

**Application Number**

P/2018/1119

**Site Address**

Former Torwood Conservative Club  
28 Parkhill Road  
Torquay  
TQ1 2AR

**Case Officer**

Verity Clark

**Ward**

Wellswood

**Description**

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

**Executive Summary/Key Outcomes**

The listed building application proposes to demolish a section of the building to facilitate the formation of an off road parking space. The proposal will also seek to install balustrading and gates along the front elevation and the replacement of the existing section of corrugated sheet roof with natural slate.

The application has been referred to Development Management committee as objections have been received and as the applicant is a Ward Member.

The proposal is considered to be in accordance with Policies DE1, HE1 and SS10 of the adopted Torbay Local Plan 2012-2030 and is recommended for approval.

**Recommendation**

Approval subject to the conditions listed below, with the final drafting of conditions and resolution of any outstanding matters to be delegated to the Assistant Director for Planning and Transport.

**Reason for Referral to Development Management Committee**

As the proposed development is on land owned by a Ward Member and objections have been raised, the Council's constitution requires that the application be referred to the Development Management Committee for determination.

**Statutory Determination Period**

The eight week target date for determination of this application was the 3rd January 2019. An extension of time to 15th February 2019 has been agreed to allow the submission of revised plans.

### **Site Details**

The application site is the Former Torwood Conservative Club, 28 Parkhill Road, Torquay. The building is in commercial use and is Grade II listed. The site is also located within the Torquay Harbour Conservation Area.

### **Detailed Proposals**

The application proposes to demolish a section of the existing building to facilitate the formation of an off road parking space. The proposal will also seek to install balustrading and gates along the front elevation and the replacement of the existing section of corrugated sheet roof with natural slate.

### **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")

#### Material Considerations

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

### **Summary Of Consultation Responses**

Conservation: This revised iteration of the simple car park scheme is a great improvement on the original: part-demolition of late 20C infill; protection of the north wall of the listed freemasons' lodge; replacing the corrugated roof with natural slate. Additionally the part-demolished façade is to be replaced a 'wrought-iron balustrade and gates'. Let us condition the slate, and the metal railings.

Highways: The new Highways Development Control Standing Advice for Minor Developments applies to this Application. Part of the Existing crossover will need to be reinstated to a full height kerb, under licence to the Highway Authority. There is a requirement for Provision of secure and covered cycle storage for at least 2 cycles. To achieve a single garage and not lose any residential on street parking the applicant would need to reinstate half of the dropped kerb to a full height footway and have a Access line painted across the entrance of the single Garage ,although the line is not enforceable and vehicles may park there. To

prevent this happening the other option is for the applicant to pay for a traffic order to install double yellow lines which are enforceable and would still retain the same amount of residential parking, but we cannot insist on this, it would be the choice of the Applicant if permission is granted.

Strategic Transport: No response.

Historic England: we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

Community Safety: No objection.

### **Summary Of Representations**

Publication type: Neighbour notification letters/Site notice/Newspaper advert

7 objections have been received. Issues raised:

- Parking
- Description of development and past use of the site
- Heritage
- Visual appearance
- Impact on property values

### **Relevant Planning History**

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

P/1986/1678 Extension Of Existing Lounge Bar Within Building And Relocation Of Exi Sting Beer Cellar And Bottle Store. Approved 16/09/86

P/1979/2441 Re-development to form Club Premises. Approved 31/10/79

P/1978/3358 Re-development to form club premises. Approved 15/01/79

### **Key Issues/Material Considerations**

The key issues to consider in relation to this application are:

#### **Impact on heritage asset**

Paragraph 124 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 130 states that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. Policy SS10 states that proposals will be assessed, amongst other things, in terms of the impact on listed and historic buildings, and their settings, and in terms of the

need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas. Policy HE1 states that development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses.

It should be noted that during the course of the application the proposal has been modified. The proposal originally sought to form a garage with a new opening in the existing building. Following concerns raised by the Conservation Officer the application has been amended. The proposal has been amended to seek permission to demolish a section of the building to facilitate the formation of an off road parking space. The proposal will also seek to install balustrading and gates along the front elevation and replacement of the existing section of corrugated sheet roof with natural slate.

The Council's Conservation Consultant has noted that the site of the club comprises part of the ground floor of the listed No. 1 Meadfoot Lane (NHLE No. 1292372), intervening 'key buildings', recognised in the Torquay Harbour Conservation Area Character Appraisal, and an area of infill. On the south side the infill butts up to, in a most unattractive manner, the listed Freemasons lodge (NHLE No. 1206823), whose north gable end was designed to be open and visible in the townscape. The area of the so-called former garage was always an open space pull in, accessible to vehicles and allowing access to the rear of the buildings; it was never a garage. The render front and corrugated roof, inimical to the listed building date the infill to the mid-20C. The pull-in area enclosed as it is now while not attractive is at least part-masked by the existence of a length of parking bay. Following the submission of revised plans the officer has noted that this revised iteration of the simple car park scheme is a great improvement on the original: part-demolition of late 20C infill; protection of the north wall of the listed freemasons' lodge; replacing the corrugated roof with natural slate. Additionally the part-demolished façade is to be replaced a 'wrought-iron balustrade and gates'. A condition requiring the submission of details of the slate, and the metal railings should be added.

In terms of visual appearance, the demolition of the section of building and replacement with a parking area with associated balustrading and gates and replacement of an existing section of roof with natural slate is considered to result in an improved visual appearance and an enhancement to the Grade II listed building within the streetscene of the Torquay Harbour Conservation Area. The historic fabric and character of the Grade II listed building will therefore be preserved. The proposal is therefore considered to accord with Policies DE1, SS10 and HE1 of the Torbay Local Plan. A Condition requiring the submission of a slate sample and details of the railings and permeable paving is recommended to ensure the visual appearance is acceptable.

#### Other Considerations

The Torquay Neighbourhood Plan has recently completed its Independent Examination. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application. The relevant policy for this application are Policy TH8 (Established Architecture). This policy requires development to be of good quality design and to respect the local character in terms of height, scale and bulk and reflect the identity of its surroundings. The proposal is considered to comply with this policy as the proposal will enhance the established characteristic of the streetscene. Policy TH10 (protection of the historic built environment) notes that alterations to Listed Buildings will be supported where they safeguard and enhance their historic qualities and elements according to their significance. The proposal is considered to comply with this Policy as the proposal will enhance the existing listed building. The proposal is therefore considered to accord with the Torquay Neighbourhood Plan Policy.

### **Local Finance Considerations**

#### **S106/CIL -**

S106:

Not applicable.

CIL:

The CIL liability for this development is Nil.

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

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

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

### **EIA/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.

### **Conclusions**

The proposed development is considered acceptable, having regard to the adopted Torbay Local Plan 2012-2030, and all other material considerations.

### **Condition(s)/Reason(s)**

1. Prior to the replacement of the roof material, a sample or technical detail of the proposed tiles shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall be retained as such thereafter.

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

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

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

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

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

### **Informative(s)**

01. 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**

DE1 - Design

SS10 - Conservation and Historic Environment

HE1 - Listed Buildings