

Minutes of the Planning Committee

14 November 2022

-: Present :-

Councillor Pentney (Chairman)

Councillors Hill, Kennedy, Manning, Mills, Jacqueline Thomas, Steve Darling and Chris Lewis

(Also in attendance: Councillor Long)

16. Apologies for absence

It was reported that, in accordance with the wishes of the Conservative Group and the Liberal Democrat Group, the membership of the Committee had been amended to include Councillors Chris Lewis and Steve Darling in place of Councillors Barbara Lewis and Dart respectively.

17. Minutes

The Minutes of the meetings of the Planning Committee held on 9 May and 10 October 2022 were confirmed as a correct record and signed by the Chairman.

18. Greenway Farm, Kennels Road, Churston Ferrers, Brixham TQ5 0HJ (P/2022/0657)

The Committee considered an application for the erection of a general purpose agricultural building and associated works (retrospective).

Prior to the meeting, Members of the Development Management Committee undertook a virtual site visit and written representations were available on the Council's website. At the meeting Philip Vennelle 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 which raised no new material considerations.

Resolved:

Approved subject to:

1. the conditions as outlined in the submitted 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.

In accordance with Standing Order A18.4 the voting was taken by roll call as follows:
For: Councillors Dudley, Hill, Steve Darling, Manning, Chris Lewis, Jackie Thomas and Pentney (7); and Against Councillors Kenney and Mills (2):

(Note: Prior to consideration of the item in Minute 18, Councillor Kennedy declared a non-pecuniary interest as she was the ward councillor for Churston and Galmpton and the Chairman of the Broadsands, Churston and Galmpton Neighbourhood Forum. Councillor Kennedy advised that she would not be excluding herself from consideration of this application and confirmed that she had not predetermined the application and that she would consider the application objectively on its merits.)

19. Land at Brokenbury Farm, Galmpton, Brixham (P/2021/0658)

The Committee considered an application for the formation of a solar farm & associated equipment to include installation of fencing, CCTV, landscaping & ecological mitigation.

Prior to the meeting, Members of the Development Management Committee undertook a virtual site visit and written representations were available on the Council's website. At the meeting Ian Russell addressed the Committee against the application. Ed Brown addressed the Committee in support of the application.

In accordance with Standing Order B4.1 Councillor Long addressed the Committee in support of the application.

At the meeting the Planning Officer advised, that since the report had been published four additional letters of objection had been received in respect of the inappropriate location of the site, construction, health risk and wildlife.

Resolved:

Approved subject to:

1. the conditions as outlined in the submitted 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.

(Note: Prior to consideration of the item in Minute 19, Councillor Kennedy declared a non-pecuniary interest as she was the ward councillor for Churston and Galmpton and the Chairman of the Broadsands, Churston and Galmpton Neighbourhood Forum. Councillor Kennedy advised that she would not be excluding herself from consideration of this application and confirmed that she had not predetermined the application and that she would consider the application objectively on its merits.)

20. Land at McKay Avenue, Torre (P/2022/0722)

The Committee considered an application for the erection of 72 extra care apartments (use class C3) with parking, communal lounges, courtyard garden and cafe on ground floor.

Prior to the meeting, Members of the Development Management Committee undertook a virtual site visit and written representations were available on the Council's website. Nigel Goodman addressed the Committee on behalf of the Torquay Neighbourhood Forum in support of the application. Rob Finch addressed the Committee in support of the application.

In accordance with Standing Order B4.1 Councillor Long addressed the Committee in support of the application.

At the meeting the Planning Officer advised, that since the report had been published the additional flood information had been submitted and the Engineering Service Manager was satisfied with the level of detail and had no objection to the scheme.

Resolved (unanimously):

1. that the Committee delegate authority to the Divisional Director of Planning, Housing and Climate Emergency to grant conditional approval subject to the conditions detailed in the submitted report; and
2. final drafting of conditions, negotiation/completion of the nomination agreement, and addressing any further material considerations that may come to light following Planning Committee, to also be delegated to the Divisional Director of Planning, Housing and Climate Emergency.

21. Former Debenhams Department Store, 12 - 14 The Strand, Torquay TQ1 2AA (P/2022/0806)

The Committee considered an application for the redevelopment of the former Debenhams department store for a mixed-use, including 5 commercial, business and service units (Use Class E), 16 two bedroom residential apartments (Use Class C3), residents parking court and public square.

Prior to the meeting, Members of the Development Management Committee undertook a virtual site visit and written representations were available on the Council's website. Nigel Goodman addressed the Committee on behalf of the Torquay Neighbourhood Forum in support of the application. Ed Brown addressed the Committee in support of the application.

In accordance with Standing Order B4.1 Councillor Long addressed the Committee in support of the application.

Resolved (unanimously):

Approved subject to:

1. the Council commitment to make the off-site affordable housing contribution prior to occupation of the ninth residential unit being confirmed to the satisfaction of the Divisional Director of Planning, Housing and Climate Emergency;
2. the conditions set out in the submitted report; and
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.

22. Beach Cafe, Broadsands Road, Paignton TQ4 6HL (P/2022/0811)

The Committee considered an application for the formation of additional decking areas and ramps, alterations to existing decking, extensions and alterations to building, formation of sports equipment storage and changing area, refuse area, ground floor retail unit, internal alterations to increase internal seating, solar PV and associated works.

Prior to the meeting, Members of the Development Management Committee undertook a virtual site visit and written representations were available on the Council's website.

At the meeting the Planning Officer advised, that since the report had been published the following response had been received from Devon and Somerset Fire and Rescue Authority:

“As the proposal will be subject to Building Regulations and the Regulatory Reform (Fire Safety) Order 2005, a statutory consultation will be undertaken between the Building Control Body and the Fire Authority.

Under this process, the proposal must comply with the functional requirements of Approved Document B of the Building Regulations, to include access requirements for Fire Service Vehicles (B5). These include Vehicle Access, including minimum road widths, turning facilities for fire service vehicles and maximum reversing distances of 20 meters.

In addition, the provision of appropriate water supplies for firefighting (Street Hydrants) including appropriate flow rates may need to be achieved. Information on this should be sourced from the National Guidance document on the provision of water for firefighting (3rd Edition; Jan 2007).”

Resolved (unanimously):

Approved subject to:

1. the conditions as outlined in the submitted 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.

(Note: Prior to consideration of the item in Minute 22, Councillor Kennedy declared a non-pecuniary interest as she was the ward councillor for Churston and Galmpton and the Chairman of the Broadsands, Churston and Galmpton Neighbourhood Forum. Councillor Kennedy advised that she would not be excluding herself from consideration of this application and confirmed that she had not predetermined the application and that she would consider the application objectively on its merits.)

Chairman