

## Licensing Act 2003

### Environmental Health Representation/Notice of Objection

#### Application Details

**Premises:** Hotel Indigo Torquay, Torbay Road, Torquay

**Name of Applicant:** Fragrance UK-Torquay 2 Limited

**Address:** Torbay Road, Torquay

**Type of Application:** Alcohol (On and Off the Premises), Late night refreshment, Regulated entertainment.

#### Representation

**I consider the application to undermine the following licensing objectives:**

##### The Prevention of Public Nuisance

This department would like to make the following representation:

I consider that the application made for Hotel Indigo Torquay, if granted in its current form will likely undermine the prevention of public nuisance licensing objective.

Most notably, the application has been made for the provision of live and recorded music (indoors) from 11:00hrs until 02:00hrs. The proposed condition/s do not appear to adequately mitigate the potential for noise nuisance to occur, either from entertainment, or from patrons congregating outside.

There is a concern that live or recorded music may be played at a volume which causes disturbance to nearby residents, such as those who live on Hennapyn Road. Furthermore, if noise emanating from the premises is audible within these properties, the terminal hour for live and recorded music at 02:00hrs is likely to have a detrimental impact on residents who may be sleeping or trying to sleep.

The application proposes the sale of alcohol on and off the premises until 02:00hrs. I note the addition of a rooftop bar as advised within the application and plan. There is a concern that customers may purchase alcohol and congregate in outside areas such as the rooftop bar, or areas directly adjacent to the premises to consume it. There is a potential for noise nuisance to occur from customers who congregate in larger numbers, particularly if they choose to drink outside late into the night. The effect of this will likely be most noticeable when the weather is favourable, and nearby residents open their windows to increase ventilation.

I therefore recommend that the following conditions are added:

- 1.) Noise from the premises shall not be audible within any dwelling with windows open for normal ventilation especially after 2300 hours. This shall be assessed from the boundary to the nearest residential properties, on all sides of the licensed premises.

The criteria that shall be applied are: -

i) Before 2300 hours - Noise emanating from the premises shall not be clearly distinguishable above other noise.

ii) After 2300 hours - Noise emanating from the premises shall not be distinguishable above background levels of noise.

iii) The local authority shall reserve the right in cases of tonal noise and where premises are attached to others, to make further assessments from within the residential property.

- 2.) A noise limiting device (the specification and design to be agreed with Torbay Council's Environmental Health Service) shall be fitted so that all live and recorded music is channelled through the device. The maximum noise levels will be set by agreement with Torbay Council's Environmental Health Service and will be reviewed from time to time as appropriate.
- 3.) The noise limiting device must be fully functional and in proper working order at all times during performances of live and recorded music.
- 4.) When issues are identified approaches will be made to patrons, who will be asked not to stand around talking in the street outside the premises or any car park; and asked to leave the vicinity as quickly and quietly as possible.
- 5.) After 23:00 hours noise levels in outside areas will be monitored and controlled to minimise any potential impact on local residents. Customers will be advised of the need to respect local residents where appropriate. Any patrons continuing to cause any disturbance or disorder will be asked to leave the premises.
- 6.) No deliveries (in relation to licensable activities) to the premises shall take place between 23:00 hours and 09:00 hours.
- 7.) Other than recorded background music, no live or amplified music shall be permitted on the rooftop bar area at any time.

8.) If Torbay Council receives a complaint of noise nuisance emanating from the premises and an Environmental Health Officer of Torbay Council deems noise nuisance to exist and upholds the complaint, the Premises Licence Holder shall on receiving written confirmation of that complaint from Torbay Council:

- a.) Co-operate with Torbay Council's Environmental Health Officers and implement remedial measures to the satisfaction of the Environmental Health Officers immediately or as reasonably practicable to do so, as determined by the Environmental Health Officer; and
- b.) Where remedial action cannot be identified and remediated to the satisfaction of the Environmental Health Officer, the roof terrace area shall be closed to all patrons at 23:00 hours until such time that the noise nuisance can be identified and the necessary remedial work can be carried out.

If the applicant agrees to implement the conditions I have recommended above, I will consider withdrawing my representation.

## Applicant

Preferred pronoun

Title Mr

First name [REDACTED]

Surname [REDACTED]

Address [REDACTED], Livermead Hill

Town/City Torquay

County Devon

Postcode TQ2 6PZ

Country United Kingdom

Preferred contact method Email

Email address [REDACTED]

Phone [REDACTED]

