



## **Minutes of the Development Management Committee**

**12 November 2012**

**-: Present :-**

Councillor McPhail (Chairwoman)

Councillors Morey (Vice-Chair), Addis, Baldrey, Barnby, Hill, Kingscote, Pentney and Stockman

(Also in attendance: Councillors Faulkner (A), Mills and Thomas (D) )

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### **81. Minutes**

The Minutes of the meeting of the Development Management Committee held on 8 October 2012 were confirmed as a correct record and signed by the Chairwoman.

### **82. Urgent Items**

The Committee considered a verbal update raised by the Executive Head of Spatial Planning in relation to application P/2011/0838/MPA - Land at Churston Golf Club, Dartmouth Road, Brixham regarding Members' refusal on highways grounds at the Development Management Committee meeting on 25 June 2012. The Committee authorised the officers, to advise the applicant that, in the event of an appeal, the Council will evidence the difficulties of traffic moving to and from the site as applied to the road system in general and not just the 3 roads referred to in the decision notice.

### **83. Updated Report - District Heating proposals in relation to application P/2011/0197**

The Committee considered an updated report on District Heating proposals in relation to application P/2011/0197 - Land West of Brixham Road, Paignton. The Committee agreed that item (vi) c) be deleted from the recommendation stated in the minutes of 13 February 2012 and the Section 106 Agreement be completed before the end of December 2012.

### **84. P/2012/0870/PA - 25 Roundham Road, Paignton**

The Committee considered an application for change of use of one holiday unit to residential. Internal alterations to turn 6 holiday units in to 2 full residential units.

Prior to the meeting Members of the Development Management Committee undertook a site visit. At the meeting Patricia Toft addressed the Committee in support of the application.

Resolved:

Approved subject to:

- (i) the receipt of revised plans showing the windows to the front elevation of the Victorian villa being replaced with UPVC sliding sash, and retaining the proposed removal of the porch link and the formation of a garden to the front curtilage in place of the existing parking area
- (ii) the new dwarf wall to the front curtilage being constructed of natural red sandstone and clarifying the removal of existing signage from the building
- (iii) the completion of a Section 106 Agreement in respect of sustainable transport, waste management, lifelong learning, green space and education by 31 January 2013 or the application will be reconsidered by Members
- (iv) the replacement of the guttering and down pipes to be included in the conditions: and
- (v) conditions as set out in the submitted report be delegated to the Executive Head of Spatial Planning and timescales for the completion of the works of improvement to the building to be discussed and agreed with the applicant.

**85. P/2012/0743/PA - Allways, Teignmouth Road, Torquay**

The Committee considered an application for a new dwelling in the grounds of existing property with new improved entrance and vehicular/pedestrian access.

Prior to the meeting written representations were circulated to the Committee and Members of the Development Management Committee undertook a site visit. At the meeting Sarah Hunt addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Faulkner (A) addressed the Committee.

Resolved:

Consideration deferred to allow for further investigation and clarification of site history.

**86. P/2012/0647/PA - Headland Hotel, Daddyhole Road, Torquay**

The Committee considered an application for the excavation of land up to a depth of a metre to create a 19 space car park in the Daddyhole Plain public open space opposite the Headland Hotel and to include coach parking facilities.

Prior to the meeting written representations were circulated to the Committee and Members of the Development Management Committee undertook a site visit. . At the meeting Richard Chilcott and John Slater addressed the Committee in support of the application.

Resolved:

Refused on the grounds that the application would have an adverse impact on the landscape character and parking in the absence of an agreed mitigation strategy. The Committee agreed to consider a revised application to include the following conditions:

- (i) the need for the additional spaces is justified and the contribution of nearby public car parks satisfying the need for additional spaces is addressed
- (ii) the loss of public car parking spaces is mitigated through the inclusion of an equivalent number of spaces to be available for public use and a Management Plan is in place to ensure proper use of the facility
- (iii) the scheme is properly detailed and the spaces adjacent to the SWCP are deleted or relocated and the land remaining properly landscaped
- (iv) that a package of works to mitigate for the impact on landscape character/ecology and to enhance the SWCP is secured through a Section 106 Agreement
- (v) the car parking spaces on the forecourt of the hotel in the position of the demolished stone planter are removed and the space clearly marked as being available for coach turning only.

(Note: Prior to consideration of application P/2012/0647/PA Cllr Hill declared a non-pecuniary interest as he is a member of the Torbay Coast and Countryside Trust)

**87. P/2012/1032/VC - 48 Torwood Street, Torquay**

The Committee considered an application for a variation of condition 4 to application P/2012/0099/PA use hereby approved shall only be operational between the hours of 08:00 and 00:00 Sunday-Thursday and between the hours of 08:00 and 01:00 Friday and Saturday.

Prior to the meeting a written representation was circulated to the Committee. At the meeting Mick Roberts addressed the Committee in support of the application.

Resolved:

Approval of revised opening hours, as per the officer recommendation; between 08:00-00:00 Sunday to Thursday and 08:00-00:30 Friday and Saturday.

**88. P/2012/0910/CA - 2 Fore Street, Brixham**

The Committee considered an application for the demolition of 2 and 2A Fore Street. At the meeting Richard Ryl addressed the Committee against the application.

Resolved:

Approved subject to the conditions set out in the submitted report.

**89. P/2012/0911/R3 - 2 Fore Street, Brixham**

The Committee considered an application for the demolition of 2 and 2A Fore Street; junction realignment and replace with 2 ground floor retail units and 2 first floor apartments. At the meeting Richard Ryl addressed the Committee against the application.

Resolved:

Approved subject to:

- (i) the receipt of a satisfactory Flood Risk Assessment and the withdrawal of the Environment Agency's objection; and
- (ii) conditions set out in the submitted report

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Chairwoman