

# TORBAY COUNCIL

Application Site Address	26 Cliff Road Paignton TQ4 6DH
Proposal	Change of use to two flats and one maisonette for use as supported accommodation by the YMCA with replacement doors.
Application Number	P/2024/0645
Applicant	City of Exeter YMCA
Agent	Mr Andrew Farrell
Date Application Valid	11/10/2024
Decision Due date	06/12/2024
Extension of Time Date	TBC
Recommendation	<p>Approval: Subject to;</p> <p>The conditions as outlined below with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency;</p> <p>Legal agreement/undertaking to secure a Berry Head ecological mitigation payment of £405.</p> <p>The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.</p> <p>If Members of Planning Committee are minded to refuse the application against officer recommendation, final drafting of the reason(s) will be delegated to the Divisional Director of Planning, Housing and Climate Emergency and in consultation with the chairperson.</p>
Reason for Referral to Planning Committee	The application has been referred to Planning Committee by the Chairman of the Planning Committee given the level of public interest.

**Location Plan**



**Site Details**

The site is 26 Cliff Road, Paignton which is a semi-detached property in sui generis use as a club house for the Paignton Sea Anglers Association. The property is spread over three floors and features a low wall on the front boundary with an area

of concrete. The property benefits from a rear terrace set above the adjacent Holocaust Memorial Garden.

To the east of the property, and to the east of the Burma Star Memorial Garden is a garage structure accessed via Cliff Road. The northern half of the garage forms part of the application site. The garage includes a door on the north elevation however given the space available, a car would not be able to turn to access the garage without going over land/grass which is within Council ownership as part of the Burma Star Memorial Garden.

The site is within the Roundham and Paignton Harbour Conservation Area and within the Conservation Area Character Appraisal the building is identified as a 'key building' of architectural importance and part of a wider 'important building group'. The garage is also identified as a 'key building' of architectural importance.

The site is located within flood zone 1 and a critical drainage area.

The property is surrounded to the north and west by the Holocaust Memorial Garden whilst the garage structure sits adjacent to the Burma Star Memorial Garden. The semi-detached neighbouring property is in use as flats and the predominant surrounding use are residential dwellings and flats. To the west of the Holocaust Memorial Garden is the Roundham car park.

### **Description of Development**

Full planning permission is sought for the change of use of the building to two flats and one maisonette for use as supported accommodation by the YMCA with the replacement of two external doors.

The proposal will result in two 1-bedroom flats located at ground floor level and access via a shared internal entrance hall, and one 6-bedroom maisonette set over the basement, ground floor and first floor also accessed via the shared internal entrance hall. All three units will fall within use class C3(b). The two 1-bedroom flats will be single occupancy whilst the maisonette will be occupied by 6 individuals who will share a living room, kitchen, toilet and basement storage whilst having individual en-suite bedrooms.

External changes are limited to the replacement of two external doors on the west elevation of the building with heritage doors matching the style of the existing doors.

The property would be run by YMCA Exeter, which is a registered provider, as affordable housing let at social rents and operated as supported accommodation for young people aged between 18-25 with a direct connection locally to Torbay.

## **Relevant Planning Policy Context**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

### **Development Plan**

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Adopted Paignton Neighbourhood Plan 2012-2030

### **Material Considerations**

- National Planning Policy Framework (NPPF)
- Proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation document
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Planning Policy Guidance (PPG)
- Roundham and Paignton Harbour Conservation Area Appraisal
- Healthy Torbay SPD
- Torbay Council's Community and Corporate Plan 2023-2043
- Torbay Council's Corporate Parenting Strategy draft consultation document
- Torbay Council's Housing Strategy 2023 to 2030
- Homelessness and Rough Sleeping Strategy 2020-2025 draft consultation document
- Published standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report.

## **Summary of Consultation Responses**

### **Highways -**

#### **Site Description**

The site is located to the north of Cliff Road, adjacent to the Burma Memorial Gardens close to Roundham Head and Fairy Cove Beach in Paignton. The site currently comprises a semi-detached two storey building which has been owned and used by Paignton Sea Anglers Association since 1986. The existing building includes recreational and meeting spaces, function space, drinks bar, café / restaurant. It lies within the Roundham & Paignton Harbour Conservation area.

Cliff Road routes adjacent to the site frontage, it is a two-way road with footways on either side. There is unrestricted on-road parking on the northern side of Cliff Road

however 'No Waiting at Any Time' parking restrictions are located on the southern side. Cliff Road also provides access to Roundham car park which is located approximately 25m to the west of the proposed site.

#### Site History

A Pre-application enquiry was submitted in April 2024 for the Change of Use of 26 Cliff Road Ravenswood) to residential flats (2-4 units).

It is understood that the planning history is:

P/1982/2518

A planning application was submitted in October 1982 for the use of Ravenswood as holiday flats. The application was granted permission subject to Condition 1, which states that no change of use is permitted until detailed plans have been submitted to and approved by the Local Planning Authority.

P/2007/1954

A planning application was submitted in 2007 for a covered terrace on rear elevation at the site which was refused by the Local Planning Authority due to the impact on visual appearance and character.

#### Traffic Impact

##### Highway Safety

The application has not included any review of personal injury collisions. The Highway Authority has undertaken a review of personal injury collision (PIC) data which shows no highway safety concerns near the site which could be exacerbated by the proposals.

#### Design Considerations

##### Pedestrian and Cycle Access

The application form indicates that no new or altered pedestrian access is proposed from the public highway. The Access Design Statement also mentions that pedestrian access would be as existing from Cliff Road.

Currently, pedestrian access is achieved via the footway on Cliff Road. It is anticipated that cyclist access would be further down the road at the driveway access to the cycle store is located (Drawing YPA SK10 B), where a dropped kerb is provided.

##### Cycle Parking

As per Appendix F (Car Parking Requirements) of the Torbay Local Plan, at least 1 cycle parking space per flat must be supplied within a secure, well-lit and covered storage area.

The application form indicates that there are currently no cycle parking spaces on the site. The proposal includes provision for 8 cycle parking spaces within a detached garage, located 50 meters east of the site. The location of these parking spaces is shown in Drawing No. YPA SK10 B.

The Management Plan highlights that a secure Bike Shelter with lighting and full CCTV coverage could be located within the Garage nearby with the capacity to store both Staff and Resident bikes. Residents would be assisted with the provision of bike locks and other methods of keeping their bikes and belongings secure. The Highway authority is satisfied that this provision is in line with the Torbay Local Plan standards. However, the numbers of staff are unknown, the applicant should ensure enough cycle parking is provided for residents and staff use.

#### Public Transport Access

The Department for Transport's Inclusive Mobility guide (2021) recommends that bus stops in residential areas should be located within a 400 meters walkable distance.

