torquay Harbour Conservation Area
- 2010.030 G1 TPO, 1978.03 T1

Referenced documents

- BD 0253 SD 401 R01 Landscape Statement
- 05399 TPP (1, 2 and 3) Tree reports
- 05399 AIA Arboricultural development assessment report
- BD 0253 SD 806 R00 Soft Landscape

Arboriculture Appraisal

- The proposed tree removals are all Category C specimens, that is, trees of low arboricultural merit or shrub beds. Some of the removals are roadside vegetation. The others offer internal aesthetic landscape planting.
- T7 Lucombe oak is to have a section of its RPA removed to accommodate the realignment of the internal car parking area with the potential for short term impact on the physiological health of the tree.
- An AMS is advised within the report for the works around T7
- The retained trees are shown to be protected by tree protection measures as per BS5837 latest edition.

Landscape Appraisal

- The landscape statement provides broad objectives for the various sections identified with the plans with an overall ethos of maintaining or enhancing the local surroundings and character of the Conservation Area.
- The proposed soft landscaping provides, primarily, trees and shrubs that will benefit the internal aesthetics of the site.
- Scots pine are mentioned as one of the specimen planting. This although a native tree is not widely planted with the area with either Corsican or Black pine dominating the pine species spread locally.

Conclusion

- The proposals are broadly welcomed and seek to establish tree retention and mitigate tree/shrub loss with new planting.
- Concerns are raised over the impact of T7 to realign the internal road/car parking and if further soil/grass will need to be removed to accommodate a working area during construction.
- The landscape proposals fail to deliver on potentially large trees in the landscape with a focus on the internal and immediate landscape.
- Scots Pine is not widely known in Torbay with the pine population locally tends towards Corsican or the Austrian pine

Recommendation

- A detailed AMS to show the impact on T7 will not be detrimental to the tree in the long term (this will require pre-development exploration of the area to establish volume of root that will be lost to the proposed realignment).
- The use of specimen trees at strategic locations in the site to provide large trees in the long term with an impact in the wider landscape.
- Consideration to the use of other Pines (although it is understood that Scots pine is a native tree).

- Compliance condition for the TPPs as stated above.

Devon and Somerset Fire and Rescue Service:

This proposal must comply with Approved Document B of the Building regulations, to include access requirements for the Fire Service vehicles (B5). These include Vehicle Access, including minimum road widths, turning facilities for fire service vehicles and a maximum reversing distance of 20 metres.

In addition, please confirm provision of appropriate water supplies for firefighting (street hydrants) including appropriate flow rates. Information on this should be sourced from National guidance document on the provision of water for firefighting (3rd edition; Jan 2007)

Torbay and South Devon NHS Foundation Trust

Torbay and South Devon NHS Foundation Trust has reviewed the above planning application and carefully considered the impacts that it will have on how Acute and Community healthcare services can be provided for within the local area.

The Trust acknowledges that the creation and maintenance of healthy communities is a significant material consideration and that all planning applications must be determined in accordance with the development plan (unless material considerations indicate otherwise), and that both the creation and maintenance of healthy communities is an essential component of sustainability as articulated in the Government's National Planning Policy Framework (NPPF)

In addition, we understand that Council's development plans are required to conform with the NPPF and that less weight is given to policies that are not consistent with the NPPF. Consequently, local planning policies along with development management decisions also have to be formulated with a view to securing sustainable healthy communities. A fundamental part of a sustainable healthy community is access to health services and we hope that as a local partner you will be supportive in ensuring that the local population has access to appropriate and timely healthcare provision. Whilst preparing this response, it is noted that the Torbay Local Plan 2012-2030 and associated policies states that:

Policy SS11 Sustainable communities

Development will be assessed against its contribution to improving the sustainability of existing and new communities within Torbay...

Development proposals will be assessed according to whether they achieve the following criteria, insofar as they are relevant and proportionate to the development:

1. Meet the needs of residents and enhance their quality of life;

...

4. Promote social inclusion, and seek to eliminate exclusion based on access to housing, health, education, recreation or other facilities;

...

Policy SC1 Healthy Bay

All development should contribute to improving the health and well-being of the community, reducing health inequalities and helping to deliver healthy lifestyles and sustainable neighbourhoods proportionate to the scale of the proposal.

To achieve these requirements, applicants should demonstrate that they have had regard to the following:

1. *Consideration of the opportunities available to address the cause of ill-health in the local area;*
2. *Promotion of healthy, safe and active living for all age groups, including healthy living, options for older people; and*
3. *Improvement of access to medical treatment services, including the provision of healthcare clusters where appropriate,*

Major residential developments of 30 or more dwellings or other development creating over 1,000 square metres of floorspace will be required to undertake a screening for Health Impact Assessment (HIA), and a full HIA if necessary, proportionate to the development proposed, to demonstrate how they maximise positive impacts on health and healthy living within the development and in adjoining areas. This will also apply to smaller-scale developments where there are reasons to indicate that a proposal may give rise to a significant impact on health”

The appendices to this request demonstrate that Torbay and South Devon NHS Foundation Trust (TSDFT) is currently operating at full capacity in the provision of acute, community and planned healthcare. The proposed development will create a potentially long-term impact on TSDFT's ability to provide its services in a safe, accessible and sustainable manner to current and new residents.

TSDFT's funding is based on the previous year's activity that it has delivered, subject to satisfying the quality requirements set down in the NHS Standard Contract. Quality requirements are linked to the on-time delivery of care and intervention and are evidenced by best clinical practice to ensure optimal outcomes for patients.

Our NHS contract is agreed annually based on the previous year's activity plus any pre-agreed additional activity for clinical services. The Trust nor its Commissioners are able to take into consideration the Council's housing land supply, potential new developments and housing trajectories when the annual contracts and funding arrangements are negotiated. The funding is not able to be changed even if the health care providers or commissioners have knowledge of new housing development through the consultation process, during the local plan process or otherwise.

Further, the following year's contract does not retrospectively pay the previous year's deficit. Therefore, new developments, whether they are allocated or windfall sites create an impact on TSDFT's ability to provide the services required due to the funding gap that is created and the contribution sought is to mitigate this direct impact.

In requesting this contribution to mitigate the impact we have considered and ensured that it is compliant with the CIL Regulation 122 and Appendix G has been provided in order to assist the Local Planning Authority.

Section 106 of the Town and Country Planning Act 1990 (as amended) allows the Local Planning Authority to request that a developer contributes towards the impact a development creates on services. The contribution of £50,519 sought will go towards the gap in the

funding created by each potential patient from this development. The detailed explanation and calculations are provided within the appendices.

Without the requested contribution TSDFT will still provide healthcare to all the new residents of the development however its ability to support health and wellbeing for everyone, provide quality of health services for all, and ensure sustainable use of NHS resources will be compromised. In particular the increased healthcare activity from this development without the required resources will lead to longer waiting times for all patients. TSDFT would appreciate acknowledgement of the request for an S106 contribution relating to this development and confirmation that it will form part of the S106 agreement with the developers.

NHS Devon Clinical Commissioning Group (CCG)

The application has been reviewed from a primary care perspective and the following comments are provided by NHS Devon Clinical Commissioning Group as their response to the application. The response has been informed by the Devon Health Contributions Approach: GP Provision (<https://www.devon.gov.uk/planning/planning-policies/other-county-policy-and-guidance>) which was jointly prepared by NHS England and Devon County Council.

In preparing this response, it is noted that Torbay Borough Council Local Plan 2011 to 2031 (adopted 29th October 2018.) states that:

“Policy SS11 Sustainable communities

Development will be assessed against its contribution to improving the sustainability of existing and new communities within Torbay....

Development proposals will be assessed according to whether they achieve the following criteria, insofar as they are relevant and proportionate to the development:

1. Meet the needs of residents and enhance their quality of life;

...

4. Promote social inclusion, and seek to eliminate exclusion based on access to housing, health, education, recreation or other facilities;

...

Policy SC1 Healthy Bay

All development should contribute to improving the health and well-being of the community, reducing health inequalities and helping to deliver healthy lifestyles and sustainable neighbourhoods proportionate to the scale of the proposal.