Mobile [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Premises Details

Name of premises/trading name Hotel Indigo

Address Torbay Road

Town or City Torquay

County Devon

Postcode TQ2 6RH

## Application Page

Regarding the following application I want to:	Object
In what capacity are you applying?	Any other person
The prevention of crime and disorder	Yes
Public safety	Yes
The prevention of public nuisance	Yes
Reason(s) for your representation	<p>I express my objection to the licensing application 071044 for the Hotel Indigo Torquay. Notice posted locally on August 13th. If this licence application is approved, it will conflict with the Planning Approval Notice of 20th November 2019. It is crucial to consider that overriding this approval will constitute a clear abuse of power, as the contentious application was only approved under specific conditions giving consideration to neighbouring occupiers at all times including bank holidays. Clause 19 No access to the roof-top terrace shall be allowed between the hours of 2200hrs and 0800hrs daily, and no audio equipment shall be used in this outdoor area at any time.</p> <p>Reason: To protect neighbouring occupiers from noise disturbance in accordance with Policy DE3 of the Torbay Local Plan. Clause 22. The restaurant, roof-top bar, and spa hereby approved shall only be open to hotel guests, and shall not be open to the general public at any time. Reason: In the interests of ensuring adequate parking arrangements to serve the development, in accordance with Policy TA3 of the Torbay Local Plan. The following pertinent points warrant consideration: Crime and disorder Livermead Hill provides direct access to the hotel's terrace, which will undoubtedly be utilised by guests utilising hotel amenities such as dining, beverages, and live entertainment. Guests, specifically non-resident, are likely to be hesitant to incur hotel parking charges when local roads such as Wheatridge Lane and surrounding side roads offer free parking. The hotel offers parking space for 101 vehicles, including designated areas for disabled individuals and electric vehicles. The exact number of staff vehicles that will utilise these spaces is not disclosed. Consequently,</p>

## Application Page

opening the hotel to non-residents for dancing and live entertainment is expected to attract a significant increase in the number of vehicles. An increase in the number of vehicles parked in Livermead roads will likely encourage criminal activity. Additionally, anti-social behaviour is expected to rise as late-night revellers leave the hotel. Livermead already faces problems with late-night revellers littering gardens, which residents are responsible for cleaning up. However, these incidents are not reported, as the perpetrators remain unidentified. Public Nuisance Noise is particularly audible at night, and unfortunately, the Hotel is situated in a residential area. The proposed application for the Indigo Hotel Torquay seeks to host events into the early hours of the morning. This is unacceptable, as residents of the lower Livermead region, both sides of Torbay Road, are already subjected to loud music during events held at the Livermead Cliff. Safety Livermead Hill provides direct access to the hotel's terrace. Guests can utilise Livermead Hill for drop-off and pickup, particularly for those who wish to avoid hotel parking charges by utilising local roads such as Wheatridge Lane and surrounding side roads, which offer free parking. Livermead Hill is a busy thoroughfare with a sharp bend, and vehicles are known to travel this section of the highway at high speeds during the nighttime.

Is there any reason why you do not want your personal details to be passed on to the premises licens

No

## Document Upload & Standard declaration section

I confirm I have read the representation guidance notes and agree that a copy of my representation w

Yes

Checking this box indicates you have read and understood the above declaration

Yes

## Request origin

Request origin

Date received	15/08/2025
Method	Online form

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## Licensing representation

Date and Time Submitted	26 August 2025 12:01:11
Name of the premises:	Hotel Indigo Torquay
Support/Object to application	Object
Address of the premises:	Torbay Road Torquay Devon TQ2 6RH

## Applicant Details

In what capacity are you applying?	Any other person
First name:	[REDACTED]
Last name:	[REDACTED]
Contact number:	[REDACTED]
Email address:	[REDACTED]
Address:	[REDACTED] LIVERMEAD HILL TORQUAY TQ2 6PZ [REDACTED]

## Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	<input type="checkbox"/> The prevention of crime and disorder <input type="checkbox"/> Public safety <input type="checkbox"/> The prevention of public nuisance
The reason for your representation:	<p>This objection to License application 071044 for Indigo Hotel Torquay does not concern the restriction of alcohol, food, and television availability in guest bedrooms. Instead, it addresses the need to safeguard Panorama residents and neighbouring properties from noise disturbances, potential criminal activity, and to facilitate safe passage along the local road network, which could be adversely affected by hotel users parking in Livermead's streets. The Fragrance Group proceeded with the development of a replacement hotel on the site of the Corbyn Head Hotel, Torbay Road, Livermead, fully aware that the planning approval contained certain restrictive clauses for the protection of neighbouring properties from noise disturbance, opportunities for criminal activity, and the provision of adequate parking arrangements to</p>



	<p>serve the development. Any granting of approval of a premises license should not permit access to the rooftop terrace between the hours of 22:00 and 08:00 daily. Additionally, the use of audio equipment in this outdoor area shall be prohibited at all times. Furthermore, the restaurant, rooftop bar, and spa shall not be open to the general public. Hotel guests shall not be permitted access to these areas. These conditions are specified in planning approval notice Clause 19 and Clause 22. It is acknowledged that planning and licensing are separate processes. However, if the premises license currently being applied for by Fragrance Group for Indigo Hotel Torquay is approved, it would constitute a significant and deliberate disregard of the approval notice. Any modification to the planning approval notice necessitates a Section 73 application to amend or remove conditions. However, Panorama's property owners perceive overriding the conditions implemented for their and neighbours' protection as a substantial change, warranting a new comprehensive planning application rather than this license application. My representation, which was submitted on August 15th, addresses concerns related to crime and disorder, public nuisance, and safety. I am aware that some residents have registered their own representations, providing specific examples of their concerns, such as noise and anti-social behaviour etc. [REDACTED], [REDACTED]</p>
Is there any reason why you do not want your personal details to be passed on to the premises license holder?	No
Would you like to include any documentation in support of your representation	No
Uploaded Files	