The nearest bus stop to the site is located on Roundham Road, outside Roundham Garage approximately 240 metres to the west of the site and easily accessible within a 3-minute walk. The bus stop is in the form of a flag and pole in the southbound direction, however no physical flag and pole is present for the northbound bus stop. Both locations have on carriageway bus markings. The walking route to this bus stop is facilitated by footways; however, there is also a cut through from Cliff Road to Roundham Road adjacent to Roundham Garage. The Highway authority is satisfied that the site is situated in a sustainable location.

#### Vehicular Access

The existing vehicular access is from Cliff Road. The submitted documents do not specify any changes to the vehicular access to the site.

#### Car Parking

As per Appendix F (Car Parking Requirements) of the Torbay Local Plan it is recommended that 1 car parking space per flat is provided along with secure and covered cycle storage for at least 1 cycle per flat. Visitor parking should also be provided. Furthermore, EV Charging Provision must adhere to Building Standards, ensuring that each dwelling with a parking space is served by a charger.

Car parking within the immediate area is restricted. The applicant must ensure that parking provisions align with Torbay Local Plan standards. The applicant has provided reasoning to suggest that residents at the site are unlikely to use a vehicle.

The application form indicates that there is one existing car parking space within the garage. However, the location of this existing car parking space has not been included in the proposed layout (Drawing No. YPA SK10 shows this space now used

for cycle parking). The applicant should clarify whether any specific parking space is proposed, and if so, should demonstrate this on a plan.

The Access Design Statement notes that visitors could park on the northern side of Cliff Road, where there are no parking restrictions, or in the nearby Torbay Council-maintained Roundham multi-storey car park off Cliff Road.

#### Refuse / Servicing / Emergency Access

The Application Form indicates that the waste storage and collection will be as per the existing arrangement, understood to be roadside, with no changes proposed.

The Management Plan indicates that each room will be equipped with 2 separate bins to encourage separation of recycling and general waste. Tenants are responsible for taking out their own waste and YMCA staff will be responsible for placing the bins at the kerb side on collection days. However, the locations of the bins are not presented in the proposed ground level layout. This should be demonstrated. Torbay Council's waste storage guidance recommends that communal stores must also be located no further than 25 metres from the nearest point of access for the refuse collection vehicle.

Based on the existing site layout, it appears that, in the event of an emergency, a fire appliance can access the front of the property from Cliff Road. During the pre-application stage, it was suggested that the forthcoming application should demonstrate whether a fire appliance can access all parts of the building in accordance with the Manual for Streets standards (Section 6.7). However, this assessment has not been included in this planning application.

#### Conclusion

The Highway Authority requires the following items to be resolved:

- Demonstrate if and where vehicle parking is proposed.
- Identification of the location for bin storage.

Once these details have been provided, and found to be satisfactory, the Highway Authority will be in a position to raise no objection.

Response received following planning officer confirmation on the existing parking capacity in the garage and querying if waste storage could be secured by condition:

I think the waste collection can be dealt with by way of condition, with a requirement to be in-line with SWISCO Waste requirements?

In terms of parking, on the basis it is YMCA / sheltered accommodation the parking requirement is likely to be reduced – therefore I don't think this will be a 'severe'

reason for refusal. In taking this pragmatic approach, could a condition be applied to the application/land use to ensure it is not later sold for private use?

**Principal Policy and Project Officer-**

I refer to the above application for change use of the former Sea Anglers, 26 Cliff Road, Paignton to two flats and one maisonette for use as supported accommodation by the YMCA. The application is supported by a management plan indicating that the building will be used by the YMCA to provide supported affordable housing to local young people.

The proposal would bring very strong social benefits in terms of providing affordable housing in a sustainable location within walking distance of a transport interchanges, the town centre and Esplanade. The Community and Corporate Plan 2023-43 has a priority to: "To keep children safe in their communities and provide safe environments for our young people to thrive in". In my view this is the most important material consideration relating to the proposal. Because of the nature of the use and relevance of the YMCA management regime, it would be appropriate to grant permission on a personal basis, or tied by condition to the management plan. This may help alleviate some of the concerns raised in representations on the application. The conversion of the building to residential use is likely to be acceptable in its own right in this location. However, the accommodation as proposed does appear to lend itself to Class C4 HMO use, and issues such as parking would need to be considered for an unrestricted Class C3 use. Un-unregulated HMO could raise policy concerns in relation to Local Plan Policy H4. These are additional reasons for conditioning the application to restrict use as described in the YMCA Management Plan.

The proposal is not located within a Core Tourism Investment Area, and is not holiday accommodation. Accordingly, I do not consider that there is a policy concern relating to loss of tourism.

The Berry head recreation contribution would be applicable.

**Divisional Director of Community and Customer Services -**

Information has also been provided as an evidential document outlining the need in Torbay and reasons for youth homelessness. See attached.

The provision will assist in delivering a key element of the Homelessness and Rough Sleeping Strategy. The delivery of move on accommodation is essential and its significance cannot be stressed enough. This will enable and contributed towards a working pathway were those young people that find themselves at point of homeless are prevented from doing so, and or are moved out of the Council emergency temporary accommodation. The public consultation feedback undertaken in August

2024, on the draft strategy also clearly feedback the impact that rough sleeping and homelessness has upon our wider communities.

The need in Torbay cannot be disputed, as the evidence from national data available for 2022/23 shows that Torbay continues to see a high proportion of households per thousand assessed as homeless, compared to the national average, with 15% of presentations being between 18 and 24 years old. Also, the grant funding by which this accommodation would be provided, is through a government initiative called SHAP (Single Homeless Accommodation Program). This grant program was by invite only around specific cohorts, one of which was homelessness related to young people. Therefore, the need and significance being recognised by Central Government. The conditions of the grant also came with funding to provide support at the accommodation. The grant funding is time limited and therefore traction is required on delivery and will therefore provide a valuable resource at pace. Placements at the accommodation would be undertaken in partnership with the Council enabling full control over allocations with restrictions for local residents. I would also request that a management plan also be placed within any permissions providing detailed information on how the properties will be managed and hours of staff of site.

YMCA, are a recognised trusted national provider of accommodation and support for young people. This would also provide an initial footprint for wider working to address accommodation for young members of our communities in Torbay.

#### **Police Designing Out Crime Officer -**

It is welcomed the detail within the documents which relates to security especially within the Design Access Statement and the Management Plan for the proposal. I support the proposed installation of CCTV internally & externally, access control measures and lighting.

It is recommended that all doors that lead to private residents' rooms, studios should be certificated products to meet the standards of PAS 24:2022. Equally all doors providing entrance into the property should also meet PAS:24 standards.

