

Application Number

P/2012/0344

Site Address91 Avenue Road
Torquay
Devon
TQ2 5LH**Case Officer**

Miss Alix Cathcart

Ward

Tormohun

Description

Proposed Change Of Use Application From Existing Guest House To Residential Accommodation

Executive Summary:

This proposal meets the criteria of Policy TU6 for the loss of holiday accommodation and the location is suitable for the residential use proposed.

Recommendation:

Approval.

Site Details

Semi-detached two-storey house on the east side of Avenue Road, lying within the Torre Conservation Area.

Detailed Proposals:

Change of use from guest house with six guest rooms to residential use falling within Class C3 Dwelling Houses. The proposed accommodation would comprise hall, lounge, dining room, kitchen and one bedroom on the ground floor and five bedrooms on the first floor with associated bathroom facilities.

The application is supported by details explaining that the guest house is of limited value to the tourism industry, due to the small number of rooms and quality of accommodation provided.

It is also explained that the intention is that five disabled adults would live together as a family, with separate bedrooms and communal eating and living areas, supported to live independently in the community by a Care Provider who would have a sleeping night carer presence, with additional care staff visiting in the day, this being a use falling within Class C3 'Dwelling Houses' of the Town and Country Planning Use Classes Order 2010 as amended, Paragraph (b) "Use as a dwelling house, by not more than six residents living together as a single household, where care is provided for residents."

The application has been revised since its original submission to provide

proposed layouts of the ground and first floors, to provide supporting information addressing the loss of holiday accommodation and explaining the way in which the property is intended to be used.

Consultation Responses:

Natural Environment: The financial contribution would be used for the enhancement and improvement of Upton Park and the facilities available therein.

Representations:

One letter of representation has been received, expressing concern that the application did not make it clear what kind of residential accommodation was proposed. This has been re-produced at Page T.200.

Relevant Planning History:

None found.

Key Issues/Material Considerations:

While details have been provided, explaining that the proposed use would be one falling within Paragraph (b) of Use Class C3, as set out above, the application to be considered is for change of use from guest house to any use within Class C3 Dwelling Houses and the application falls to be considered on that basis.

Loss of tourist accommodation within a Principal Holiday Accommodation Area is considered against the document "Revised Guidance on the Interpretation of Policies TU6 (Principal Holiday Accommodation Areas) and TU7 (Holiday Accommodation elsewhere) of the Adopted Torbay Local Plan Approved March 2010". The application site is shown within a Green area where, for small guest houses with up to 10 bedrooms, residential use is likely to be allowed. The criteria of Policy TU6 have been addressed in the submitted details and it is accepted that the loss of previous use would not harm the holiday character and atmosphere of this PHAA.

The application site lies in a mixed use area with a Dental Surgery and car wash nearby, some other guest houses but predominantly residential uses, including flats and institutional accommodation. The building would originally have been built as a house. The internal accommodation proposed would be suited to the proposed use and the application site includes outside garden amenity area at the rear and parking provision at the front. There would be no material detriment to the privacy or amenities of the neighbouring occupiers and the proposed use is considered entirely appropriate for the property and its location.

Response to points made in representation/s: The kind of residential accommodation proposed has been addressed in the further details submitted.

Section 106/CIL: The application proposal has been assessed against the

provision of the document “Planning Contributions and Affordable Housing, Supplementary Document – Update 3, Economic Recovery Measures April 2011”. A financial contribution would be payable in respect of the proposed new use, as set out below. No contribution would be payable in respect of Sustainable Transport as use, in this regard, as a single dwelling would be significantly less than its use as a guest house. Mitigation has been applied at a rate of 50% in respect of Greenspace and Recreation, in recognition of the property’s former use. The contribution has been calculated on the basis that the dwelling would be in the category “Larger Properties 4+ bedrooms, in excess of 120sq m.”

Waste Management	£50
Lifelong Learning	£ 470
Greenspace & Recreation	£2370 x 50% = £1185
TOTAL	£1705

The discount for early payment would be £85.00.

Conclusions

The proposal reflects Local Plan Policy criteria. The application is recommended for approval, subject to provision being made prior to the issuing of a decision for the payment of the financial contribution due under the Council’s policy.

Informative(s)

01. The applicant is advised that this decision relates only to the use of the application site in Class C3 of the Town and Country Planning (Use Classes) Order 1987, as amended, and not, for example, to use as flats or as a house in multiple occupation.

02. Summary of reasons for the grant of permission: This proposal meets Local Plan policy criteria because the use proposed is appropriate one in this location.

Relevant Policies

TU6 Principal Holiday Accommodation Areas