## Confirmation

I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.	1
Full name:	[REDACTED]

Applicant

Preferred pronoun

Title Mr

First name [REDACTED]

Surname [REDACTED]

Address [REDACTED], Livermead Hill

Town/City Torquay

County Devon

Postcode TQ2 6QY

Country United Kingdom

Preferred contact method Email

Email address [REDACTED]

Phone

Mobile [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

Premises Details

Name of premises/trading name Hotel Indigo

Address Torbay Road

Town or City Torquay

County Devon

## Premises Details

Postcode TQ2 6RH

## Application Page

Regarding the following application I want to: Object

In what capacity are you applying? Any other person

The prevention of public nuisance Yes

Reason(s) for your representation I am writing as a local resident to formally object to the premises licence application submitted by Hotel Indigo, Torquay, under the Licensing Act 2003. Based on the public notice, I understand the application includes: The sale of alcohol until 2.00am daily, with no restriction for hotel residents, their bona fide guests, or on New Year's Eve; The provision of regulated entertainment indoors until 2.00am daily, including live and recorded music, films, performances of dance, and similar activities (films in rooms unrestricted); The provision of late-night refreshment until 2.00am for non-residents, with no restriction for residents, guests, or on New Year's Eve. Grounds for Objection - Prevention of Public Nuisance I strongly object to this application on the grounds of public nuisance. The hotel is located in a mixed-use area with a significant number of residential properties in close proximity. Extending licensable activities until 2.00am daily will likely result in: Noise disturbance late at night and into the early morning hours, from amplified music, patrons leaving the premises, and people congregating in surrounding streets; Disturbance from taxis, car doors, engines, and voices, particularly from non-residents attending late-night events or entertainment at the hotel; Impact on local amenity, including potential littering and anti-social behaviour, which may be exacerbated by late alcohol consumption; Sleep disruption to local residents, especially vulnerable individuals, children, or shift workers who require rest during these hours. While I appreciate that hotels need to operate viably and may require reasonable flexibility for residents, the proposed hours are excessive, particularly for non-residents, and do not respect the character of the local area. Suggested Conditions (If Granted) If the licence is to be granted in any form, I respectfully

Application Page

request that the following conditions be imposed:  
Restrict the sale of alcohol and regulated entertainment to 11.00pm for non-residents, in line with typical hotel operations in residential areas;  
Require a Noise Management Plan, with external noise controls (e.g. sound limiters, closed windows/doors during music); Prohibit the use of outdoor areas (e.g. smoking areas or terraces) past 10.30pm to prevent late-night noise; Ensure a clear separation between public access and resident-only facilities after 11.00pm; Require the hotel to appoint a contactable Designated Premises Supervisor (DPS) available to local residents to address concerns promptly. I would be grateful if my objection is taken into full consideration during the decision-making process. I am willing to attend a hearing if necessary to speak further on the impact this application could have on me and my neighbours.

Is there any reason why you do not want your personal details to be passed on to the premises licens

No

Document Upload & Standard declaration section

I confirm I have read the representation guidance notes and agree that a copy of my representation w

Yes

Checking this box indicates you have read and understood the above declaration

Yes

Request origin

Date received

19/08/2025

Method

Online form

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

# Licensing representation

Date and Time Submitted	18 August 2025 10:00:24
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Name of the premises:	Hotel indigo
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Support/Object to application	Object
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Address of the premises:	Torbay road Torquay
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## Applicant Details

In what capacity are you applying?	Any other person
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First name:	
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Last name:	
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Contact number:	
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Email address:	
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Address:	Livermead Hill Torquay TQ26QY {uprn: -1}
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## Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	The prevention of crime and disorder The prevention of public nuisance
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The reason for your representation:	This is totally against the original planning consent. Located in a primarily residential area to now request such extended opening hours with live music and open to non residents is totally unrealistic and creates a bad precedent. Insufficient parking on site will impact on nearby streets as live music will reverberate throughout the area. Light pollution will Impact ecology which has condition to be protected
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Is there any reason why you do not want your personal details to be passed on to the premises license holder?	No
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Would you like to include any documentation in support of your representation	No
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Uploaded Files

## Confirmation

I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.	1
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Full name:	
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Applicant

