

## **Minutes of the Planning Committee**

**12 December 2022**

**-: Present :-**

Councillor Pentney (Chairman)

Councillors Dudley (Vice-Chair), Hill, Kennedy, Barbara Lewis, Chris Lewis and Manning

(Also in attendance: Councillors Brooks, Bye and Jacqueline Thomas (virtually))

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### **23. Apologies for absence**

Apologies for absence were received from Councillor Mills and Dart and it was reported that, in accordance with the wishes of the Conservative Group, the membership of the Committee had been amended to include Councillor Chris Lewis in place of Councillor Jackie Thomas (who observed the meeting remotely.)

### **24. Minutes**

The minutes of the meeting of the Committee held on 14 November 2022 were confirmed as a correct record and signed by the Chairman.

### **25. Rowcroft Hospice, Avenue Road, Torquay TQ2 5LS (P/2022/0772)**

The Committee considered an application for Demolition of Mildmay, the art room and estate workshop buildings and construction of new 60-bed specialist dementia and complex needs nursing home with ancillary facilities (Use Class C2). Remodelling of and extension to Main House to provide a 14-bed inpatients unit with ancillary facilities (Use Class C2). Remodelling of Rainbow House and construction of 40 assisted living units with communal facilities (Use Class C2). Construction of 3 guest lodges (Use Class C2). Construction of shared resident and community facilities comprising restaurant (Use Class E(b)), creche / nursery (Use Class E(f)) and community room / village hall (Use Class F2(b)). Construction of estate workshop. Associated car and cycle parking. Comprehensive landscape scheme to include publicly accessible amenity space, communal and private amenity space, restoration of boating lake, sustainable drainage features, allotments, new tree planting and associated works. Various vehicular, cycle and pedestrian routes through the site. All associated infrastructure works. (As amended by plans received 14.11.2022.).

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. Margaret Forbes-Hamilton addressed the Committee on behalf of the Torquay Neighbourhood Forum in

support of the application (virtually). Mark Hawkins addressed the Committee in support of the application.

At the meeting the Planning Officer advised that comments from Devon County Council had been received providing an update on biodiversity, this was circulated on 12 December 2022 just prior to the meeting.

Resolved (unanimously):

Approved subject to:

1. the satisfactory completion of a Stage 1 Road Safety Audit for the segregated pedestrian/cycleway route to Shiphay Lane and crossing of Shiphay Lane;
2. the completion of a satisfactory Section 106 planning agreement and the agreement of any necessary extensions to the statutory determination period to complete this agreement;
3. 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
4. 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 1: Whilst the formal status of the Torquay Neighbourhood Forum expired on 8 December 2022, an application has been made to renew this and on this basis the Chairman agreed to allow presentation from the Torquay Neighbourhood Forum on this application and other applications at the meeting on 12 December 2022.)

(Note 2: Councillor Kennedy joined the meeting during discussion of this item but did not vote on the item.)

**26. Former Shedden Hall Hotel, Shedden Hill Road, Torquay TQ2 5TX (P/2021/1314)**

The Committee considered an outline application for the construction of residential accommodation for up to 25 units (detailed approval sought for access, appearance, layout and scale, with landscaping a Reserved Matter).

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. Margaret Forbes-Hamilton addressed the Committee on behalf of the Torquay Neighbourhood Forum in support of the application (virtually). Jan Tribble and Neil Wilson addressed the Committee in support of the application.

At the meeting the Planning Officer advised, that discussions had been held with the applicant to reduce the height of both buildings by 600mm.

Resolved (unanimously):

Approved subject to:

1. the agreement of an acceptable provision of affordable housing, or the provision of an Affordable Housing Review Clause within a Section 106 Legal Agreement, signed within 4 months of the committee date. In the absence of either being secured (or reasonable progress being made to secure the Section 106 within a reasonable alternative timescale) the application to be refused, delegated to the Divisional Director of Planning, Housing and Climate Emergency;
2. 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.

**27. Land To The North Of Totnes Road, Collaton St Mary, Paignton (P/2021/1180)**

The Committee considered an application for Reserved Matters relating to Outline Application P/2019/0604. Matters for approval: details of appearance, landscaping, layout, and scale, as stated in Appeal Condition 01 (revised documents received 24 October 2022).

Prior to the meeting written representations were available on the Council's website. Colin Danks addressed the Committee in support of the application. Additional information from the applicant was circulated immediately prior to the meeting.

At the meeting the Planning Officer outlined the revised Officer Recommendation and proposed conditions.

Resolved (unanimously):

Approved subject to:

1. the resolution of identified highway matters to be delegated to the Divisional Director of Planning, Housing and Climate Emergency;
2. the conditions as outlined in the submitted report and updated at the meeting, with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency, subject to a detailed review of matters raised in the applicant's letter dated 9 December 2022; 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.

**28. Former Magistrates Court, Union Street, Torquay TQ1 4BP (P/2022/0969)**

The Committee considered an application for the conversion of the former Magistrates Court to form 14 residential apartments, including partial demolition, the provision of an additional floor, and external changes including the provision of balconies, terraces, and associated car parking, bike parking and bin storage.

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. Margaret Forbes-Hamilton addressed the Committee on behalf of the Torquay Neighbourhood Forum in support of the application (virtually).

Resolved (unanimously):

1. 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
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.

**29. Land At Princess Gardens, Off Torbay Road, Torquay TQ2 5EY (P/2022/1032)**

The Committee considered an application for change of use of land for the temporary erection and operation of an observation wheel and ancillary development, for a one-year season (between the period of March to October 2023).

Prior to the meeting written representations were available on the Council's website.

Resolved (unanimously):

Approved subject to:

1. prior to the grant of planning permission a 'Conservation Mitigation Obligation' to the sum of £20,000 secured through legal agreement, for restoration works to the adjacent Listed War Memorial;
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

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