# NP/10/484

# North Beach Cafe, Tenby

Scale 1:1250





Application Type: Full

Reference:

10/484

Grid Ref. SN132008

Applicant:

Mr J Taylor.

Agent

Mr Blain Curtis Blain Ltd

Proposal:

Change of use from business premises to business and apartments for tourists

Site Location:

North Beach Café, Tenby

# **Description:**

This is a full application for the change of use of an existing café and shop to a retail unit, with extensions above to provide six holiday rental apartments, at North Beach Café, Tenby. The proposal raises a number of issues that are contrary to both national and development plan policy. and is also considered to have a detrimental impact on the special qualities of the National Park and the character and appearance of the Tenby Conservation Area, and the settings of the Listed Buildings along The Croft. The application is therefore recommended for refusal.

The application has been brought to the Development Management Committee for consideration because of the Town Council's support for the scheme, which is contrary to your officer's recommendation for refusal.

# **Consultee Response:**

TENBY TOWN COUNCIL: Council recommend approval as members consider that this will enhance the area. However, members are concerned about the lack of provision of an area for storage of waste, particularly as the proposed use includes a mix of café and holiday let accommodation.

TRANSPORTATION & TECHNICAL SERVICES: States that the application is deficient with regard to not providing any dedicated parking, so needs to enter into a legal agreement to make a transport contribution of £2500 per unit for parking schemes in the town.

WELSH WATER: Conditional consent

ENVIRONMENT AGENCY WALES: No objection in principle, but are concerned as to pollution prevention.

COUNTRYSIDE COUNCIL FOR WALES: Request further information to enable them to judge the potential impact upon the SSSI.

TENBY CIVIC SOCIETY: We have made quite a lot of comments because this is a very prominent site and because the existing cafe design functions well during the main season; an important good weather facility for visitors and beach users. We also feel the proposed design repeats the mistakes of the adjoining 'Sunny Cove' elevations; too high, too vertical and out of character with its location. The virtues of the South Beach cafe design include - its horizontal shaping, fitting sympathetically above the laterals of the beach and the cliff tops; - and its more thorough integration of facilities such as a larger cafe, cafe terrace and foot accessways to the beach. Here on the north beach the designer has had to confine the design to a small footprint, when the adjoining toilets also need redesigning and a promenade level link is needed to the amenity area renovated by the County adjoining the site to the north. Joined up thinking with the County is needed in and around the cafe, not piecemeal squeezing in of more flats and shrinking of the cafe.

- This is a very prominent site in one of the most beautiful popular bays in Wales, requiring high design quality; the report's reference to matching Croft Court is unfortunate; no doubt 'Sunny Cove' was intended here, but that is in a bland tall warehouse style unrelated to its surrounding setting and buildings, unsuitable as a model for this site. The existing cafe does have a strong identity and design merit; this should not be ignored because of its external condition!
- 2 We regret the reduction in the cafe facilities proposed. There appears to be no storage for

the cafe seats which have been put out the promenade under the overhang, in the season, making the cafe especially attractive for holidaymakers on the beach.

- 3 The flat proposed on the promenade level will be cramped, have little privacy or security and will be exposed to storms. It will have no vertical or horizontal separation from the public space of the promenade; poor defensible space design.
- Whilst the elevation design proposed to the beach has some valuable vertical relief features to break up its large facade, and is better than the bland warehouse style of the adjoining flats block to the north, the proposal will dominate the North beach, and is strongly vertical in character, whereas the whole townscape it is set in is horizontal; the beach, the promenade, the cliff slopes behind, the Croft above and its horizontal semi crescent of buildings. The four stories of the proposal further emphasise this.
- Whilst looking in poor repair, the existing building has a strong identity and horizontally organised design, relating well to its setting and, according to the application, a sound structure.
- The incorporation of the adjoining 2 storey toilet block in the scheme could (a) enable the women's toilet to be put down on the promenade level (where the ground floor flat is proposed) thus giving proper disabled access without steps. (b) the upper toilet block storey could be converted to a flat with another flat or balcony above. (c) the scheme could have a more horizontal massing and design with (d) a lower roof line (e) more use be made of access into the flats from the cliff path at the back of the buildings. The County could take a more positive approach to improving their facilities. The rear elevations would benefit from some re-organisation of the cliff slope behind, as tiered garden or amenity outlook space. Some trees there will have to be cleared to enable building work.
- The design proposed does try to make best use of a minimal footprint. The elevation could be improved by strong horizontal features. Large triangular windows could set in the attractive roof gables, rather than the Swansea Marina style decoration to these two front gables. But a better scheme needs the county's positive involvement; the applicant has taken the positive step of using some of the existing structure and could produce a better, less constrained design if the scheme integrates and re-organises the toilet block.
- 8 There has often been repeated the need for shelters on the Promenade after several were removed; the retention of the building overhang covering the Promenade is to be welcomed in any scheme here.