Preferred pronoun	She/her
Title	Ms
First name	[REDACTED]
Surname	[REDACTED]
Address	[REDACTED], Hennapyn Road
Town/City	Torquay
County	Devo
Postcode	TQ2 6QL
Country	United Kingdom
Preferred contact method	Email
Email address	[REDACTED]
Phone	[REDACTED]
Mobile	[REDACTED]
[REDACTED]	
[REDACTED]	[REDACTED]
[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	[REDACTED]
[REDACTED]	
[REDACTED]	
[REDACTED]	
[REDACTED]	

Premises Details

Name of premises/trading name	Hotel Indigo
Address	Torbay Road
Town or City	Torquay
County	Devon

#### Premises Details

Postcode TQ2 6RH

#### Application Page

Regarding the following application I want to: Object

In what capacity are you applying? Any other person

The prevention of crime and disorder Yes

Public safety Yes

The prevention of public nuisance Yes

The protection of children from harm Yes

Reason(s) for your representation Visitors to the Hotel will have to park in local roads as there is not much parking in the Hotel itself. This will create a nuisance in local roads such as Cockington Lane & Cliff Road - both of which are narrow roads. They may also park in Old Mill and Hennapyn Road - the latter being part of the official diversion route for Torbay Road. There will considerable noise for local residents, especially in summer months when doors & windows will be open. The Rooftop bar will ensure noise carries a considerable distance at night. The area around here is quiet. There will also be noise from people returning to the cars, and other vehicles. This will negatively affect my husband & my sleep. if children are staying in the hotel, then I am concerned about the sale of alcohol to minors.

Is there any reason why you do not want your personal details to be passed on to the premises licens No

#### Document Upload & Standard declaration section

I confirm I have read the representation guidance notes and agree that a copy of my representation w Yes

# Licensing representation

Date and Time Submitted	29 August 2025 17:41:51
Name of the premises:	Hotel Indigo Torquay
Support/Object to application	Object
Address of the premises:	Torbay Road Torquay TQ2 6RH

## Applicant Details

In what capacity are you applying?	Any other person
First name:	[REDACTED]
Last name:	[REDACTED]
Contact number:	[REDACTED]
Email address:	[REDACTED]
Address:	[REDACTED] Livermead Hill Torquay TQ2 6PZ {uprn: -1}

## Representation

Which of the following Licensing Objectives is this representation relevant to?

This representation is relevant to the following Licensing Objectives	The prevention of public nuisance
The reason for your representation:	Noise nuisance. Several residential properties around the back and sides of this hotel are in close proximity to the building. When the much smaller Corbyn Head hotel operated on these premises every night at 10.30 pm we endured the crashing noise of bottles being dumped into recycling containers. I fear that this will happen on a much larger scale commensurate with the size of the hotel but in the early hours of the morning. The service bay is on Livermead Hill and very close to several apartment blocks.
Is there any reason why you do not want your personal details to be passed on to the premises license holder?	No
Would you like to include any documentation in support of your representation	No

Uploaded Files

## Confirmation

I confirm I have read the representation guidance notes and agree that a copy of my representation will be given to the premises license holder.

Full name: [REDACTED]



**From:** [REDACTED]  
**To:** Licensing@torbay.gov.uk  
**Sent:** Sun Aug 31 2025 16:15:27 BST  
**Subject:** Hotel Indigo License Application application 071044

You don't often get email from [REDACTED] [learn why this is important](#)

To whom it may concern,

My name is [REDACTED] and I live at [REDACTED] Livermead Hill, Torquay, TQ2 6PZ which is directly behind the Hotel Indigo to which this application refers. I wish to make an objection to this licence being processed based on the application as it stands as there are questions that it raises. My objections are as follows:

- 1) The application as it stands if granted will be granted in perpetuity. If this occurs it will be without reference to the consequences of approval as it will not have been tested in practice. It is unclear precisely what the opening times of the bars allowed to sell alcohol both on and off the premises during the New Year Period. As it stands it implies that alcohol can be served for 24 hours each day without a break during this two day period.
  - 2) This application is contentious as it flies in the face of the agreed restrictions put in place when planning was initially granted. This leads to a number of possible anti-social consequences that are not addressed in the application.
  - 3) The application applies not only for sale of alcohol within the premises but to the sale of alcohol to the outside public areas outside the hotel, albeit within their general curtilage. This in practice means that the outside seating area situated on Livermead Hill which also has its own separate entrance can be frequented by guests and non guests until 2.0am in the morning. This is a clear additional use to which this hotel can be put. This is a clear possible route to serious anti-social behaviour and needs to be addressed.
  - 4) The Hotel does not have sufficient in house car parking to accommodate all its guests which means in practice that some guests will have to park either in local car parks or use on street parking within the immediate locality. This presents both a road safety issue and also a crime issue within the immediate locality. This was mentioned at the Planning Stage in written form by a council employee called [REDACTED] and is dated the 28th March 2019. His points raised have not been dealt with either at the planning stage or since. This is a clear serious objection.
  - 5) Similar points were raised by Devon and Cornwall Police but again have not been addressed.
  - 6) The risk of serious noise pollution coming from the unrestricted nature of this application, particularly the outside seating areas is clear and is self explanatory.
  - 7) Opening the hotel to non guests for evening entertainment such as singing and dancing whilst alcohol is served will clearly present a rise in the noise levels which will be suffered by local residents. This should receive serious consideration and if allowed a detailed explanation as to why should be forthcoming.
- These are the main points that I wish to make and I strongly urge the committee not to allow this application in its entirety but to take a long hard look at the consequences. This is something that to date has not been done in respect of the detail of the planning application but hopefully will be done in respect of this application in order to obviate serious noise, crime and road traffic problems incumbent in its opening. Local residents have to live with this.
- [REDACTED]



