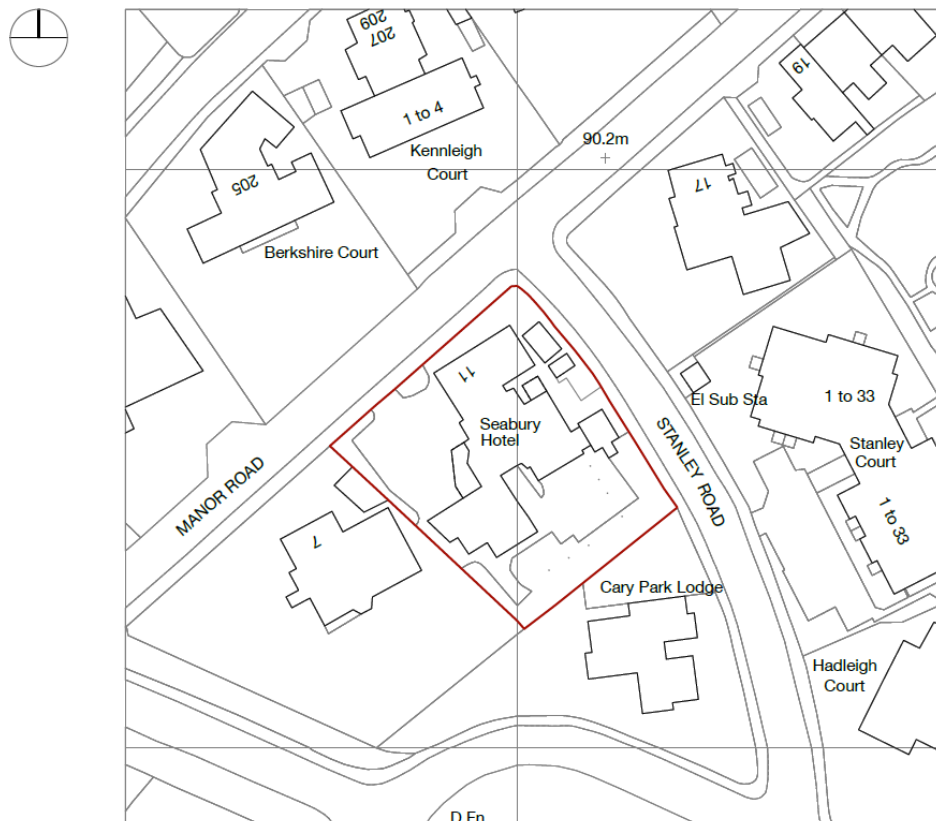


# TORBAY COUNCIL

Application Site Address	Seabury Hotel 11 Manor Road Torquay TQ1 3JX
Proposal	Change of use from hotel to 12 flats, including the demolition of existing extensions, and the erection of a new extension and new building.
Application Number	P/2021/0520
Applicant	Mr Hill – 8 Tech Ltd.
Agent	Mr Toby Peters - EMPERY + CO LTD
Date Application Valid	29/06/2021
Decision Due date	28/09/2021
Extension of Time Date	18/03/2022
Recommendation	Conditional approval subject to the conditions detailed below. Final drafting of conditions, and addressing any further material considerations that may come to light following Planning Committee, to be delegated to the Divisional Director responsible for Planning, Housing and Climate Emergency.
Reason for Referral to Planning Committee	The application has been referred to Planning Committee due it being of a major nature.
Planning Case Officer	Emily Elliott

## Location Plan:



## **Site Details**

The site is occupied by a Victorian Villa and its curtilage, sited at the corner of Manor Road and Stanley Road, Torquay. While the original building dates from 1830s-1860s, the building has been extended by way of a number of more recent extensions that detract from its historic character to some extent. The building is currently in use as a hotel, which has not operated as such since the COVID pandemic.

The site is located within the St Marychurch Conservation Area. The St Marychurch Conservation Area appraisal document does not identify the subject property as a key building within the conservation area, but draws attention to the prominent stone walls and mature trees along the plot boundaries. The site is in proximity to a Grade II listed building, namely No.205 St Marychurch Road which is opposite the site on the north-western side of Manor Road. The site is also located within Flood Zone 1, which is a Critical Drainage Area. The site is located outside of, but around 200 metres to the northeast of, a Community Investment Area, and is located outside of the Core Tourism Investment Area.

## **Description of Development**

The proposal seeks permission for a change of use from a hotel to 12 flats, including the demolition of all existing extensions, and the erection of a new two-storey extension and a new two-storey building to the rear of the site. The proposal includes four 1-bed flats, six 2-bed flats and two 3-bed flats.

The proposal includes a large communal outdoor amenity area for all the residential units to use. The proposals would maintain vehicular access from Manor Road and would provide 12 on-site parking spaces.

The scheme has been revised since its initial submission, as originally the proposal was for 15 flats – eight 1-bed flats and seven 2-bed flats – and included 15 parking spaces. It should be also noted that the original proposal had a different design that was considered to portray a poor pastiche, therefore the current proposal offers a contemporary re-design.

## **Pre-Application Enquiry**

DE/2020/0013: Conversion of existing hotel to 26 residential flats. Summary - On the basis of the submitted viability report, the principle of the proposed change of use from holiday accommodation to residential flats is considered to be acceptable, however a more contextually appropriate design approach would be required in order for the proposal to gain officer support. While the scheme detailed in your submission raises concerns primarily with regard to the proposal's impact on the character of the conservation area and the setting of the listed building, the principle of residential development is one that would be supported due to the public benefit associated with housing delivery, and as such this written response has provided guidance with

respect to matters such as design, residential amenity, highways, arboriculture, ecology, and drainage, which can be used to help inform a scheme that would be more likely to gain officer support.