# Public Response:

The application has been advertised and no comments have been received.

#### Officers Appraisal:

Policies:

LDP Policies -

Policy 1 - National Park Purposes and Duty

Policy 7 – Countryside

Policy 8 - Special Qualities

Policy 9 – Light Pollution

Policy 10 - Local Sites of Nature Conservation or Geological Interest

Policy 11 – Protection of Biodiversity

Policy 15 - Conservation of the Pembrokeshire Coast National Park

Policy 16 - Open Space and Green Wedges

Policy 29 - Sustainable Design

Policy 30 - Amenity

Policy 31 - Minimising Waste

Policy 32 - Surface Water Drainage

Policy 34 - Flooding and Coastal Inundation

Policy 35 - Visitor Economy

Policy 37 – Self-catering Development

Policy 45 - Affordable Housing

Policy 49 – Retail in the National Park

Policy 52 – Sustainable Transport

Policy 53 - Impacts of Traffic

#### PPW 3 Chapters -

Chapter 4 - Planning for Sustainability

Chapter 5 - Conserving and Improving Natural Heritage and the Coast

Chapter 6 - Conserving the Historic Environment

Chapter 7 – Supporting the Economy

Chapter 8 - Transport

Chapter 9 - Housing

Chapter 10 - Planning for Retailing and Town Centres

Chapter 11 - Tourism, Sport and Recreation

Chapter 12 - Infrastructure and Services

Chapter 13 - Minimising and Managing Environmental Risks and Pollution

#### **Technical Advice Notes -**

TAN 2 - Planning and Affordable Housing

TAN 4 - Retailing and Town Centres

TAN 5 - Nature Conservation and Planning

TAN 6 - Planning for Sustainable Rural Communities

TAN 10 - Tree Preservation Orders

TAN 11 - Noise

TAN 12 - Design

TAN 13 - Tourism

TAN 14 - Coastal Planning

TAN 15 - Development and Flood Risk

TAN 16 - Sport, Recreation and Open Space

TAN 18 - Transport

TAN 22 - Planning for Sustainable Buildings

# Supplementary Planning Guidance -

- Affordable Housing
- Sustainable Design
- Planning Obligations
- •Landscape Character Assessment
- Conservation Area Statements Tenby

#### Officers Appraisal:

#### **Background & Description**

The North Beach Café is a detached two storey building on the promenade of North Beach. It is constructed of white painted render walls under a sloping flat roof, with all of its openings facing out over the beach. The ground floor of the current building is used as a shop (approximately 25m square floorspace) and a café, with the first floor being used as additional seating for the café. Adjacent to its southern elevation is a detached two-storey toilet block. To the rear of both these buildings is the steeply vegetated and tree'd cliff face that separates the built area of Tenby from the beach. To the front of the building, and partially overhanging it, is the North Beach Promenade, and then the beach itself.

The site is within the Tenby Conservation Area, and adjacent to the Tenby Cliffs SSSI, and the Carmarthen Bay and Estuary SAC. It is located outside the town's centre boundary and therefore under the policies of the Pembrokeshire Coast National Park Local Development Plan is considered to be in a countryside location.

## Current proposal

This full application seeks the following:-

- •to change the use of the ground floor of the building from a shop and café to a single retail unit (measuring approximately 25m square), and a one bedroomed holiday apartment;
- •to change the use of the first floor to two two-bedroomed holiday apartments;
- •to add two further floors to the building to provide two two-bedroomed holiday apartments and one three bedroomed one; and
- •to extend the northern side of the building, to provide en-suite bathrooms for the apartments.