**From:** [REDACTED]  
**To:** Licensing@torbay.gov.uk  
**Sent:** Sat Aug 30 2025 13:06:35 BST  
**Subject:** 071044 which is a New Application for Premises Licence - Hotel Indigo, Torquay

You don't often get email from [REDACTED] [learn why this is important](#)

Dear Sir/Madam,

I wish to object to the licence application for the above property on the grounds of:

- \*  
Public nuisance - this is densely populated residential area and the noise and light pollution will have a negative impact on the neighbourhood
- \*  
Public safety - as the council knew, when approving planning, the parking allocation compared to the size of the hotel will lead to parking on the neighbouring roads. This reduces the safety for walkers and drivers alike. By increasing the licencing to include non-residents, this will increase the number of cars parking locally. In addition, when the adverse weather conditions cause the sea front to be closed, there will be increased volume of traffic along these roads, increasing the risk to public safety
- \*  
Prevention of public nuisance - when those customers leave the premises it will increase the possibility of drunken and anti-social behaviour along with associated noise. At least residents are more contained within the hotel
- \*  
Protection of children from harm - having cars parked on both sides of roads that are not designated for parking will increase the risk of children being knocked down when crossing the road.

Yours faithfully

[REDACTED]  
[REDACTED] Broadstone Park Road, Torquay

# Applicant

Preferred pronoun	
Title	
First name	
Surname	
Address	Broadley Drive
Town/City	Torquay
County	Devon
Postcode	TQ2 6UF
Country	United Kingdom
Preferred contact method	Email
Email address	
Phone	
Mobile	

# Premises Details

Name of premises/trading name	Hotel Indigo
Address	Torbay Road
Town or City	Torquay
County	Devon
Postcode	TQ2 6RH

# Application Page

Regarding the following application I want to:	Object
In what capacity are you applying?	Any other person
The prevention of public nuisance	Yes
Reason(s) for your representation	This area has been subjected to so much disruption and disturbance from this hotel already. The people in the flats behind have a view of the monstrosity and now have no view. The noise is going to carry all the way upto Livermead and the parking will be a nightmare and detrimental to the area.
Is there any reason why you do not want your personal details to be passed on to the premises licens	No

# Document Upload & Standard declaration section

I confirm I have read the representation guidance notes and agree that a copy of my representation w	Yes
Checking this box indicates you have read and understood the above declaration	Yes

# Request origin

Date received	01/09/2025
Method	Email



# Applicant

Preferred pronoun	
Title	
First name	
Surname	
Address	roadpark Road
Town/City	Torquay
County	Devon
Postcode	TQ2 6UW
Country	United Kingdom
Preferred contact method	Email
Email address	
Phone	
Mobile	

# Premises Details

Name of premises/trading name	Hotel Indigo
Address	Torbay Road
Town or City	Torquay
County	Devon
Postcode	TQ2 6RH

# Application Page

Regarding the following application I want to:	Object
In what capacity are you applying?	Any other person
The prevention of crime and disorder	Yes
Public safety	Yes
The prevention of public nuisance	Yes
Reason(s) for your representation	Noise and disruption this will cause by drinking/partying up to the early hours in the morning. Parking in the residential areas where children and residents walk.
Is there any reason why you do not want your personal details to be passed on to the premises licens	Yes
Provide the reason:	I do not wish my personal details to be passed onto strangers.

# Document Upload & Standard declaration section

I confirm I have read the representation guidance notes and agree that a copy of my representation w	Yes
Checking this box indicates you have read and understood the above declaration	Yes

# Request origin

Date received	01/09/2025
Method	Online form



# Applicant

Preferred pronoun	
Title	Ms
First name	
Surname	
Address	Torbay Road
Town/City	Torquay
County	Devon
Postcode	TQ2 6RH
Country	United Kingdom
Preferred contact method	Email
Email address	
Phone	
Mobile	

# Premises Details

Name of premises/trading name	Hotel Indigo
Address	Torbay Road
Town or City	Torquay
County	Devon
Postcode	TQ2 6RH

# Application Page

Regarding the following application I want to:	Object
In what capacity are you applying?	Any other person
The prevention of public nuisance	Yes
Reason(s) for your representation	When planning permission was given for the building of this hotel, the rooftop bar was restricted to residents only, and had to close before 11p.m. as the hotel is in a residential area. Sound carries in this area, especially at night. If it is a warm evening doors and windows of the bar will be opened, and tables will be used on the open outside area, thus disturbing local residents. In addition, non-residents who will park in nearby roads will create a disturbance when returning to their cars late at night and in the early hours of the morning. For these reasons I object to the current application.
Is there any reason why you do not want your personal details to be passed on to the premises licens	Yes
Provide the reason:	Do not wish to be intimidated by applicant.

