



Meeting: Cabinet (September 2019)

Report Title: Demolition of the old car park, Garfield Road, Victoria Centre, Paignton

When does the decision need to be implemented? Immediately

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1. DEMOLITION: NAME AND ADDRESS

The old car park, Garfield Road, Victoria Centre, Paignton

Demolition of the older of the two car parks at Garfield Road, Victoria Centre, Paignton ('the Site'), is required to unlock the site for development. The cost of demolition will be completely covered by Land Release Funding and will not require any funding by Torbay Council.

Key points include:

- There are occupants on the Site who have the right under the Landlord and Tenant Act 1954 to request new leases of the premises they occupy. The Council can oppose these requests if it can demonstrate that it has the unconditional intention and ability to demolish the old car park.
- A decision by Cabinet to demolish the old car park is required to demonstrate the Council's 'unconditional intention and ability'.
- The cost of demolition, and all other work to achieve vacant possession and unlock the Site for development, will be completely covered by Land Release Funding. There is no cost to the Council from undertaking this work.
- The proposal to demolish the old car park structure is in accordance with the Council's Policy Framework, including the Council's Transformation Strategy for Torbay's Town Centres, and has been considered by the Land Release Fund Project Board.
- The Council's Investment & Regeneration Committee has previously approved demolition of the car park. This included a requirement to produce a development brief, to illustrate the form of future development on the Site, before a planning application (for demolition) could be submitted. Consequently, approval is now sought for development and / or disposal of the unconditional demolition of the car park structure on the Site.
- Conditions applied to Land Release Funding include the need for the Council to have a contract in place for redevelopment (of around 100 homes on the Site) by end March 2020.

- There is an overall / theoretical capacity of 968 parking spaces at Victoria Centre. Due to restrictions within the old car park, there are 624 available parking spaces at Victoria Centre: 441 within the newer of the two car parks (alongside the railway line / behind Lidl) and 183 within the older car park. Demolition of the older car park structure would result in the loss of 29% of available parking spaces and 19% of overall / theoretical capacity.
- In 2017/18 the old car park generated £29,305 income, from ticket sales, to the Council.
- Much of the old car park is closed because of its poor condition. Those areas that are available for parking are restricted, due to the risk of parking alongside perimeter walls.
- The ground floor area is used for disabled parking, coaches and high sided vehicles. Work is underway to find alternative locations for those users.
- Demolition of the car park structure/ the Site will need planning permission.

2. SITE



The car park structure to be demolished / the Site is shaded yellow. It can be demolished without impacting on the retained car park (with blue car parking spaces at roof level)



The Council's land ownership is shown, as a red outline, on these aerial images.

3. POLICY FRAMEWORK

a) Transformation Strategy for Torbay's Town Centres

The Strategy, approved by full Council in April 2017, makes it clear that various options are being considered for the whole Victoria Centre site. The Strategy referenced a number of options (as below), including demolition of the older car park structure/the Site and replacement with residential:

- Comprehensive redevelopment, including demolition of existing car parks, construction of up to 200 apartments and a new surface level car park.

- Partial redevelopment, which includes space for food retail (30,000 square feet; 130 parking spaces) and apartments.
- Refurbishment of the 'newer' of the two car parks, to ensure the car park is safe, attractive and well used, which in turn reduces annual costs to the Council and increases income.
- Retention of the newer of the two car parks and re-use of the older car park, for a range of different uses.
- Demolition of the older of the two car parks and its replacement with residential development.

The Strategy also made it clear that the Site is subject to a number of lease requirements, legal rights and constraints, making it more difficult to deliver a comprehensive redevelopment scheme – certainly in the short term – than other town centre regeneration sites.

b) Local Plan

The Local Plan identifies the Paignton Town Centre and Seafront area as delivering 590 homes, specifically 60+ homes at Victoria Centre subject to sufficient car parking being retained (see section 5 below)

c) Parking Strategy

The Council's parking strategy references the need to balance parking with the need for town centre regeneration and new development. The Strategy recognises there is sufficient evidence that there is more than adequate parking to residents, shoppers and visitors. One of the aims of the Strategy is to provide good quality parking – the point being that the old car park structure at the Site is of poor quality, but its redevelopment could allow the remaining car park to be refurbished. The Strategy's 5 year Objectives include exploring alternative use of car parks where the demand for parking is low.

d) Paignton Town Centre Masterplan

The Victoria Centre is included, for redevelopment, in the Paignton Town Centre Masterplan, which was adopted by the Council as Supplementary Planning Documents (June 2015). The production of that masterplan included significant community engagement.

e) Neighbourhood Plan

The Paignton Neighbourhood Plan supports housing and jobs growth, supports town centre regeneration and supports development of the Paignton Square Area (including the Site) if it improves the area.

