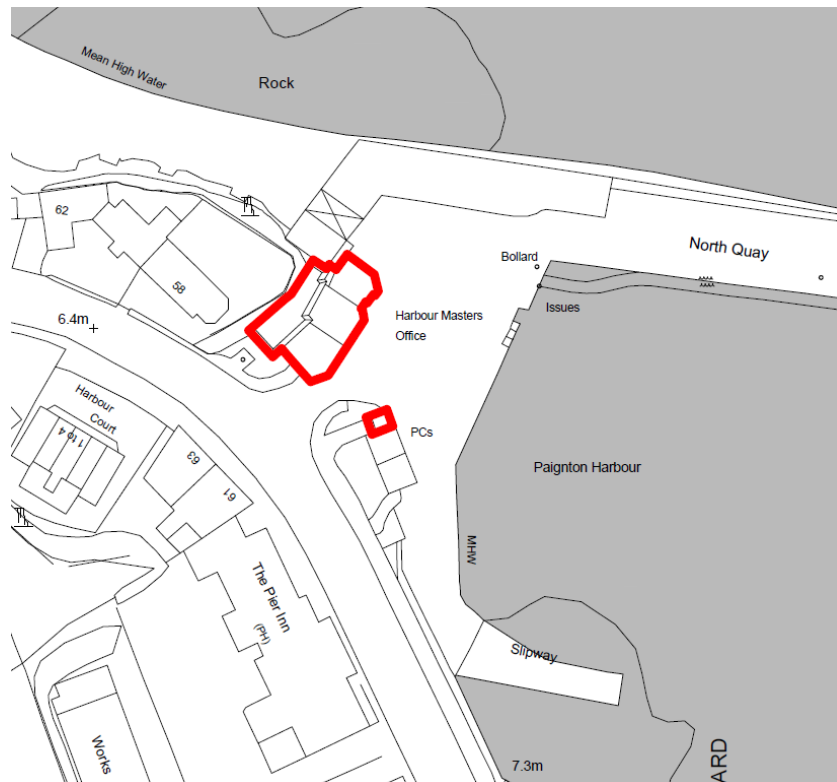


TORBAY COUNCIL

Application Site Address	Molly Malones (gift Shop) North Quay Roundham Road Paignton Torbay TQ4 6DU
Proposal	Erection of roof canopy with rooflights and glazing to enclose existing terrace. Construction of WC building. New decking area to North. Installation of solar panels.
Application Number	P/2023/0190
Applicant/ Agent	Mr Nick Bright
Date Application Valid	17/04/2023
Decision Due date	12/06/2023
Extension of Time Date	01/09/2023
Recommendation	Refusal.
Reason for Referral to Planning Committee	The application has been referred to Planning Committee as the proposed development is on land that is registered as a Torbay Council asset and an objection has been received, the Council's constitution requires that the application be referred to the Planning Committee for determination.
Planning Case Officer	Ross Wise



Site Details

The site, Molly Malones, North Quay, Roundham Road, Paignton, is a café/takeaway kiosk, located on Paignton Harbour. The site is within the Paignton Harbour Conservation Area.

The site forms part of the built-up area and is located within the Paignton Seafront Area of Special Control of Advertisement. The site is also located within 250m of the Roundham Head SSSI

Description of Development

The proposal seeks permission for the erection of a roof canopy with solar panels, rooflights and large amounts of glazing to enclose the existing terrace. A new decking area to the north and WC structure are also proposed to support the expansion of the kiosk.

The application has been referred to Planning Committee as the proposed development is on land that is registered as a Torbay Council asset and an objection has been received, the Council's constitution requires that the application be referred to the Planning Committee for determination.

Relevant Planning Policy Context

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

The following development plan policies and material considerations are relevant to this application:

Development Plan

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

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/2019/1092. Replacement kiosk and construction of decking area for seating. Approved 20.01.2020.

P/2020/0579. Replacement of kiosk and construction of decking area for seating (Retrospective - resubmission of P/2019/1092). Approved 11.08.2020.

P/2021/0131. Extend decking area. Approved

Summary of Representations

At the time of writing, 1 representation, 1 objection and 2 letters of support have been received (these are available to read in full online). Issues raised:

Objections:

- Noise issues.

Support:

- Enhances facilities for locals and tourists year-round.
- Toilets will reduce pressure on public toilets.

Summary of Consultation Responses

Torbay Harbour Authority: Having reviewed this application and spoken to the tenant, I would support the application. The roof canopy will look better than the current large umbrellas and will have a lower profile. The addition of a toilet for their customers would also be useful as they have events that go past the time that the public toilet shuts. This structure would obviously require authorisation from the Harbour Authority should planning consent be granted.