# Document Upload & Standard declaration section

I confirm I have read the representation guidance notes and agree that a copy of my representation w	Yes
Checking this box indicates you have read and understood the above declaration	Yes

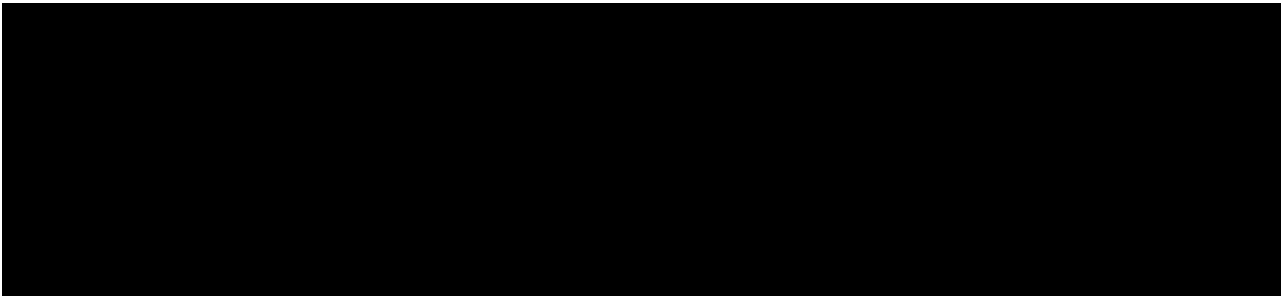
# Request origin

Date received

02/09/2025

Method

Online form





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**From:** [REDACTED]  
**Sent:** 02 September 2025 10:36  
**To:** Licensing <Licensing@torbay.gov.uk>  
**Subject:** Hotel Indigo licensing application 071044 - your ref 16294194

You don't often get email from [REDACTED]. [Learn why this is important](#)

Good morning Julie

Following on from my original objection to the licensing application, I show below expanded comments on the two issues. If there is anything further you need please let me know. I have put the date of the hearing in my diary

Prevention of crime and public disorder:-

Not only does the hotel have insufficient parking spaces for the number of rooms, allowing public access will exacerbate the issue. [REDACTED] drew attention to this in his report at the original application but as public transport was nearby and two coaches could now park, he felt it was acceptable provided suitable parking restrictions were put in place on Livermead a hill and Wheatridge Lane paid for by the developer.

It is likely the hotel will charge for parking as this is now common practise, so guests will look for alternatives. There is no public car park in the near vicinity.

Throughout the development we have had issues with parking on these roads, creating potential for accidents especially on the bends of Wheatridge Lane, and this has been brought to the attention of the police. Wheatridge Lane and Livermead Hill are part of the main diversion route when the sea front is closed, which is happening with increasing frequency. Who will ensure poor parking does not impede free flow of traffic?

Increased numbers of cars will almost certainly lead to an increase in break-ins and criminal damage, which Livermead has suffered from in the past.

Opening the facilities to non residents will only exacerbate all the anticipated problems. Planning approval clauses clearly stated restrictions were to protect neighbouring properties and residents.

Prevention of Public Nuisance:-

#### Noise -

The late night dispersal of cars with engines starting up, doors slamming, and hearty farewells in this residential area will be totally intolerable and cause an enormous number of complaints to the authorities. Once permitted it will be too late to easily amend without lengthy procedures to follow.

Noise is significantly more prevalent at night. Throughout the build we have been able to clearly hear the contractors' conversations and radios playing, result in numerous contacts with the site manager for Willmott Dixon. It has to be said he has always been extremely understanding and cooperative in helping to mitigate nuisances within his control.

#### Anti-social Behaviour -

Litter has been dropped in increasing volumes by the additional people walking along these roads, mainly it has to be said to look at and photograph this development, and we constantly have to collect this from our drive and garden.

Additionally, unlawful parking has taken place on our private land and it is obvious that a motorist, seeing a perceived parking space, will utilise this. Yet again we will incur expense to prevent a nuisance created by the hotel for relevant signs and repair of damage caused to the grass verge on Livermead Hill which is owned by Cromartie Point and not, as many perceive, Torbay Council.

There is a real concern that allowing the top bar to be open to non residents as well as hotel guests from 1100 to 0200 hrs every day and no restrictions on New Year's Eve/New Year's Day, will result in persons accessing the rear walkway which is meant to be for maintenance only. The Planning consent restricted the top bar and spa to guests only with opening hours of 0800 to 2200 hrs. Again, this restriction was to protect nearby residents and property. Our concern has always been who would monitor this and ensure the area was closed at 2200 hrs.