It is also recommended that if any ground floor and easily accessible windows are being replaced these should be certified products to meet the standards of PAS24: 2022 where these are not being replaced the locking mechanisms should be upgraded where necessary to meet the standards mentioned above. Likewise, these windows must be fitted with a window restrictor to prevent reach in burglaries where the offender reaches in an open window and steals anything within reach.

With regards to the mail delivery system, it is welcomed that the post will be delivered to post boxes allocated to their flats or rooms, this is recommended it is positioned within the entrance lobby area, this should be covered by CCTV. It should be equipped with high security cylinders that are not subject to a master key, it also

should be robust construction whilst incorporating an anti-fishing design and be fire resistant. The letter boxes should have a maximum aperture size of 260mm x 40mm. It's noted that the proposed bicycle store will be within a garage. It is recommended that the stands are certificated to one of the following standards.

- LPS 1175 Issue 7 Security Rating 1, or
- LPS 1175 Issue 8 Security Rating A1, or
- LPS 2081 Issue 1 Security Rating A, or
- Sold Secure SS104 Bronze, or
- STS 205 Issue 7 Burglar Resistance BR1, or
- STS 225 Issue 2 Burglar Resistance BR1(S), or
- STS 501 Security Rating TR1, or
- STS 503 Security Rating TR1.

Within the Management Plan within the Building Design section it states that 'Security and tenant safety is a priority for us and so the building will achieve Secure by Design certification'. I would ask the applicant to contact me to discuss this further at the earliest opportunity.

**Senior Environmental Health Officer –**

No objections.

**Waste Officer -**

Torbay Recycling and Waste Collection Guidance for Developers document provided.

**Principal Historic Environment Officer (verbal comments)-**

The proposal would result in a neutral impact on the Conservation Area. A planning condition to secure details of the new external doors is recommended to ensure a good quality design is secured. If the application was for unrestricted C3 use, we would look to secure improvements to the building. Given the nature of development it is accepted that this will not be achieved. A planning condition restricting the use to supported accommodation linked to the YMCA is recommended to ensure if the property is later converted to unrestricted C3 use, this would require the benefit of planning permission and enhancement measures could be secured at that stage.

**Summary of Representations**

At the time of writing a total of 36 letters of objection have been received in which the following matters were raised:

- Impact on Holocaust Memorial Garden and Burma Star Memorial Garden from proposed use
- Impact on tourism
- Impact on traffic and parking

- Unsuitable location for proposed use
- Lack of outside space
- Impact on local services
- Conflict with Local Plan policies and NPPF
- Impact on Conservation Area
- Fails to support economic goals
- Noise and disturbance
- Lack of sufficient management
- Impact on neighbour amenity
- Lack of in-built storage
- Number of occupants
- Use of the site by non occupants
- Anti-social behaviour
- Impact on crime
- Description of development misleading
- Impact on South West Coast path
- Impact on character of neighbourhood
- Fails to positively contribute to its environmental setting
- Undermines local pride
- Waste storage and collection
- Usability and use of garage
- Fire risk
- Loss of club house
- Query location for washing/drying clothing
- Lack of facilities for employees
- Process of application and lack of transparency
- Density of development
- Poor transport links
- Demographic of area
- Impact on local businesses
- Alternative locations should be considered
- Proposal is for an HMO
- Lack of integration with the local community

### **Relevant Planning History**

DE/2024/0050 Pre application advice sought for the change of use to multiple residential flats (2-4 units), including exploring parking options.

P/2007/1954 Covered Terrace On Rear Elevation. Refused 18/02/2008

P/1983/2123 Use As Club Premises. Approved 11/11/1983

P/1982/2518 Use As Holiday Flats. Approved 18/02/1983

## **Planning Officer Assessment**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following key issues have been identified and will be discussed in relation to the relevant development plan policies and material considerations.

1. Principle of Development, Housing and Affordable Housing
2. Design, Visual Impact and Heritage
3. Impact on Residential Amenity
4. Access, Movement and Parking
5. Ecology and Biodiversity
6. Drainage and Flood Risk
7. Waste
8. Designing out Crime
9. Low Carbon Development

### **1. Principle of Development, Housing and Affordable Housing**

The proposal is for the change of use of the sui generis club house building to two flats and one maisonette for use as supported accommodation by the YMCA with the replacement of two external doors.

The property would be run by YMCA Exeter, which is a registered provider, as affordable housing let at social rents and operated as supported accommodation for young people aged between 18-25 with a direct connection locally to Torbay. The Management Plan confirms the accommodation is intended for young people who are moving on from Torbay's higher supported accommodation, foster placements and supported living arrangements.

The proposal will result in two 1-bedroom flats located at ground floor level and access via a shared internal entrance hall, and one 6-bedroom maisonette set over the basement, ground floor and first floor also accessed via the shared internal entrance hall. All three units will fall within use class C3(b). The two 1-bedroom flats will be single occupancy whilst the maisonette will be occupied by 6 individuals who will share a living room, kitchen, toilet and basement storage whilst having individual en-suite bedrooms.

Young People will live in this 'Stage 3 and 4' accommodation. Stage 3 is often called a "Trainer Tenancy"; a 6-month Assured Shorthold Tenancy (AST) is granted to the young person alongside a programme of support documented in a portfolio. Successful completion of the requirements of the programme and production of the evidence in the portfolio means that the Young Person has shown they are able to fully manage their tenancy and all the related responsibilities. The AST therefore

continues and the Young Person receives a Stage 4 level of support but remains in their home. If the Young Person doesn't achieve the requirements within 6 months then the probationary period can be extended up to 12 months. If still unsuccessful then the young person would step back to Stage 2 accommodation where the reasons for not being able to maintain the tenancy can be more optimally addressed.

Stage 3 and 4 Services are designed as move on accommodation for residents who have demonstrated the ability to live more independently with a much lower level of support. The purpose of such accommodation is to provide a "stepping stone" to fully independent living, and therefore occupancy shall be temporary, although the length of time a resident may remain in the accommodation will depend on how quickly they are capable of living fully independently and the availability of realistic move on options. It is expected that residents will stay in each of these accommodation stages for between 2 and 5 years, although this period may be extended if appropriate. The form of tenure shall therefore be an Assured Shorthold Periodic Tenancy.

All young people will have named support workers, a personalised support plan, access to therapeutic services and counselling, regular groups, workshops and social, sporting and creative activities.

The site would be staffed by a professional staff team led by a full-time Housing Manager. The Support Team will be available from 9am to 10pm to provide tailored advice, guidance and individual sessions to residents and swift intervention into any occupancy related issues, and then an on-call cover from 10pm through to 9am. One staff member remains on-call throughout the night with another staff member being on "backup" for the on-call staff member able to be contacted as required. Alongside this, a senior manager (normally the Housing Manager, is contactable to advise in emergencies and a duty Safeguarding Lead Officer is also on call at any time throughout the night).

