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Dear Member

DEVELOPMENT MANAGEMENT COMMITTEE - MONDAY, 8 APRIL 2013

I am now able to enclose, for consideration at the Monday, 8 April 2013 meeting of the Development Management Committee, the following reports that were unavailable when the agenda was printed.

Agenda No	Item	Page
2.	Minutes	(Pages 1 - 8)

Yours sincerely

Lisa Antrobus
Clerk



Minutes of the Development Management Committee

6 March 2013

-: Present :-

Councillor McPhail (Chairwoman)

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

(Also in attendance: Councillors Brooksbank and James)

130. Minutes

The Minutes of the meeting of the Development Management Committee held on 11 February 2013 were confirmed as a correct record and signed by the Chairwoman.

131. P/2012/1309/MPA - Middle Street Car Park and Town Square, Land bordered by Bank Lane, Brewery Lane, Middle Street and Paradise Place, Brixham

The Committee considered an application for the provision of a 4 storey building containing a Class A1 supermarket [net sales 2791m²], 8 A1 and A2 retail units [GIA 218m²] including a shopmobility unit on the ground floor level, 340 car parking spaces on levels 1-3, 14 residential dwellings facing Middle Street, associated public realm improvements, highway alterations and access provision. Remediation of land and all necessary infrastructure provision. This application is accompanied by an Environmental Statement.

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 Loris Goring, Rosemary Clarke, Phil Gregory, Chris Dawes, Dr Sam Moss and Jackie Devonshire addressed the Committee against the application and John Coysh, Mark Scoot, Brian Plumb, Chris Lomas, Stephen Glanvill, David Giles and Melanie Chiswell addressed the Committee in support. In accordance with Standing Order B4.1 Councillor James addressed the Committee and also read out a statement on behalf of Councillor Ellery.

Resolved:

Approved subject to:

- (i) the receipt of revised plans to illustrate the agreed finessing of the elevations and public realm

- (ii) the conclusion of a Section 106 Agreement at the applicants expense to achieve matters itemised in the report; and
- (iii) the detailed wording of the conditions as itemised at the end of the report be delegated to officers

Items 1 and 2 above to be completed in consultation with the Chairman of the Development Management Committee and the Ward Councillors for Berry Head with Furzeham.

132. 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.

Resolved:

Approved subject to:

- (i) conditions set out at the end of the report and any additional conditions required in relation to flood risk following discussions with the Council's Drainage Engineer; and
- (ii) condition 2 being amended to read: Within 3 months of the commencement of the demolition of the building(s) a contract for the carrying out of the works of redevelopment of the site shall have been made, and planning permission shall have been granted for the redevelopment for which the contract provides. In the absence of the above, within 3 months of the commencement of demolition, a public realm solution including the making good of the end walls and the provision of a public art installation and a public plaza shall be implemented in accordance with detailed plans that shall have previously been submitted to and approved by the Local Planning Authority in writing.

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

The Committee considered an application for the demolitions of 2 and 2A Fore Street.

Resolved:

Approved subject to:

- (i) conditions as set in the submitted report; and
- (ii) condition 2 being amended to read: Within 3 months of the commencement of the demolition of the building(s) a contract for the carrying out of the works of redevelopment of the site shall have been made, and planning permission shall have been granted for the redevelopment for which the

contract provides. In the absence of the above, within 3 months of the commencement of demolition, a public realm solution including the making good of the end walls and the provision of a public art installation and a public plaza shall be implemented in accordance with detailed plans that shall have previously been submitted to and approved by the Local Planning Authority in writing.

Chairwoman

Minutes of the Development Management Committee

11 March 2013

-: Present :-

Councillor McPhail (Chairwoman)

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

(Also in attendance: Councillors James, Pritchard, Richards and Davies)

134. Apologies for absence

An apology for absence was received from Councillor Hill. It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Committee had been amended for this meeting by including Councillor Brooksbank instead of Councillor Hill.

135. P/2013/0019/MPA Site 1-Land At Churston Golf Course / Churston Golf Club,north East Of Bascombe Road Opposite The Northern End Of Bridge Road, Churston, Brixham Site 2 - Land At Churston Golf Course / Churston Golf Club, North East Of Churston Court Farm

The Committee considered an application in respect of Site 1- Development of golf club house, coach facility, buggy store, car park, vehicular access, works to Bridge Road and Bascombe Road.

Site 2 - Change of Use and regrading of 7.7 hectares of agricultural land for use as golf course; change of use of 1.3 hectares of land from equine use to use for cattle grazing and all associated infrastructure, engineering works and landscaping.(Revised Scheme)

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 Adam Billings, Geoff Melbourne and Richard Haddock addressed the Committee against the application and Ian Mellor and Tim Lake addressed the Committee in support. In accordance with Standing Order B4.1 Councillors James, Richards and Pritchard addressed the Committee.