#### Light Pollution and Privacy -

The presence of light pollution will cause significant disturbance to nearby residents. Our privacy will be further compromised by guests standing in the lift foyer on the top floor, waiting for the lift or accessing the stairs, as well as the excessively bright lights which appear to be necessary. These lights enable guests to directly gaze into our living quarters.

The recent case of *Fearn and others v The Tate Gallery* clearly established the nuisance caused by visitors using the new viewing gallery and looking directly into the flats. The Judge subsequently ordered The Tate Gallery to return to a Lower Court to address this nuisance. Will such action be necessary in this particular instance?

Further nuisance is caused by the lights in the underground car park, which we are informed is for safety and security purposes. Low-level lighting and motion sensors should be installed to address this issue.

Additionally, there is a concern that non-residents may have parked there and left in the early hours, causing additional disturbance.

Hopefully this explanation, which could be further expanded if deemed necessary,



will assist the Licensing committee to understand why this and other objections to the Application by Fragrance Group on behalf of the Hotel Indigo cannot be permitted in its current all-encompassing state.

The outside terraces were not mentioned, but it is likely that these would be used by guests for enjoying drinks and refreshments throughout the day and evening. They are visiting and want to enjoy their holiday. We have to live permanently with the overwhelmingly adverse effect on our lives

[REDACTED]

[REDACTED]

Livermead hill

TQ2 6QY

Applicant

Preferred pronoun

Title

First name

[REDACTED]

Surname

[REDACTED]

Address

[REDACTED], Hennapyn Road

Town/City

Torquay

County

Devon

Postcode

TQ2 6QR

Country

United Kingdom

Preferred contact method

Email

Email address

[REDACTED]

Phone

Mobile

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Premises Details

Name of premises/trading name

Hotel Indigo

Address

Torbay Road

Town or City

Torquay

County

Devn

## Premises Details

Postcode TQ2 6RH

## Application Page

Regarding the following application I want to: Object

In what capacity are you applying? Any other person

Public safety Yes

The prevention of public nuisance Yes

Reason(s) for your representation Dear Sir/Madam,  
Grant of premises licence, Hotel Indigo, Torquay. No. 071044 I wish to object to the application for the premises licence on the following grounds:  
The application for performance of live and recorded music, dance, late night refreshment and sale of alcohol in all public areas including bar and outdoor rooftop bar area until 2am is likely to cause disturbance and public nuisance.  
The proximity of the hotel to adjacent residential streets and the late bar opening hours will result in customers leaving the hotel after 2am and causing noise and nuisance.  
The consumption of alcohol until 2am is more likely to lead to antisocial behaviour, crime and disorder, and risk to public safety.  
This application is also contrary to the planning conditions 19 and 22 granted for the construction and operation of the hotel.

[REDACTED]  
[REDACTED], Hennapyn Road, Torquay.  
[REDACTED]

Is there any reason why you do not want your personal details to be passed on to the premises licens No

## Document Upload & Standard declaration section

I confirm I have read the representation guidance notes and agree that a copy of my representation w Yes

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

Request origin

Date received 06/09/2025

Method Email

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

Executive Head of Community Services,  
Torbay Council,  
Torquay.

[REDACTED]  
Wheatridge Lane,  
Torquay.  
TQ26RA  
9/09/25

Dear Sirs,

Licensing Application 071044 – Indigo Hotel Torbay Road

Further to my letter dated 4/9/25 and latest e-mail to Licensing dated 09/10 and whilst my objections therein still stand I wish to specifically object herein purely on the licensing grounds.

Firstly no outside activities or use, by any, of any of the outdoor spaces, designated or non-designated, for, sitting, eating, drinking etc after the hours of 10pm (not 2am). This is because of the potential noise and disturbance to residents of the surrounding area. This is potentially more prevalent in the Livermead area where the land configuration acts as a natural amphitheatre in respect to accentuating noise levels.

Secondly the potential for real noise, disruption and potential for unsociable behaviour and security in and around the adjacent very quiet residential streets especially late at night with non residents returning to their cars parked on these, because of the limited parking availability on site, possibly in a worse for wear state because of the 2am opening of the bars and take out alcohol purchase.

On the two above grounds the application should be either refused or additional conditions imposed.