### **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

### **Material Considerations**

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

### **Relevant Planning History**

P/2013/0909: Extend time limit (re P/2010/0736) First Floor Extension With Pitched Roof Over; Extended Reception Area. Approved 17/09/2013.

P/2010/0736: Extend time limit - first floor extension with pitched roof over; extended reception area - application P/2007/1576/PA. Approved 20/08/2010.

P/2007/1576: First Floor Extension With Pitched Roof Over; Extended Reception Area. Approved 06/11/2007.

P/1998/1187: Alterations And Erection Of Extension To Form Conservatory To Existing Lounge At Rear (As Revised By Plans Received 14/9/98). Approved 22/09/1998.

### **Summary of Representations**

The application was publicised through a site notice and neighbour notification letters. 2 letters of representation have been received.

Concerns include:

- Impact on local area
- Noise
- Overdevelopment
- Traffic and access

### **Summary of Consultation Responses**

**Torquay Neighbourhood Forum:**

No response received.

**Torbay Council's Senior Tree and Landscape Officer:**

No objection subject to a planning condition for compliance for the Tree Protection Plan and Arboricultural Method Statement and a pre-commencement condition for a detailed landscaping scheme.

**Torbay Council's Senior Environmental Health Officer:**

No objections subject to the inclusion of a planning condition for a Construction / Demolition Management Plan.

**Police Designing Out Crime Officer:**

No objections subject to a planning condition to secure designing-out crime measures.

**Torbay Council's Strategy & Project Management Officer:**

No objection.

**Torbay Council's Drainage Engineer:**

No objections on drainage grounds to planning permission being granted, providing the standing advice is used for the surface water drainage from the car parking areas.

**South West Water:**

The method proposed to discharge of driveway water into the ground (infiltration) is acceptable.

However, discharge of the roof water to the public combined sewerage network is not an acceptable proposed method of disposal, when there is the option to discharge to ground (infiltration). There is apparently sufficient space for a soakaway to the southwest of the existing building. I further refer the applicant to DCG Appendix C Clause B5.1.14 of the Sewerage Sector Guidance, which states that foul sewers should not be laid under infiltration elements such as permeable paving.

**SWISCo's Waste Client Manager:**

No objection subject to additional information regarding the 'Equinord Underground H3 bin system'.

**WSP on behalf of the Local Highway Authority:**

No objection subject to planning conditions to secure the parking provision, manoeuvring area, electric charging points and a disabled parking provision.

**Planning Officer Assessment**

## Key Issues/Material Considerations

1. Principle of Development
2. Impact on the Character of the Area
3. Impact on Residential Amenity
4. Impact on Highway Safety
5. Ecology and Biodiversity
6. Flood Risk and Drainage
7. Affordable Housing Contributions
8. Designing Out Crime

### **1. Principle of Development**

The proposal is for a change of use from a hotel to 12 flats, including the demolition of existing extensions, and the erection of a new extension and new building.

Policy TO2 of the Local Plan states that, outside Core Tourism Investment Areas, the change of use of holiday accommodation will be permitted where:

1. The holiday character of the area and range of facilities and accommodation offered are not undermined; and,
2. One or more of the following apply: the site is of limited significance in terms of its holiday setting, views and relationship with tourism facilities; it can be demonstrated that there is no reasonable prospect of the site being used for tourism or related purposes, or; the redevelopment or change of use will bring regeneration or other benefits that outweigh the loss of holiday accommodation or facilities.

Policy TO2 of the Local Plan states that, where a change of use away from tourism is permitted, there will be a requirement to (i) restore buildings or land to their original historic form by the removal of unsightly features, signage, clutter and extensions relating to the holiday accommodation use, (ii) to reinstate amenity space lost through over-development as a holiday use, and that (iii) a high priority will be given to restoring the character and appearance of buildings within conservation areas.

In light of the above, the proposal includes the demolition of its unsightly features, particularly the extensions relating to holiday accommodation use. The original building shall be retained and through the removal of deleterious extensions and inappropriate additions, with a particular emphasis on restoring the original appearance and detailing of the elevations that address Manor Road and Stanley Road.

Policy TO2 of the Local Plan also states that, whether inside or outside Core Tourism Investment Areas, change of use from holiday accommodation to small apartments and houses in multiple occupation (HMOs) will not be permitted where they would conflict with the tourism character and offer of the Bay. Similarly, Policy SS11 of the

Local Plan seeks to secure, amongst other things, well-balanced communities with a range of good quality residential accommodation including small to medium sized homes (2-4 bedrooms), and to resist excessive numbers of small self-contained flats and HMOs, with a particular emphasis on Community Investment Areas. While it is apparent that the site does not have a strongly tourism-based character and is not within a Community Investment Area, the site is located relatively close to the Core Tourism Investment Area anchored around Babbacombe Downs to the northeast and the nearby Community Investment Area to the southwest. Therefore, the applicant has revised the proposal to provide a mixed tenure of residential development and a planning condition is recommended to ensure that the proposed residential units cannot change into a House of Multiple Occupation under permitted development without express planning permission from the Local Planning Authority.

