

Minutes of the Planning Committee

16 October 2023

-: Present :-

Councillor Jacqueline Thomas (Chairwoman)

Councillors Billings (Vice-Chair), Fox, Hutchings, Maddison and Tolchard

28. Apologies for absence

Apologies for absence were received from Councillors Cowell and Pentney for this meeting only.

It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Committee had been amended to include Councillor Hutchings in place of Councillor Joyce for this meeting only.

29. Minutes

The minutes of the meeting of the Committee held on 18 September 2023 were confirmed as a correct record and signed by the Chairman.

30. Recommendation for Adoption of the Local Validation List

The Principal Planning Officer presented the Local List for Validating Planning Applications (“the Local List”) as set out in the submitted report.

Members were informed that the Local List had been updated to account for changes in national and local requirements with significant changes to the format of the document. The updated version of the Local List would replace the existing version which had been adopted in 2018. It was a requirement of the National Planning Policy Framework that the document was regularly reviewed and it established the information required to support an application.

The Principal Planning Officer explained that the aim of the update was to make the document shorter and easier to use; help applicants identify what information they needed to submit an application based on site constraints and the nature of the scheme; achieve consistency with other Local Authorities across Devon and would be of benefit to both applicants and decision-makers. There had been a six week consultation period between 14 August 2023 and 25 September 2023, engaging with

statutory and non-statutory consultees. Eleven responses had been received, a vast majority of which resulted in changes to the document.

Members acknowledged and commended officers' work in updating the Local List and it was recognised that it had been extremely well received particularly by the Agents' Forum.

Resolved:

The Local Validation List as set in Appendix 1 to the submitted report be endorsed by the Planning Committee and that the Divisional Director for Planning, Housing and Climate Emergency implements the updated List for use in respect of planning applications received after 1 November 2023.

31. Torbay Holiday Motel, Collaton St Mary (P/2022/0771)

The Committee considered an outline application for demolition and redevelopment of up to 30 dwellings with detailed access (matters of appearance, landscaping, layout and scale reserved) (as revised by plans received on 28 April 2023).

Prior to the meeting, written representations were available on the Council's website. At the meeting Mr Michael Drake addressed the Committee in support of the application.

At the meeting the Planning Officer advised that the application had previously been considered by the Committee on 24 July 2023 and was approved subject to three additional conditions, two of which had been agreed with the applicant. However, due to an inability to agree the imposition of the third condition, the application was returned to Committee with an officer assessment and a revised recommendation for Members' consideration. The additional key issue was the sale of the Beechdown Court Apartments and the impact of this on the Committee's previous resolution to include a condition securing a scheme of landscape and appearance enhancements.

Members were informed that as the applicant no longer had control over Beechdown Court, the existing condition would be viewed as unreasonable and unenforceable under National Planning Policy Framework guidance on the use of planning conditions for land not in control of the applicant.

Resolved (unanimously):

Approved subject to:

1. The conditions outlined in the submitted report, to include additional conditions (a) and (b) of the Planning Committee resolution made 24th July 2023, with the final drafting of conditions delegated to the Divisional Director - Planning, Housing & Climate Emergency;
2. The completion of a S106 Legal Agreement to secure heads of terms in accordance with the adopted Planning Contributions and Affordable Housing Supplementary Planning Document, on terms acceptable to Officers;

3. Additional condition to secure landscape enhancements and a schedule of works to improve the visual appearance of Beechdown Court, or in the absence such, an alternative scheme of landscape enhancements to the wider public realm within the area, and;
4. The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director - Planning, Housing & Climate Emergency, including the addition of any necessary further planning conditions or obligations.

32. Dawn, Brim Hill, Torquay (P/2023/0418)

The Committee considered an application for variation of appeal conditions relating to application P/2020/1044: Extensions and renovations to existing house and garage; single storey lower ground floor extension to rear (SE) with terrace over; two storey side extension (SW); single storey upper ground floor extension to side (NE). Raise roof ridge line and change roof profile to form attic room. Changes to fenestration. Conditions: 02 - Approved Plans, 03 - Materials Schedule (Stone Walls). Variations sought: revised drawings and schedule document.

Prior to the meeting written representations were available on the Council's website. At the meeting Mr Carl Taylor addressed the Committee against the application and Ms Linda McCormick of the Maidencombe Residents' Association the Committee against the application. Ms Julie Brandon addressed the Committee on behalf of the Torquay Neighbourhood Forum against the application. Mr Tony Payne addressed the Committee in support of the application.

At the meeting the Planning Officer advised, that the applicant's current proposals sought to regularise a number of departures that had been made to the plans previously approved under reference P/2020/1044 during the ongoing build on site. The applicant proposed a new obscure glazed window in the lower ground floor of the south west elevation; omission of the approved window in the north east elevation and enlarged window in the ground floor of the south east elevation; omission of the approved chimney; change to the colour of the approved stone cladding; three rooflights in the approved single storey extension in the south west elevation and approved gable features in the north east elevation to be lowered in height.

Resolved:

Approved subject to:

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

Chairwoman