The building would be constructed of painted render walls under a slate roof, with wooden doors and windows. The front elevation of the building would look out over the beach and each holiday unit would have balconies in front of French doors. The building would still overhang the Promenade. No parking provision has been provided with the scheme, nor is there any provision within the proposal for servicing, bin storage, etc.

The application has been supported with the following documents:-

- •A Design and Access Statement;
- •An Arboricultural Report (proposing measures to protect the neighbouring trees);
- •A Method Statement and Schedule (to protect the SSSI and SAC):
- •A Protected Species Survey (stating that no bats or barn owls were found in the building);
- •A Structural Survey (stating that the building is capable of conversion and extension);
- •A Conservation Area Statement (supporting the redevelopment of the site); and
- •An Affordable Housing Statement (concluding that it would not be possible to use the building for affordable housing as the property has no amenity space or any parking spaces).

## **Key Issues**

This application raises the following planning matters:-

- •Impact on the National Park;
- •Impact on the Tenby Conservation Area;
- •Impact on nearby Listed Buildings:
- •Impact on the SSSI and SAC:
- Parking, access and highways matters;
- •Amenity matters, including for the proposed occupants of the units:
- •Impact on the nearby trees:
- •The water environment, including drainage and flooding matters:
- •Affordable Housing provision;
- Retail provision; and
- •Sustainability matters.

The North Beach Café occupies a prominent site within the panoramic curving sweep of North Beach. The area is characterised by its arrangements of horizontal linear elements, in particular the beach and its associated storm walls, the vegetated cliffside, and the buildings along The Croft. The Café and neighbouring toilet block, by reason of their low height and horizontal emphasis, form relatively unobtrusive intrusions into this visual panorama. Notwithstanding this, the buildings have deteriorated and are outdated and unsightly in this key location. A scheme for the re-development of the site is therefore supported in principle. However, the proposed remodelling of the building, including the additional two stories plus pitched roof, would result in a visually intrusive and large building with a strong vertical, not horizontal emphasis, that forms a jarring and incongruous addition to the area. The building would sit against the vegetated cliffside, but due to its increased height, would result in a loss of the continuity and presence of this important green linear space and the linear character of the area. In addition, the increased size of the building would also dominate the adjacent toilet block, resulting in a loss of the discrete horizontal visual impression that the two buildings currently have.

The proposed building also has a "nautical" design theme to it using a number of design features, such as circular windows, semi-circular attic detailing, French doors and balconies, and so forth which when viewed together result in a cluttered appearance. This style makes little reference to

the historic townscape. In total, the proposal's design detailing combined with its size and vertical emphasis results in an overly dominant and visually incongruous building that forms a dominating structure in a highly sensitive and prominent location within the town. It is therefore considered detrimental to the character and appearance of the town's Conservation Area, the setting of the Listed Buildings along The Croft, and the special qualities of the National Park.

The site lies adjacent to the Tenby Cliffs and St Catherine's Island Site of Special Scientific Interest and the Carmarthan Bay and Estuaries Special Area of Conservation. As a result the redevelopment of the site has to be undertaken with extreme care so as not to damage these nationally and internationally important habitats. Both the Environment Agency and the Countryside Council for Wales have raised concerns as to the protection of these habitats with the application. Although a method statement for the protection of these designations was requested during the preapplication enquiry, the one provided with the application is not considered by the statutory consultees to contain sufficient details to allow an assessment of the works on them, including the prevention of pollution measures. In addition a storage compound is shown on the Method Statement that is below the Mean High Water Level and this would therefore be unsuitable as a location, particularly so if it was to be used for any fuels, oils, chemicals, etc. As the potential impact on neither the SSSI or the SAC can be comprehensively assessed, this forms another reason for refusal.

The application has not made any provision for parking for the units. The applicant's intention is that parking is available to all visitors in the public car parks nearby, and that disabled access to the units is via the Local Authority access to the beach. They also anticipate that the occupiers of the units will use public transport facilities. Notwithstanding these perceived arrangements of the applicant the County Council's Highways Authority have advised that the application is deficient with regard to not providing any dedicated parking areas. Consequently they require the developer to enter into a Legal Agreement to provide a contribution of £2,500 per unit to help finance traffic or parking schemes within the town. During the processing of the application, the applicant was informed of this requirement, but to date no confirmation has been received that they are prepared to enter into the required agreement. This therefore forms a further reason for refusal.

