



## **Minutes of the Development Management Committee**

**16 January 2012**

**-: Present :-**

Councillor McPhail (Chairwoman)

Councillors Morey (Vice-Chair), Addis, Baldrey, Barnby, Brooksbank, Hill, Kingscote and Pentney

(Also in attendance: Councillors Lewis and Richards )

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### **475. Minutes**

The Minutes of the meeting of the Development Management Committee held on 12 December 2011 were confirmed as a correct record and signed by the Chairman.

### **476. Urgent Items**

The Committee considered an urgent item raised by the Executive Head of Spatial Planning regarding an application for a recycling facility at Churston. The Committee was advised that a number of objections had been received. The Committee therefore refused to consider this item on the grounds that the democratic process must take place.

### **477. P/2011/1080 - Palm Court Hotel, Torquay, Devon**

The Committee considered an application in respect of the redevelopment of former Palm Court Hotel, Torquay to provide a six storey building comprising: A3 (Restaurant) use, ground floor and part first floor, 14 self catering holiday flats with ancillary facilities part first and second floor, 14 private residential flats third, fourth, fifth and sixth floor. 17 car parking spaces for self catering accommodation and 15 for private flats. Modifications to carriageway to create shared space/pedestrian crossing facility. Works to adjacent public park to allow construction of building.

Prior to the meeting, written representations were circulated to the Committee and Members of the Development Management Committee undertook a site visit. At the meeting Philip Kirkup, Colin Ritchie and Steve Clark addressed the Committee against the application and Richard Maddock, Peter Tisdale and Carolyn Custerson addressed the Committee in support. In accordance with Standing Order B4.1 Councillor Lewis and Councillor Richards addressed the Committee.

Resolved:

Approved subject to:

- (i) the submitted scheme having the following holiday restrictions on the occupation of the 14 holiday flats:
  - The holiday flats shall be occupied for holiday purposes only
  - The holiday flats shall not be occupied as a person's sole or main residence in the UK
  - The owner/occupier of the complex shall maintain an up to date register of the names of all owners/occupiers of individual holiday flats and of their main home addresses and shall make this information available at all reasonable times to the LPA
  - The same person or group of persons shall not occupy any holiday flat for more than 12 weeks in any calendar year
- (ii) the completion of a Section 106 Agreement to secure relevant contributions and matters detailed in the body of the report, including the provision of contributions towards the monitoring of the holiday use and clauses to secure the holiday use remains and in the case that a full residential use is obtained then a contribution towards affordable housing and sustainable development is payable. The Section 106 Agreement to be signed within six months of the date of this Committee or the application be reconsidered by members.
- (iii) the receipt of amended plans, additional detailed information in relation to the appearance of the building and public realm, the resolution of flood risk and relevant amendments to the floor levels as a result.
- (iv) Conditions to be delegated to the Executive Head of Spatial Planning.

**478. P/2011/1201 - Seaford Hotel, 2 - 4 Stafford Road, Paignton, Devon**

The Committee considered an application for the conversion of former hotel to 9 residential apartments with vehicle access.

Prior to the meeting, written representations were circulated to the Committee and Members of the Development Management Committee undertook a site visit..

Resolved:

Approval delegated to officers subject to:

- (i) the completion of a Section 106 Agreement in respect of sustainable transport, waste management, education, lifelong learning and green space within six months of the date of this committee or the application be re-considered by members; and
- (ii) the imposition of the conditions set out in the submitted report with revised conditions relating to the provision of details in respect of the replacement windows, which are to be sliding sash on the main street façade.

- (iii) further negotiations in relation to the Flood Risk associated with the residential use of the proposed basement flat and ground floor flats.

**479. P/2011/1238 - Apartment 8 Belvedere, 37 Marine Drive, Paignton, Devon**

The Committee considered an application for the removal of condition 4 to application P/2000/1231 to allow apartment 8 to be used as residential.

Resolved:

Approved.

**480. P/2011/1257 - Flat 9 Basement, 64 Windsor Road, Torquay, Devon**

The Committee considered an application for the conversion of basement to 1 number flat with 2 bedrooms – retrospective.

Prior to the meeting, written representations were circulated to the Committee and Members of the Development Management Committee undertook a site visit.

Resolved:

Approved subject to the completion of a Section 106 Agreement in respect of waste management, sustainable transport, lifelong learning and green space within three months of the date of this Committee or the application be re-considered by members.

**481. Appeal Decisions**

The Committee noted the outcome of recent appeal decisions, as set out in the submitted Report.

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Chairman