Policy TT1 of the Torquay Neighbourhood Plan states that change of use from tourist accommodation to residential on sites outside the Core Tourism Investment Areas will be supported subject to, amongst other things, the site being of limited significance to the tourism setting, or the site lacking viability for tourism.

Policy TT2 of the Torquay Neighbourhood Plan states that change of use away from tourist accommodation within Conservation Areas will be support in principle (subject to other policies) to ensure a sound future for such heritage assets and wherever possible unsympathetic development of the past is removed or altered to enhance the historic environment.

It is considered that the submitted viability reports provide a reasonable basis for supporting the proposed change of use from holiday accommodation to residential in accordance with the criteria set out above. The viability report states that the hotel is located in a secondary, residential area with limited passing trade and no sea views. The property is not well placed for Torquay's main attractions, all having negative implications for occupancy and room rate. The hotel requires significant capital expenditure to the bedrooms, bathrooms, public areas and externally in order to meet guest expectations and compete locally with other hotels. The local market is due to experience a significant increase in the number of hotels and hotel bedrooms, all of which will compete for the existing business at the Seabury Hotel. Previous evidence suggests that the 2-star independent sector which the Seabury Hotel sits in, is the most sensitive to market challenges and the business is currently loss making due to declining revenue and high costs associated with property maintenance, payroll and credit card charges and is therefore not viable.

Although 12 months marketing data is not provided, other evidence pursuant to Policy TT1 of the TNP is provided. The character in the vicinity of the site is more defined by residential properties than by holiday accommodation, and the site is somewhat separate from the important tourism facilities and accommodation at Babbacombe Downs (which, unlike the application site, is designated as a Core Tourism Investment

Area). Although the hotel contains a swimming pool and has clearly received investment, the type of accommodation and facilities appear to be available elsewhere, closer to key tourism locations. Given the site's location, the hotel's performance in recent years, and the pipeline of new hotels opening in the wider area, it appears unlikely that the loss of the hotel would adversely affect the tourism character of the area or the range of accommodation offered in Torbay. The proposed change of use would bring about public benefits in the form of housing delivery (in the context of a lack of a 5-year supply of land for housing), and would also have the potential to provide other public benefits in the form of heritage gains through the removal of deleterious extensions.

Policy H1 of the Local Plan states that proposals for new homes within Strategic Delivery Areas, and elsewhere within the built-up area, will be supported subject to consistency with other policies in the Local Plan. It is noted that the Council is currently falling short of its 5-year housing land supply and that the proposal would make a contribution to this shortfall being addressed. As the Council cannot demonstrate a 5 year housing land supply the tilted balance in favour of sustainable development is applicable as required by the National Planning Policy Framework (NPPF):

Paragraph 11 of the NPPF states:

Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed<sup>7</sup>; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 8: This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

For decision making this means that the policies most important for determining applications for housing in the Neighbourhood Plan and the Local Plan are considered to be out of date and therefore should be afforded limited weight within the current decision-making process. The 'tilted balance' in favour of sustainable housing

development therefore would apply as it is considered that the proposal does not lead to any adverse impacts that would significantly and demonstrably outweigh the benefits.

Policy TS4 of the Torquay Neighbourhood Plan states that development proposals for brownfield sites will be supported, providing there are no significant adverse impacts, having regard to other policies in the plan. It further advises that development of greenfield sites can have an adverse impact through the loss of green space, so will only be supported where it is an allocated site within the Neighbourhood Plan or the loss is required to meet the strategic economic policies within the Local Plan.

In the light of the broad aspirations of Policy H1 of the Local Plan and Policy TS4 of the Torquay Neighbourhood Plan, the principle of residential use on the site is considered acceptable, subject to broader policy considerations. It is noted that the site is well located for housing, in a sustainable location with good access to shops and other services – approximately 175 metres from the St Marychurch District Centre, transport links and recreational areas, within an area of mainly residential character. This context supports the principle of a residential use being acceptable.

## **2. Impact on Visual Character and Heritage**

Paragraph 126 of the National Planning Policy Framework (NPPF) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In addition, paragraph 134 states that 'development that is not well designed should be refused, especially where it fails to reflect local design and government guidance on design'. Policy DE1 of the Local Plan states that proposals will be assessed against a range of criteria relating to their function, visual appeal, and quality of public space. Policy TH8 of the Neighbourhood Plan requires that developments be of good quality design, respect the local character in terms of height, scale and bulk, and reflect the identity of its surroundings.

The site is occupied by a Victorian Villa and its curtilage, sited at the corner of Manor Road and Stanley Road, Torquay. While the original building dates from 1830s-1860s, the building has been extended by way of a number of more recent extensions that detract from its historic character to some extent. The proposal seeks the removal of deleterious extensions, which are evident across the original villa. The original detailing is proposed to be reinstated where possible on the original villa, and with a particular emphasis on the elevations facing Manor Road and Stanley Road. The proposal includes a contemporary extension which respects the height of the original villa, and provides a modern contrast to the existing Victorian architectural style that is complimentary to the original villa.

Objectors have raised concerns in terms of impact on local area and it constituting overdevelopment. Units 2, 3, 8 and 9 would be accommodated within the original villa



building, which would maintain a hipped roofscape, return the fenestration back to traditional sash and maintain a rendered appearance. The proposal would involve the demolition of its unsightly features, particularly the extensions relating to holiday accommodation use. Units 1 and 7 would be contained within the proposed extension to the villa, which would have a two storey contemporary design that would be attached to the original villa via a glazed connection. The proposed stand alone building would be sited to the rear of the original villa but would be visible from Manor Road, it would be of a similar appearance to the proposed extension, in terms of being two storey and have a contemporary design. The proposed extension and new-build would have proportionate fenestration that relates to the original villa. A planning condition is recommended to secure samples of the external materials as well as the fenestration. It is considered that the proposed development provides a suitable and well-designed scheme to redevelop a brownfield site.