Drainage Engineer (Torbay Development Agency): As this development is located in Flood Zone 1 and the increase in impermeable area as a result of the development is less than 20m², I have no objections on drainage grounds to planning permission being granted.

Community Safety: No response received.

Planning Officer Assessment

Key Issues/Material Considerations

1. Principle of Development
2. Impact on Heritage Assets and Design
3. Amenity
4. Highways, Movement and Parking
5. Flood Risk and Drainage
6. Low Carbon Development and Climate Change

1. Principle of Development

The proposal is for the erection of a roof canopy with solar panels, rooflights and large amounts of glazing to enclose the existing terrace. A new decking area to the north and WC structure are also proposed.

Policy TO1 of the Local Plan supports in principle the improvement of existing and provision of new tourist accommodation and attractions, particularly proposals that make positive use of Torbay's marine environment, culture, heritage, biodiversity and Geopark. As the proposal involves the improvement of an existing tourist facility, it is deemed that the principle of the development is acceptable, subject to compliance with other relevant Local Plan Policies. Policy TC3 of the Local Plan is applicable to this application, however due to the small footprint and the provision of a tourism facility and accords with Policy TO1 of the Local Plan, a sequential test is therefore not required.

Policy SS4 of the Local Plan supports the regeneration of Torbay and improvement in its economic performance, with the aim of achieving a step-change in economic prosperity as set out in Torbay's Economic Strategy. The Local Plan supports existing businesses, it encourages new businesses and investment in order to create new jobs, and it enables expansion and diversification of the economy of the Bay. The Local Plan seeks to promote growth in sectors that are particularly important in Torbay, including tourism, hotel and catering. The applicant has detailed that the proposal would maintain two full-time and four part-time jobs.

Policy PNP4 of the Paignton Neighbourhood Plan is relevant to this application, which states that improvement of the seafront will be encouraged, including upgrading the public realm and public shelters to provide enhanced seating, weather protection and information facilities that improve the tourism offer. It is considered that the proposal complies with this policy.

The site is designated within Paignton Harbour as defined by Policy PNP3 of the Paignton Neighbourhood Plan. Policy PNP3 states improvement of the harbour will be encouraged and development proposals supported where they will, amongst other things:

- a) Retain the heritage features and 'quaintness' of the harbour;
- b) Continue the mix of traditional use as a working harbour, including commercial and residential accommodation;
- c) Attract more tourists.

The proposal would provide a regenerated tourist facility with benefits for the local economy and the tourism industry; and would allow for the continued use of a working harbour. The proposal is considered to be in accordance with Policy PNP3.

2. Impact on Heritage Assets and Design.

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 PNP1 of the Paignton Neighbourhood Plan supports a balanced delivery of growth, biodiversity enhancement and more sustainable means of travel. The further subsections of Policy PNP1(a-i) provide additional guidelines to which all development within the Neighbourhood Plan boundary must adhere to.

Policy SS10 states that development will be required to sustain and enhance those monuments, buildings, areas, walls and other features which make up Torbay's built and natural setting and heritage, for their own merits and their wider role in the character and setting of the Bay. Policy HE1 states that development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses.

The proposal is for the erection of roof canopy with rooflights and glazing to enclose the existing terrace. Within the roofscape would be a small solar array of 5 panels and 5 rooflights. Additionally, a new decking area is to be created to the North and a new WC building constructed adjacent to the existing public toilets.

The site is located within the Roundham and Paignton Harbour Conservation Area (RPCA). The supplementary mapping contained within the Roundham and Paignton Harbour Conservation Area Appraisal (RPCAA) identifies the site within an area of open space with largely unrestricted public access.

Surrounding the site are a number of key, important and listed buildings within the Conservation Area including Cliff cottage, Harbour Lights restaurant and the Harbour itself, all designated with a Grade II status. For the avoidance of doubt, the RPCA and the adjacent listed building are designated heritage assets. Unlisted, important and key buildings, as identified within the RPCAA are considered to be non-designated heritage assets.

Present in this area are a number of significant landmark and key buildings which include the former coastguard station, now in use as public toilets, Harbour Lights restaurant, which is particularly notable from sea, and 58 Roundham Rd sited on a rocky outcrop with its thatch roof.

Paignton Harbour itself is small in scale, unimproved, and described as organic, with the walls built in the local red sandstone found in Roundham itself. It is noted as being picturesque, also having a greater degree of intimacy than that of the other two Torbay harbours.

By introducing a more permanent building with significant amounts of glazing the proposal to construct an enclosed expanded seating area would result in the intensification of the use and massing of the site when compared to the existing situation, albeit within a similar footprint.

