

## **Minutes of the Planning Committee**

**14 October 2024**

**-: Present :-**

Councillor Brook (Chairman)

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

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### **61. Apologies for absence**

Apologies for absence were received from Councillor Mandy Darling.

### **62. Minutes**

The minutes of the meeting of the Committee held on 24 June 2024 were confirmed as a correct record and signed by the Chairman.

### **63. 41 Sands Road, Paignton, TQ4 6EG (P/2024/0529)**

The Committee considered an application for change of use from use class C1 guest house with owners accommodation to (Sui Generis) large HMO for YMCA supported housing.

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 Adam Steward addressed the Committee against the application. Gareth Sorsby addressed the Committee in support of the application.

At the meeting the Planning Officer advised, that since the report had been published one additional letter of support and one letter of objection have been received. No new material planning considerations have been raised in these comments.

Resolved:

That the application be refused for the following reasons:

1. The proposed development results in the loss of a tourism facility which will have a detrimental impact on the setting of the tourism area and it has not been demonstrated that it is not viable to continue in tourism and where the loss of tourism facilities can have an adverse impact on the viability of this tourism area. As such it is contrary to Policy TO2 of the Torbay Local Plan.

2. The proposed development results in the loss of a tourism facility on a site where it has not been demonstrated that it is not viable to continue in tourism and where the loss of tourism facilities will have an adverse impact on rather than support the viability and function of this tourism area. As such it is contrary to Policy PNP 14 of the Paignton Neighbourhood Plan.

**64. 39 Sands Road, Paignton, TQ4 6EG (P/2024/0374)**

The Committee considered an application for temporary supported accommodation for the YMCA (sui generis use).

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 Adam Steward addressed the Committee against the application. Si Johns addressed the Committee in support of the application.

At the meeting the Planning Officer advised, that since the report had been published one additional letter of objection had been received. No new material planning considerations had been raised in these comments.

The Planning Officer also advised that the proposal was considered to be finely balanced, however the officer recommendation detailed within the committee report was that the benefits associated with the proposed development outweigh the loss of the tourist accommodation within the core tourism investment area. As such the proposal was considered to represent sustainable development and the officer recommendation was that of conditional approval. However, as the application at number 41 Sands Road, Paignton (P/2024/0529) had been refused by the Planning Committee, given this application was intrinsically linked to number 41 and given the need for the use of the shared facilities located within number 41, the officer recommendation was amended at the meeting to that of refusal on the grounds of the loss of a tourism facility which would have a detrimental impact on the setting of the tourism area as it had not been demonstrated that it was not viable to continue in tourism and where the loss of tourism facilities, can have an adverse impact on the viability of this tourism area. The facilities provided within the building are of an insufficient size and quality to support the intended occupiers and therefore a poor quality of residential environment would be created.

Resolved:

That the application be refused for the following reasons:

1. The proposed development results in the loss of a tourism facility which will have a detrimental impact on the setting of the tourism area and it has not been demonstrated that it is not viable to continue in tourism and where the loss of tourism facilities can have an adverse impact on the viability of this tourism area. As such it is contrary to Policy TO2 of the Torbay Local Plan.
2. The proposed development results in the loss of a tourism facility on a site where it has not been demonstrated that it is not viable to continue in tourism and where the loss of tourism facilities will have an adverse impact on rather

than support the viability and function of this tourism area. As such it is contrary to Policy PNP 14 of the Paignton Neighbourhood Plan.

3. The facilities provided within the building are of an insufficient size and quality to support the intended occupiers and therefore a poor quality of residential environment would be created contrary to Policy DE3 of the Torbay Local Plan.

**65. Brends Orchard, Land Adjacent, Edginswell Farm House Edginswell Lane (P/2023/0172)**

The Committee considered an application for formation of five dwellings arranged as a 'barn' (units 1-3) and farmhouse (units 4-5) with access to Edginswell Lane, on-site parking, landscaping, tree planting and bin store.

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. Mike Cowdery addressed the Committee on behalf of the Torquay Neighbourhood Forum against the application. Andrew Passmore addressed the Committee in support of the application.

Resolved (unanimous):

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

**66. 12-14 Victoria Street, Paignton, TQ4 5DN (P/2024/0293)**

The Committee considered an application for change of use from offices (Class E) to 12no residential flats (Class C) with external alterations including two dormer windows.

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 Simon Blake addressed the Committee in support of the application.

At the meeting the Planning Officer advised Members that since the submitted report was published, that further consultee comments had been received from Torbay Council's Waste Management Officer and Highway Officer who had confirmed that they were happy with the revised proposals regarding waste management and cycle storage.

Resolved (unanimously):

Approved subject to the following conditions:

1. The final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency.
2. Legal agreement to secure a Berry Head ecological mitigation payment of £1,620.

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.

**67. Appeals Monitoring Report**

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

Resolved:

That members noted the Appeals Monitoring Report and appendix 1.

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Chairman/woman