Policy SS10 of the Local Plan states that proposals will be assessed, amongst other things, in terms of the impact on listed and historic buildings, and their settings, and in terms of the need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas. The site is located within the St Marychurch Conservation Area and the application is supported by a Heritage Statement. The St Marychurch Conservation Area appraisal document does not identify the subject property as a key building within the conservation area, but draws attention to the prominent stone walls and mature trees along the plot boundaries. The site is in close proximity to a Grade II listed building, namely No.205 St Marychurch Road, which is opposite the site on the north-western side of Manor Road. It is considered that the setting and character of the St Marychurch Conservation Area will be enhanced by the proposal given the existing built form, and the proposal would not result in harm to this heritage asset.

The proposal ensures the retention of the existing stone boundary wall in its entirety, with the existing access being retained, the corner gated access being removed and made good and no new apertures being created within the boundary wall. The proposal also includes the retention of the existing hedge between the site and Cary Lodge, along with the supplementation of other boundaries as per the proposed site layout plan.

Given the proposal's siting, scale, and design, it is considered to be acceptable and without unacceptable detriment to the character and appearance of the locality or street scene in accordance with Policies DE1 and SS10 of the Local Plan, Policy TH8 of the Torquay Neighbourhood Plan, and the guidance contained in the NPPF.

The above conclusions have consideration of Paragraph 199 of the NPPF which identifies that 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. The conclusion also considers the general duties of the Planning (Listed Buildings and Conservation Areas) Act 1990 regarding conservation areas, which requires Local Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

### **3. Impact on Residential Amenity**

Policy DE3 of the Local Plan states that development proposals should be designed to provide a good level of amenity for future residents and will be assessed in terms of the impact of noise, nuisance, visual intrusion, overlooking and privacy, light and air pollution, provision of useable amenity space, and an adequate internal living space.

#### *Internal Living Space*

Policy DE3 of the Local Plan requires that new residential units provide adequate internal floor space in order to achieve a pleasant and healthy environment. The Neighbourhood Plan is largely silent on the matter of amenity. The NPPF guides that decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policy DE3 sets out the minimum floor space standards for new residential units. The proposed residential units comply with the minimum floor space requirements, see the table below.

<u>Flat Number</u>	<u>No. of Bedrooms</u>	<u>No. of Bed Spaces</u>	<u>Floorspace (sq m)</u>	<u>Minimum Requirement</u>
1	3	4	76	74
2	1	1	51	37
3	2	3	65	61
4	2	3	61	61
5	1	1	38	37
6	2	3	62	61
7	3	4	76	74
8	1	1	50	37
9	2	3	65	61
10	2	3	61	61
11	1	1	38	37
12	2	3	71	61

Therefore, the proposed residential accommodation is considered to comply with Policy DE3 of the Local Plan.

#### *External Amenity Space*

Policy THW4 of the Torquay Neighbourhood Plan states that flats or apartments must

have either a balcony of not less than 10 square metres and as appropriate to the size of the home or a communal green area of not less than 10 square metres per unit within the curtilage of the property. The proposed layout provides a communal external amenity space for all the residential units to share, in excess of 400 square metres. The site also benefits from being within close proximity to Cary Park. The proposal is considered to comply with Policy THW4 of the Torquay Neighbourhood Plan.

#### *Daylight*

Each of the habitable rooms proposed within the dwelling are served by sufficient window openings to allow for sufficient outlook and light and as such is considered to offer a good standard of internal amenity for future occupiers. It is considered that the proposed openings between the proposed residential units will not provide direct intervisibility between habitable rooms. More generally in terms of the finished development the residential use aligns with the residential uses nearby.

The proposal includes a level of planting to screen the car parking area from the adjacent elevations to prevent headlight intrusion and nuisance from other occupiers of the development.

#### *Neighbour Amenity*

Objectors have raised concerns in terms of noise. The proposed development is some 12-16 metres from the nearest adjacent neighbours (residential care home (Park House) and flatted development (Cary Park Lodge)). The existing use of the site is a hotel, it is considered that the proposed residential use would not result in any detrimental impact on adjacent neighbours in terms of noise. Given the proposal's siting, design and orientation in relation to adjacent neighbours it is considered that the proposed development would not have a detrimental impact on the amenity of neighbours, in terms of their outlook, privacy, or access to natural light. The Council's Environmental Health Officer raises no objections subject to the inclusion of a planning condition to secure a Construction and Demolition Management Plan.

A planning condition shall be employed to secure boundary treatments of the site prior to the occupation of the development, the site currently benefits from substantial boundary treatments including stone walling and box hedging that retained would provide suitable screening between the site and adjacent neighbours. Overall, subject to the aforementioned planning condition, the proposal is considered to be in accordance with Policy DE3 of the Local Plan.