It is noted that the existing temporary covering structure does not benefit from planning permission and that it was granted relief from enforcement action by central

government during the re-opening period during/after the coronavirus pandemic. The existing appearance of the temporary enclosures is detrimental to the local area and the identified heritage assets, lacking any demonstrable quality and recognition of the sensitivities of the site.

The design of the proposal appears to replicate the appearance of the existing kiosk, extending it out into the harbour area, which given the change in levels across the site, would now be at high level, measuring between 2.9m-4.8m. The resulting roofscape is proposed to be flat and installed with solar panels and roof lights.

Given the significant increase in height at close proximity to the pedestrian route through the site, the proposed enclosure of the existing terrace and expansion of the seating is considered to result in an overdevelopment of this area of the harbour, creating an overly dominant relationship with the pedestrian route through the site which also forms part of the South-West coast path.

The proposed expansion of the kiosk would mask existing features of the site that have been identified as making this location distinctive and attractive, further concealing the geology and topography of the harbour area, which is described as intimate and picturesque.

The negative impacts identified above are also further compounded by the proposed addition of a further additional raised seating area in front of the neighbouring listed building, Harbour Lights restaurant. This addition is considered to visually clutter the elevation detracting from its character, appearance and the quality of its setting.

Further to the above, the proposal is considered to detract from the open and spacious nature of the Harbour area which in this case is considered to be a key characteristic of the site and its contribution of the Roundham and Paignton Harbour Conservation Area and the setting of neighbouring listed buildings, which include Cliff Cottage, Harbour Light Restaurant and the harbour itself.

The remaining element of the proposal for consideration is the construction of a W/C building to the area currently used for storage of commercial bins, adjacent to the former Coastguard station, now in use as public toilets. A replacement location for refuse storage has not been identified. Without a suitable location for refuse/recycling storage, bins would be left within the harbour area which would detract from its visual appearance and would be harmful to the setting of the Conservation Area.

In this instance, the proposed design is considered to overwhelm the original identity and typology of the kiosk, with no balance in quality. The resulting poor design and impact of overdevelopment identified above results in harm to both the setting of the Conservation Area and the setting of the adjacent listed buildings, which as noted above, would also be obscured by further proposed outdoor seating and cycle storage.

Para 200 of the NPPF 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.

It is acknowledged that a temporary covering of the seating area currently exists, and that the proposal seeks to provide a more permanent solution for this. From public vantage points around the harbour area, it is clear that the existing arrangement to enclose the seating area is poor quality and the massing masks the rocky outcrop which the buildings to the Northwest sit upon.

As the proposal would have a greater degree of permanence when compared to the existing situation, its adverse physical impacts would also be greater. It has also not been demonstrated that smaller enclosed seating area has been explored, which would clearly have a far lesser impact.

Para 202 of the NPPF states 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.”

Due to the topography of the local area, there are a multitude of vantage points to view and experience the historic setting of the harbour. In this instance any public benefits that may arise from providing a permanently covered seating area to serve the kiosk, which would allow customers to appreciate the numerous heritage assets in the area is considered to be limited. Whilst there may be some minor public benefit with regards to the benefits the scheme would have for the local economy and tourism offer, it can be argued that the same benefits could be achieved through a lesser, more sensitive scheme.

Furthermore, Historic England Principles, Policies and Guidance (April 2008) regarding integrating conservation with other public interests, identifies that harm should have been reduced to the minimum whilst being consistent with achieving the objective. In this instance the objective of creating an enclosed seating area could be achieved, albeit at a much-reduced scale, without, harm to the heritage assets.

Paragraph 199 of the NPPF states 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 proposal for the reasons stated above is considered to result in ‘less than substantial harm’ to the identified heritage assets, the conservation of which should be afforded great weight.

The harm to the identified heritage assets and the public benefits of the proposal will be weighed up in the planning balance and conclusion sections of this report.

The proposal for the reasons stated above fails to conserve or enhance the historic character and appearance of the setting of the Conservation Area and the identified listed buildings. The proposal would result in less than substantial harm to the identified heritage assets without any associated heritage benefits. As such, the

proposal is considered to be contrary to Policies DE1, SS10 and HE1 of the Local Plan, Policy PNP1 of the Paignton Neighbourhood Plan and the guidance contained within the NPPF.

3. Amenity

The NPPF guides (Paragraph 130) 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 of the Local Plan states that development proposals should be designed to ensure a good level of amenity for future residents or occupiers and should not unduly impact upon the amenity of neighbouring and surrounding uses.