The Development Plans Section have requested an affordable housing of 50% provision in accordance with the adopted Policy. The application was submitted with an Affordable Housing Statement saying that as the property has no amenity space or any parking spaces available to it, that an affordable housing contribution will not be provided. During the processing of the application the applicant was informed of the required contribution, but again said they were not prepared to make one. As a result, this is contrary to adopted policy and forms a further reasons for refusal.

The proximity of the building to the steep cliff face to the rear of the building means that the windows of the bedrooms of most of the units and two of the kitchens would overlook it. In view of its steeply sloping nature the first and second floor rear elevation windows would be less than five metres away from the cliff-face. This plus the retention of the trees and shrubs would mean that the there would be little natural light into these habitable rooms, necessitating a high energy demand in terms of lighting and heating. However, although low energy light bulbs are proposed with the application, it is felt that the design of the units does not seek to minimise the impact of the proposal in sustainability terms. Alterations to internal layouts and the maximisation of solar gain could be included more positively into the scheme. In addition, the application has made no provision for waste / rubbish disposal arrangements once the units become operational. Six units plus the shop use will require rubbish storage, and its location on the promenade would not be acceptable. The Environment Agency has also suggested a number of drainage and water-saving measures to improve the buildings' sustainability, including SUDS, micro-generation of energy, and so forth. Policy 29 of the Pembrokeshire Coast National Park Local Development Plan requires extensions to existing dwellings to make energy, water and drainage efficiency improvements to the original building. However, although at the current time the Authority has deferred implementation of this aspect of the Policy until the adoption of its associated Supplementary Planning Guidance, the proposal does have fundamental sustainability problems with it, including the absence of waste management, and the darkness of the habitable rooms on the rear elevation of the building. Therefore the proposal is not considered to be satisfactory in terms of the amenity and sustainability

requirements of the Development Plan, and this forms a further reason for refusal.

The site lies on the promenade of North Beach, and is in an area of potential flooding. The Environment Agency have raised no objection to the proposal in terms of its flooding impact, although as referred to above, they have raised objections concerning the protection of the SSSI and SAC, and the sustainability of the development.

As regards sewage and water supply, Welsh Water have raised no objection to the scheme, subject to conditions being attached concerning foul and surface water drainage arrangements, protection of public infrastructure, an agreement of points of connection onto their apparatus.

The application proposes the retention of the shop unit on the site, and this has raised no planning policy objection. However, in view of the out-of-centre location of the site, it is suggested that the type of shop unit should be limited by condition so as to protect the vitality and viability of the town centre.

Originally the application was submitted without an arboricultural report, despite the proximity of the trees and shrubs on the cliff-face to the rear of the building. During the processing of the application, a report was received, and the Authority's Tree and Landscape Officer has recommended that the information provided within it covers all the key issues relating to the protection of retained trees adjacent to the site during the development. Subject to conditions requiring the protection of the trees, no objection is raised.

#### Conclusion

Whilst the re-development of this key site in Tenby is welcomed in principle, the details of this application raise a number of fundamental policy objections that cannot be overcome by conditions or minor changes. As a result the application is recommended for refusal.

#### **Recommendation:**

Refusal.

#### Reasons

1. Policy 1 of the Pembrokeshire Coast National Park Local Development Plan requires development to be compatible with the conservation or enhancement of the natural beauty, wildlife and cultural heritage of the National Park. Policy 7 of the Pembrokeshire Coast National Park Local Development Plan requires the conversion of appropriate buildings to a range of uses with affordable housing being given priority over other uses, and that the conversion must not result in unacceptable impacts upon the structure, form, character or setting of the building. Policy 8 of the Pembrokeshire Coast National Park Local Development Plan seeks to protect and enhance the special qualities of the National Park, including amongst other things, the identity and character of towns, the protection and enhancement of the historic environment, and the pattern and diversity of the landscape. Policy 15 of the Pembrokeshire Coast National Park Local Development Plan states that development will not be permitted where it would adversely affect the qualities and special character of the National Park. Policy 29 of the Pembrokeshire Coast National Park Local Development Plan requires all proposals for development to demonstrate an integrated approach to design and construction, and that they will be required to be well designed in terms of place and local distinctiveness. Policy 30 of the Pembrokeshire Coast National Park Local Development Plan states that development will not be permitted where it has an unacceptable impact on amenity. including amongst other things, if it is of a scale incompatible with its surroundings and is visually intrusive. The proposal by reason of its large size and height, its design and detailing, the loss of the visual continuity of the cliffside, and its prominent and sensitive location in the historic townscape, is considered harmful to the special qualities and character of the National Park, the character and appearance of the Conservation Area, and the settings of the nearby Listed Buildings. The proposal is therefore considered contrary to both national and local policies.