#### **4. Impact on Highway Safety**

Policy DE3 of the Local Plan specifies that new development proposals should have satisfactory provision for off-road motor vehicle parking, bicycles and storage of containers for waste and recycling. Policy TA1 sets out promoting improvements to road safety. Policy TA2 of the Local Plan states all development proposals should make appropriate provision for works and/or contributions to ensure an adequate level

of accessibility and safety, and to satisfy the transport needs of the development. Policy TA3 of the Local Plan details that the Council will require appropriate provision of car, commercial vehicle and cycle parking spaces in all new development. Policy TH9 of the Torquay Neighbourhood Plan states that all housing developments must meet the guideline parking requirements contained in the Local Plan unless it can be shown that there is not likely to be an increase in on-street parking arising from the development or, the development is within the town centre and an easy walk of a public car park which will be available to residents for the foreseeable future. Policy TH9 goes on to state that new major developments must contribute to better pedestrian/cycle links where possible and encourage modal shift towards active travel.

Objectors have raised concerns regarding traffic and access. The proposal proposes to maintain the existing vehicular access from Manor Road. The proposal includes 12 on-site parking spaces. Local Plan policy guidance states that the proposed development should provide one off-street parking space per apartment, totalling 12 off-street parking spaces, plus an additional parking space for visitors. There is a deficit of 1 parking space, however it is considered that the existing use of the site with 23 hotel rooms available, the existing 12 car parking spaces had to serve both guests and hotel staff. It is considered that the deficit of 1 parking space for the proposal, in relation to the existing situation would have a lesser impact on the local highway network. Furthermore, the site is in a sufficiently sustainable location as it is in close proximity to the St Marychurch District Centre and is in close proximity to local amenities and public transportation links to mitigate the insufficient onsite parking provision. The proposal also includes 28 bicycle storage spaces, which would exceed the policy requirement of 1 space per apartment. The proposal also includes three electric charging points, Appendix F of the Local Plan does not stipulate the number of electric charging points that should be included within flatted development.

The Local Highway Authority has been consulted on the proposal. The proposal retains the existing access from Manor Road into the site, which takes the form of a priority-controlled junction, for vehicular and pedestrian access. The applicant has provided pedestrian visibility splays of 2m x 2m from the access, which the Local Highway Authority consider to be acceptable. Due to the small scale of the proposed development and considering the trip generation associated with the extant use of the site, it is determined that the impact of the proposed re-development will be minimal on the local highway network. Therefore, no junction capacity assessments will be required. The applicant has submitted a swept path analysis to show access to the site by a fire engine, large car and panel delivery van, which is considered to be acceptable. The applicant has stated that the site in terms of refuse will be serviced from the carriageway, which is considered to be acceptable.

Policy W1 of the Local Plan states that as a minimum, all developments should make provision for appropriate storage, recycling, treatment and removal of waste likely to be generated and with particular reference to residential developments, they should

provide adequate space within the curtilage for waste and accessible kerbside recycle bins and boxes. The proposal indicates a 'Equinord Underground H3 bin system', however, no information is given about which materials this would be provided for and how this would be prepared for collection, nor is there any information about the capacity of this system for waste storage. SWISCo's Waste Client Manager has been consulted on the proposal and requires additional details, therefore a planning condition is recommended to secure such details prior to the occupation of the development. Compliance conditions are recommended to secure the bicycle storage, electric charging points and parking provision. On balance, it is considered that the proposal would have an acceptable impact in terms of highway safety, and would comply with Policies TA1, TA2, TA3 and W1 of the Local Plan and Policy TH9 of the Torquay Neighbourhood Plan.

## **5. Impact on Ecology**

Policy NC1 of the Local Plan states that all development should positively incorporate and promote biodiversity features, proportionate to their scale. Policy TE5 of the Torquay Neighbourhood Plan cites that where there may be an impact development should be accompanied by an assessment of impacts upon any existing protected species or habitats and as necessary provide mitigating arrangements in order to protect and enhance those species and habitats. Guidance within the NPPF provides similar guidance to the above in that planning decisions should contribute to and enhance the natural and local environment and includes guidance towards minimising impacts on and providing net gains for biodiversity (Paragraph 174).

The application is supported by a Preliminary Ecological Appraisal and a Bat Survey report. The report states that there was no obvious evidence of roosting bats or nesting birds on or within the buildings. The follow-up bat report had not identified any evidence of roosting birds on or within the buildings or the hollow chestnut tree. The report concludes that there is no requirement for further survey work. There is no required bat mitigation for works to the building but precautionary advice has been provided in the unlikely event that a bat is uncovered. There are several trees on site that have negligible to low potential to support roosting bats. If the identified trees are to be affected by the proposed development it is recommended that these are re-inspected by a bat ecologist before any pruning or felling is undertaken. Biodiversity net gain for bats will be achieved by installation of three bat boxes on the renovated building. The reports provide mitigation measures and biodiversity net gain requirements, which are recommended to be secured by planning condition.

Policy C4 of the Local Plan states that development will not be permitted when it would seriously harm, either directly or indirectly, protected trees or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value. Policy C4 goes on to state that development proposals should seek to retain and protect existing hedgerows, trees and natural

landscape features wherever possible, particularly where they serve an important biodiversity role.

The application is supported by an arboricultural report, an arboricultural method statement and an arboricultural impact assessment. The Council's Senior Tree and Landscape Officer states that the trees are not subject to a Tree Preservation Order. The trees are subject to Conservation Area regulations (St Marychurch Conservation Area). The assessment of the on-site tree stock is accurate, and the categorisations are in line with the recommendations as per the relevant BS5837. The submitted documents provide sufficient detail to allow for the desired long-term retention of the trees, however no landscape scheme has been submitted. The Officer considers that the site is sustainable from an arboricultural perspective, subject to a compliance condition for the Tree Protection Plan and Arboricultural Method Statement and a pre-commencement condition for a detailed landscaping scheme. Subject to the aforementioned planning conditions, as suggested, the development is considered acceptable, in-line with the aspirations of Policy C4 of the Local Plan, and advice contained within the NPPF.

