

Minutes of the Planning Committee

15 September 2025

-: Present :-

Councillor Brook (Chair)

Councillors Billings, Mandy Darling, Fox (Vice-Chair), Pentney, Strang, Tolchard and Virdee

(Also in attendance: Councillor Long)

8. Minutes

The minutes of the meeting of the Committee held on 18 August 2025 were confirmed as a correct record and signed by the Chair.

9. 11 Alta Vista Road, Paignton (P/2025/0253)

The Committee considered a major planning application for the demolition of existing dwelling, garage and outbuildings and construction of ten dwellings plus associated access, parking, infrastructure, landscaping and associated works. (Part retrospective).

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. At the meeting Amy Roberts addressed the Committee in support of the application.

Resolved (unanimously):

Approval subject to:

1. the completion of a unilateral undertaking;
2. an additional planning condition requiring the strip to the rear of the coach houses to be for maintenance purposes only and to be managed by a Management Company;
3. an amendment to planning condition 2 in respect of boundary treatments to include 'height';
4. the planning conditions outlined in the submitted report, with the final drafting of planning conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
5. 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.

10. Pannier Market, Union Square, Market Street, Torquay (P/2025/0164)

The Committee considered a listed building consent application for the demolition and associated works to adjoining structures to south and west elevations of the Pannier Market including removal of internal fixtures. Formation of arched openings and new emergency escape doors to south and west elevation.

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. At the meeting Bethan Huntley addressed the Committee against the application. Dr Rodney Horder addressed the Committee on behalf of the Torquay Neighbourhood Forum in support of the application. Phil Jones addressed the Committee in support of the application.

In accordance with Standing Order B4.1 Councillor Long addressed the Committee in support of the principle of the application but against the number of homes to be provided on the site as he felt there should be higher numbers of homes.

At the meeting the Planning Officer advised, that since the report had been published a consultation response had been received from the Victorian Society dated 11 September 2025 as follows:

"Thank you for consulting us on the above application and the resubmission of additional details.

Whilst the applicant has now more clearly demonstrated the public benefit to this scheme, The Society agrees that there is a need to regenerate the Pannier Market, and to do so would prove a positive benefit - the current schedule of planning documents demonstrates an ambitious plan that is not yet fully realised.

Namely, there are logistics to this design that have not been appropriately considered. Especially when the proposed will result in the entire loss of the original C19 fabric from the south and west elevations, these details ought to be well-established in the proposal before the level of harm and risk can be proportionally considered. These losses will most likely cause a moderate to high level of less than substantial harm to the significance of the building,

In the first instance, we recommend that the applicant undertake some investigative work to verify the viability of the existing historic fabric, as well as a detailed outline of these features and how they will be retained and conserved in the scheme. For example, could some of the architectural details on these elevations be re-incorporated into the proposed?

If your authority should be minded that demolition is deemed essential, we recommend that all features be subject to a building recording, to ensure that what is lost is amply recorded."

Resolved (unanimously):

Approval subject to:

1. planning condition 5 to be revised to provide a stone cleaning strategy for the Pannier Market;
2. the planning conditions outlined in the submitted report, with the final drafting of planning conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency;
3. receiving a consultation response from Natural England to confirm no objection to the Council's Appropriate Assessment; 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.

11. Union Square Shopping Centre and Pannier Market, Union Square, Torquay (P/2025/0173)

The Committee considered a major planning application for the Partial demolition of existing shopping centre, demolition of 9 commercial units fronting on Union Street and Market Street and partial demolition of modern additions to Pannier Market. Redevelopment of site to provide residential development with associated amenity space, creation of new Class E commercial unit, repurposing of retained shopping centre floorspace sited below multistorey car park for Class E uses and associated external alterations, external works to Pannier Market, creation of public square and associated development infrastructure and works.