Yours Faithfully

[REDACTED]  
Email :

Tel: [REDACTED]

Objection to application for a premises licence. Applicant. Fragrance UK-Torquay 2 Ltd. Name and Postal address of Premises. Hotel Indigo Torquay Torbay Road Torquay TQ2 6RH

This huge and controversial hotel dominates the landscape and has been built on a small narrow site extending to just 0.80 of an acre. The hotel has 153 bedrooms and only 103 guest spaces, a shortfall of 50 spaces. There is **no** on site car parking spaces for hotel staff or visitors. There are no nearby public car parks. The hotel fronts the A3022 (Torbay Road) which is the principal road linking Torquay, Paignton and Brixham

## **THE PREVENTION OF CRIME AND DISORDER**

### **PUBLIC SAFETY**

**In 2018 and 2019. During the planning consultation period observations and advice were given by Devon and Cornwall Police - Designing out Crime Prevention Department regarding the lack of onsite parking .and the likely problems that would occur. These were Ignored by the Planning Department The Police made the following comments.**

#### **Parking**

**2018 advice. The proposed on-site parking provision seems wholly inadequate which is a concern to the police. It is respectfully requested that the overall number of parking spaces is carefully considered by the planning authority prior to determination to ensure that it is deemed adequate when balanced against the number of guest rooms, staff numbers and visitors to the public bar and spa, especially given the lack of any other alternative nearby off-site parking option. The police are concerned that this could lead to rancour amongst existing residents due to parking related problems such as inconsiderate or obstructive parking and the likelihood of an increase in complaints to the police.**

**2019 advice. The increase in parking provision for the proposal is noted and supported but unfortunately this has not fully alleviated previous concerns raised, especially given the lack of alternative 'off-site' parking. It is appreciated that the Highways**

**Authority will be fully consulted but it is respectfully requested that the proposed parking provision for the development is considered sufficient when balanced against the schedule of accommodation; the lack of alternative off-site parking options and the requirements of Policy TA3, to do all that is reasonable in preventing the potential for vehicle related complaints and issues as a result of inconsiderate and/or obstructive parking, damage to vehicles and property, all of which can easily introduce a source of conflict for the local neighbourhood. The ramifications of failing to factor in sufficient parking provision for new development are not always appreciated until full occupancy, by which time it is likely to be too late to remedy.**

**in its area (including anti-social and other behaviour adversely affecting the local environment The above in accordance with Section 17 of the Crime & Disorder Act 1998 -A duty to consider crime and disorder implications, specifically -1) Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, (a) crime and disorder**

### **THE PREVENTION OF PUBLIC NUISANCE**

The hotel is in close proximity and surrounded by residential property and in particular, Rosaire and Oversands apartments and Sea Jay. The worst affected is Cromartie Point comprising 16 apartments located immediately to the rear of the hotel with bedrooms looking into residents living space. All these properties are located on Livermead Hill. Any noise from the hotel will be intolerable. There are further Apartment blocks in Underhill Road namely Panorama and Sunleigh who will be affected by noise and anti social behaviour. Nearby houses in Wheatridge Lane and Woodleys Meadow will also be affected. Including properties in Broadpark Road, and Manscombe Road. Immediately to the west of the hotel is Corbyn apartments which will also suffer from noise. The rooftop terrace is likely to disturb residents in this area with patrons drinking alcohol and socialising in an open area which overlooks the apartments opposite. Non-residents who attend the hotel are likely to cause disturbance when they leave the premises, especially if they have been drinking alcohol and they are leaving late at night or early hours of the morning as they return to their cars. We will be disturbed by car doors slamming and people talking. There is also the potential for anti-social behaviour from patrons leaving in the early hours of the morning.

Fragrance recognised the substantial undersupply of on site parking and lack of off site parking. and the public nuisance affect it would have on the surrounding neighbourhood and **agreed** to the following conditions contained in the grant of planning permission dated 20 November 2019

**Condition 19.** No access to the roof-top terrace shall be allowed between the hours of 2200hrs and 0800hrs daily, and no audio equipment shall be used in this outdoor area at any time.

**Reason:** To protect neighbouring occupiers from noise disturbance in accordance with Policy DE3 of the Torbay Local Plan

**Condition 22.** The restaurant, roof-top bar, and spa hereby approved shall only be open to hotel guests, and shall not be open to the general public at any time.


**Reason:** In the interests of ensuring adequate parking arrangements to serve the development, in accordance with Policy TA3 of the Torbay Local Plan

Given the location and reduced level of on site parking It is clear that both Fragrance and Torbay Council recognised the potential for anti social behaviour and public nuisance caused by the operation of a large hotel on a very restricted site. **Especially the ramifications of section 17(a) of the Crime and Disorder Act 1998. This places a duty on the Authority and other agencies to exercise their functions with due regard to the potential impact on crime and disorder including anti-social and other behaviour adversely affecting the local environment and to take reasonable steps to prevent it.**

In the circumstances Fragrance should only be granted an on licence to guests staying at the hotel. The restaurant, roof-top bar and spa should only be open to hotel guests and shall not be open to the general public at any time.

No access to the roof-top terrace should be allowed between the hours of 2200hrs and 0800hrs daily, and no audio equipment is to used in this outdoor area at any time.

The licensing hours should be allowed between the hours 11.00hrs to 01.00 hours daily.

  
Monterey Close  
Torquay  
TQ2 6QW

9<sup>th</sup> September 2025