To achieve these requirements, applicants should demonstrate that they have had regard to the following:

- 1. Consideration of the opportunities available to address the cause of ill-health in the local area;*
- 2. Promotion of healthy, safe and active living for all age groups, including healthy living, options for older people; and*
- 3. Improvement of access to medical treatment services, including the provision of healthcare clusters where appropriate”*

The CCG's concern is that the combined surgeries of Parkhill Surgery (Pembroke Medical Group), Southover Medical Practice and Croft Hall Surgery are already over capacity within their existing footprint therefore it follows that to have a sustainable development in human health terms the whole local healthcare provision will require review. The combined surgeries already have 43,621 patients registered between them and this new development will increase the local population by a further 111 persons.

Taking this into account and drawing upon the document "*Devon Health Contributions Approach: GP Provision document*" which was agreed by NHS England and Devon County Council, the following calculation has been made:

Methodology for Application P/2021/0120

1. Residential development of 51 dwellings
2. This development is in the catchment of Parkhill Surgery (Pembroke Medical Group), Southover Medical Practice and Croft Hall Surgery which have a total capacity for 41,720 patients.
3. The current patient list size is 43,621 which is already over capacity by 1902 patients or at 105% of capacity.
4. The increased population from this development = 111
 - a. No of dwellings x Average occupancy rate = population increase
 - b. $51 \times 2.17 = 111$
5. The new GP List size will be 43,732 which is over capacity by 2013
 - a. Current GP patient list + Population increase = Expected patient list size
 - b. $43,621 + 111 = 43,732$ (111 over capacity)
 - c. *If expected patient list size is within the existing capacity, a contribution is not required, otherwise continue to step 6*
6. Additional space required = 8.08 m²
 - a. The expected m² per patient, for this size practice = 0.073m²
 - b. Population increase x space requirement per patient = total space (m²) required
 - c. $111 \times 0.073 = 8.08 \text{ m}^2$
7. Total contribution required = £25,853
 - a. Total space (m²) required x premises cost = final contribution calculation
 - b. $8.08 \text{ m}^2 \times \text{£}3,200 = \text{£}25,853$ (£507 per dwelling).

Could you please acknowledge the CCG's request for an S106 contribution towards the cost mitigation of the pressures on the local healthcare facility and that it will form part of any future s106 Agreement with the Developers.

Historic England:

The significance of the site

The Imperial Hotel sits in a glorious position overlooking Torquay and the Tor Bay. The hotel is not a designated heritage asset and because of the major alterations that have been carried out to it, particularly in the middle 20th century, we do not consider it to be worthy of undesignated heritage asset status. It was built in 1866 in the Italianate style, and was originally a well detailed and elegant example of the need to cater for a burgeoning 19th century tourist industry in England. Later phases of modernisation have unfortunately obliterated the original scheme, and resulted in a rather imposing and monolithic appearance, with considerable horizontal emphasis.

The hotel lies within two locally designated conservation areas. The contribution it makes to those special areas presently varies between neutral and poor – the location of car parking, hard landscaping, tennis courts, and the weakness of boundaries and lack of quality planting has resulted in a tired and functional setting, rather than one of quality. This is a typical situation, arising from incremental changes over many years. The hotel also forms a part of the broader setting of many designated and undesignated heritage assets, in particular in wider views from the south and south-west, and from the sea.

The impact of the proposals

The proposals are multiple, but in broad terms result in the creation of a modern boutique hotel, reorganisation of the associated amenity and ancillary spaces, the creation of two apartment blocks, and improvements to the landscaping and boundaries of the hotel.

Comprehensive research has been carried out on the site, and its broader context where it relates to the hotel. The heritage statement, landscape assessment and associated design analysis is very useful in understanding the design approach taken for the proposals. This information base reassures us that the proposals have emerged as an informed response to the context of the site, and heritage and other issues rather than being an after-thought or post-design justification.

Historic England welcomes the proposals, which we consider will result in a sympathetic re-enveloping of the building. The design reintroduces a sense of verticality and elegance to the hotel, with subtle nods to its Italianate origins in the form of the tower and belvedere. The detailing of the balconies bring additional interest to the façade without being overly ornate or extravagant. Measures taken to break the different functions of the hotel and apartments into discreet design elements will restore interest and variety to the hotel, and break down the strong horizontality that currently exists especially in long views to the site. Nonetheless, the continuity of some materials and the colour palette identify the cohesive design approach to the whole. Design references to the earlier hotel are incorporated into the proposals and we welcome this nod to the original building.

The design of the proposed apartment blocks, in terms of their footprint and massing, appears to be appropriate to their locations within the site in relation to their broader setting. The new crescent shaped building of accommodation is a bold design with a ‘top hat’ effect that helps to ground the building and emphasises its relationship with the boundary of the site. It is a contemporary version of the modernist hotel apartment block, and fits into the character of Torquay well. Again, similarity of materials and colour palette helps to identify the building as being part of the group, but of individual character.

We are also supportive of the re-ordering of the hotel’s external spaces, boundaries, and efforts to reflect the planting character of the area in the hotel’s grounds. Views into the site from public spaces are important in identifying the function of the building, the quality of hotel offer, and the wider landscape setting of Torquay. In our opinion, those views will be markedly improved from the existing, despite minor increases in height in some areas. The overall impression of the site, and the experience and sense of arrival to the hotel will be much improved.

We believe that this proposal could therefore result in enhancements to the two conservation areas associated with the site. The contribution that the hotel will make to the conservation areas will become a positive one – achieving the required preservation or enhancement that guides development within these special areas. Other more distant heritage assets within Torquay are not affected by these proposals, except that their broader setting will be improved by the proposals.

Historic England's position

Historic England supports good quality, contextually appropriate contemporary design. We consider that the approach to the site overall reflects Torquay's tradition of contemporary and confident design. The level of quality demonstrates the aspirations of the hotel owner and Torquay to be a superior tourism and leisure destination. The design, stemming from good quality research and understanding of the landscape, site and historic context, is of a very high standard. The proposals result in beneficial impacts to the conservations areas in and beside which the hotel lies. Historic England welcomes the scheme and considers it to be an exemplar approach, which we commend.

We refer you to the National Planning Policy Framework (NPPF), paragraph 192, which emphasises the desirability of new development making a positive contribution to local character and distinctiveness. Also, paragraph 200 which states that local planning authorities should look for opportunities for new development within conservation areas to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

Recommendation

Historic England supports the application on heritage grounds. We consider that the application meets the requirements of the NPPF, in particular paragraph numbers 192 and 200.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Design Review Panel:

In summary the DRP offered full support as part of the established Planning Performance Agreement pre-application process. Comments are set out in brief below:

- The panel welcomed the whole site strategy.
- Movement and arrival within the site were seen as critical. The access to the SWCP and the overall benefits of walking and cycling were discussed.
- The architectural approach was supported with some challenges around the final presentation.
- The panel were broadly supportive of the residential and hotel components subject to design considerations.

Planning Officer Assessment

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. Principle of Development
2. Economic Benefits
3. Design and Visual Impact
4. Impact on Heritage Assets
5. Impact on Residential Amenity
6. Impact on Highway Safety
7. Designing out Crime
8. Ecology and Biodiversity
9. Drainage and Flood Risk
10. Low Carbon Development
11. Other Considerations
12. Section 106 Agreements

1. Principle of Development

The investment in the site is supported by the Development Plan's tourism and housing policies when taken as a whole. Each of the two elements, hotel and residential, are detailed below:

The Hotel

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 support the local economy. The Policy 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 improved tourist accommodation, subject to other policies in the Local Plan, and the creation of new high quality tourism accommodation in sustainable, accessible locations.

The proposal would result in substantial improvements to the existing hotel. It is clearly a key hotel complex within the Torquay Harbourside and Waterfront Core Tourism Investment Area. The investment and improvement to the hotel is therefore supported by Policy TO1 of the Local Plan.

Policy TE1 of the Torquay Neighbourhood Plan states that new tourism developments will be supported where they make use of brownfield land. Policy TS4 (Support for Brownfield and Greenfield Development) confirms that: development proposals for brownfield sites will be supported, providing there are no significant adverse impacts, having regard to other policies in this plan.

