

Application Number

P/2016/0133

Site AddressLand At
Paignton Green
Parks Path
Paignton**Case Officer**

Gary Crawford

Ward

Roundham With Hyde

Description

Erection of coffee kiosk (Resubmission of P/2015/1123)

Executive Summary/Key Outcomes

This application is for the erection of a coffee kiosk on an area of decking on Paignton Green, situated in between Eastern Esplanade and the Geoplay Park.

The proposal is considered to be acceptable in this location and without any overriding detriment to the character or appearance of the locality. Consequently, the proposal meets Local Plan policy requirements.

Recommendation

Subject to no new issues being raised that have not already been considered by the DM committee during the consultation period that expires on 21st March 2016, approval subject to conditions regarding the submission of drainage details and controlling the hours of use of the kiosk from 08:00 to 20:00 Mondays to Sundays.

Statutory Determination Period

The application should be determined within 8 weeks expiring on 8th April 2016.

Site Details

The application relates to a rectangular area of land on Paignton Green, situated in between Eastern Esplanade and the Geoplay Park, and to the north of an existing shelter.

Detailed Proposals

The application is for the erection of a coffee kiosk on an area of area of decking. The kiosk would be 4.8m in width, 3.6m in depth and 3.6m in height with a pitched roof to match the neighbouring shelter. The proposed materials are cream painted timber boarding with grey plywood removable panels, black metal guttering and a slate roof. The kiosk would be situated on an area of decking which would be 14m in width and 6m in depth.

Summary Of Consultation Responses

Community Protection: No comments received.

Drainage Engineer: No objections subject to a condition regarding the submission and approval of the detailed design for the sustainable drainage system before work commences on site.

Summary Of Representations

One letter of objection has been received which raised concerns about the proposed kiosk being out of keeping with the area and drainage issues.

Officer comment - The neighbour consultation period for this application is due to expire after the date of the March Development Management Committee meeting. Therefore, no decision shall be issued until after the neighbour consultation period has finished.

This representation has been sent electronically for Members consideration.

Relevant Planning History

P/2015/1123: Erection of coffee kiosk. Withdrawn 06/01/2016.

Key Issues/Material Considerations

The key issues to consider in relation to this application are the impact the proposal would have on the character and appearance of Paignton Green, and flood risk.

The proposed kiosk and associated decking area would be located on Paignton Green North, which is designated as an Urban Landscape Protection Area in Policy C5 (Urban Landscape Protection Areas) of the Torbay Local Plan 2012-2030. Policy C5 specifies that development within Urban Landscape Protection Areas (ULPAs) will only be permitted where:

1. It does not undermine the value of the ULPA as an open or landscaped feature within the urban area; and
2. It makes a positive contribution to the urban environment and enhances the landscape character of the ULPA.

Whilst Paignton Green is mostly characterised as an open green space, there are some existing structures located on Paignton Green, in addition to the Geoplay Park. The proposed coffee kiosk has a traditional Victorian seaside design to match the existing shelters and other structures situated along the perimeter of Paignton Green. The proposed roof pitch and materials would match the neighbouring shelters, although the proposed kiosk would be painted cream and grey to distinguish it from the existing shelters. As such, it is considered that the proposed kiosk is in keeping with the existing structures on Paignton Green

in terms of its size and design, and it would preserve the traditional seaside architecture of Paignton seafront. It is therefore deemed that, given the existing buildings on Paignton Green and, the size and design of the proposed kiosk, the proposal would not undermine the value of the ULPA and, it would make a positive contribution to the urban environment and enhances the landscape character of the ULPA. Whilst the proposed decking area may take up additional green space, the decking area is deemed necessary as it provides a more practical surface for the kiosk's customer seating area rather than directly on the grass.

Policy TO1 (Tourism, events and culture) of the Torbay 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. The application site is also located within Core Tourism Investment Area (CTIA) as designated in Policy TO1. As such, given the site's location within a CTIA and as the proposed kiosk provides an additional area for parents to sit and supervise their children who are using the Geoplay Park, the proposal would comply with Policy TO1. The provision of the kiosk is linked to the Geoplay Park and it is intended that the rental income from the kiosk will be used to fund its running cost. The Geoplay Park provides a popular area for play. Furthermore, the proposed kiosk would also provide an additional refreshment outlet for the users of Paignton seafront.

The application site is located within Flood Zone 3 and the applicant has indicated that surface water from the development would be drained to a soakaway. As such, the proposal is deemed acceptable in terms of flooding, subject to a condition regarding the submission and approval of the detailed design for the sustainable drainage system before work commences on site.

S106/CIL

N/A

Conclusions

In conclusion, it is considered that the proposed development would not harm the appearance and character of Paignton Green or result in an adverse impact in terms of flooding. Therefore, it is deemed that the proposed development would be appropriate for planning approval, having regard to all national and local planning policies and all other relevant material considerations.

Relevant Policies

C5 - Urban landscape protection areas

TO1 - Tourism, events and culture

DE1 - Design

DE3 - Development Amenity

ER1 - Flood Risk