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. At the meeting Bethan Huntley addressed the Committee against the application. Dr Rodney Horder addressed the Committee on behalf of the Torquay Neighbourhood Forum in support of the application. Phil Jones addressed the Committee in support of the application.

In accordance with Standing Order B4.1 Councillor Long addressed the Committee in support of the principle of the application but against the number of homes to be provided on the site as he felt there should be higher numbers of homes.

At the meeting the Planning Officer advised, that since the report had been published the following items had arisen:

- 1 no. additional letter of objection had been received, concerns that had not previously been raised were regarding loss of light.
- Typographic error on Page 128, stating "990no. residential units" instead of "99no. residential units".
- Page 131 revision to the sentence stating: "The proposal will deliver a new NHS facility in a sustainable and accessible location" to "***It is envisaged that*** the proposal will ***provide*** a new NHS facility in a sustainable and accessible location".
- Page 136 revision to third bullet point to include highlighted text "Block C – Existing Union Square Multi-Storey Car Park (MSCP), will maintain existing

451no. Car parking spaces and provide **up to** 4no. new commercial units across the ground and first floors within former Union Square Shopping Centre floorspace”.

- Typographic error on Page 136, within the brackets of the third paragraph, “Torquay Harbour” should be included.
- Natural England were yet to provide a consultation response to the Council’s Appropriate Assessment.

Revision to the Statement on Human Rights and Equalities Issues on Page 151 (Additional text in *bold italics*)

The application has been assessed against the provisions of the Act, and in particular Article 1 of the First Protocol and Article 8 of the Act. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

While it is acknowledged that planning decisions may affect the rights of individuals, in this case, any interference is considered to be justified, proportionate, and necessary in pursuit of the legitimate aims of planning policy and the wider public interest.

The proposed redevelopment of a complex town centre site such as Union Square shopping centre has the potential to affect the amenity of residents living in nearby residential properties, particularly in relation to issues such as noise, traffic, privacy, and general disturbance during both the construction and operational phases. Likewise consideration has also been given to the impact of the affected businesses and surrounding businesses and this has been weighed up as part of the proportional and balanced consideration in the application. Any adverse effects have been appropriately considered and addressed within the report. Where necessary mitigation measures and planning conditions are proposed in order to secure any potential adverse impacts to an acceptable level. As such, the application is not considered to raise any unacceptable human rights implications.

Revision to the Statement on Human Rights and Equalities Issues on Page 151 (Additional text in *bold italics*)

Equalities Act

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

This town centre regeneration proposal has the potential to impact a wide cross-section of the community, including individuals with protected characteristics such as age, disability, race, and gender. As part of the planning assessment, consideration has been given to the accessibility and inclusivity of

the proposed development and opportunities for local employment which contribute to social inclusion. The application is accompanied by an Economic and Social Impact Assessment which provides details of contribution to social value and inclusion.

The development will provide new areas of public realm and publicly accessible pedestrian routes, which will be used by a wide demographic. These have been considered through the design development and is considered to appropriately respond to inclusive access. Where appropriate, planning conditions are proposed to secure inclusive design standards including adhering to 'Secure by Design' principles and ensure compliance with relevant policies and guidance.

In conclusion, it is considered that the proposed development has been designed and assessed in a way that aligns with the aims of the Equality Act 2010, and due regard has been given to the potential impacts on individuals or groups with protected characteristics.

Resolved (unanimously):

Approval subject to:

1. planning condition 14 being revised to provide a stone cleaning strategy of the Pannier Market;
2. an additional planning condition regarding a parking strategy, to include a section of the Union Square Multi-Storey Car Park being used by future residents, in consultation with the Council's Parking Services Team;
3. planning condition 48 be reworded to say '(excluding demolition)' rather than '(including demolition)';
4. the planning conditions outlined in the submitted report, with the final drafting of planning conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency;
5. the completion of a Section 106 agreement;
6. receiving a consultation response from Natural England to confirm no objection to the Council's Appropriate Assessment; and
7. 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.

Chair

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