The site is located within the harbour area, which is characterised by large amounts of outdoor seating used for bars and restaurants.

It is noted that concerns have been raised with regards to the impacts of noise that would be generated by the proposed operation of the expanded kiosk.

The proposed permanent enclosure of the external seating area would increase the site's current ability to limit the impact of noise on surrounding premises by providing permanent internal space for customers. This is likely to lessen the chances of noise-based complaints and potential conflicts between neighbouring occupiers, most notably with any surrounding residential properties. In this regard, the proposal is not considered to adversely impact the amenity afforded to neighbours with regards to noise.

It is considered that the proposal would not detrimentally overlook nor invade the privacy of adjacent neighbours.

With regards to the construction phase of the proposal development, a planning condition requiring the submission of a Construction Method Statement which will stipulate construction hours to protect the amenity of adjacent occupiers is recommended. This is required prior to commencement as it will confirm how the construction process will be managed. Given the siting and orientation of the development, it is considered that the proposals would not result in any detrimental impact in terms of loss of light or overbearing impact upon adjacent neighbours.

As a result of the siting, scale, and design, it is considered that the proposal would not result in any unacceptable harm to the amenities of the occupants of neighbouring buildings in terms of their privacy, outlook, or access to natural light. Subject to the aforementioned planning conditions, the proposal is considered to accord with Policy DE3 of the Local Plan.

4. Highways, Movement and Parking

The NPPF guides that in assessing specific applications for development it should be ensured that a) appropriate opportunities to promote sustainable transport modes can

be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree (Para 110). It also furthers (Para 111) that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy TA1 of the Torbay Local Plan and advice contained within the NPPF principally seeks to develop a sustainable model of travel. This baseline aspiration is there to try and meet the travel needs of everyone, whilst also reducing the need for travel and thus the environment impact of movement from development.

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 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.

The proposal to enclose the existing external seating area with a permanent roof structure would not increase the capacity of the kiosk. However, it is noted that a further additional seating deck area is proposed to the to the Northeast, adjacent to the Harbour Lights restaurant.

Given the sites location within the harbour area and the close proximity of locally available parking, both on street and in designated car parks, the proposed additional seating area is not considered to adversely impact the availability of locally available parking spaces.

Additional bicycle storage is proposed within the proposed additional terrace to the North. Should planning permission be granted a planning condition is recommended to secure the details of the storage provision prior to occupation and its retention thereafter.

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.

It is noted that conditional approval was granted on this site for an earlier iteration of the kiosk (P/2020/0579) on the basis that the approved bin storage scheme was to be retained for the life of the development.

The proposed site layout does not indicate an area for refuse/recycling bin storage and has instead proposed to site a new W/C building in the place of existing refuse/recycling bin storage.

As such the proposal would result in the loss of the existing refuse/recycling storage location, without provision of an alternative location within the site boundary. The proposal is considered to be contrary to Policies DE3 and W1 of the Local Plan.

5. 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. Policy PNP1(i) of the Paignton Neighbourhood Plan states that developments will be required to comply with all relevant drainage and flood risk policy.

The site is located on the cusp of Flood Zones 2 and 3. The Council's Drainage Engineer raises no objections. The proposal is therefore considered to be in accordance with Policies ER1 and PNP1(i) of the Development Plan.

6. Low Carbon Development and Climate Change

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

The Design and Access Statement notes that *the proposal will be constructed with modern construction techniques/methods, reducing the proposals carbon footprint. The proposal considers the use of renewable energy (Solar Panels) to further enhance its self-sufficiency as a business minimising the energy consumption reducing running costs. Operational bi-fold doors/glazing & rooflights have been considered to maintain natural light whilst presenting the opportunity to open spaces allowing for natural cross ventilation during the summer months & closing spaces up in the winter/cooler months to provide a sheltered space protected from the elements.*

The sustainability measures outlined above are considered reasonable and if permission is granted a condition to secure the measures outlined within the Design and Access Statement is recommended to ensure compliance with Policy. With the addition of this condition the development is in accordance with Policy SS14 and ES1 of the Torbay Local Plan and advice contained within the NPPF.

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

The proposal would enable the continued use of the site as a café/kiosk and would provide an opportunity to offer increased year-round capacity within a sustainable location. It is recognised that encouraging investment in businesses in order to create and maintain jobs, enables the expansion and diversification of the economy of the Bay. Investment and growth in sectors that are particularly important in Torbay, include tourism, hotel and catering.

There are no adverse economic impacts that would arise from this development. In respect of the economic element of sustainable development the balance is considered to be in favour of the development.

The Social Role

The social impact of the proposal is considered to reside in its capacity to limit the impact of noise on surrounding premises by providing permanent internal space for customers. This would lessen the chances of noise-based complaints and potential conflicts.

