

Minutes of the Planning Committee

3 February 2025

-: Present :-

Councillor Brook (Chairman)

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

75. Minutes

The minutes of the meeting of the Committee held on 6 December 2024 were confirmed as a correct record and signed by the Chairman.

76. Land Off St Mary's Road, Brixham (P/2023/0553)

The Committee considered an application for the demolition of existing industrial buildings and erection of 28 residential dwellings (22 open market and 6 affordable) together with access, landscaping and associated works on land to the north and south of St Mary's Road.

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 Mr Justin Dodge addressed the Committee in support of the application.

The Planning Officer advised Members that, since the report had been published a response had been received from the Council's Climate Emergency Officer stating that the proposal was disappointing from an embodied carbon perspective and recommended a planning condition to be added in relation to low carbon and sustainability measures, should the application be approved.

Resolved:

That the application be refused for the reasons as set out in the submitted report.

(Note: Councillor Billings declared a personal interest in item 5 as a member of Churston, Broadsands and Galmpton Neighbourhood Forum.)

77. Land Off Pilgrim Close, Brixham (P/2024/0562)

The Committee considered an application for the erection of up to 20 dwellings, together with associated infrastructure, landscaping and access works (all matters reserved apart from access).

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 Mr Matthew Bunt addressed the Committee in support of the application.

Resolved (unanimously):

Approved subject to:

1. completion of a Section 106 agreement;
2. the planning conditions outlined in the submitted report with the following amendments:

Revised Condition 1: Time Limit Condition

That in the case of any reserved matter, application for approval must be made not later than the expiration of two years beginning with the date of the grant of outline planning permission; and

That the development to which this permission relates must be begun not later than two years from the date of the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason for Variation: To comply with Section 91 of the Town and Country Planning Act, 1990.

Additional Condition: Buffer Zone for Potential Offsite Badger Set

All reserved matters applications for 'Layout' and 'Landscaping' shall include details of the 10 metre buffer zone to the potential offsite badger sett as detailed on the approved indicative masterplan (ref: '230108 L 02 02 E (Illustrative)', received 14th January 2025) and approved preliminary ecological appraisal (ref: PEA_LandOffPilgrimClose_NorthernTrust_November2023', received 15th August 2024).

The submission shall include details of how the buffer zone will be managed and maintained in perpetuity. For the avoidance of doubt, the buffer zone does not prevent the use of the buffer zone as private gardens.

The 10-metre buffer zone to the existing potential offsite badger sett shall be delivered in accordance with the approved details, unless evidence is provided that demonstrates the absence of a badger sett within the 10 metres of the site.

Reason: In the interests of biodiversity and in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030;

3. the final drafting of planning 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 the 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.

78. Thurlow House, 35 Thurlow Road, Torquay (P/2024/0429)

The Committee considered an application for the remodelling of existing building including demolition of existing extensions, increase in ridge height, proposed extensions and alterations to allow for change from office use to residential and formation of 7 apartments. Construction of new 'coach house' building within the ground to provide 4 apartments. Associated external works including parking and landscaped grounds. (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 Dr Rodney Horder addressed the Committee on behalf of the Torquay Neighbourhood Forum in support of the application. Mr Chris Kenny addressed the Committee in support of the application.

The Planning Officer advised Members that since the submitted report was published, an additional representation had been received in relation to concerns raised within the written representations which were available on the Council's website. The Contract Management Plan had been submitted which was with the Council's Environmental Health and Community Safety Officers for comment.

Resolved (unanimously):

Approved subject to:

1. the planning conditions outlined within the submitted committee report, with the final drafting of planning 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.

79. Brixham Bowling Club, Nelson Road, Brixham (P/2024/0665)

The Committee considered an application for alterations to create disabled access including ramp and new entrance door.

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

Resolved (unanimously):

Approved subject to:

1. the planning conditions as outlined within the committee 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.

80. Appeals Monitoring Report

The Committee received a report from the Service Manager for Development Management that provided information on the latest appeal decisions received.

Resolved:

That Members noted the Appeals Monitoring Report.

Chairman