The Management Plan confirms the general timeline of a day for residents as:

*The majority of Tenants will be engaged in work or education during the day and so the support service is focussed on work in the evening. The intensity of support meetings reduces in Stages 3 and 4 and focusses more on engagement with the tenants in regular contact, community and group based work, digital contact and interaction and has an emphasis on ensuring the tenants are more proactive in their engagement in any support that they require.*

*Staff visit and support the tenants in their work, engaging with employers, teachers, heads of department and others to help ensure that the tenant is*

*coping well in their work or educational placement and is moving to a place where professional support involvement will no longer be regularly required.*

*In the late afternoon to evening there would be workshops either on site or as part of a community group off site and likely evening and weekend social activities usually based around food or a trip out. After 10pm, offsite staff remain on call and would be able to monitor CCTV as required.*

*Weekends will often include planned social activities, trips and occasional residential. The times are still part of the support framework and develop essential skills of independent living and personal growth alongside a bit of time away and some fun!*

*Often Stage 4 young people volunteer and mentor young people in earlier stages, taking a lead in running and even developing new activities and groups. We operate an Ambassador programme to facilitate this further with young people volunteering their time to help, inspire and guide young people by sharing their lived experience of supported housing and how to make best use of the support available to them.*

There is a pressing need for homes in Torbay. The Housing and Economic Needs Assessment (2022) indicates a comparable level of need and that there are around 1600 households on the waiting list for housing. At April 2024, the Council could only demonstrate a housing land supply of about 2.69 year's supply of deliverable housing sites. This is a significant shortfall.

The draft consultation NPPF, although of limited weight, places further emphasis on the need for housing, securing affordable homes and the need for different groups in the community including looked after children.

Policy SS13 supports residential development in accordance with the Local Plan and Policies of the NPPF. The site is not allocated in the Local Plan or Neighbourhood Plan for housing.

Policy H1 of the Local Plan states that proposals for new homes within Strategic Delivery Areas, and elsewhere within the built-up area, will be supported subject to consistency with other policies in the Local Plan. It is noted that the Council is currently falling short of its 5-year housing land supply and that the proposal would make a contribution to this shortfall being addressed given the proposal will result in the formation of three C3(b) supported accommodation units. As the Council cannot demonstrate a 5 year housing land supply the tilted balance in favour of sustainable development is applicable as required by the National Planning Policy Framework (NPPF).

Paragraph 11 of the NPPF states:

*Plans and decisions should apply a presumption in favour of sustainable development.*

*For decision-taking this means:*

*c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

*Footnote 8: This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a 5 year supply (or a 4 year supply), if applicable, as set out in paragraph 226 of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77 and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous 3 years.*

The proposal would create three C3(b) units of accommodation for a total of 8 individuals which would constitute affordable housing which is let at social rents and operated as supported accommodation for young people aged between 18-25 with a direct connection locally to Torbay. The provision will assist in delivering a key element of the Council's Homelessness and Rough Sleeping Strategy. The delivery of move on accommodation is essential to enable a working pathway where those young people that find themselves at point of homeless are prevented from doing so, and or are moved out of the Council emergency temporary accommodation. The public consultation feedback undertaken in August 2024, on the draft strategy also clearly feedback the impact that rough sleeping and homelessness has upon our wider communities. The need in Torbay cannot be disputed, as the evidence from national data available for 2022/23 shows that Torbay continues to see a high proportion of households per thousand assessed as homeless, compared to the national average, with 15% of presentations being between 18 and 24 years old. Also, the grant funding by which this accommodation would be provided, is through a government initiative called SHAP (Single Homeless Accommodation Program). This grant program was by invite only around specific cohorts, one of which was homelessness related to young people. Therefore, the need and significance being

recognised by Central Government. The conditions of the grant also came with funding to provide support at the accommodation. Placements at the accommodation would be undertaken in partnership with the Council enabling full control over allocations with restrictions for local residents.

Torbay Council's Community and Corporate Plan 2023-2043 describes itself as "The golden thread" running through all the Council's plans, policies, and operations. The Corporate and Community Plan makes several specific references to meeting the needs of children and young people. The second "Community and people" priority (page 6) is "To keep children safe in their communities and provide safe environments for our young people to thrive in". The Plan also undertakes that all residents are supported to live independent, healthy, active lives and that young people in receipt of services from children's services are prepared for adulthood. The Council's Corporate Parenting Strategy notes the Council's ongoing support for care experienced young people up to the age of 25. Priority 5 of the strategy is to support children and care experienced young people to develop into independent, confident and responsible adults.

The Housing Strategy 2023 to 2030 notes that Torbay has five times the national average of children and young people in care or care experienced, with a 42% increase since 2011. It states that: "There is also an urgent need to create housing stock that provides independent living and move-on accommodation options for our care experienced young people". It undertakes work proactively and in partnership with partners such as Homes England and Registered Providers (etc.) and seeks to maximise opportunities to deliver affordable homes and to provide more homes to improve the outcomes for our care experienced leavers.

These corporate strategies are a material consideration and should be afforded significant weight as statements of the Council's corporate priorities.

Given Torbay has a pressing need for affordable housing and its provision, especially for groups such as care leavers or other vulnerable people including the 18 to 24 year old demographic which this form of supported accommodation will cover, is considered to result in very substantial weight in the planning balance.

Policy H6 supports measures to help people live independently and to live active lives within the community.

Policy SS11 aims to improve the sustainability of existing communities in Torbay, enhance the quality of life for residents and, especially, to close the gap between the most and least disadvantaged neighbourhoods. Details of management arrangements, and the nature of the operation and client groups are important to consideration of this matter. The supported accommodation will be occupied by local young people aged 18 to 25 years old. The accommodation is purpose designed to

meet the needs of the client group, understanding that each tenant will likely only live in the accommodation an average length of 5 years before life circumstance and natural progression will cause them to seek different accommodation. Although 24/7 onsite staff is not proposed, the premises will be monitored by CCTV and residents would have access to support at all times.