Given the sites location within the harbour area, which is characterised by outdoor seating, on balance, the social impacts of the development have an overall neutral impact on the balance.

The Environmental role

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

The identified less than substantial harm to the designated heritage assets is not outweighed by any public benefit. As such the planning balance weighs against the proposed development.

Sustainability Conclusion

Having regard to the above assessment the proposed development is not 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

Affordable Housing:

Not applicable.

CIL:

The CIL liability for this development is Nil.

S106: n/a

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 concluded that the proposal in terms of addressing the Development Plan would create a negative impact overall and would not be in keeping with the locality, which would have an adverse impact on the surrounding area and the identified designated and non-designated heritage assets in terms of its size, scale, and design.

In accordance with Paragraph 199 of the NPPF, great weight should be given to the conservation of designated heritage assets, and the harm identified to the heritage assets are assessed to be 'less than substantial harm'. Where less than substantial harm is identified to a heritage asset this must be weighed against the public benefits of the proposal.

Whilst there may be some minor public benefit with regards to the benefits the scheme would have for the local economy and tourism offer, it can be argued that the same benefits could be achieved through a lesser, more sensitive scheme. As a result, the identified minor public benefits can only be given little weight in the overall balance.

The minor public benefit identified is therefore not considered to outweigh the identified level of harm.

The proposed development is therefore considered to be unacceptable, having regard to the Torbay Local Plan, the Paignton Neighbourhood Plan, and all other material considerations.

Conclusions and Reasons for Decision

The proposal is considered to be unacceptable, having regard to the Development Plan, and all other material considerations.

This conclusion has been reached in relation to section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and 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.

Officer Recommendation

Refusal:

The reasons for refusal as outlined below with the final drafting of reasons delegated to the Divisional Director of Planning, Housing and Climate Emergency;

The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

Reasons:

1. Design.

The proposed permanence of the structure, massing, expanses of glazing and materials are out of character for this location. The proposal would result in an overly dominant relationship with the adjacent pedestrian route and lack an appropriate response to local topography and features that make the site distinctive and attractive. As such the proposed development is contrary to Policies HE1 and SS10 of the Adopted Torbay Local Plan 2012-2030, Policies PNP1 of the Adopted Paignton Neighbourhood Plan 2021-2030 and guidance contained within the NPPF.

2. Overdevelopment.

The proposed enclosure and expansion of the seating results in an overbearing impact on south-west coast path that runs beside the site, creating a cramped layout and overdeveloped area of the harbourside. As such the proposed development is contrary to Policies HE1 and SS10 of the Adopted Torbay Local Plan 2012-2030, Policies PNP1, PNP1c and PNP3 of the Adopted Paignton Neighbourhood Plan 2021-2030 and guidance contained within the NPPF.

3. Impact on heritage assets.

The poor design, lack of a designated area for refuse/recycling storage and the impact of overdevelopment would result in harm to the setting of the identified heritage assets, adversely affecting their special historic and architectural significance and fails to sustain or enhance the character and appearance of the Roundham and Paignton Harbour Conservation Areas it lies within. As such the proposed development is contrary to Policies HE1 and SS10 of the Adopted Torbay Local Plan 2012-2030, Policies PNP1 and PNP1c of the Adopted Paignton Neighbourhood Plan 2021-2030 and guidance contained within the NPPF.

4. Waste/recycling storage.

The proposal would result in the loss of the existing refuse/recycling storage location, without provision of an alternative location within the site boundary. As such the proposed development is contrary to Policies DE3 and W1 of the Adopted Torbay Local Plan 2012-2030, Policy PNP1 of the Adopted Paignton Neighbourhood Plan 2021-2030 and guidance contained within the NPPF.

Informative(s)

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.

Relevant Policies

Development Plan Relevant Policies

SS1 - Growth Strategy for a prosperous Torbay
SS3 - Presumption in favour of sustainable development
SS4 – The economy and employment.
SS10 – Conservation and the historic environment
SS14 – Low carbon development and adaption to climate change
TA1 - Transport and accessibility
TA2 - Development access
TA3 - Parking requirements
TO1 – Tourism, events and culture
TC3 – Retail Development
DE1 - Design
DE3 - Development Amenity
ER1 - Flood Risk
ER2 - Water Management
ES1 - Energy
HE1 – Listed Buildings
W1 - Waste management facilities
PNP1 – Area Wide

PNP1c – Design Principles
PNP1e – Commercial development
PNP1h – Sustainable Transport
PNP3 – Paignton Harbour
PNP4 – Seafront