## **6. Impact on Flood Risk and Drainage**

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

The site is located within the Critical Drainage Area and the application is accompanied by a Flood Risk Assessment. Council's Drainage Engineer has been consulted on the scheme and raises no objections to the proposal, stating that the proposed drainage strategy for surface water run-off from the buildings is for a controlled discharge to the combined sewer system and the controlled discharge rate has been identified as 1.5l/sec which complies with the requirements of the Torbay Critical Drainage Area. Hydraulic calculations have been included within the drainage strategy which confirms that the surface water drainage for the buildings has been designed in order that there is no risk of flooding to property on the site or any increased risk of flooding to property or land adjacent to the site for the critical 1 in 100 year storm event plus 40% for climate change. Within the drainage strategy the developer has indicated that the car parking areas will be formed of permeable paving however no details of the infiltration testing have been submitted to confirm that permeable paving will be feasible at this location. The recently agreed standing advice regarding sustainable drainage can be used for the permeable paving within the car parking areas. Subject to planning conditions securing the surface water drainage strategies, the proposal is considered to comply with Policy ER1 of the Local Plan.

## **7. Affordable Housing Contributions**

The proposal falls below the threshold for affordable housing contributions as outlined in Policy H2 of the Local Plan which seeks affordable housing contributions on brownfield sites of fifteen dwellings or more.

## **8. Designing Out Crime**

Policy SS11 of the Local Plan seeks that development proposals should help to reduce and prevent crime and the fear of crime whilst designing out opportunities for crime, antisocial behaviour, disorder and community conflict. Policy TH2 of the Torquay Neighbourhood Plan states that new development should provide for a safe environment and consider opportunities to prevent crime or the fear of crime from undermining quality of life or community cohesion.

The Police Designing-Out Crime Officer has been consulted and has recommended a number of designing-out crime measures. Officers recommend the use of a planning condition to secure a scheme of crime prevention measures to be submitted to the Local Planning Authority prior to the occupation of the development. Subject to the use of this condition, the proposal is considered to be in accordance with Policy SS11 of the Local Plan, and TH2 of the Torquay Neighbourhood Plan.

## **9. Low Carbon Development**

Policy SS14 of the Local Plan seeks major development to minimise carbon emissions and the use of natural resources, which includes the consideration of construction methods and materials. Policy ES1 of the Local Plan states that the Local Plan will seek to ensure that carbon emissions associated with energy use from new and existing buildings (space heating, cooling, lighting and other energy consumption) are limited. All major development proposals should make it clear how low-carbon design has been achieved, and how the following sequential energy hierarchy has been applied in doing so. Proposals should identify ways in which the development will maximise opportunities to achieve the following:

1. Conserve energy by reducing energy demand through siting and design. This includes the use of building orientation, layout and landscaping to optimise solar gain, ventilation and cooling;
2. Use energy efficiently within the fabric of the building;
3. Incorporate the use of decentralised heat, cooling and power systems; and
4. Use on-site or near-site renewable technologies to achieve further reductions in carbon emissions.

The applicant has submitted an Energy and Carbon Statement that in terms of energy efficiency a dual approach has been undertaken due to the proposal having both new and existing built form, therefore reusing the existing building has a much lower embodied carbon footprint than building a new one and renovating the fabric of the existing building with new high performance insulation, improved air tightness and improved window specification. Whereas, with the new build it is designed with a 'Fabric First' approach, and will exceed current building regulations and therefore

provide excellent thermal performance. This will be further aided with improved airtightness which, combined with the improved thermal performance, will mean that the new flats will retain heat far better than the existing buildings. An air-source heat pump heating (ASHP) system is proposed for the both the new and existing buildings to provide an energy efficient method of heating the homes. ASHPs need electricity to operate, but because they are extracting renewable heat from the environment, the heat output is greater than the electricity input therefore they are an effective renewable source for heating. A planning condition is recommended to secure the energy and low carbon measures stated within the statement. Subject to the aforementioned planning condition, the proposal is considered to comply with Policies ES1 and SS14 of the Local Plan.

### **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**

Whilst the loss of the hotel use is regrettable, the evidence supported with the application suggests that the 2-star independent sector which the Seabury Hotel sits in, is the most sensitive to market challenges and the business is currently loss making due to declining revenue and high costs associated with property maintenance, payroll and credit card charges and is therefore not viable.

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 residential units are 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.

In respect of the economic element of sustainable development the balance is considered to be 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 residential units to be provided must carry significant weight in this balance.

The provision of housing would provide an appropriate use and offer units within a sustainable location.



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

### **The Environmental Role**

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

The environmental benefits identified are marginal in the case of any biodiversity net gain, where it is proposed to require enhancement measures through condition.

The proposal will include bicycle storage, and the proposed development is in a sustainable location inasmuch as it would make use of a brownfield site within the existing urban area.

It is concluded that the environmental impacts of the development weigh positively within the planning balance.

### **Sustainability Conclusion**

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

### **Statement on Human Rights and Equalities Issues**

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

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

### **Local Finance Considerations**

S106:

Not applicable.

CIL:

The land 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 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:

Not applicable.

