

Application Number

P/2012/1011

Site AddressOldway Mansion
Torquay Road
Paignton
Devon
TQ3 2TY**Case Officer**

Mrs Ruth Robinson

Ward

Preston

Description

Change of use and restoration of stables to hotel use including internal and external alterations.

Executive Summary/Key Outcomes

Planning permission and Listed building consent have recently been granted to secure the future of Oldway Mansion and the Rotunda as a top end hotel destination. The Stables was originally included within the scope of these applications but had to be excluded prior to determination due to the lack of emergent surveys in respect of Bat populations that were known to inhabit the stables building.

That information is now available and advice from Natural England is awaited.

The Stables are Grade II listed and the most 'at risk' building within the Oldway complex. English Heritage expressed some concerns in relation to the proposed works to the Stables in responding to the original applications on the site and their revised advice is awaited.

In principle, the use of the Stables as part of the hotel complex is strongly supported it is important however to ensure that bat communities are protected and that the works are carried out in a way that preserves the important characteristics of the listed building.

The overarching report in relation to the future of Oldway and its grounds is copied and included within the Representations pack at Page P.201. This explains the rationale and benefits of the wider project.

The consultation period will not have expired by the Committee date. However, there is an urgency to achieving a resolution of this matter to halt further decline in the state of this building and to enable the developers to hit key stages in their programme of delivery of this project.

Recommendation

Approval: subject to;

1. The advice of Natural England and English Heritage.
2. No adverse comments, in relation to matters not already covered in the body of the report, having been received within the consultation period
3. Delegation of conditions to Executive Head of Spatial Planning.

Site Details

The Stables is located to the rear of the Rotunda within the grounds of Oldway Mansion. It is in a very dilapidated condition. It originally comprised stabling and a banqueting hall. It is of brick construction with a slate roof with towers at either end of the building. Currently, the squash courts are attached to the eastern elevation but these are to be demolished. The building urgently requires weatherproofing to halt further deterioration. This has to be done within a prescribed period of time in accordance with conditions attached to the recent approvals. Ecological survey work carried out in connection with the recent applications on the site identified that the Stables were used a bat roost. Further survey work was required to establish the status of the roosts and the appropriate level of mitigation.

Detailed Proposals

Change of use of the Stables from Council office accommodation to hotel accommodation comprising bedrooms and conference/banqueting facilities. It involves the construction of a new foyer access, reinstatement of the conservatory/Palm House, internal and external alterations. The demolition of the Squash Courts and reinstatement of the eastern elevation is included in these proposals.

Summary Of Consultation Responses

English Heritage: Comments awaited.

Natural England: Comments awaited.

EH and NE responses in relation to the original applications on the site are attached as appendix Page 201a, 201b and 201c.

Summary Of Representations

None received at time of writing.

Relevant Planning History

P/2011/0925/MPA: Development within grounds of Oldway to provide 46 3 and

- 4 bed family houses, 55 Sheltered units, new bowling rink, Orangery, wedding room café and restoration of historic landscape. Approved: 24.08.12
- P/2011/1020/MPA: Change of use of Mansion and Rotunda to Hotel: Approved 24.08.12
- P/2011/1021/LB: Listed building consent for use of Mansion and Rotunda as Hotel: Awaiting Secretary of State Decision.
- P/2011/LB: Listed building consent for works to boundary wall and Orangery: Awaiting Secretary of State Decision

Key Issues/Material Considerations

The future use of the Stables as part of the hotel complex for Oldway is strongly supported and it needs to be delivered within a tight time scale in order to halt the continued decline of these buildings and to ensure that the project is delivered within the agreed time scale.

Conditions pursuant to the recent permissions required that the reintroduction of the Stables to the Development Programme was to be achieved within a given period, that details of works to weatherproof the structure be submitted within 2 months of the main decisions on the site being issued and that the Mansion/Rotunda could not be occupied for hotel purposes until the Stables had been granted planning permission and listed building consent for the works, and these were substantially complete. The reason for the timetabling is to ensure that the works are carried out quickly and comprehensively.

There are principally 2 issues that need to be resolved in order to move forward with this element of the scheme.

1. The future of the bats currently occupying the Stables and the scale of mitigation.
2. The detail in relation to the conversion and use of the Stables in light of English Heritages comments.

Each will be addressed in turn.

1. The future of the bats currently occupying the Stables and the scale of mitigation

In carrying out Remote Bat Detector Surveys and Bat Roost Assessments in association with the original applications, the Stables was identified as a potential roost with Lesser Horseshoe Bat droppings identified as well as isolated Greater and Lesser Horseshoe bats found roosting in parts of the stables. However its status and therefore the need for mitigation could not be determined without emergent surveys being carried out. Natural England only withdrew its formal objection to the scheme on the basis that the Stables was withdrawn from

consideration as part of the wider proposals on the site. The emergent surveys are now complete.

The survey confirms that the east tower supports a small non breeding summer satellite roost for Lesser Horseshoe Bats and the western extent of the Stable block supports similar for Greater Horseshoe Bats. The survey anticipates a population of around 5 bats in each location. It is acknowledged that the works will destroy the area used by the Greater Horseshoe Bats and disturb the area occupied by the Lesser Horseshoe Bats. This means that a European Protected Species Licence will be needed before works can be carried out.

The applicants consultants have recommended that the roof space within the east tower be retained for roosting by both species of bats and that a new access point is created. Advice is included about good practice in relation to the carrying out of works on the site. This would ultimately be reflected in the terms of the licence.

It is necessary for Natural England to agree that the approach used and mitigation proposed is acceptable and their comments are awaited.

2. The detail in relation to the conversion and use of the Stables in light of English Heritages comments

Whilst supporting the principle of the reuse and restoration of the Stables, some concern was expressed in relation to the proposed works to the internal fabric of the Stables in the formal response to the original listed building applications on the site. The main points of concern were the loss of the stairs to the east and west tower and retention of stables fixtures and fittings.

English Heritage felt that the significance of these features was not adequately addressed as part of the Heritage Statement. They considered that the stairs were original, contributed to the special architectural character of the building and the presumption should be in favour of retention. Similarly they wished to be assured of the retention of the Stables fixtures and fittings. The applicants have responded that they would like the matter to be dealt with by condition. Whilst this is feasible in relation to the fittings the ability to retain the stairs is more fundamental and not really amenable to control in this way. Ultimately, the LBC will be determined by the Secretary of State and so it is necessary to resolve this matter if it is not to cause delays at a later stage.

Generally, the external alterations, comprising a new entrance, reinstatement of the conservatory, and reinstatement of the elevations are considered acceptable. The internal works, with the exception of the loss of stairs are also considered acceptable.

Economy

Cumulatively, this project will create up to 70 jobs and result in investment in the site of around £12million pounds. There will also be spin off in the local economy from enhanced tourism facilities.

Environmental Enhancement

The future of the bat communities on the site is a critical consideration and the requirements of NE will be incorporated into the scheme. The architectural quality and character of the listed building will be protected through sensitive works of conversion.

Conclusions

Due to the need to reach a determination quickly in respect of the planning and Listed Building applications (due to deterioration of the building and programme commitments), it is recommended that if Members are happy with the broad principles involved; that further discussions with EH are held to resolve the retention of the stairs and that the detailed advice of Natural England is incorporated into the detailed design of the mitigation. It is further recommended that the final form of the conditions be delegated to the Head Of Spatial Planning to determine incorporating the advice of NE and EH.

Relevant Policies

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