Furthermore, the Neighbourhood Plan specifically addresses tourism and highlights Torquay as a 'destination in transition'. It refers to 'Turning the Tide for Tourism', which identifies an oversupply of in small B&B guest house sector (less than 10 rooms) with a significant

oversupply of low quality, low value added small hotels. There is an identified lack of good quality, large hotels and branded chains.

The hotel element of the proposal is therefore considered to be acceptable in principle.

Residential

The site is close to services and facilities and presents the efficient use of brownfield land that would help meet housing need and the Council's 5 year housing supply. This accords with the objectives of Policies H1 (Applications for new homes), SS1 (Growth strategy for a prosperous Torbay), SS11 (Sustainable communities), SS12 (Housing) and SS13 (Five year housing supply) of the Local Plan.

Local Plan Policy H1 states that proposals for new homes in the built-up areas of Torbay will be supported (subject to other Plan policies); promotes re-use of brownfield land and urban regeneration; and seeks to reduce the need to travel by car.

Local Plan Policy SS1 sets out a growth strategy for a prosperous Torbay, supports regeneration that creates sustainable living, working and leisure environments, and seeks delivery of homes.

Policy SS11 of the Local Plan seeks sustainable housing development for future communities and other policies of the Plan provide preference for brownfield development in accessible locations if at all possible. The proposed 51 residential dwellings would be located on brownfield land within walking distance, approximately 500m of Torquay town centre. This offers a range of amenities including public transport, retail, commercial and employment opportunities.

Policy SS12 of the Local Plan sets out how the Authority will maintain a 5 year housing supply on a rolling basis, but it is accepted that Torbay currently has under a 3 year housing land supply. Therefore, the terms of the NPPF apply where a tilted balance applies in favour of sustainable housing proposals and the Local Plan cannot be considered up to date with regard to housing planning policy.

The Torquay Neighbourhood Plan Policy TS4 states that development proposals for brownfield sites will be supported in principle.

Therefore, given its highly sustainable, town centre location the proposed development is supported in principle by Local Plan Policies H1, SS1, SS11, SS12, SS13 and by Neighbourhood Plan Policy TS4.

2. Economic benefits

Policy SS1 (Growth strategy for a prosperous Torbay) of the Local Plan states that development should reinforce Torbay's role as a main urban centre and premier resort.

Policy SS4 (The economy and employment) 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 into the area in order to create new jobs; and it promotes the 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 and catering.

Policy SS11 (Sustainable communities) explains that proposals that regenerate or lead to the improvement of social, economic or environmental conditions in Torbay will be supported in principle.

The proposal will create jobs during the construction period and the hotel will have a revitalised offer that will support between 70 to 90 FTE jobs. This would also generate a range of third party jobs and revenue such as food and drink suppliers, materials and furnishing suppliers which will all take advantage of increased occupancy rates and refurbished facilities.

The secondary effect of more visitors, greater occupancy rates and a longer, potentially year-round season will mean more visits to nearby cafes, restaurants, shops and attractions, bringing economic benefits to the area as a whole.

The TDA supports the application, noting that: the proposal aligns with the aims and objectives of the English Riviera Destination Management Plan, specially investing in the quality of hotel accommodation and supporting the year round offer to attract new visitors (domestic and international). The product development will also provide skills opportunities further developing the career aspirations in the tourism and hospitality sector.

The applicant has submitted a viability assessment which has been independently verified. Subject to the findings of this additional contributions in accordance with the adopted Planning Contributions and Affordable Housing Supplementary Planning Document, may be required on terms acceptable to Officers.

Torbay cannot demonstrate a five year housing land supply, and therefore significant weight is given to the provision of additional housing. The application proposes 51 open market homes and does not provide any affordable housing. Policy H2 of the Local Plan seeks 20% affordable housing provided on site unless the scheme brings regeneration benefits. The demonstrated economic benefits of improving the hotel facilities, combined with the positive impact to the conservation area are a material factor in this respect. In any respect, it has been accepted the site and proposed dwellings are not suitable for affordable housing.

The submitted viability assessment demonstrates the large investment in the hotel and grounds. It is therefore accepted that the hotel has no clear viable future without investment, and it is therefore essential to claw this virtual investment back (through a future valuation) and to not allow apartments to be occupied until a substantial progress has been made to finish the hotel. Therefore, a pre-occupancy condition has been included to ensure 75% of the hotel façade is completed.

Given that the proposal would modernise and enhance the tourism facilities available at the site; create new jobs; and is expected to generate significant additional spend within the local economy, it is considered that it complies with the aspirations of Policies SS1, SS4 and SS11 of the Local Plan, and would bring economic benefits to the Bay.

3. Design and Visual Impact

The National Planning Policy Framework (2021) 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'. New development should be sympathetic to local character and history, including surrounding built environment and landscape setting.

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. Criterion 3 refers to development that helps to develop a sense of place and local identity and criterion 10 refers to delivering development of an appropriate type, scale, quality, mix and density in relation to its location.

Following on from this, Policy DE1 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.

Policy TH8 of the Torquay Neighbourhood Plan states that development must be of good quality design, respect the local character in terms of height, scale, and bulk; and reflect the identity of its surroundings.

Policy DE4 (Building Heights) 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,
- Preserve or enhance local and long-distance view, and key vistas.

The agreed PPA set out several key milestones and expectations for consultation. Both Design Review Panel (DRP) and Historic England were involved at pre-application stage. Historic England comments are dealt with in the following heritage section. The DRP provided positive comments during the meeting and in their finalised report. Their comments are regarded as a material consideration.

Feedback from the panel concluded that the general arrangement and strategic approaches to the site were well considered and that the design process and research demonstrated were impressive. The main challenge was to ensure that the detailed architectural language

and composition of the whole site were refined. The feedback challenged the visual 'gap' between uses, particularly on the seaward side. DRP also stated that the design needs to stand on its 'own merits'. In response to the comments further massing and elevational changes were made to distinguish the original hotel from the late 19th century hotel wing and Block D. The vertical elevational treatment to Block D facade was also amended to reflect proportions of the remodelled hotel. A greater variation to the building silhouette through a raised open parapet to Block D, new belvedere to the Hotel and improved articulation of the Hotel parapets and roof-scape were also developed. The top hat design to Block A with vertical rhythm and balconies were added to the western elevation.

It is considered that the submitted scheme provides a whole site response and includes the refurbishment of the exterior and interior of the hotel with reorganise the hotel rooms. Given the substantial change, it would not be possible to completely renovate the existing building, however, the proposals attempt the original quality through careful analysis and the use of architectural proportions, materials and grandeur of the original. The hotel proposals replicate the material palette of the original and local examples of the Italianate style, including painted stucco and natural slate roofs. However, to create a further level of quality and to enhance the proposed architectural details, it is proposed to utilise a bronze finish to all the metal work.

The proposals seek to make significant improvements to the entrance experience for guests and those accessing the SWCP. New stone boundary walls with hedging create a sense of enclosure and frame the entrance view. The existing staff accommodation is consolidated with the offices and kitchens below; allowing removal of the upper floor extension which was undertaken in the 1960s.

To the east of the hotel, a new spa and beach club is proposed, forming a contemporary extension to the reinstated colonnade, linking back to the lower ground floor and integrating with the wider landscape. The removal of several extensions, including the 1999 conservatory and Haldon Room also improves and simplifies the external appearance.

Building A is located on the site of the existing tennis courts and unused staff accommodation block along Parkhill Road. These proposals have evolved through discussions with Historic England, the Built Heritage Assessment and informed by a detailed visual impact assessment. Conceived as a 'villa' within a landscape setting, incorporating a boundary treatment of tall stone walls and evergreen planting. The proposed layout, set out in a crescent, maximises sea views for each of the 16 apartments. It references several historic local precedents including Abbey Crescent, Hesketh Crescent and Lisburne Crescent.