### **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.

The 'tilted balance' in favour of sustainable housing development therefore would apply as it is considered that the proposal does not lead to any adverse impacts that would significantly and demonstrably outweigh the benefits, and as such the 'tilted balance' identified in Paragraph 11 of the NPPF is enacted.

### **Conclusions and Reasons for Decision**

The proposal is acceptable in principle; would not result in unacceptable harm to the character of the area, local amenity or heritage assets; would provide an adequate standard of living accommodation and provide acceptable arrangements in relation to access, flood risk, and ecological constraints. On balance, the proposed development is considered acceptable, having regard to the Torbay Local Plan, the Torquay Neighbourhood Plan, and all other material considerations.

### **Officer Recommendation**

That planning permission is granted, subject to the conditions detailed below. The final drafting of conditions and addressing any further material considerations that may come to light to be delegated to the Assistant Director for Planning, Housing and Climate Emergency.

### **Conditions**

#### **Landscaping**

Prior to the first occupation of the development hereby approved, a scheme of hard and soft landscaping shall be 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 8 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 Adopted Torbay Local Plan 2012-2030 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

### **Arboricultural Method Statement**

The development hereby approved shall be carried out in strict accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: In accordance with the submitted details and to protect trees in the interests of visual amenity in accordance with Policy DE1 and C4 of the Adopted Torbay Local Plan 2012-2030.

### **Boundary Treatments**

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

Reason: In the interests of visual amenity and in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

### **Permitted Development - Means of Enclosure**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 2015, Article 3, Schedule 2, Part 2, Class A, no other means of enclosures shall be erected within the external areas of this development, 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 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

### **Hedgerow, Tree and Shrub Removal**

No removal of hedgerows, trees or shrubs shall take place between 1st March and 30th September inclusive in any given year, unless prior to the commencement of works a detailed biodiversity survey by a competent ecologist has been submitted to and approved in writing by the Local Planning Authority. The survey shall include the details of the check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on the site. The development shall then be carried out in accordance with the details submitted.

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

### **Communal Garden**

The development hereby approved shall not be occupied or brought into use until the 'Lawn' detailed on the plan referenced "Proposed Survey Drawing" (plan reference 'PA01 05 C' received 9<sup>th</sup> February 2022) has been provided in full. This communal garden area shall thereafter be maintained and retained for the use of all of the development's occupiers for the life of the development.

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

### **Materials**

No development (above damp-proof course level) shall take place until details including colour of the proposed external materials (walls and roof) and openings, rainwater goods, fascias and/or bargeboards have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details, and shall be retained as such for the life of the development.

Reason: To ensure an acceptable form of development in the interests of the character and appearance of locality and the streetscene in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

## **Window and Door Details**

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

- Materials and finish
- 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 locality in accordance with Policies DE1 and SS10 of the Adopted Torbay Local Plan 2012-2030 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

## **Designing Out Crime**

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

Reason: In the interests of amenity and preventing opportunities for criminal activity, in accordance with Policies DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030 and Policy TH2 of the Adopted Torquay Neighbourhood Plan 2012-2030.

## **Parking Provision**

The development hereby approved shall not be occupied or brought into use until the parking spaces and manoeuvring area detailed on the plan reference "Proposed Layout" (plan reference 'PA01 05 C' received 9<sup>th</sup> February 2022) have been provided. Of the parking spaces detailed on the approved plan, a space shall be provided for each flat for the lifetime of the development. These elements shall thereafter be retained for the use of the associated residential units for the life of the development.

Reason: In accordance with highway safety and amenity, and in accordance with Policy TA3 of the Adopted Torbay Local Plan 2012-2030 and Policy TH9 of the Adopted Torquay Neighbourhood Plan 2012-2030.

## **Electric Charging Points**

The development hereby approved shall not be occupied or brought into use until the electric charging points detailed on the plan reference 'PA01 05 C' received 9<sup>th</sup> February 2022 have been provided. These elements shall thereafter be retained for the use of the associated residential units and for the life of the development.

Reason: To ensure the parking provision of the new residential units in accordance with the requirements of Planning Policy TA1, TA3 and Appendix F of the Adopted Torbay Local Plan 2012-2030 and Policy TH9 of the Adopted Torquay Neighbourhood Plan 2012-2030.

## **Construction Method Statement**

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- e) Wheel washing facilities.
- f) Measures to control the emission of dust and dirt during construction.
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works, with priority given to reuse of building materials on site wherever practicable.
- h) Measures to minimise noise nuisance to neighbours from plant and machinery.
- i) Construction working hours from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or 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.
- j) Procedures for maintaining good neighbour relations including complaint management.
- k) 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.

Reason: This information is required prior to commencement to safeguard the amenity of the locality in accordance with Policy DE3 of the Adopted Torbay Local Plan 2012-2030.

## **Bin Storage**

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

Reason: In interests of visual amenity and in accordance with Policies DE1 and W1 of the Adopted Torbay Local Plan 2012-2030.

## **Bicycle Storage**

Prior to the first occupation of the development hereby permitted, the approved bicycle storage on plan reference 'PA01 05 C' received 9<sup>th</sup> February 2022, shall be provided in full and retained for the life of the development.

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

## **Ecological Recommendations and Enhancements**

The development shall proceed, and shall be retained thereafter, in full accordance with the approved ecological reports (plan reference 'P2021-0520-1 (PEA)' received 11<sup>th</sup> May 2021 and 'P2021-0520-1 (Bat Survey)' received 17<sup>th</sup> February 2022) hereby approved, including the outlined recommendations and ecological enhancements.