2. Policy 1 of the Pembrokeshire Coast National Park Local Development Plan requires

development to be compatible with the conservation or enhancement of the natural beauty, wildlife and cultural heritage of the National Park. Policy 8 of the Pembrokeshire Coast National Park Local Development Plan seeks to protect and enhance the special qualities of the National Park, including amongst other things, the protection of local biodiversity action plan species and habitats for their amenity, landscape, and biodiversity value. Policy 11 of the Pembrokeshire Coast National Park Local Development Plan states that development that would disturb or otherwise harm protected species or their habitats or the integrity of other habitats, sites or features of importance to wildlife and individual species including Local Biodiversity Action Plan species and habitats, will only be permitted where the effects will be acceptably minimised or mitigated through careful design, works scheduling or other measures. Policy 29 of the Pembrokeshire Coast National Park Local Development Plan requires development to be well designed in terms of environment and biodiversity. The proposal by reason of the lack of information and detail in the application concerning the redevelopment of the site and the protection of the Carmarthan Bay and Estuaries Special Area of Conservation and the Tenby Cliffs and St Catherine's Island Site of Special Scientific Interest, and the inadequacy of the proposed arrangements and their potential for pollution, is insufficient to enable a comprehensive assessment to be made of the works and necessary mitigation measures required to protect these nationally and internationally protected habitats. The proposal is therefore considered contrary to both national and local policies.

3.Policy 1 of the Pembrokeshire Coast National Park Local Development Plan requires development to be compatible with the conservation or enhancement of the natural beauty, wildlife and cultural heritage of the National Park, and the need to foster the economic and social well-being of the local communities within the National Park. Policy 7 of the Pembrokeshire Coast National Park Local Development Plan requires the conversion of appropriate buildings to a range of uses with affordable housing being given priority over other uses. Policy 37 of the Pembrokeshire Coast National Park Local Development Plan states that proposals for flats and other forms of self-catering development will only be permitted where there is no affordable housing provision needed in the area. Policy 45 of the Pembrokeshire Coast National Park Local Development Plan requires the delivery of affordable housing at a level of 50% provision. The application has not made any provision for affordable housing provision, either on or off site, and the proposal is therefore considered contrary to both national and local policies.

4.Policies 52 and 53 of the Pembrokeshire Coast National Park Local Development Plan seek to ensure opportunities are taken to improve and promote accessibility and reduce the need to travel by car, and provide appropriate access to development. The application has not provided any dedicated parking provision nor has it provided the required contribution to help finance traffic or parking schemes within the town. The proposal is therefore considered contrary to both national and local policies, and detrimental to highways safety.

5.Policy 29 of the Pembrokeshire Coast National Park Local Development Plan requires all proposals for development to demonstrate an integrated approach to design and construction, and be well designed in terms of place and local distinctiveness. Policy 30 of the Pembrokeshire Coast National Park Local Development Plan states that development will not be permitted where it has an unacceptable impact on amenity, including amongst other things, if it is of a scale incompatible with its surroundings and is visually intrusive. The proposal by reason of its height and design, the close proximity of the cliff-face to the western elevation of the tourist accommodation and its habitable rooms, the absence of waste storage and management provision, and the lack of sustainable energy, waste, water and drainage measures, is considered to result in a proposal that does not maximise sustainable design, and is therefore considered contrary to both national and local policies.