The proposal is considered to meet many of the criteria in Policy SS11: Particularly SS11.2 *“Help to close the gap between the most and least disadvantaged people and neighbourhoods in Torbay”* and SS11.4 *“Promote social inclusion, and seek to eliminate exclusion based on access to housing, health, education, recreation or other facilities”*. The Management Plan confirms:

*Our Studios at 26 Cliff Road are proposed to be compliant with Nationally Described Space Standards. We also operate a method of enabling us to provide utilities at very low cost due to the YMCA’s ability to purchase as a large National body. These savings are passed on in the service charge in the accommodation providing low cost utilities and preventing tenants from any rapid adverse changes in energy charges such as those that have occurred in recent years.*

The Management Plan provides certainty about the proposed use, client group and operation of the site and the mixture of two 1 bedroom flats and a 6 bedroom shared maisonette provides an accommodation type which meets the needs of the future occupiers. This accommodation type is designed as stage 3 and 4 accommodation which provides a stepping stone for residents through the 4 stages of the YMCA’s pathway of supported accommodation. This accommodation is specifically designed as temporary accommodation which will directly help to close the gap between the most and least disadvantaged people and neighbourhoods in Torbay and promotes social inclusion and access to housing. The client group is local young people from Torbay. Given this results in a direct local benefit, this is recommended to be secured by condition.

The operation would provide support into local employment and training, in accordance with SS11.11 and provide people with access to local services in a highly sustainable location (SS11.12). The applicant has verbally indicated that they would look to agree local training arrangements with the nearby hotels, which would be supported by Policy SC3 of the Local Plan.

The Management Plan considers security and the local community stating that:

*CCTV cameras will be located on our site, both internal to the building and to externally to cover all aspects of the property. CCTV footage is encrypted and stored both locally for up to 365 days and on secure cloud servers for 30 days. The cameras operate a facial recognition system to assist us in making*

*young people feel safe and for assisting the police with accurate and detailed footage of any incident that could occur.*

*Externally, we often utilise ultra-high definition (4K) covering any areas in the locality that the police and secure by design officers have highlighted as places of concern. Our aim is to assist the police and the local community to make these areas safer places to socialise and walk through at all times of the day and night, for both our own tenants and all those who live locally and use them.*

*The groups, activities and events that we will be delivering for those living at 26 Cliff Road and the previous Stage 2 accommodation, will also be available to the local community. These will include wellbeing groups and activities, sporting activities, creative Arts and Music, IT groups and workshops, day trips and events. These will complement the many activities already happening in and around Paignton.*

*We have already, and will continue to engage well with local residents, community associations and business owners to see how we can contribute to the surrounding area.*

The applicants have also verbally confirmed that their operation in Sidwell Street, Exeter has helped reduce and prevent crime and fear of crime. The measures outlined are considered to help to reduce and prevent crime, whilst designing out opportunities for crime, antisocial behaviour, disorder and community conflict (SS11.5).

The proposed use, including the day to day operation of the site which will feature occupants undertaking offsite activities such as employment or education, is considered to suitably blend in with other residential uses in the area. The proposal is therefore considered to be a compatible use within the locality.

Overall, the proposal will result in three C3(b) units of accommodation for a total of 8 individuals run as affordable housing, let at social rents and operated as supported accommodation which targets a key demographic with a high proportion of households per thousand assessed as homeless. The proposed use is considered to contribute to improving the sustainability of existing and new communities within Torbay, and especially the way in which it closes the gap between the most and least disadvantaged neighbourhoods and the use is considered compatible with the existing locality. As such the principle of the development is considered to accord with Policies SS13, SS11, H1 and H6 of the Torbay Local Plan.

The proposal will result in the loss of the club house use. Whilst the building is within a community facility use the site is not allocated nor is it listed as an asset of community value. Policy SC2 of the Local Plan states that:

*“There will be a presumption against loss of existing recreational and leisure facilities, unless:*

- i) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- ii) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- iii) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”*

The building is currently occupied by the Paignton Sea Anglers Association however it has been sold subject to contract. The Design/Access and Supporting Statement confirms that *the Association reported when the property was first marketed for sale in November 2023, that ... although our Club continues to enjoy a strong core membership, we no longer have the need for a building of the size of Ravenswood; it has been a good home for Paignton Sea Anglers, and hopefully we have done our part in its history in preserving and utilising such a lovely building. We hope whatever its next use, it will continue to play a prominent part in the life around Paignton Harbour.*

During consideration of a separate pre-application enquiry (DE/2024/0050) made by the Paignton Sea Anglers Association, a site meeting took place between the planning officer and the owners of the site/club in May 2024 and it was verbally confirmed that the club membership and revenue did not support the operation of the building. The building is therefore considered to be surplus to the requirements of the club.

Given the building is surplus to the requirements of the club, the change of use of the building is not considered to impact on the current provision of a recreational/leisure facility and the proposal is considered to accord with Policy SC2 of the Local Plan.

## **2. Design, Visual Impact and Heritage**

Paragraph 131 of the National Planning Policy Framework (NPPF) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. In addition, paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning

documents. Policy DE1 of the Local Plan states that proposals will be assessed against a range of criteria relating to their function, visual appeal, and quality of public space. Policy SS10 of the Local Plan states that proposals that may affect heritage assets will be assessed on the need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas, whilst allowing sympathetic development within them.

Policy PNP1(c) of the Paignton Neighbourhood Plan requires development to be of good quality design, respect the local character in terms of height, scale and bulk, and reflect the identity of its surroundings.

The site is located within the Roundham and Paignton Harbour Conservation Area. Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act) sets out the general duty as respects Conservation Areas, which requires Local Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The proposed plans are limited to the replacement of two external doors on the west elevation of the building with heritage doors matching the style of the existing doors.

The Council's Principal Historic Environment Officer has confirmed that the proposal would result in a neutral impact on the Conservation Area. A planning condition to secure details of the new external doors is recommended to ensure a good quality design is secured. If the application was for unrestricted C3 use, it is recommended that improvements to the building should be secured to the building as per paragraph 212 of the NPPF which states that *Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.* Given the nature of development proposed, which is for supported accommodation of an affordable nature, it is not considered reasonable to require such enhancements. A planning condition restricting the use to supported accommodation linked to the YMCA is recommended to ensure that if the property is later converted to unrestricted C3 use, this would require the benefit of planning permission and enhancement measures could be secured at that stage.

The Management Plan provides details of the intended operation and this includes how anti-social behaviour will be dealt with alongside tenancy support which will aim to avoid any disruption to those within the service and those living in and around the area. This is considered to satisfactorily address concerns raised in representations with the impact of the proposal on the use of the Holocaust Memorial Garden, Burma Star Memorial Garden, the south west coast path and Fairy Cove.

With the addition of the recommended conditions the proposal is not considered to result in any unacceptable harm to the character or visual amenities of the locality and will preserve the character and appearance of the Conservation Area and is considered to be in accordance with Policies DE1 and SS10 of the Local Plan, Policy PNP1(c) of the Neighbourhood Plan, and the guidance contained in the NPPF.

### **3. Impact on Residential Amenity**

Policy DE3 of the Local Plan states that development proposals should be designed to ensure an acceptable level of amenity for future and neighbouring occupiers.