Building D was constructed in the 1960s and formed the western wing of the hotel. The building will be re-purposed and re-clad to create 25 new sea facing apartments. A modest extension to the rear, either side of the existing stair and lift, would improve efficiency while limiting the visual impact of the new accommodation. Parking for both Buildings D and B are concealed below a new podium garden - set at the same level as the junction of the hotel drive and Parkhill Road. This creates an increase in landscaping and visually reduces the height of Building D from the north. The position and articulation of the new and remodelled buildings allows the apartments to be viewed as contemporary villas within a landscape

setting and greatly improves the legibility of the original hotel. The site of the existing spa and Torbay suite, adjacent to Imperial Court will create 10 new maisonettes of a similar height and footprint to the existing – retaining the existing visual break with the adjacent apartments which is further improved by the inclusion of an extensive grass roof.

There have been a number of objections around the design of the proposal which have been described as not in keeping with the local area. Objections about the proposals impact and overdevelopment. However, the proposal has been through a rigorous design process and evolved in response to comments from the community, Historic England, DRP and officers. The form and layout of both the hotel and residential schemes are considered to make effective use of brownfield land and respond well to the topography of the site. The two developments would result in an enhancement of a site which includes many dated and tired structures.

Given the proposals' siting, layout, scale, and overall design, it is considered that they would not result in any unacceptable harm to the character of the area. Subject to the use of conditions to secure the use of high quality materials; boundary treatment details; external lighting it is considered that the proposal is in accordance with Policies DE1, DE4, and SS11 of the Local Plan, Policy TH8 of the Torquay Neighbourhood Plan, and the guidance contained in the NPPF.

4. Impact on Heritage Assets

NPPF (2021) provides guidance as to when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (Para 199). The NPPF further states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (Para 200). It guides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (Para 202).

In terms of the Local Development Plan, it is guided that development proposals should have special regard to the desirability of preserving heritage assets and their setting (Policies SS10 and HE1 of the Local Plan). This is aligned with the duties for decisions as required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, where decisions shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

A Built Heritage Statement has been submitted with the application. It states that the proposal has the potential to affect the character and appearance of Torquay Harbour Conservation Area, in which all the buildings and the majority of the grounds of the Imperial Hotel are located, and Lincombes Conservation Area, of which the south-eastern end of the Hotel's grounds and car park is located. There is also potential to affect the setting of the Lincombes Conservation Area which, in relation to the site, comprises an element of

Torquay Harbour Conservation Area. The scheme is only considered in terms of how it may affect the significance of these conservation areas.

There are several listed buildings on the slopes of Vane and Park Hills above the Hotel. These include Vane Hill Towers (Grade II) (originally Villa Lugano), Sundial Lodge (Grade II); and Devonshire Hotel (Grade II). It is accepted that there may be some partial intervisibility, however this exists through highly filtered planting and woodland across the hills. Consequently, it is considered that there is no clear legibility of these designated assets' significance from the site and that change in their wider setting from the proposals will not affect their significance. The Bungalow (former Bungalow Hotel) is only 60m east of the Hotel and is the nearest Grade II listed building. Its single-storey height and dense planting mean there is also no clear legibility between it and the proposal.

The submitted Built Heritage Assessment demonstrates that the development of the site will deliver a moderate level of enhancement to the character, appearance and significance of the Torquay Harbour Conservation Area and that of the Lincombes Conservation Area. The applicant makes the point that should the Imperial Hotel be identified as a non-designated heritage asset, which is not currently the case, the developed scheme would deliver a high level of enhancement to the significance of the Hotel. These enhancements and would be enhancements delivered by the developed scheme represent a wholly heritage-based form of public benefit.

The proposal will not impact on any currently known sites of archaeological interest. The potential for as yet undiscovered archaeology within the site is unknown, but likely to be low due to modern era building and terracing. However, the Imperial Hotel is in origin a significant structure associated with Torbay's Victorian and tourism heritage. It warrants inclusion as a heritage asset on the Devon and Torbay Historic Environment Record (HER). The County Archaeologist and Historic Environment Manager has no objection but recommends a limited programme of historic building recording.

Historic England also support the proposal. The comprehensive research including the heritage statement, landscape assessment and associated design analysis provides reassurance that the proposals have emerged as an informed response to the context of the site, and heritage and other issues rather than being an after-thought or post-design justification.

Historic England also consider the proposals will result in a sympathetic re-enveloping of the building. They state that the design reintroduces a sense of verticality and elegance to the hotel, with subtle nods to its Italianate origins in the form of the tower and belvedere. The detailing of the balconies brings additional interest to the facade without being overly ornate or extravagant. Measures taken to break the different functions of the hotel and apartments into discreet design elements will restore interest and variety to the hotel and break down the strong horizontality that currently exists especially in long views to the site. Nonetheless, the continuity of some materials and the colour palette identify the cohesive design approach to the whole. Design references to the earlier hotel are incorporated into the proposals and they welcomed this nod to the original building.

The design of the proposed apartment blocks, in terms of their footprint and massing, appears to be appropriate to their locations within the site in relation to their broader setting. The new crescent shaped building of accommodation is a bold design with a 'top hat' effect that helps to ground the building and emphasises its relationship with the boundary of the site. It is a contemporary version of the modernist hotel apartment block and fits into the character of Torquay well. Again, similarity of materials and colour palette helps to identify the building as being part of the group, but of individual character.

Historic England are also supportive of the re-ordering of the hotel's external spaces, boundaries, and efforts to reflect the planting character of the area in the hotel's grounds. Views into the site from public spaces are important in identifying the function of the building, the quality of hotel offer, and the wider landscape setting of Torquay. In their opinion, those views will be markedly improved from the existing, despite minor increases in height in some areas. The overall impression of the site, and the experience and sense of arrival to the hotel will be much improved.

The proposal is considered to sustain and enhance the Lincombes Conservation Area and the setting of the Harbour Conservation Area. It is also considered that the proposal does not harm the setting of listed buildings in the vicinity. As such the development is in accordance with Local Plan Policies SS10, HE1 and Policy TH10 of the Torquay Neighbourhood Plan.

5. Impact on Residential Amenity

Policy DE3 of the Local Plan states that development proposals should be designed to ensure an acceptable level of amenity. Policy DE4 suggests that tall buildings should respect surrounding residential amenities and not have an adverse impact on living conditions in terms of overlooking, overshadowing and being overbearing.

The closest existing residential dwellings to the proposed hotel are over 50m from the proposed hotel. Despite the proposed increase in height of the hotel building, the distance is considered sufficient to prevent unacceptable levels of overlooking/intervisibility. It is also noted that the existing hotel is closer to adjacent residential properties so in terms of overlooking the proposal is considered to be an improvement. A minimum 21m intervisibility between windows is maintained for all units and Imperial Court, and, in general, distances are significantly greater and at an oblique angle. Given the distances between the proposed hotel and the existing residential properties it is not considered that the development would result in a loss of light or outlook.

A range of public comments have been received regarding the impact on amenity particularly around potential noise, loss of light, privacy and overlooking. Torquay Neighbourhood Forum also highlighted the use of the road which runs in front of Imperial Court for vehicles servicing the Hotel. In response to these comments, it is clear the existing hotel benefits from a legal right of access over the car park of Imperial Court and the hotel could, at any time, utilise this for service access under its current lawful operation as a hotel. Therefore, the proposed access route is no worse than the current available position.

The submitted information and statement notes that the service vehicles would not pass close to the building entrances and would not require the removal of the existing footway

provided adjacent to the access road and barriers. Service vehicles within the context of the car park and service yard would be slow moving and professional drivers of HGV would have sufficient visibility of pedestrians to ensure that they gave way to them. Additional signage could be introduced to reinforce pedestrian priority in this space and maintain the maximum speed limit of 5 – 10 mph.

The Transport Assessment also notes that the increase in vehicle movements would be very small compared to the current operation of a residential car park. The present layout provides good visibility between pedestrians and the drivers of vehicles, this combined with slow speeds would give both parties sufficient time to consider how they need to modify their progress through this space to avoid any unwanted interaction.

The provision of a covered service yard, in approximately the same location as the existing service area, coupled with a reduction in guestroom numbers will help reduce any noise associated with deliveries. Turning and reversing of service vehicles will also be minimised increasing pedestrian safety, particularly in relation to the SWCP.

Imperial Court already shares a party wall with the Imperial Hotel, being originally constructed as additional guest rooms and apartments for the hotel complex. The removal adjacent Torbay suite and spa will improve amenity for residents of Imperial Court. The current function space has capacity for 350 with access to a 150sqm terrace. Whereas the proposals are for 10 maisonettes.