Reason: To ensure that the development proceeds in an appropriate manner, in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

## **Low Carbon Development**

The development hereby approved shall be carried out in strict accordance with the approved Low Carbon Statement (plan reference 'P2021-0520-10 (Energy & Carbon Statement)' received 17<sup>th</sup> February 2022), and shall be retained as such for the life of the development.

Reason: In interests of low carbon development and in accordance with Policy SS14 of the Adopted Torbay Local Plan 2012-2030.

## **Removal of Permitted Development C4**

Notwithstanding the provisions of Class L of Part 3 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), the residential use of any one or more units hereby approved shall not be changed to a House in Multiple Occupation, 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 the living environment conditions in this locality in accordance with Policies DE1, DE3, H4 and SS11 of the Adopted Torbay Local Plan 2012-2030.

### **Drainage – Except Car Park**

The development, with the exception of the car park, shall be undertaken in strict accordance with the approved drainage details and retained as such at all times thereafter.

Reason: In the interests to adapting to climate change and managing flood risk, and in order to accord with Policies ER1 and ER2 of the Adopted Torbay Local Plan 2012-2030, the guidance contained in the NPPF, and the requirements of the designation of the Critical Drainage Area by the Environment Agency.

### **Drainage – Car Park**

Should the car parking area under the development hereby approved be unable to be constructed using permeable paving, surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 40% for climate change. If demonstrated that the ground conditions are not suitable for soakaways or will result in an increased risk of flooding to surrounding buildings, roads and land, prior to commencement of the development, details of an alternative means of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details of the alternative means of surface water drainage shall include evidence of how surface water will be dealt with in order not to increase the risk of flooding to surrounding buildings, roads and land. As Torbay is a Critical Drainage Area the submitted means of surface water drainage shall ensure that all off site surface water discharges from the development must be limited to the "Greenfield" run off rate for the 1 in 10 year rainfall event with attenuation designed so as there is no risk of flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus a 40% allowance for climate change. On site all surface water shall be safely managed up to the "1 in 100 year critical rainfall event plus 40% allowance for climate change" conditions. This will require additional water storage areas to be created thereby contributing to a reduction in flooding downstream. The



development shall not be utilised until the approved surface water drainage system has been completed as approved and it shall be continually maintained thereafter.

Reason: In the interests to adapting to climate change and managing flood risk, and in order to accord with Policies ER1 and ER2 of the Adopted Torbay Local Plan 2012-2030, the guidance contained in the NPPF, and the requirements of the designation of the Critical Drainage Area by the Environment Agency.

### **Informative(s)**

1. 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.
2. 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.

3. For the avoidance of doubt, any works to be undertaken within the public highway will require the separate consent of the Highway Authority.
4. Community Infrastructure Levy (CIL)

This development is liable for contributions under the CIL regulations to provide essential infrastructure to support development in the Borough.

CIL next steps required under the CIL Regulations 2010 (as amended):

Where planning permission has been granted for development, the Council (as the collecting authority) requires the developer, landowner or another interested party to assume liability for the levy by submitting an assumption of liability form. The Council, as the collecting authority, will then as soon as reasonably practicable, issue a Liability Notice to the applicant, the developer, and/or whoever has assumed liability for the scheme, which sets out the charge due and details of the payment procedure.

Any claims for exemption or relief can only be considered from parties who have already assumed liability, prior to commencement of development.

The relevant liable person(s) must then submit a notice to the Council setting out when development is going to start - a Commencement Notice. The Commencement Notice must be submitted to the Council for their written acknowledgement at least 48 hours prior to the start of any development on the site. No development must commence without written acknowledgement of receipt of a Commencement Notice.

The Council will then issue a demand notice to the landowner, or whoever has assumed liability, setting out the payment due dates in line with the payment procedure. On receipt of the demand notice and commencement of the development, the landowner, or whoever has assumed liability, should follow the correct payment procedure.

Failure to inform the Council of Commencement or to follow the CIL process and payment procedure correctly may result in the addition of surcharges and/or late payment interest. It must be noted that it is an offence for a person to 'knowingly or recklessly' supply false or misleading information to a charging or collecting authority in response to a requirement under the levy regulations (Regulation 110 as amended by the 2011 Regulations).

Further CIL information and Forms can be found at <https://www.gov.uk/guidance/community-infrastructure-levy#forms-and-template-notices>

### **Relevant Policies**

- C4 – Trees, Hedgerows and Natural Landscape Features
- DE1 – Design
- DE3 – Development Amenity
- ER1 – Flood Risk
- ER2 – Water Management
- ES1 - Energy
- H1 – Applications for New Homes

H2 – Affordable Housing  
NC1 – Biodiversity and Geodiversity  
SS3 – Presumption In Favour Of Sustainable Development  
SS10 – Conservation and the Historic Environment  
SS11 – Sustainable Communities  
SS14 – Low Carbon Development and Adaption to Climate Change  
TA1 – Transport and Accessibility  
TA2 – Development Access  
TA3 – Parking Requirements  
TO2 – Change of Use of Tourism Accommodation and Facilities  
W1 – Waste Hierarchy

TE5 – Protected Species Habitats and Biodiversity  
TH2 – Designing Out Crime  
TH8 – Established Architecture  
TH9 – Parking Facilities  
THW4 – Outside Space Provision  
TS4 – Support for Brownfield and Greenfield Development  
TT1 – Change of Use Constraints Within and Outside a CTIA  
TT2 – Change of Use in Conservation Areas and Listed Buildings