Policy PNP1(c) of the Paignton Neighbourhood Plan states that development proposals should where possible and appropriate to the scale and size of the proposal protect residential amenity in terms of noise, air, or light pollution.

#### Future occupants

Policy DE3 of the Local Plan which relates to development amenity requires that new residential units provide adequate floor space in order to achieve a pleasant and healthy environment. Provision of useable amenity space, including gardens and outdoor amenity area should be provided with a guidance of 10 square metres for apartments (which can be provided communally). Internal floor standards are set out from the Nationally Described Space Standards and echoed in Table 23 of the Torbay Local Plan 2012-2030. This states that a one bedroom, single storey 1 person unit with a shower room should have a minimum internal area of 37sqm whilst a six bedroom, three storey, 7 person unit should have a minimum internal area of 129sqm.

The proposal will result in two 1-bedroom flats located at ground floor level and access via a shared internal entrance hall, and one 6-bedroom maisonette set over the basement, ground floor and first floor also accessed via the shared internal entrance hall. All three units will fall within use class C3(b). The two 1-bedroom flats will be single occupancy whilst the maisonette will be occupied by 6 individuals who will share a living room, kitchen, toilet and basement storage whilst having individual en-suite bedrooms.

The internal size of the two 1-bedroom flats at ground floor level are approximately 37sqm and 42sqm<sup>2</sup>, whilst the six bedroom maisonette is approximately 290sqm. All units thereby meet or exceed the minimum stated requirement and all habitable rooms are served by adequate light and outlook. The 6 person maisonette is considered to benefit from adequately sized bedrooms and good quality shared space in the form of the living room and kitchen. Overall, the proposal is considered to result in a good quality environment for future occupiers.

A condition limiting the use to supported accommodation and restricting the occupancy to 1 individual in each of the ground floor flats, and to 6 individuals within

single occupancy rooms within the 6 bedroom maisonette is recommended given the intended management arrangements.

The rear and side of the site includes a terrace area of approximately 83.35sqm which is set at a higher level than the adjacent Holocaust Memorial Garden. There is no formal boundary treatment between the terrace and the Holocaust Memorial Garden however a bank separates the two providing a level of separation. This space is considered to be good quality and adequate to serve the proposed occupants of the three C3(b) units.

The site is within a highly sustainable location being within walking distance to local shops, transport links, public gardens and the beach.

#### Neighbouring occupants

The proposal involves the replacement of two existing external doors which is not considered to impact on neighbouring amenity.

As detailed earlier in the report, the site would be staffed by a professional staff team led by a full-time Housing Manager. The Support Team will be available from 9am to 10pm to provide tailored advice, guidance and individual sessions to residents and swift intervention into any occupancy related issues, and then an on-call cover from 10pm through to 9am. One staff member remains on-call throughout the night with another staff member being on "backup" for the on-call staff member able to be contacted as required. Alongside this, a senior manager (normally the Housing Manager, is contactable to advise in emergencies and a duty Safeguarding Lead Officer is also on call at any time throughout the night).

The Police Designing Out Crime Officer has not raised an objection to the application but has provided suggestions to minimise risks and the Council's Senior Environmental Health Officer has raised no objection. The Management Plan is considered to provide acceptable detail of the intended operation which will be secured by a planning condition. This includes details of how anti-social behaviour will be dealt with alongside tenancy support which will aim to avoid any disruption to those within the service and those living in and around the area. This is considered to satisfactorily address amenity concerns raised in representations.

Policy SS11 of the Local Plan states that development proposals will be assessed as to whether they can promote social inclusion and seek to eliminate exclusion based on access to housing, health, education, recreation and other facilities. The proposal would provide affordable housing let at social rents and operated as supported accommodation for young people aged between 18-25 with a direct connection locally to Torbay which is greatly required in Torbay and it is therefore considered that it would help to maintain a mixed and balanced community within the area and would provide a facility to those disadvantaged within Torbay.

Subject to the recommended conditions, the proposal is considered to be in accordance with Policies DE3 and SS11 of the Local Plan and PNP1(c) of the Paignton Neighbourhood Plan.

#### **4. Access, Movement and Parking**

Policy TA3 and Appendix F of the Local Plan states that flats should be provided with 1 parking spaces per flat and provision of secure and covered cycle storage for at least 1 cycle per flat.

The Council's Highway Engineer has noted that they have undertaken a review of personal injury collision (PIC) data which shows no highway safety concerns near the site which could be exacerbated by the proposals.

The proposal includes provision for 8 cycle parking spaces within a detached garage, located 50 meters east of the site. The Management Plan highlights that a secure Bike Shelter with lighting and full CCTV coverage will be located within the garage. Residents would be assisted with the provision of bike locks and other methods of keeping their bikes and belongings secure. The Highway Authority is satisfied that this provision is in line with the Torbay Local Plan standards and the cycle storage is recommended to be secured by a planning condition.

Car parking within the immediate area is restricted although there is a public car park to the west of the site. The applicant has provided reasoning to suggest that residents at the site are unlikely to use a vehicle. The Highway Engineer originally queried if there was any existing parking serving the site and if any was proposed. The planning officer has confirmed to the consultee that there is no car parking proposed as part of the scheme. It was indicated in the application submission that the existing garage provides a space however realistically a car cannot turn to access the garage without going over land/grass which is within Council ownership as part of the Burma Star Memorial Garden. Therefore, although the application states there is 1 existing space, it is not accessible to a standard dimensioned car. The Highway Engineer subsequently confirmed that on the basis that the proposal is for YMCA / sheltered accommodation, the parking requirement is likely to be reduced and therefore they do not consider that the lack of any proposed parking would result in a severe impact on the highway network. The Highway Engineer has requested that a condition is added which restricts the use to supported accommodation for the YMCA, given an alternative C3 use could have a greater impact. The use of the site is therefore recommended to be secured to the YMCA as three units of supported accommodation only.

Subject to the recommended conditions, the proposal is considered to be in accordance with Policies TA2, TA3 and Appendix F of the Torbay Local Plan and Policies PNP1 (d) and PNP1 (h) of the Paignton Neighbourhood Plan.

## **5. Ecology and Biodiversity**

The NPPF provides guidance in that planning decisions should contribute to and enhance the natural and local environment and includes guidance towards minimising impacts on and providing net gains for biodiversity (Paragraph 180). The Development Plan frames similar aspirations principally through Policies SS12 and NC1 of The Local Plan.

Policy PNP1 of the Paignton Neighbourhood Plan which includes area-wide guidance that development will not be supported if the proposal would result in an adverse impact on a European protected site. Policy PNP1 (c) of the Paignton Neighbourhood Plan encourages development proposals to retain existing natural features and features of biodiversity value on site, and to enhance biodiversity where possible.