The BRE Daylight Sunlight Analysis in relation to impact on Imperial Court, submitted with the application, concludes the proposed development satisfies the BRE direct sunlight to windows requirements, all main windows at Imperial Court with a requirement for daylight pass the Vertical Sky Component test and all rooms pass the daylight distribution test. Garden areas also meet the BRE recommendations for overshadowing.

The residential dwellings comply with the internal and external amenity spaces set out in the Torbay Local Plan and the Torquay Neighbourhood Plan. A suitable level of parking is also provided with a minimum of 2 parking spaces per dwelling provided, plus visitor spaces.

The proposal provides shared streets, links to the wider hotel grounds and to the coastal footpath. It would maintain and improve the existing landscaped character of the area, overall, the dwellings would provide a good quality residential environment.

The consultation response from the Councils Community Safety team suggests the use of a condition requesting a construction demolition management plan which will aim to minimise dust and noise disturbance during the demolition and construction phases. A condition is also included to secure the provision of a Waste Management Plan.

Subject to the use of conditions requiring a construction demolition management plan, waste management plan and conditions relating the details and implementation of bin and cycle storage and of parking areas, it is considered that the proposals, would not result in unacceptable harm to the amenities of neighbours, in terms of their outlook, access to natural light, privacy, or other nuisances such as noise, dust, or light intrusion. As such, the proposals are in accordance with Policy DE3 and DE4 of the Torbay Local Plan.

6. Impact on Highway Safety

Policies TA2 (Development Access) 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 (Parking Requirements) 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. Appendix F provides figures on car parking requirements, for hotels this states that 1 space per guestroom 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 TH9 of the Torquay Neighbourhood Plan states that new major developments must contribute to better pedestrian/cycle links where possible and encourage modal shift towards active travel. Policies THW1 (Travel Plans), THW5 (Access to Sustainable Transport), THW6 (Cycle Storage and changing facilities), and TTR2 (Sustainable Communities) are also of relevance.

Access to the Hotel will be retained in its existing location from Parkhill Road. The existing access road is approximately 7.3m wide with a 1.6m wide footway running along its eastern edge. A 1.8m wide footway is proposed along the western edge of the road to improve amenity for pedestrians and to reduce the carriageway width to around 5.6m. This is more than sufficient for two cars to pass, and for a car and an HGV or coach to pass. The relocation of the service yard access will reduce the volume of large vehicles accessing the front of the hotel, and therefore the reduced carriageway width is considered acceptable.

At the edge of the hotel forecourt, it is intended to re-introduce gate piers either side of the carriageway to add a sense of arrival and enclosure. This access way will narrow to 3.8m which will require on coming vehicles to give way to one another, helping to manage traffic speeds and driver behaviour. The piers will be located on full height kerb build outs to protect them from vehicle strikes. One of the piers will be located within the extent of the public highway and one will sit with the land under the hotel's ownership. A legal agreement will need to be entered into making the hotel operator liable for maintenance and repair of the piers, particularly in the event of a vehicle strike. This has been included as a condition.

Service access is proposed to be reconfigured as part of the proposal. Service vehicles would be removed from the main hotel access, and access gained via the Imperial Court site to the west over which the hotel benefits from rights of access. The impacts of this have been covered previously in this report.

The Highway Authority requested a range of additional and amended information during the application process. A swept path analysis to illustrate a Fire Engine successfully accessing the site in a forward gear, accessing and egressing the site was considered acceptable. Coach access to the site will continue as the site currently operates with vehicles guided and turned on-site, therefore the proposals offer a nil-detriment policy when compared to the existing situation. A condition has been included to confirm how this will operate.

The publicly accessible permissive path is also proposed to the east of the main hotel access junction, running east along the southern side of Parkhill Road. The path would form a continuation of the existing footway which ceases just to the east of the junction. Due to the limited highway space, the path would be provided behind the existing boundary wall extending approximately 40m to the east to a historic gateway to the hotel site. At this point, pedestrians would pass through the existing gateway back onto Parkhill Road. This path, within the hotel's land, would reduce the length of Parkhill Road without footway provision to around 20m. A number of options have been considered to address the lack of footway along the remaining 20m, including the introduction of virtual and physical footways along the southern side of Parkhill Road with priority working introduced to allow the carriageway to be narrowed. This matter was debated during and after the PPA process and is considered acceptable.

The Block A car park will be reached via a new vehicular access on to Parkhill Road. The access will be located at the eastern end of the car park as this provides the best opportunity for an appropriate visibility splay along Parkhill Road.

Along the western side of the access road a new access is proposed for one of the two residential car parks which will be constructed for Blocks B and D. The access will serve a 36-space car park associated with Blocks B and D, including two spaces marked for use by blue badge holders.

The changes to the access ramp, the provision of the at-grade pedestrian route and improvements to the parking layout to reduce the number of substandard spaces would result in the loss of 11 parking spaces in the upper car park bringing the number of spaces to 83. The lower parking level would be impacted by the widening of the ramp, but the number of spaces would be unchanged at 22. It is proposed that 6 spaces within the lower parking level are provided as accessible bays for blue badge holders. A further 10 spaces will be provided within the hotel forecourt including two accessible spaces for use by blue badge holders. The changes would reduce the hotel parking provision to 115 spaces which is a ratio of 1.04 spaces per bedroom, which is above the minimum requirement for hotels in Torbay.

Cycle parking for staff and guests will also be provided. 12 cycle parking spaces will be provided within or adjacent to the service yard for hotel staff. The cycle parking will be secure and protected from weather. Based on an employee density of 1 FTE per 1 bedrooms as set out in the 2015 HCA Employment Density Guide, this provides parking for 10% of FTE staff, although this is likely to represent a significantly greater proportion of staff working on site at any one time, allowing for staff changeover periods. For hotel guests a further 10 cycle parking spaces will be provided in a store located in the lower car park. This provides parking for around 9% of rooms. The hotel will also consider the introduction of cycle hire facilities to enable guests travelling without a bicycle to use one during their stay.

Car parking for Block A will be provided at a rate of one space per dwelling, with 16 spaces provided within the Block A car park. No visitor parking spaces will be provided on site. As on-street parking is not permitted along Parkhill Road, it is suggested that visitors can use the public Beacon Quay car park which is located within 200m of the development site. Within the car park, at least 20% of spaces will be provided with active electric charging

points and all spaces will be designed so that they have passive provision for conversion in the future. Cycle parking for block A residents will be provided in a secure store beneath Block A and accessed from the service road. The cycle store will provide 16 spaces, one cycle parking space per dwelling.

Car parking for Blocks B and D will be provided to the north of the existing hotel building and to the east of residential Block A. The car park provides 36 parking spaces, equivalent to one space per apartment. Within the car park, at least 20% of spaces will be provided with electric charging points and all spaces will be designed so that they have passive provision for conversion in the future. As with the Block A car park, no provision is made for visitor parking within the site as there is alternative provision available within the nearby public car park. Cycle parking for the blocks will be provided within a cycle store located at the base of Block D and accessed via the podium garden. The secure store will provide 36 spaces, one cycle parking space per dwelling.

Subject to the conditions set out above, the Council's Strategic Transport Officer has advised that the proposal is considered acceptable and meets the requirements of Policy TA1, TA2 and TA3, TH9 of the Torquay Neighbourhood Plan and the NPPF (2021).

7. 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 in accordance with Policy SS11 of the Local Plan.

8. Ecology and Biodiversity

Policy NC1 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. Policy TE5 of the Torquay Neighbourhood Plan states that, where appropriate, an assessment of impacts upon any existing protected species or habitats should be undertaken, and the use of necessary mitigating arrangements, in order to protect and enhance species and habitats, should be provided. Policy C4 states that development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features. As the site is over 5ha in area an Environment Impact Assessment (EIA) screening was undertaken, the result of this was that the proposal did not require an EIA.

