



## Minutes of the Development Management Committee

27 February 2017

**-: Present :-**

Councillor Kingscote (Chairman)

Councillors Barnby, Cunningham, Darling (S), Morey, Robson, Stringer,  
Tolchard and Winfield

(Also in attendance: Councillors Amil, Brooks, Bye, Excell, Haddock, Lewis, Pentney,  
Stubley, Sykes, Thomas (D) and Tyerman)

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### **88. Torquay Pavilion, Marina Car Park and Office and adjoining land, Vaughan Parade, Torquay - P/2015/0961/MPA**

The Committee considered an application for change of use and restoration of Pavilion to form hotel reception and spa including restaurant, bars and function rooms. Construction of 4/5 storey 60 bed hotel, 5 and 11 storey block of 43 residential apartments, with ground floor restaurant and retail uses adjacent to harbour. Link between Pavilion and new hotel. Construction of new harbour walkway, provision of 289 car parking places including 74 spaces on Cary Green (42 seasonal; 32 for hotel). Construction of Marina Office and berth holder facilities and erection of Dock Masters Office and associated landscaping (proposal revised 5 July 2016).

In October 2016 Members of the Development Management Committee undertook a site visit. Prior to the meeting written representations were circulated to members.

At the meeting the following people addressed the meeting against the application: Alan Griffey, Keith Richardson, Julie Brandon, Patricia Bishop, Cordelia Law and Jonathan Williams.

At the meeting the following people addressed the Committee in support of the application: Nicholas Roach, Lawrence Murrell, Ian Handford, Susie Colley and David Jobbins.

In accordance with Standing Order B4.1 the following members addressed the Committee: Councillors Lewis, Thomas (D), Bye and Darling (M). Councillor Excell's representation was read out by the Team Leader for Development Management.

Resolved:

- (i) That planning permission be granted for the proposal subject to clarification

of the impact of 'shadowing' on the amenity of public spaces, revised plans/clarification of detailed design matters relating to:

- a) Opportunities for mitigating the impact of the lift shaft;
  - b) Confirmation that the balconies will be constructed as a continuous curve;
  - c) Detail in relation to the harbour walkway and strategy for relocating the traditional railings and form and extent of new railing detail;
  - d) Inclusion of extended resurfacing between Offshore and the stone setts adjacent to the northern elevation of the hotel building; and
  - e) External plant in relation to listed building;
- (ii) the conclusion of a Section 106 Agreement at the applicants expense to secure the following matters;
- a) to secure deferred contributions towards future public realm enhancements as defined in the body of the report namely re-surfacing of Fish Quay, an extension of the granite paving adjacent to SoHo to an agreed specification and/or a contribution of £100,000 towards removal and treatment of the Ziggurat or an alternative key public realm master plan proposal. The amount of deferred contributions to be assessed and paid in stages and calculated on the basis of a 50:50 split between the developer and the Council of any increase in income generated from the site over that predicted in the IVA. The contribution to be assessed either in relation to uplift in projected sales values of the residential units (based on Appendix B of the IVA dated 31st August 2016, specifically the Savills estimates of values); or such other method agreed with the applicant (e.g. open book accounting of the entire scheme);
  - b) the maximum deferred contribution will equivalent to the full amount of off-site Affordable Housing and Sustainable Development Contributions that would ordinarily be payable in accordance with the adopted SPD after deducting any contributions/costs paid by the developer towards improvements to the public realm;
  - c) to ensure occupation of the hotel by the applicant (or such other suitably-qualified hotel operator as shall be agreed);
  - d) a commitment, in the operation of the hotel, to procurement of local goods and services as described in the HJA report;
  - e) a commitment to use of local labour both during the construction of the development and in the ongoing operation of the hotel;
  - f) to secure a financial contribution of £30,000 towards enhancements to Princess Gardens;
  - g) to secure the terms of the car parking strategy, public access to Cary Green and agreement for public use of eastern part Cary Green for markets/events for a minimum of 28 days in any September – May period, consent not to be unreasonably withheld by the developer, calculation of fees for use to be agreed;
  - h) to secure an annual monitoring contribution towards ensuring that Cary Green is used and managed in accordance with the agreed car parking strategy and that the hotel car park is not 'bank parked' as explained in the body of the report;
  - i) to secure modelling of the mini roundabout and implementation of any

highway works deemed necessary via a S278 Notice prior to any occupation Performance bond (if required); and

- iii) and the conditions set out in the submitted report plus additional conditions relating to monitoring of key walls and dock office.

**89. Torquay Pavilion, Marina Car Park and office and adjoining land, Vaughan Parade, Torquay - 2015/0962/LB**

The Committee considered an application for refurbishment of building including repairs to corroded structure and works to prevent water penetration. Internal and external works to listed Pavilion to enable use as hotel foyer, including function rooms, bars, restaurant and spa. Construction of linked access from first floor level to proposed waterfront hotel (proposal revised 5 July 2016).

In October 2016 Members of the Development Management Committee undertook a site visit. Prior to the meeting written representations were circulated to members.

Resolved:

That listed building consent be granted subject to a) receipt of details which confirm that the extract and ventilation requirements of the pool, spa and restaurant uses within the building can be accommodated without harm to the internal character of the building or to its external appearance and that the impact of warm humid air on the stability of the plasterwork can be mitigated and b) to the following conditions:

- (i) to secure an agreed and specified schedule of works to fully repair and restore the Pavilion based on the submitted specialist engineers report and the schedule of works and reinstatement included with the application drawings. The agreed schedule of works to be implemented in full prior to any occupation of the proposed flats included in the sister application P/2015/0961;
- (ii) submission of a Conservation Management Plan to provide relevant detail with regard to internal and external works of repair, reinstatement of key features. This document to include large scale details as appropriate of all works of repair and reinstatement of external and internal features along with a timetable for delivery. It should also include measures to deliver a 30 year maintenance programme;
- (iii) details of all partitions showing final position and relationship to the internal structure of the building and showing inclusion of glazed panels as appropriate to maintain the open character of the main auditorium;
- (iv) submission of a structural survey to confirm that the long term stability of the quay side can be assured;
- (v) submission of a full photographic record of all key features along with any exposed during conversion; and
- (vi) full details of the proposed relocation of the traditional bollards along the quayside.

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Chairman