The application is not liable for Biodiversity Net Gain (BNG) due to the de minimis exemption.

The proposed development is for change of use and does not involve works to the roofs. The presence of protected species is unlikely. However, an informative advising a precautionary approach can be imposed on the planning decision.

In terms of wider ecological matters, the site is within the newly extended Berry Head Recreational Zone of influence, where Berry Head is part of a designated European Site. Recreational use of the calcareous grassland at the Berry Head has the potential to cause degradation through scrub encroachment, erosion by walkers and eutrophication through dog fouling and new housing within the zone of influence therefore requires mitigation in order to manage the additional pressure on this habitat, in accordance with the Local Plan Habitat Regulations Assessment. This concluded that the impacts of qualifying developments on the SAC can be mitigated through developer contributions, which is set out in the Planning Contributions and Affordable Housing SPD. Due to its location the proposal would therefore constitute habitats development and a contribution of £135 per new residential unit is therefore required, which is £405 in total. This is a site delivery matter and requires securing prior to the formal grant of planning permission to make the development acceptable. If not secured it would warrant a reason for refusal.

Subject to securing the identified financial mitigation, the proposal is considered in accordance with the aspirations of Policies SS8 and NC1 of The Torbay Local Plan, Policy PNP1 of the Paignton Neighbourhood Plan, and advice contained within the NPPF.

## **6. Drainage and Flood Risk**

Policy ER1 of the Local Plan states that proposals should maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere. Policy PNP1(i) requires developments to comply with all relevant drainage and flood risk policy.

The site is located within flood zone 1 and a critical drainage area. The application has been supported by a flood risk assessment which states that there are no changes proposed to the existing drainage systems.

The proposal will not result in any increase in impermeable area and therefore the existing means of drainage is considered acceptable and in accordance with Policy ER1 of the Local Plan and Policy PNP1(i) of the Paignton Neighbourhood Plan.

## **7. Waste**

Policy W1 of the Torbay Local Plan requires as a minimum that all developments make provision for appropriate storage, recycling, treatment and removal of waste likely to be generated by a development. PNP1(d) of the Paignton Neighbourhood Plan requires space to be provided for solid waste storage within the curtilage of a site.

The management plan confirms that “all waste is of a domestic nature and each room will be equipped with 2 separate bins to encourage separation of recycling and general waste. YMCA Exeter are committed to shaping environmentally conscious communities as detailed in our Environmental Policy and we ensure all of our tenants receive clear instructions and procedures to make recycling simple and their first choice. Tenants are responsible for taking out their own waste and YMCA staff will be responsible for placing the bins at the kerb side on collection days.”

The Council’s Highway Engineer has confirmed that Torbay Council’s waste storage guidance recommends that communal stores must also be located no further than 25 metres from the nearest point of access for the refuse collection vehicle. The Highway Engineer has subsequently confirmed that a planning condition securing suitable waste and recycling storage would be acceptable and it is considered that there is adequate space within the site to accommodate such storage.

A planning condition securing adequate waste and recycling facilities is therefore recommended and the proposals are considered to conform with the requirements of Policy W1 of the Torbay Local Plan and Policy PNP1(d) of the Paignton Neighbourhood Plan.

## **8. Designing Out Crime**

Policy SS11 of the Torbay Local Plan requires development to help reduce and prevent crime and the fear of crime whilst designing out opportunities for crime, antisocial behaviour, disorder and community conflict.

Policy PNP1(g) of the Paignton Neighbourhood Plan requires all developments to show how crime and fear of crime has been taken into account.

The Police Designing Out Crime Officer has raised no objections to the proposed development which includes the installation of CCTV at the premises and has made recommendations intended to ensure that the proposal would be adequately designed to prevent opportunities for crime and anti-social behaviour. Officers recommend the use of a planning condition to secure a scheme of crime prevention measures. With the recommended condition, the proposals are considered to meet the requirements of Policy SS11 of the Torbay Local Plan and Policy PNP1(g) of the Paignton Neighbourhood Plan.

### **9. Low Carbon Development**

Policy SS14 requires development to minimise carbon emissions and the use of natural resources, which includes the consideration of construction methods and materials.

Policy ES1 seeks to ensure that carbon emissions associated with energy use from new and existing buildings (space heating, cooling, lighting and other energy consumption) are limited.

Policy PNP1(f) of the Paignton Neighbourhood Plan outlines that new development, where appropriate and subject to viability, should undertake sustainable construction and water management technologies.

The proposed conversion of the building will utilise the existing footprint and internal layout.

The proposed development is therefore considered to meet the requirements of Policies SS14 and ES1 of the Torbay Local Plan and PNP1(f) of the Paignton Neighbourhood Plan.

### **Sustainability**

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The NPPF definition of sustainability has three aspects which are economic, social and environmental. Each of which shall be discussed in turn:

#### **The Economic Role**

Housing development is recognised as an important driver of economic growth and there would be some minor economic benefits to the construction industry from the proposed development. Once the three C3(b) units are occupied there would be an increase in the level of disposable income from the occupants some which would be

likely to be spent in the local area and an increase in the demand for local goods and services.

The proposal would result in the loss of a club house however this use is surplus to the requirements of the Paignton Sea Anglers Association.

In respect of the economic element of sustainable development the balance is considered to be in favour of the development.

### **The Social Role**

The principal social benefit of the proposed development would be the provision of additional supported accommodation of an affordable nature which provides a specialist and vital service for local residents of Torbay within a key demographic at risk of homelessness. This would provide a clear social benefit which weighs very strongly in favour of the development.

### **The Environmental role**

With respect to the environmental role of sustainable development, the elements that are considered to be relevant to the proposed development are impacts on the heritage, streetscape, ecology, biodiversity and surface water drainage. These matters have been considered in detail above. The proposed development is in a sustainable location with a range of public transportation links and promotes a car free form of development with suitable cycle storage for occupants. In terms of wider environmental considerations, the potential impact upon Berry Head is proposed to be mitigated by a financial payment towards positive management, which is a neutral outcome. All matters considered in terms of the environmental element of sustainable development the balance is in favour of the development.

### **Sustainability Conclusion**

Having regard to the above assessment the proposed development is considered to represent sustainable development when considered in the round.

### **Human Rights and Equalities Issues Human Rights Act:**

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests/the Development Plan and Central Government Guidance.