Resolved:

Refused on the following grounds:

- (i) the increased volume of traffic on local minor roads is contrary to policy T.26 in the Torbay Local Plan 1995-2011 and paragraph 32 of the NPPF. The proposal is likely to have a significant adverse effect on highway safety and the free flow of traffic due to the narrow widths of roads, lack of footpaths and poor visibility;

- (ii) visual amenity: the proposed development by reason of its large size, scale and siting in an area of open golf course will result in a visually dominant and overbearing form of development in relation to the scale and character of the locality. It would alter the character and setting of the site that is located in the countryside zone as designated in the Torbay Local Plan 1995-2011; and
- (iii) a Section 106 Agreement is required to deliver a footpath on the adjacent land, highway improvements and wildlife mitigation. Without agreement the application is contrary to the relevant policies in the Torbay Local Plan 1995-2011 and paragraph 203 of the NPPF.

(Note: prior to consideration of minute 135 Cllr Stockman declared a non-pecuniary interest as her sons are members of Churston Golf Club).

136. P/2013/0034/MRM Churston Golf Club Site, Dartmouth Road, Brixham

The Committee considered an application for the formation of 42 extra care flats and communal facilities with associated landscaping and parking. Revised plans received showing revised design and layout.

Prior to the meeting a written representation was circulated to the Committee and members of the Development Management Committee undertook a site visit. At the meeting Adam Billings addressed the Committee against the application.

Resolved:

Reserved matters consent granted for appearance, layout and scale of the building subject to no new issues being raised during the consultation period that expires on 14 March 2013.

137. P/2012/1338/HA 37 Long Wools, Paignton

The Committee considered an application for alterations and additions to form first floor bedroom and en suite accommodation.

Prior to the meeting members of the Development Management Committee undertook a site visit.

Resolved:

Approved.

138. P/2012/1351/MRM Land At Yannons Farm, Off Brixham Road, Paignton

The Committee considered an application for the approval of reserved matters (scale, appearance, layout, access and landscaping) for 56 dwellings (Phase B).

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 Michael Newman addressed the Committee in support of the application.

Resolved:

Reserved matters approval delegated to the Executive Head of Spatial Planning e subject to the receipt of revised detailed plans and further discussions with the applicants with regard to alleyways, gable treatment of stepped properties, the refinement of the material palette and other minor alterations.

139. P/2013/0112/VC Unit 10 Sunhill Apartments, 19 Alta Vista Road, Paignton

The Committee considered an application for the removal of condition 1 to application P/2003/0571/PA and condition1 to application P/2004/0038/PA to change from holiday let to residential permanent use.

Resolved:

Approved.

Note: the Committee considered and approved a request that applications which fall into Principal Holiday Accommodation areas may be dealt with by planning officers except for cases where there are substantive issues which would then be considered by the Development Management Committee.

140. P/2012/1103/PA Woodah, 377 Babbacombe Road, Torquay

The Committee considered an application for the formation of new house in grounds of existing house with vehicular and pedestrian access off Lydwell Park Road.

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 Peter Lightowlers addressed the Committee against the application and Hamish Turner and Colin Richie addressed the Committee in support.

Resolved:

Approved subject to:

- (i) the receipt of detailed evidence to determine whether the proposed access and driveway would affect the trees protected by a Tree Preservation Order and officers to negotiate a satisfactory route
- (ii) the completion of a Section 106 Agreement in respect of waste management, sustainable transport, lifelong learning and education within one month of the date of this committee or the application be reconsidered by members; and
- (iii) conditions relating to other aspects of the scheme be delegated to officers.

(Note: prior to consideration of minute 140 Cllr McPhail declared a non-pecuniary interest as she socializes with the applicant from time to time. She stepped down as Chairman for this item, did not take part in the debate and did not vote. Cllr Morey, as Vice-Chairman, chaired this item).

141. P/2013/0041/PA Firsleigh, Higher Warberry Road, Torquay

The Committee considered an application for the erection of a dwelling with vehicular and pedestrian access to Sutherland Road on land adjacent to Firsleigh.

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 Maddock addressed the Committee in support of the application.

Resolved:

Approved subject to:

- (i) the completion of a Section 106 Agreement in respect of waste, sustainable transport, education, lifelong learning and green space within three months of the date of this committee or the application be re-considered by members; and
- (ii) conditions as set out at the end of the submitted report.

142. P/2013/0046/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 20 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 Chilcote addressed the Committee in support of the application.

Resolved:

Approved subject to:

- (i) the wording of conditions as outlined in the submitted report be delegated to the Executive Head of Spatial Planning
- (ii) the completion of a Section 106 Agreement to pay SWCP £20,000 to carry out the works detailed in the body of the report and to secure the maintenance works to TCCT specification, to be carried out over the area described for a period of time commensurate with the terms of the lease. The Agreement to be completed within 3 months of the date of this Committee or the application be refused; and
- (ii) condition to be included in relation to the specified area of the forecourt of the hotel which is to be reserved for coach turning only and the area to be kept free of parked cars at all times.

Chairwoman