

Application Number

P/2012/0183

Site AddressVictoria Park
Torquay Road
Paignton
Devon**Case Officer**

Mrs Helen Addison

Ward

Roundham With Hyde

Description

Retention and change of use of the existing youth service building with a childcare facility (Class D1)

Executive Summary/Key Outcomes

The application is for a change of use of the existing single storey building from a Youth Centre to a Children's Centre. It is understood that a number of alternative options (including Parkfield, Paignton Library and Curledge Street School) were looked at for the best site to house the Paignton central area Children's Centre, however, the application site appears to be well suited to the proposed use in terms of its location.

The original consent for the building in Victoria Park was for use as a youth service building and the consent was time limited to expire in August 2014, with the building to be removed and the ground to be made good. Whilst the youth service use has now moved to Parkfield, the building remains on the site.

The Children's Centre would make continued use of the building in the intervening period to 2014. However, the application seeks permission to retain the building permanently in use as a Children's Centre thereafter and as such to remove the temporary permission.

However, the external appearance of the building falls short of the standard normally expected. The building has a temporary appearance and it was envisaged when permission was granted for use as a youth service building, that the building would be removed once the Parkfield facility was complete. As such it would be appropriate for the consent to be limited to the original time period for the building to be on the site. This would provide time for further negotiations over the future of the Children's Centre and the building at Victoria Park. Alternatives, including the re-cladding of the building to improve its appearance have been explored but have proved thus far to be unviable for the Children's Centre project.

Recommendation

Committee Site Visit; Temporary planning permission be granted until 31.8.14 with conditions (as end of report).

Site Details

The application site relates to an area in Victoria Park close to the tennis courts. It is to the rear of the former library and at the rear of properties in Polsham Park. The existing building on the site replaced a former changing rooms and was approved for use on a temporary basis as a youth service building. There is a mature tree screen adjacent to the site along the boundary with the properties in Polsham Park. The site is visible in views across the park from Torquay Road and Hyde Road.

In the Torbay Local Plan 1995-2011 the site is allocated as an Urban Landscape Protection Area (Policy L5). The boundary of the Polsham Conservation Area runs along the boundary of the park with properties in Polsham Park. The application site is not in the Conservation Area.

Detailed Proposals

The existing single storey building on the site has temporary planning permission until 31.8.14 for use as a youth centre. This is a retrospective application to retain the building and for a change of use to a Children's Centre facility. A 1 metre high timber picket fence to define the boundary of the site and ensure that dogs do not enter the site has been constructed. In the design and access statement it is advised that some external ancillary equipment maybe installed such as a buggy store, a fixed canopy, and in time the provision of allotments to further enhance the services offered as a children's centre. It is suggested the provision of these could be addressed by condition.

It is proposed that the Children's Centre would be a drop in style centre for families offering a variety of sessions including weaning sessions, breast feeding support groups, parental assistance etc. The centre would open six days a week with the core hours being;

Monday	9am to 3pm
Tuesday	9am to 6pm
Wednesday	9am to 5pm
Thursday	9am to 5pm (occasionally until 7pm)
Friday	9am to 6pm
Saturday	9am to 12pm

In addition the centre would have occasional group sessions over these core hours but these would be dependent upon demand.

Summary Of Consultation Responses

Highways Officer: No objection

Arboricultural Officer: No objection.

Summary Of Representations

None received.

Relevant Planning History

P/2009/0557/R3 Remove disused timber changing rooms and replace with steel youth service building temporary consent until 31.8.14 granted 17.9.09

Key Issues/Material Considerations

The main issues are the principle of the proposed use in this location, whether permanent planning permission should be granted for this building and any impact on residential amenity.

Principle and Planning Policy -

The proposed use would be consistent with the objectives of Policy CF1 in the Torbay Local Plan 1995-2011 which supports the provision of new and improved community facilities. The location of the proposed children's centre is sustainable by reason of its central location within Paignton and its proximity to the town centre. It has good accessibility by public transport. The principle of providing a children's centre would make a positive contribution to the community by providing support and information for families with young children. Paragraph 69 in the NPPF recognises that the planning system can play an important role in creating healthy inclusive communities.