4. CONDITION OF THE ASSET

The car park was built in the early 1970's. Much of the older car park is closed for use because of its poor condition. Those areas open for use have restricted parking, due to the risk of parking alongside external walls.

A condition survey undertaken in March 2012 showed:

- Electrical services in bad (Grade D) condition
- External walls, floors and stairs, windows and doors to be in poor condition (Grade C)
- The roof to be in a satisfactory condition (Grade B)
- £566,000 was required for repair work, with urgent work (£155,000) needed to address high risk to health and safety issues.

The condition of the older car park has worsened since 2012, hence the closure of various levels and limitation on parking. The older car park is considered to be an increasing liability for the Council.

5. USE AND CAPACITY

There are 968 parking spaces at Victoria Centre, 441 spaces within the newer of the two car parks (alongside the railway line / behind Lidl) and, in theory, 527 spaces within the older car park. In reality only 183 spaces are available for the majority of the year within the old car park, expanding to 210 spaces over the summer. This capacity includes 35 spaces for disabled people, coaches and high sided vehicles (see Section 8). There are, as such, 624 available parking spaces within the two car parks, expanding to 651 in summer. Demolition of the older car park would result in the loss of 19% of total spaces and 29% of available spaces.

The car parks (928 spaces) have a mean occupancy of 117 spaces and are over 75% full on just 2 days a year. If there was a 20% growth in demand for parking (which is very unlikely) the car parks would have a mean occupancy of 163 spaces and would be more than 90% full on just 8 days per annum. Both car parks are at capacity during good events in Paignton. This shows that, for around 44 - 46 weeks of the year, there is significant spare capacity at present and under a 20% growth scenario.

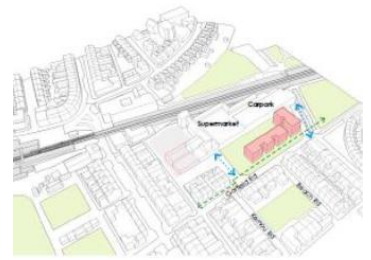
In 2017/18 parking income to the Council, for the old car park, was £29,305. This figure is from ticket sales only. Permit holders may also have used the car park and there may have been Paybyphone transactions. Consequently it is not considered that loss of the older car park would have a significant financial impact on the Council. Indeed, a capital or revenue receipt as a result of redevelopment of the Site is highly likely to exceed any loss of parking income.

There is also other capacity locally that can be explored / utilised, including:

- On street parking
- Colin Road, for high sided vehicles
- Clennon Valley and Quay West
- The Esplanade, which will be open all year other than when there are events.

6. LAND RELEASE FUND REQUIREMENTS

The Council received £900,000 of Land Release Funding to unlock the Site for residential development. Unlocking the Site requires achieving vacant possession and demolishing the old car park. The Council must have a contract in place for redevelopment by end March 2020.



7. LEGAL POSITION

To oppose requests by protected business tenants for new leases the Council needs to demonstrate that it has the unconditional intention and ability to demolish the older car park.

The type of evidence which the Council will need to provide to evidence this intention is that:

- It has passed all the necessary resolutions to demolish (i.e. there is a record of decision)
- It has the funding in place (the LRF funding covers this)
- It has planning permission for demolition (which will follow a resolution)
- It has a demolition contract in place (which will follow planning permission and is subject to the Council obtaining vacant possession).

8. SURVEYS AND OTHER WORK

All necessary site investigation and survey work (ecology, contamination, asbestos, ground conditions, tree, topographical and flood risk etc.) has been completed.

Preparation of a development brief is well advanced, which will be given teeth as a Supplementary Planning Document, to guide development and improve value. The emerging development brief, which community leaders have already been involved in, will be subject of public engagement in Autumn and thereafter presented to Council for adoption.

A parking capacity and needs study has been commissioned, focused on Paignton Town Centre, covering a range of regeneration sites, and the impact of development on current and future parking provision.

Development options have been assessed and valuation advice received.

9. TIMING

It is anticipated, subject to planning permission and vacant possession, that demolition of the car park will take place at the end of this calendar year.

10. RECOMMENDATION

That Cabinet agree to the demolition of the older car park structure, Garfield Rd, Victoria Centre, Paignton, upon vacant possession of the Site.