

## **Minutes of the Planning Committee**

**10 January 2022**

**-: Present :-**

Councillor Dudley (Chairman)

Councillors Brooks, Brown, Mandy Darling, Steve Darling, Kennedy, Barbara Lewis,  
Chris Lewis and Mills

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### **88. Apologies for absence**

It was reported that, in accordance with the wishes of the Liberal Democrat and Conservative Groups, the Membership of the Committee had been amended to include Councillors Mandy Darling, Steve Darling and Brooks instead of Councillors Pentney, Dart and Hill respectively.

As apologies for absence had been received from the Chairman, Councillor Pentney, the Vice-Chairman, Councillor Dudley, chaired the meeting.

### **89. Minutes**

The Minutes of the meeting of the Planning Committee held on 13 December 2021 were confirmed as a correct record and signed by the Chairman.

### **90. Land at Brokenbury Farm, Galmpton, Brixham P/2021/0658**

The Committee considered an application for the formation of a solar farm and associated equipment to include installation of fencing, CCTV, landscaping and ecological mitigation.

Prior to the meeting, Members of the Planning Committee undertook a virtual site visit and written representations were published on the Council's website. At the meeting Adam Billings spoke in support of the principle of the application but raised objections to the details of the scheme including the siting of the solar panels and Mr Ed Brown and Mr Kevin Mowat addressed the Committee in support of the application.

At the meeting the Planning Officer advised, that since the report had been published two representations which raised no new material considerations had been received in addition to the 17 objections which had already been received from 14 residential households.

Resolved:

That the application be deferred to enable consultation to be carried out with Devon and Somerset Fire and Rescue Service in respect of the concerns raised about fire issues and to ask if the applicant would consider if the panels could be located in the adjacent field to improve the visual impact and to engage with the community on an acceptable scheme.

(Note: Prior to consideration of this item Councillors Kenney and Mills declared a non-pecuniary interest as Chair and Vice-Chair of the Broadsands, Churston, and Galmpton Neighbourhood Forum respectively, which had been established following formal consultation of the application with the previous Brixham Peninsula Neighbourhood Forum and whilst they had both been involved with residents supporting the application declared to the meeting that they both had an open mind in considering this application and had not come to a decision until they had heard all the discussions at the meeting.)

**91. Riviera International Conference Centre, Chestnut Avenue, Torquay TQ2 5JU P/2021/0458**

The Committee considered an application for the use of disused tennis courts as climbing facility with climbing frames and clubhouse structures. (As amended by plans received 27.09.21.)

Prior to the meeting, Members of the Planning Committee undertook a virtual site visit and written representations were published on the Council's website. At the meeting Dr Rodney Horder addressed the Committee in support of the application on behalf of the Torquay Neighbourhood Forum.

Resolved (unanimously):

Approved subject to:

1. the following additional condition:

Any structures hereby approved that become redundant shall be permanently removed from the site within 3 months of them ceasing to be used for their permitted purpose.

Reason: In the interests of maintaining the appearance and character of the site further to Policies SS10, DE1 and C5 of the Torbay Local Plan and Policies TH8 and TE2 of the Torquay Local Plan;

2. the conditions as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
3. 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.

**92. Coach Station, Lymington Road, Torquay P/2021/0765**

The Committee considered an application for the demolition of existing coach station building, café and toilets and creation of five new commercial light industrial units (Use Classes E(g) and E(c)) and the erection of public toilet, three new coach bays and associated public realm.

Prior to the meeting, Members of the Planning Committee undertook a virtual site visit and written representations were published on the Council's website. Late representations from Environment Agency and TDA Drainage Officer were circulated prior to the meeting. At the meeting Dr Rodney Horder addressed the Committee in support of the application on behalf of the Torquay Neighbourhood Forum.

At the meeting the Planning Officer confirmed that the Environment Agency had removed their objection as had the Drainage Officer subject to the imposition of additional conditions.

Resolved (unanimously):

Approved subject to:

1. the following additional conditions:

1. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved

Reason: In the interests of prevention of pollution, to protect human health and the natural environment;

2. Prior to the public toilet hereby approved being brought into use a flood emergency plan shall have previously been submitted to and approved in writing by the Local Planning Authority. The plan shall set out measures to ensure there is no public access to the toilet during times of flood.

The toilet shall not be brought into use until the agreed plan has been implemented and the plan shall be adhered to for the lifetime of the development.

Reason: In the interests of public safety;

2. the conditions as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
3. 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.

(Note: Prior to consideration of this item Councillor Steve Darling withdrew from the meeting as he had spoken about it in a radio interview earlier in the day before he was aware he would be sitting on the Committee and returned to the meeting after discussion of this item.)

**93. Pavilion, Vaughan Road, Torquay P/2021/1167**

The Committee considered an application for repair works and alterations to include exposure of structural steel frame, concrete terraces with embedded steel structure, faience facade and further investigations into damage caused by water penetration.

Prior to the meeting, Members of the Planning Committee undertook a virtual site visit and written representations were published on the Council's website. At the meeting Dr Rodney Horder addressed the Committee in support of the application on behalf of the Torquay Neighbourhood Forum.

Resolved (unanimously):

Approved subject to:

1. an additional condition requiring details of the scaffolding covering material to be submitted for officer approval;
2. the conditions as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
3. 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.

**94. 50 Victoria Street, Paignton, TQ4 5EQ P/2021/0410**

The Committee considered an application for the installation of free-standing advertising unit containing back to back digital displays.

Prior to the meeting, Members of the Planning Committee undertook a virtual site visit and written representations were published on the Council's website. At the meeting a video was shown from Dr Catherine Fritz on behalf of the Paignton

Neighbourhood Forum against the application and the Clerk read out a written statement on behalf of Mr Richard Wilson in support of the application.

Resolved:

Advertisement Consent be approved subject to:

1. an additional condition requiring the planting of a tree, the siting and specification of which shall have previously been agreed in writing by the Local Planning Authority prior to installation of the advertisement;
2. the conditions as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
3. 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.

**95. Land Off Orchard Way, Edginswell Torquay P/2021/1024**

The Committee considered an application for the construction of a retail unit (Class E(a)), including mezzanine floor and external display area, secure servicing compound, car parking, trolley bays, mobile catering unit (sui generis), landscaping and associated works.

Prior to the meeting, Members of the Planning Committee undertook a virtual site visit and written representations were published on the Council's website. At the meeting Dr Rodney Horder addressed the Committee in support of the application on behalf of the Torquay Neighbourhood Forum.

Resolved (unanimously):

Approved subject to:

1. the imposition of a revised 'sale of Bulky Goods only' condition, to accord with comments received by the Highway Authority;
2. the conditions as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
3. 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.

Chairman/woman

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