#### Other Material

#### **Detailed Plans**

671.09.00 (received 10th November 2010)

671.09.01 (received 29th October 2010)

671.09.02 (received 29th October 2010)

671.09.03 (received 29th October 2010)

671.09.04 (received 29th October 2010)

671.09.05 (received 29th October 2010)

671.09.06 (received 29th October 2010)

671.09.07 (received 29th October 2010)

671.09.08 (received 29th October 2010)

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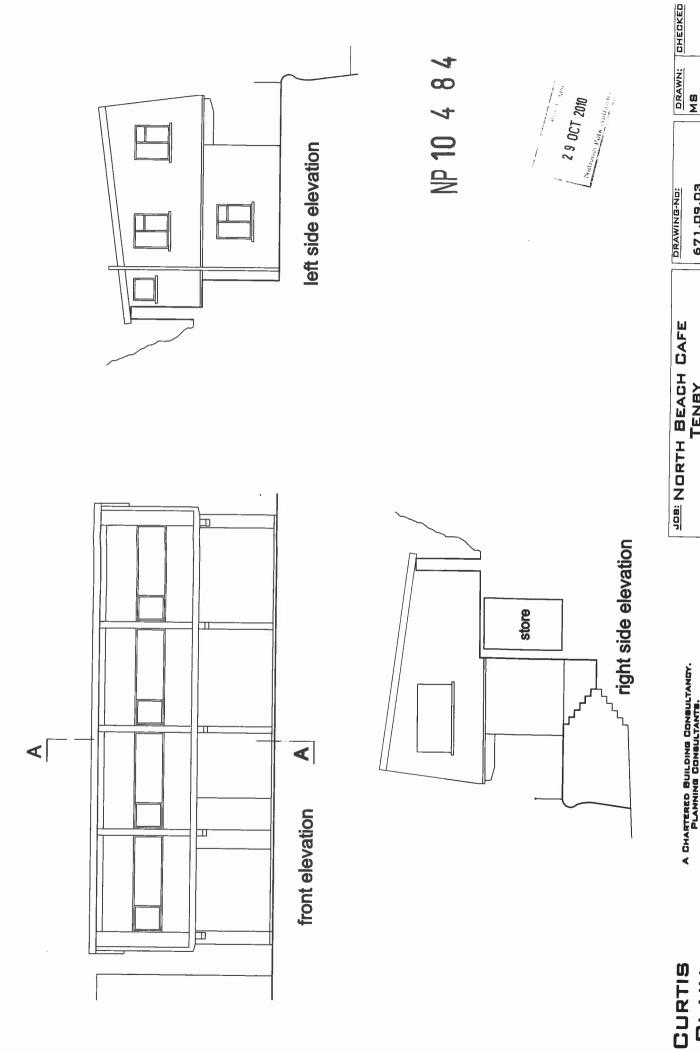