Equalities Act: In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good

relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

### **Local Finance Considerations**

S106 –

Ecology mitigation of £405:

The site is within the Berry Head Recreational Zone of influence in terms of the designated European Site. Additional recreational pressure from all new residential development within the zone of influence is a site acceptability matter that requires mitigating to make the development acceptable on planning terms. On this basis a contribution of £135 per new residential unit is therefore required, which is £405 in total. The payment needs securing prior to the grant of planning permission by a legal agreement under S106 of the Town and Country Planning Act 1990. This is reflected within the officer recommendation.

CIL - Not applicable

Funding – the proposed use is subject to Homes England & Department of Levelling Up, Homes and Communities 'Single Homeless Accommodation Programme' (SHAP) Funding obtained by a partnership of Torbay Council and YMCA Exeter.

### **EIA/HRA EIA:**

Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development.

### **BNG**

The application is not liable for Biodiversity Net Gain (BNG) due to the de minimis exemption.

### **Proactive Working**

In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and creative way and has concluded that the application is acceptable for planning approval/imposed conditions to enable the grant of planning permission.

### **Conclusions**

The proposed use of the site for supported accommodation of an affordable nature which provides a specialist and vital service for local residents of Torbay within a key demographic at risk of homelessness provides a clear social benefit which weighs very strongly in favour of the development and will provide much needed housing in a sustainable location, compatible with the wider residential character of the area. The loss of a club house is not objected to where it has been demonstrated as being

surplus to requirements and is to be replaced with housing of an affordable nature and where there is a critical need for housing.

The proposal will provide an acceptable standard of accommodation that is in a sustainable location with good local access to shops, facilities, sustainable transport modes, and local parks, and would not unduly impact the amenity of adjacent uses/occupiers. The lack of parking is considered acceptable within the location due to the intended use, nearby public car park and given the existing use of the building.

The external modifications to the building are considered acceptable subject to the proposed conditions for detailed design matters, which will enable compliance with policy expectations to conserve or enhance heritage assets.

Ecology matters are deemed to be duly considered subject to the stated financial mitigation towards managing recreational pressures at Berry Head.

The proposed development is considered to represent sustainable development and is acceptable, having regard to the Torbay Local Plan, the Paignton Neighbourhood Plan, the NPPF, and all other material considerations for the reasons stated within this report.

### **Officer Recommendation**

Approval: Subject to;

- The conditions as outlined below with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency;
- Legal agreement/undertaking to secure a Berry Head ecological mitigation payment of £405.
- The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

### **Conditions:**

#### **1. Detailed Design of Doors**

Prior to the installation of any replacement external door, full details of the replacement door shall have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour.

The works shall be carried out in accordance with the approved details and shall be retained thereafter.

Reason: To secure appropriate form of development in accordance with Policies SS10 and DE1 of the Torbay Local Plan 2012-2030, Policy PNP1(c) of the Paignton Neighbourhood Plan, and the NPPF.

## **2. Refuse and Recycling**

Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse and recycling awaiting collection according to details which shall previously have been submitted to and agreed in writing by the Local Planning Authority. Once provided, the agreed storage arrangements shall be retained and maintained for the life of the development.

Reason: In interests of visual amenity and in accordance with Policies DE1 and W1 of the Torbay Local Plan 2012-2030.

## **3. Crime Prevention Plan**

Prior to the first occupation of the development hereby approved, a Crime Prevention Plan shall have been submitted to and approved in writing by the Local Planning Authority. The submitted Crime Prevention Plan shall detail crime prevention measures for the site, including access control, how external doors and windows will be secured, how private rooms will be secured, details of CCTV, and what facility there will be for the receipt of mail delivered to the property. The use shall at all times operate in full accordance with the details of the Crime Prevention Plan.

Reason: To ensure safety and security for residents of the property and of neighbouring properties, and in accordance with Policies DE1, H4 and SS11 of the Torbay Local Plan and Policy PNP1(g) of the Paignton Neighbourhood Plan.

## **4. Cycle Storage**

Prior to the first occupation of the development hereby approved, the cycle storage detailed on approved plan 'YPA SK10 Rev B' shall be installed and made available for the use of all occupants. The cycle storage shall thereafter be maintained for the lifetime of the development.

Reason: In the interests of reduction of carbon fuel usage and residential amenity, and in accordance with Policies DE3, TA2 and TA3 of the Torbay Local Plan 2012-2030.

## **5. Use**

The premises shall be used as supported accommodation by the YMCA and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision

equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification) and the three units of C3(b) supported accommodation hereby approved shall:

- a) Only be used to accommodate residents who are already resident within the administrative area of Torbay Council
- b) Only be operated by City of Exeter YMCA for the approved use
- c) Only be used for the purposes of providing Stage 3 & 4 levels of supported accommodation as set out in the Management Plan referred to in Condition 6
- d) Serve a maximum of 1 occupant in each of the ground floor studio flats at any one time
- d) Serve a maximum of 6 occupants in the 6 bedroom unit at any one time in single occupancy rooms

Reason: In the interests of providing a service to address local needs and providing an acceptable residential environment in accordance with Policies H1, DE3 and SS11 of the Torbay Local Plan 2012-2030. Given the sites location within the Conservation Area and as no off road parking is proposed, a change in either the operator or the type of use, including that of a house in multiple occupation, may lead to detrimental effects on the area and could fail to support the character and quality of the Conservation Area. Any variation from the provider of services or use as supported accommodation must therefore have the express approval of the Local Planning Authority.

## **6. Management Plan**

The development hereby approved shall be operated and occupied in strict accordance with the approved Management Plan 'P2024-0645-8' at all times.

Reason: In the interests of providing a service that addresses an identified housing need and in the interests of residential amenity in the area and to ensure the management of the site accords with Policy DE3 and SS11 of the Torbay Local Plan 2012-2030.

## **Torbay Local Plan**

SS13 - Five year housing land supply

SS10 – Conservation and the historic environment

SS12 – Housing

SS14 – Low carbon development and adaption to climate change

SDP1 – Paignton

SS11 - Sustainable communities strategy

SC2 – Sport, leisure and recreation

H1 - Applications for new homes

H2 – Affordable housing

H6 - Housing for people in need of care

DE1 – Design

DE3 - Development amenity  
ES1 – Energy  
ER1 - Flood risk  
ER2 – Water management  
SC1 – Healthy bay  
TA2 - Development access  
TA3 - Parking requirements  
NC1 - Biodiversity and geodiversity  
W1 – Waste hierarchy  
TO1 –Tourism, events and culture  
TO2 – Change of use to tourism accommodation and facilities

**Paignton Neighbourhood Plan**

PNP1 – Area Wide  
PNP1 (c) – Design Principles  
PNP1 (d) – Residential Development  
PNP1 (f) – Towards a sustainable low carbon energy efficient economy  
PNP1 (g) – Designing out crime  
PNP1 (h) – Sustainable Transport  
PNP1 (i) – Surface Water