Should permanent be granted for the building?

Policy L5 in the Torbay Local Plan 1995-2011 relates to the designation of Victoria Park as an Urban Landscape Protection Area. It states that development will not be permitted "which would seriously harm the value of the area as an open element within the townscape and the contribution it makes to the quality of the urban environment". The existing planning consent is temporary which means that in the long term the building would be removed from the site and the openness and recreational value of the park will be maintained.

It is considered that a permanent planning permission would not be consistent with the objective of this policy as the building is visible in distance views across the park from surrounding roads, and does impact on the quality of views across the park to the mature line of trees along the boundary with properties in Polsham Park.

The building is typical of a simple Portakabin building and has limited design quality and a very utilitarian appearance. It has not been designed to take into account the setting of the site and the established character of development in the surrounding area. Policies BES and BE1 in the Torbay Local Plan 1995-2011 promote a high standard of design that makes a positive contribution to local character and distinctiveness. This building fails to meet the objectives of these policies in that it has a temporary appearance that fails to enhance the appearance and character of the area. Under application reference 2009/0557 it was considered acceptable for this building to be provided on a temporary basis to provide facilities that would make a valuable contribution to the community, and because the building replaced a run down building on the site. Furthermore, it was understood that the proposed youth service use would be provided elsewhere upon the completion of the Parkfield development. This is understood to now be the case and hence this application has been submitted to find an alternative use for the building. However, it was intended that a grant of temporary consent would indicate to the applicant that permanent retention of the building on the site would be inappropriate in this prominent location within an urban landscape protection area, due to its limited design quality.

This application as submitted is for permanent consent. There are strong concerns on design grounds that this building would not be acceptable in this location on a permanent basis. Government guidance on the use of conditions in planning permissions is provided in Circular 11/95. At para. 112 it is advised that a second temporary permission should not normally be granted. It is suggested that at the end of the first permission it should be clear whether permanent permission or a refusal is the right answer. In this case as the building already has permission until August 2014 it would be appropriate for permission to be granted on the same basis, but it is not considered appropriate to extend this beyond 2014 on either a temporary or permanent basis.

Impact on neighbouring living conditions

The proposed building is sufficient distance from nearby properties not to cause any disturbance from noise within the building. The proposed hours of use are less than those previously approved, with the use ceasing earlier in the day than approved under P/2009/0557R3, therefore the proposal is not considered to impact residential amenity.

Economy -

It is stated that 22 members of staff would be associated with the Children's Centre although they would not be present at the same time, except in rare circumstances such as team meetings. Typically there would be a maximum of 8 members of staff on the site at a given time.

Closing the gap -

The provision of facilities to provide support to parents with young children will

make a valuable contribution to community health and well being.

Conclusions

In conclusion, the proposal is to change the use of an existing building that has temporary planning permission from a Youth Centre to a Children's Centre. This use would make a valuable contribution to community well being and the principle of the change of use is acceptable on a temporary basis.

However, there are concerns that the design quality of the building does not meet the objectives of Policies BE1 and BES in the Torbay Local Plan 1995-2011 that seek to encourage a high standard of design, and it would not be acceptable for the building to be retained on the site longer than the already consented period to August 2014. The proposed use of the building until this time would be acceptable, however, permanent consent would have a long term detrimental effect on the appearance and character of the area. A consent to 2014 would enable the Local Planning Authority to investigate alternative locations and options for the Children's Centre in the longer term.

Condition(s)/Reason(s)

01. The building hereby permitted shall be removed and the land restored to its former condition on or before the 31st August 2014.

Reason: To maintain control over a temporary form of development, in accordance with Policy BE1 of the Saved Adopted Torbay Local Plan 1995-2011.

02. The use of the building hereby approved shall take place between the hours of 8.30am and 7pm Monday to Saturday and not on Sundays without the prior written consent of the Local Planning Authority.

Reason: In the interests of the residential amenity of adjoining properties in accordance with Policy CF1 of the saved adopted Torbay Local Plan 1995-2011.

Relevant Policies

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