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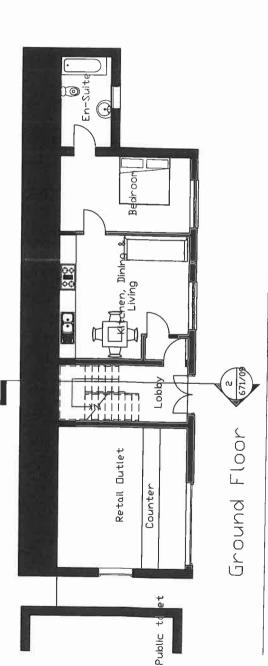
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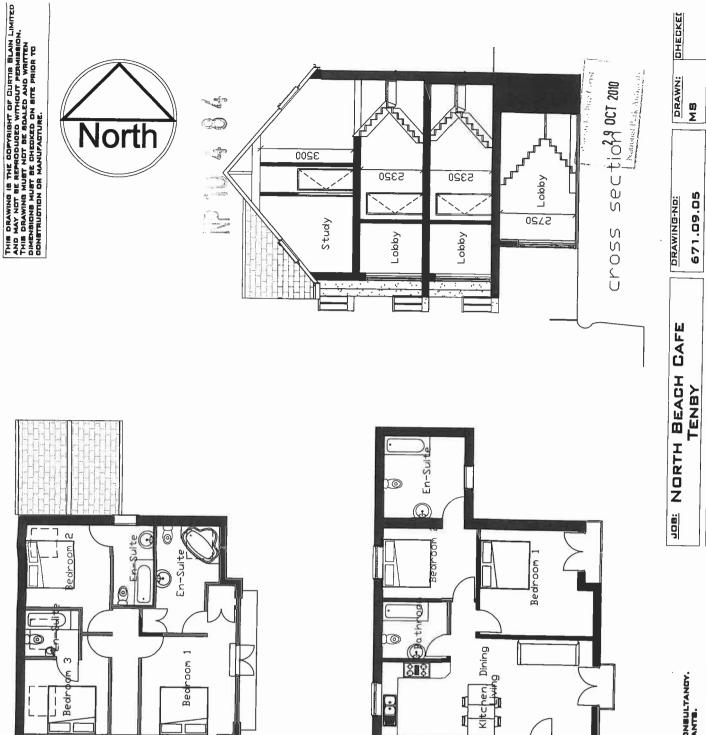
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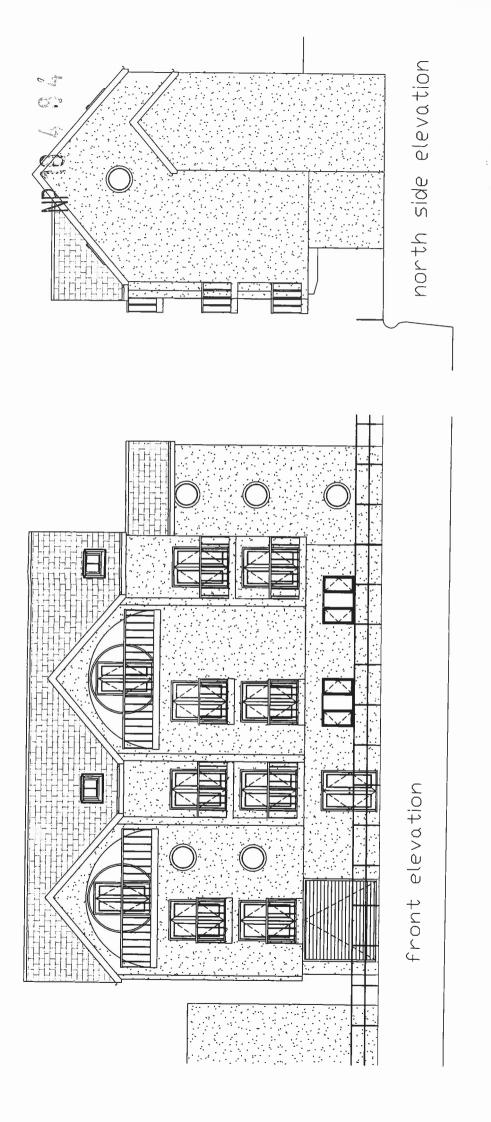
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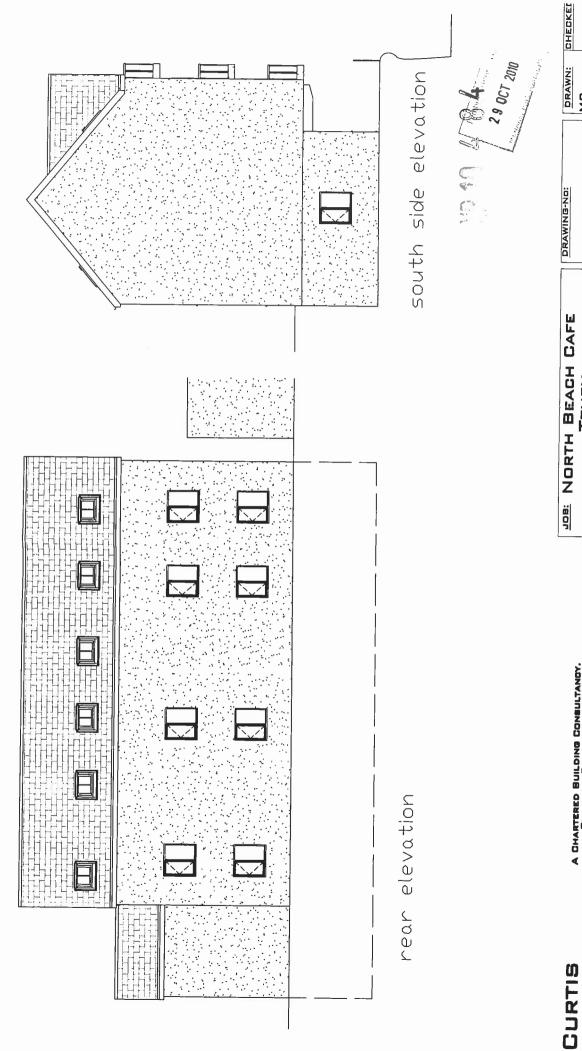
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FRONT & NORTH SIDE ELEVATIONS
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