Paragraph 180 of the NPPF states that opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate. The anticipated Environment Bill will make it a statutory requirement to provide a 10% net gain in biodiversity. The proposed development will provide a 16.35% Biodiversity Net Gain. This will be achieved through the delivery of habitat creation within the site including wildflower grassland creation (total area 0.07ha). The creation of a green roof on a portion of the hotel building (total area 0.05ha). Creation of the rain garden (total area 0.03ha) and sensory/ornamental planting located throughout the development (total area 0.3ha).

Roost emergence surveys were undertaken on multiple buildings which identified three locations where bats were present. The survey showed they were all day roosts with low/moderate conservation significance. All three roosts would be lost as part of the proposal. A condition has been included to ensure mitigation through compensatory roosting provision provided through bespoke bat building and roosting provisions within new buildings on site. In order to manage flight lines and foraging, a condition has also been included to provide further details on lighting of the site. The proposal therefore meets the three Habitats Regulations tests as the proposals fall within the remit of overriding public interest as the development seeks to provide economic benefits to the wider Torbay area, there are no alternatives to the loss of the buildings. Finally, a replacement bat roost will be provided to ensure the favourable conservation status of the bat populations are maintained.

Further conditions have been included to ensure the future protection of nesting birds, badgers and hedgehogs in the area.

The Senior Tree and Landscape Officer supports the proposals which seek to establish tree retention and mitigate tree/shrub loss with new planting. The proposed tree removals are considered of low arboricultural merit or shrub beds. The Officer recommends detailed conditions around tree protection and tree planting which have been included in this report.

It is noted that there have been comments from neighbouring residents around trees and wildlife. The rigorous ecological assessments and mitigation are considered acceptable with no objection from Natural England. The high level of biodiversity netgain is also supported.

Subject to the addition of suitable conditions the proposal is therefore deemed to comply with Policies NC1 and C4 of the Local Plan, Policy TE5 of the Torquay Neighbourhood Plan and the NPPF (2021).

9. Drainage and Flood Risk

The site is approximately 50m north of Lyme Bay, Torbay SAC and the Torbay Marine Conservation Zone (MCZ). The development proposals would result in an additional 51 residential units within 50m of Lyme Bay and Torbay SAC interest features. There is potential for an increase in waterborne pollutants to be produced and enter controlled water during the construction phase of development. In addition, new residential development could increase the demand on foul water systems. Effects of increased recreational pressure have been screened out of the submitted assessment given the small total net increase anticipated compared with the total number of Torbay visitors. It is believed that this scheme will cause a Likely Significant Effect on the Lyme Bay and Torbay SAC in the absence of mitigation. Therefore, an HRA has been produced and agreed with Natural England.

Natural England had no objection subject to the appropriate mitigation measures provided within the Appropriate Assessment and MCZ Assessment are appropriately secured. Detailed conditions have been suggested as part of this report. South West Water also have no objection subject to the foul and surface water being managed in accordance with the submitted drainage strategy.

A Construction and Environmental Management Plan (CEMP) will also need to be submitted and agreed via planning condition and provide measures of construction controls on dust and reducing contaminated run-off, pollution control measures.

The Environment Agency has no objection.

The Engineering Service Manager has no objection providing a condition is included that prior to construction works commencing on site detailed geotechnical investigations will be undertaken in order to assess the effects of the borehole/directional drill on the stability of the cliff.

Given the nature of the proposal, the intended means of surface water drainage are considered acceptable having regard to the adopted Standing Advice, and the proposal is therefore considered to be in accordance with Policies ER1 and ER2 of the Local Plan.

10. Low Carbon Development

Policy SS14 of the Local Plan relates to 'Low carbon development and adaptation to climate change' and seeks major development to minimise carbon emissions and the use of natural resources. Policy ES1 - Energy seeks to ensure that carbon emissions associated with existing buildings (heating, cooling, lighting and energy consumption) are limited.

The effects on the environment and sustainability have been considered as an integral part of this scheme. Replacing buildings have significant energy, carbon and financial cost implications. The retention of several existing buildings on site is recognised as positive and part of the overall approach to sustainable design.

The construction aims to meet the highest design and performance qualities, with Building Regulation required u-values being met or exceeded. A Mechanical, Electrical and Piped Engineering report has been submitted with the application. The MEP design process ensures that all aspects of MEP design are considered, including the careful integration of services into the architectural form of the development, with careful consideration acoustic, aesthetic, safety and performance requirements. The focus is on improving the thermally efficiency of the existing building façade and targeting good fabric performance for the new build elements of the project. This combined with the adoption of best practice building services technology will aim to deliver a high quality, high efficiency, low carbon building.

This be lean, be clean, be green approach includes:

- The energy strategy aims to firstly implement passive design and energy efficiency measures to reduce energy demand and CO2 emissions.
- The strategy will be to consider the use of clean energy source such as heat pump technologies for space heating and cooling.
- Significant CO2 savings are expected through the Be Lean and Be Clean measures. However, to maximise CO2 reduction, the potential for roof mounted Photovoltaic cells.

This design approach to the site is therefore in accordance with Local Plan Policies SS3 and ES1.

11. Other Considerations

The Council is unable to demonstrate a five year supply of deliverable housing land. The five year supply position represents a significant shortfall and must be treated as an important material consideration weighing in favour of the proposal.

Considering the current housing supply position, it is advised that in determining the application, the tilted balance is in favour of sustainable development as set out in Paragraph 11 of the NPPF must be applied. Paragraph 11 of the NPPF states that decisions should apply a presumption in favour of sustainable development, which means approving development proposals that accord with an up-to-date development plan without delay.

It is concluded within this report that the development accords with the Development Plan when considered as a whole and hence there is support for the grant of permission, in-line with the guidance within the NPPF (Para 11). Were Members of a different judgment and were to consider the proposal to be in conflict with the Development Plan it should be noted that the absence of a 5 year housing supply principally sets a higher benchmark to resist development. In such a circumstance development should only be refused where any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

Section 106 Agreements

Torbay and South Devon NHS Foundation Trust

The contribution requested for this proposed development of 51 dwellings is £50,519.00. This will be used directly towards the increased demand on the health services created by this proposed development and to provide additional services to meet patient demand.

NHS Devon Clinical Commissioning Group (CCG)

The contribution requested is £25,853 (£507 per dwelling). The combined surgeries of Parkhill Surgery (Pembroke Medical Group), Southover Medical Practice and Croft Hall Surgery are already over capacity within their existing footprint therefore it follows that to have a sustainable development in human health terms the whole local healthcare provision will require. The contribution would therefore go towards increased space per patient at each site.

The applicant has submitted a viability assessment which is being independently verified. Subject to the findings of this additional contributions in accordance with the adopted Planning Contributions and Affordable Housing Supplementary Planning Document, may be required on terms acceptable to Officers with regard to affordable housing provision.

This proposal includes a system of communal waste and recycling arrangements to be used rather than the bin and box system which is the standard in Torbay. Given this rarely achieves the same levels of recycling that the standard box system does the application is likely to require a contribution towards waste and recycling.

Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The NPPF definition of sustainability has three aspects which are economic, social and environmental. Each of which shall be discussed in turn:

The Economic Role

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development.

Once the dwellings were occupied there would be an increase in the level of disposable income from the occupants some which would be likely to be spent in the local area and an increase in the demand for local goods and services.

The hotel element would lead to the improvement, modernisation and the addition of new tourism facilities in order to attract new visitors, particularly overnight, to support the local economy.

In respect of the economic element of sustainable development the balance is in favour of the development.

The Social Role

The principle social benefit of the proposed development would be the provision of additional housing. Given the NPPF priority to significantly boost the supply of housing, the additional dwellings to be provided must carry significant weight in this balance.

Impacts on neighbour amenity have been discussed above where it is concluded that the proposal does not cause significant harm to residential amenity.

On balance, the social impacts of the development weigh strongly in favour of the development.

The Environmental role

With respect to the environmental role of sustainable development, the elements that are especially relevant to the proposed development are impacts on the landscape, ecology and biodiversity and surface and foul water drainage. These matters have been considered above.

The environmental benefits identified that there would be an increase in biodiversity net gain or essential mitigation as in the case of any landscape/ecological measures to be applied to the development.

The proposed development is in a sustainable location, close to the town centre with a range of public transportation links. It is considered a high quality redevelopment of a brownfield site, enhancing the conservation area, street scene and introducing more sustainable building methods. In respect of the environmental element of sustainable development, the balance is in favour of the development.

