

Minutes of the Planning Committee

8 November 2021

-: Present :-

Councillor Pentney (Chairman)

Councillors Brown, Dart, Dudley (Vice-Chair), Kennedy, Mills, Jacqueline Thomas, Bye and David Thomas

(Also in attendance: Councillor Brooks)

76. Apologies for absence

It was reported that, in accordance with the wishes of the Conservative Group, the Membership of the Committee had been amended to include Councillors Bye and David Thomas instead of Councillor Barbara Lewis and Hill.

77. Minutes

The Minutes of the meeting of the Planning Committee held on 11 October 2021, were deferred.

78. The Imperial Hotel, Parkhill Road, Torquay P/2021/0120

The Committee considered an application for the renovation of the existing hotel to retain (up to) 111 bedrooms. Construction of spa, 26 residential apartments and 25 apartments from the conversion of bedroom wing with associated parking, access and landscape improvements.

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, Mr Springer addressed the Committee against the application. Dr Horder addressed the Committee on behalf of the Torquay Neighbourhood Forum and Richard Maddock addressed the Committee in support of the application.

Resolved:

That:

Authority be delegated to the Divisional Director - Planning, Housing and Climate Emergency to grant conditional approval subject to:

- i) the conditions set out in the submitted report;

- ii) the following additional conditions:
 - a) prior to the commencement of development evidence shall be provided to the Local Planning Authority to demonstrate that the hotel service access shown on the plans hereby approved can be delivered and made available for use for vehicles servicing the hotel. The service road shall be provided and made available for use for hotel service vehicles prior to the occupation of any residential unit in Blocks B and D and shall be retained as a service route for the lifetime of the development;
 - b) prior to the commencement of development details shall be provided to the Local Planning Authority to demonstrate that all sizes of vehicles likely to use the service road access hereby approved can safely enter and exit the site in forward gear. Development shall take place in accordance with the approved details; and
 - c) prior to the new pedestrian access hereby approved being brought into use details of measures to secure adequate visibility for pedestrians using the access to ensure their safety shall have been provided to the Local Planning Authority and approved in writing. Development shall take place in accordance with the approved details;
- iii) the completion of a Section 106 legal agreement, including the following additional clause:

Two years after the occupation of the first residential unit the remaining hotel shall be valued on an open market basis. The actual performance of sales of the residential units will be made allowance for and any unsold units valued. If the combined value exceeds the agreed construction costs then a percentage (to be agreed prior to signing the 106) (the affordable housing %) of this value shall be paid to the Local Planning Authority as a deferred, off site commuted sum payment towards the provision of affordable housing; and
- iv) final drafting of conditions, negotiation/completion of the legal agreement, and addressing any further material considerations that may come to light following Planning Committee, to be delegated to the Divisional Director - Planning, Housing & Climate Emergency.

79. Coach Station, Lymington Road, Torquay P/2021/0765

This application was withdrawn.

80. Land Adjacent To Roselands County Primary School, Lynmouth Avenue, Paignton TQ4 7RQ P/2021/0208

The Committee considered an application for a change of use from green space to a fenced play area for use by Roselands County Primary School.

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 Fritz address the Committee on behalf of the Paignton Neighbourhood Forum. Mr Biddles and Mr Sutton addressed the Committee in support of the application.

Resolved:

Approved subject to:

- i) the conditions set out in the submitted report, with condition 1 being amended as follows:

Removal of Vegetation

No removal of hedgerows, trees or shrubs shall take place between 1st March and ~~31st August~~ **30 September** inclusive in any given year, unless prior to the commencement of works a detailed biodiversity survey by a competent ecologist has been submitted to and approved in writing by the Local Planning Authority. The survey shall include the details of the check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting birds on the site. The development shall then be carried out in accordance with the details submitted;

- ii) the following additional conditions:
 - a) the site shall be used for the purpose of outdoor sport, recreation and/or education only and notwithstanding the provisions of the Town and Country Planning General Permitted Development (England) Order, 2015 as amended, or any other document that may amend or replace it, no development falling within Class M of Part 7 of Schedule 2 shall take place without express permission from the local Planning Authority;
 - b) no external lighting shall be installed or used at the site unless otherwise agreed in writing with the Local Planning Authority; and
 - c) outside of Roselands Primary school opening hours and when the space is not required for use by the school the pedestrian gates to the site hereby approved shall be unlocked and access to the public permitted, except that access can be denied to dogs and persons accompanied by dogs; and
- iii) Final drafting of conditions and addressing any further material considerations that may come to light following Planning Committee, to be delegated to the Divisional Director responsible for Planning, Housing and Climate Emergency.

81. Former Dairy Crest Depot, Parkfield Road, Torquay TQ1 4BH P/2020/0497

The Committee considered an application for the demolition and redevelopment of a former dairy depot to form 55 residential dwellings (48 apartments and 7 dwelling houses), with associated parking and landscaping.

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 Horder addressed the Committee on behalf of the Torquay Neighbourhood Forum and Mr Kenney addressed the Committee in support of the application.

Resolved:

Approved, subject to:

- i) resolution of the dormer design within the dwellings to the satisfaction of the Local Planning Authority;
- ii) the conditions as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director Planning, Housing and Climate Emergency;
- iii) Section 106 legal agreement to secure deferred obligations for Affordable Housing and loss of employment land funding to deliver a Traffic Road Order adjacent to the site; and
- iv) the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

Chairman