Sustainability Conclusion

Having regard to the above assessment the proposed development is considered to represent sustainable development.

Local Finance Considerations

Community Infrastructure Levy

Hotel

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.

Residential

The residential aspect of the site is situated in Charging Zone 2 in the Council's CIL Charging Schedule; this means that all new floorspace will be charged at a rate of £70/sqm. An exemption applies for affordable housing. An informative can be imposed, should consent be granted, to explain the applicant's/developer's/landowner's obligations under the CIL Regulations.

EIA/HRA

EIA:

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

HRA:

In view of the nature of the application there is not likely to be a Significant Effect on the Annex I habitats - alone or in-combination with other proposals or projects.

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 provide housing would produce a significantly positive impact overall and help with the supply of much needed housing and the revival of an important tourism asset.

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.

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 the signing of a PPA, use of workshops with theme leads enabled many of the early design issues to evolve prior to submission. Early engagement with the local community, statutory bodies, particularly Historic England and also the Design Review Panel shaped the final scheme.

Conclusions and Reasons for Decision

The proposal would result in the enhancement of a hotel facility and creation of additional housing 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 acceptable in principle as a major enhancement to the hotel and wider site, an enhancement of the Lincombes Conservation Area and setting of the Harbour Conservation Area. It is also considered that there would be no harm to the setting of listed buildings with a public benefit through the re-use of the hotel and the provision of much needed additional housing on brownfield land.

It would provide acceptable arrangement in relation to residential amenity, highways and flood risk. The proposals are in accordance with the provisions of the Development Plan. The Officer recommendation is therefore one of conditional approval.

Officer Recommendation

Delegate authority to the Divisional Director - Planning, Housing & Climate Emergency to grant conditional approval subject to 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 Divisional Director - Planning, Housing & Climate Emergency.

Conditions

Pre-occupancy condition:

A minimum of 75% of the works to hotel façade improvements shall have been completed in accordance with an agreed plan of works prior to any occupation of the residential building described as Block D hereby approved. The plan shall be submitted prior to any works commencing on site.

Reason: To ensure the works to hotel are brought forward in accordance with Torbay Local Plan Policy TO1.

This condition needs to be a pre-commencement condition to ensure the two elements, residential and hotel use are linked and the hotel refurbishment is delivered.

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. The agreement shall include the future management, protection and liability for the gate post shown within the highway on plan number BD 0253 SD 804 R04.

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

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

Geotechnical desk top study:

Prior to commencement of development detailed geotechnical investigations must be undertaken to assess the effects of the borehole/directional drill on the stability of the cliff.

Reason: To appropriately manage the stability of the site and protect geodiversity in accordance with Policies NC1 Biodiversity and Geodiversity, C3 Coastal Change Management Area and ER4 Ground Stability of the Torbay Local Plan 2012-2030.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

Building recording:

Prior to commencement of development an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure, in accordance with Policy SS10 Torbay Local Plan 2012-2030 and paragraph 205 of the National Planning Policy Framework (2021), that an appropriate record is made of the historic building affected by the development.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

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 Torbay Local Plan 2012-2030.

Waste Management Plan:

A waste management plan shall be prepared and agreed by the Local Planning Authority in writing prior to the occupation of any proposed building. The development shall thereafter be operated in accordance with the approved details.

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

Detailed design:

Prior to installation details of all external materials shall be submitted to and approved in writing by the Local Planning Authority including, but not limited to:

1. A sample of the proposed facing materials,
2. Window and door materials, colours and profiles,
3. Details of all fencing and other mains of enclosures including balconies,
4. Rainwater goods,
5. Block D framework dimensions, materials and colour finish.

The development shall proceed in full accordance with the approved detail and shall be retained as such for the lifetime of the development.

Reason: In order to protect visual character and heritage assets in accordance with Policies C2, DE1, SS10 and DE1 of the Torbay Local Plan 2012-2030, Policy TH8 of Torquay Neighbourhood Plan and advice contained within the NPPF.

Window and door details:

Prior to the installation of new windows and doors, the following shall be submitted to and approved in writing by the Local Planning Authority:

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

- Sill sections, drawn to a scale of 1:1-1:10

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

Reason: To ensure an acceptable form of development in the interests of the character and appearance of the Conservation Area in accordance with Policy SS10 of the Torbay Local Plan and TH10 of the Torquay Neighbourhood Plan.

Construction Management Plan:

No development shall take place until a site specific Construction 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: 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 Torbay Local Plan 2012-2030.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

Construction and Environmental Management Plan:

The development hereby approved (including demolition, ground works, and vegetation clearance) shall be done in strict accordance with a Construction Environmental Management Plan which shall be submitted and approved in writing by the Local Planning Authority prior to construction. It will include details of environmental protection throughout the construction phase and be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

Appropriate Assessment and MCZ Assessment:

The development shall be undertaken in full accordance with the approved Appropriate Assessment and MCZ Assessment by (EAD Ecology, December 2020) received 1 February 2021.

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 Torbay Local Plan.

All mitigation measures within the Appropriate Assessment and MCZ Assessment are appropriately secured in any planning permission.

Landscape and Ecological Management Plan:

The development hereby approved shall be carried out and managed in strict accordance with a Landscape and Ecological Management Plan which shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of development. It will include details of relating to habitat protection and creation, species specification and management and be adhered to and implemented throughout the construction period strictly in accordance with the approved details and the development managed in accordance with the approved LEMP for its lifetime.

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

This needs to be a pre-commencement condition to ensure biodiversity is safeguarded from the onset of construction activity

Ecological Impact Assessment:

The works shall be undertaken in accordance with the details set out in the Ecological Impact Assessment (EAD Ecology, December 2020) and any measures required under licence from Natural England.

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

Arboricultural Method Statement:

Prior to the commencement of development, a detailed arboricultural method statement, which shall include detail of site monitoring, potential vehicular movement and specifically demonstrate the impact on the tree identified T7 on the submitted plans will not be detrimental to the tree in the long term, shall be submitted to the Council for its approval in writing. The approved arboricultural method statement measures shall be carried out in full during the demolition and construction phases.

Reason: To ensure that trees are adequately protected while development is in progress, in accordance with Policy NC1 of the Torbay Local Plan 2012-2030 and the NPPF.

This information is required prior to the commencement of development in order to ensure that the trees protected by a Tree Preservation Order are not damaged during the construction phase

Tree and hedgerow protection:

The trees and hedging along the south and east boundaries shall be retained for the lifetime of the development.

(i) Any work carried out to trees and hedges to be retained on site or close to the boundary of the site shall be with the written approval of the Local Planning Authority. Such work will be to British BS 3998: 1989 as a minimum standard.

(ii) The development hereby approved shall not commence, and no materials shall be brought onto site, until the trees and hedges to be retained on adjoining sites are protected by fencing as per BS 5837: 2005. This will either be chestnut pale fencing or a scaffold structure 2.4 metres high supported durable man-made sheeting (either plywood or OSB of an exterior grade). Chestnut pale fencing will be to BS 1722: Part 4: 1989, as a minimum standard. This will consist of 1.200 mm pales, wired together as per standard, supported on three line wires, secured to fencing posts to a minimum standard of: 1800 mm long, 7 mm (3") top, driven 500 mm into the ground. In addition, straining posts, 1800 mm long by 100 mm (4") top, strutted where a change of direction occurs, will be installed at all ends and corners, at changes of direction, or acute changes of level, and at intervals no exceeding 50 m in straight lengths of fence. The fence will be installed upright, with all posts firmly bedded in the ground and line wires tensioned, and shall be maintained in such a condition throughout the duration of the development.

(iii) The fence shall be installed no closer to the trunk of the retained tree/hedge than the edge of the canopy or a distance equivalent to half the height of the tree/hedge, whichever is the greater.

(iv) The area beneath the tree/hedge and between the trunk of the tree/hedge and the fence will be kept clear and undisturbed at all times. No materials shall be stored within the fenced area; the levels of the land within the fenced area shall not be altered, and no seepage of oils, fuels or chemicals (including cement and cement washings) which may be harmful to trees and hedges shall be allowed onto the fenced area.

(v) No trenches for service runs, or any other excavations shall take place within the fenced area.

(vi) No soil or other surface material shall be removed from the fenced area except by written permission of the Local Authority. Where such a permission is granted, materials shall be removed manually, without powered equipment, taking adequate precautions to prevent damage to tree or hedge roots.

Reason: To ensure that all existing trees and hedges on the adjoining sites are adequately protected while development is in progress, in accordance with Policy NC1 of the Torbay Local Plan 2012-2030 and the NPPF.

Waste Management Plan:

A waste 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 waste storage, collection and recycling in accordance with DE3 of the Torbay Local Plan 2012-2030.

Bat house design:

Prior to the demolition/renovation of the buildings compensatory roosting provision will be provided in the form of a replacement bat roost constructed within the south-eastern corner of the site. The electricity transformer station building will provide year-round roosting opportunities for bats and access for lesser horseshoe bats will be provided via an open rectangular slot above a wooden access. The following shall be incorporated into the development (in accordance with manufacturer's instructions for correct siting and installation) and retained at all times thereafter:

- Five Schwegler 1FR bat tubes (or similar approved) would be integrated into buildings, above 3m height in locations not subject to lighting and avoiding north-facing aspects.
- Schwegler 2F bat boxes (or similar approved) would be attached to retained trees within the site; these would also be positioned above 3m height avoiding north-facing aspects, with the precise locations to be determined on-site by an ecologist.

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

Bat licence:

No works shall commence until a licence for Bats issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the works to go ahead, or confirmation in writing from Natural England that such a licence is not required.

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

No building demolition or vegetation clearance:

No building demolition or vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a

suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

Badger survey:

Prior to the commencement of any site works, a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/compensation measures, shall be submitted to and approved in writing by the local planning authority.

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

Lighting strategy:

Prior to the first use of the hotel development hereby approved, a detailed lighting strategy will be submitted for agreement with the Local Planning Authority. The strategy will minimise indirect impacts from lighting associated with the pre-construction, during construction and operational activities, and demonstrate how the best practice (BCT/ILP, 2018) guidance has been implemented. This will include details such as artificial lighting associated with public realm lighting, car headlights associated with traffic movements through the development and internal and external lighting associated with private residence.

Reason: In order to protect ecology and to secure necessary mitigation to accord with the aims for biodiversity enhancements, in accordance with Policies DE1, DE3, NC1 and SS8 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

Implementation of bicycle and refuse storage:

Prior to the first occupation of any dwellings unit(s) hereby approved, the bicycle and refuse storage facilities shown on the approved plans that relate to that dwelling(s) shall be provided and made available for use for those dwellings. Once provided, storage arrangements shall be retained and maintained for the life of the development.

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

Car parking management plan:

Prior to the occupation of the development hereby approved, a Car Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of car parking allocation including details of staff and visitor parking. The approved car parking management plan shall be adhered to for the lifetime of the development.

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 Torbay Local Plan 2012-2030.

Manoeuvring provision:

Prior to the first use of the hotel development hereby approved, the coach manoeuvring area detailed on the plan reference 04299-TR—125-PO received 4 June 2021 shall 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 Torbay Local Plan 2012-2030.

Electric Charging Points:

Prior to the first occupation of the residential development hereby permitted details of electric vehicle charging points (EVCPs) shall be submitted and agreed in writing by the Local Planning Authority. The EVCPs shall be provided in accordance with the approved details prior to first occupation and retained thereafter.

Reason: In the interests of carbon reduction and in accordance with Policies DE3, TA2 and TA3 of the Adopted Torbay Local Plan 2012-2030 and Policy TH9 of the Torquay Neighbourhood Plan 2012-2030.

No plant on roof:

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, DE3 and SS10 of the Torbay Local Plan (2012-2030).

Surface Water Drainage Scheme:

Prior to the first use of the development the submitted and approved surface water drainage system shall have been implemented in full. The drainage scheme shall be fully implemented prior to the first use of the development and the drainage system shall then be retained and maintained at all times thereafter to serve the development.

Reason: In the interests of adapting to climate change and managing flood risk, and to accord with saved Policy ER1 and ER2 of the Torbay Local Plan 2012-2030 and guidance contained in the NPPF.

Removal of permitted development - dwellings

Notwithstanding the provisions of Classes A to F of Part 1 to Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargements, improvements or other alteration shall take place to the proposed dwellings within the application site, and no outbuildings or other means of enclosures shall be erected within the garden areas of these dwelling houses, or hardstanding provided, unless permission under

the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

Removal of Permitted Development Rights – means of enclosure

Notwithstanding the provisions of Class A of Part 2 to Schedule 2 of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no means of enclosure shall be erected other than those approved pursuant to this planning permission unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.

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

Landscaping Plan:

Notwithstanding the submitted landscaping details, prior to the first use of the hotel or the first occupation of the residential properties hereby approved, whichever is first, details of all proposed hard and soft landscaping shall 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 four weeks 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 Torbay Local Plan 2012-2030.

Footpath:

Prior to the first use of the development, the permissive footpath shown on plan number BD 0253 SD 804 R04 shall be provided. It shall be retained and maintained as a public access route for the life of the development.

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 Torbay Local Plan 2012-2030.

Informative(s)

1. For the avoidance of doubt, any works to be undertaken within the public highway will require the separate consent of the Highway Authority.

2. 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 to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.

3. Responsibilities of the applicant / developer:

All bats are protected by law. If bats are found, works must immediately cease and further advice be obtained from Natural England and / or a licensed bat consultant. Works must not resume until their advice has been followed. Nesting birds are also protected by law. During site clearance and construction works, suitable safeguards must be put in place to prevent threat of harm to legally protected species, including nesting birds and reptiles all of which are protected under the Wildlife & Countryside Act 1981 (as amended). Where works are to involve cutting or clearance of shrubs, hedges or other vegetation, which can form nesting sites for birds, such operations should be carried out at a time other than in the bird breeding season (which lasts between 1 March - 15 September inclusive in any year). Schemes must be in place to avoid threat of killing or injuring reptiles, such as slow worms. Slow worms may shelter beneath vegetation as well as among any stored or discarded sheeting, building and other materials. Further details can be obtained from a suitably qualified and experienced ecological consultant, or please refer to published Natural England guidelines for protected species.

Relevant Policies

Local Plan

Policy TO1 Tourism, Events and Culture
Policy TO2 Change of Use of Tourism Accommodation and Facilities
Policy TO3 Marine Economy
Policy SS1 Growth Strategy for a prosperous Torbay
Policy SS2 Future Growth Areas
Policy SS3 Presumption in Favour of Sustainable Development
Policy SS4 The Economy and Employment
Policy SS8 Natural Environment
Policy SS9 Green Infrastructure
Policy SS10 Conservation and the Historic Environment
Policy SS11 Sustainable Communities
Policy SS12 Housing
Policy TC5 Evening Economy
Policy TA1 Transport and Accessibility
Policy TA2 Development Accessibility
Policy TA3 Parking Requirements
Policy C2 The Coastal Landscape
Policy C3 Coastal Change Management
Policy C4 Trees, Hedgerows and Natural Landscape Features
Policy NC1 Biodiversity
Policy H1 New Homes

Policy DE1 Design
Policy DE3 Development Amenity
Policy DE4 Building Heights
Policy ER1 Flood Risk
Policy ER2 Water Management
Policy SDT1 Torquay
Policy SDT2 Torquay Town Centre and Harbour

Torquay Neighbourhood Plan 2019

TS1 Sustainable Development
TS3 Community led planning
TS4 Brownfield Development
TH2 Designing Out Crime
TH5 Sustainable Later Life Homes
TH8 Established Architecture
TH9 Parking Facilities
TH10 Protection of the Built Environment
TT1 Change of Use within a CTIA
TT2 Change of Use in Conservation Areas
TE1 Tourism Accommodation on Brownfield Sites
TE5 Protected Species Habitats and Biodiversity
TE7 Marine Management Planning
THW1 Travel Plans
THW4 Outside Space Provision
THW5 Access to Sustainable Transport
THW6 Cycle Storage and Changing Facilities