



Minutes of the Development Management Committee

14 November 2011

-: Present :-

Councillor Morey (Vice-Chairman in the Chair)

Councillors Addis, Baldrey, Barnby, Brooksbank, Hill, Hytche, Kingscote and Pentney

(Also in attendance: Councillors Amil, Richards, Thomas (D) and Tyerman)

363. Apologies for absence

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 Hytche instead of Councillor McPhail.

364. Minutes

The Minutes of the meeting of the Development Management Committee held on 19 September 2011 and 17 October 2011 were confirmed as a correct record and signed by the Chairman.

365. Urgent Items

The Committee considered the items in Minute 375, and not included on the agenda, the Chairman being of the opinion that it was urgent by reason of special circumstances i.e. the matter having arisen since the agenda was prepared and it was unreasonable to delay a decision until the next meeting.

366. P/2011/0905/HA - Farnaby, 7 Rydons, Brixham

This application was withdrawn by the applicant.

367. P/2011/0197/MOA - Land West Of Brixham Road, Paignton

The Committee considered an application for a mixed use development of 39 hectares of land at White Rock, Paignton to construct 350 dwellings, 36,800m² gross employment floorspace, a local centre including food retail (approximately 1652m² gross) with additional 393m² A1/A3 use and student accommodation, 15 hectares of open space, sports pavilion and associated infrastructure and engineering works to provide access, drainage and landscaping (outline application), which was a departure from the Torbay Local Plan

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At

the meeting Mike Parkes and Lydia Lambert addressed the Committee against the application and Mark Tyrrell addressed the Committee in support of the application. Councillors Thomas (D) and Tyerman also addressed the Committee.

Resolved:

Consideration deferred for further negotiations in relation to the ecological impact, the vehicular junction/access opposite Kingsway Avenue and the terms of the Section 106 Legal Agreement. The item was also deferred for confirmation in writing that the Environment Agency was now satisfied with the proposed drainage strategy.

368. P/2011/0721/MPA - 16-20 Smallcombe Road, Paignton

The Committee considered an application for demolition of 8 dwellings and their ancillary buildings and erection of 13 dwellings together with associated parking and amenity areas.

Prior to the meeting, written representations were circulated to members.

Resolved:

Subject to:

- i) suitable comments from the Authority's Arboricultural Team, Environmental Protection Team and South West Water; and
- ii) the signing of a Section 106 Legal Agreement in terms acceptable to the Executive Head of Spatial Planning;

Approved with conditions delegated to the Executive Head of Spatial Planning; to include the schedule of suggested conditions listed in the submitted report.

369. P/2011/0813/MPA - 2-16 Southview Road, Paignton

The Committee considered an application for demolition of 8 dwellings and ancillary buildings and formation of 14 dwellings together with associated parking and vehicular/pedestrian access and amenity areas.

Prior to the meeting, written representations were circulated to members. At the meeting Kathryn Webb addressed the Committee against the application.

Resolved:

Refused on the grounds that the proposal would result in a cramped arrangement and amounted to the overdevelopment of the site, causing unacceptable harm to the amenities of neighbouring residents and the street in general. The terraced form was also considered to be out of keeping with the general character of the area.

370. P/2011/0910/PA - 9 Beach Road, Paignton

The Committee considered an application for demolition of conservatory, change of use to form 4 flats and replace existing windows with white UPVC.

Resolved:

Subject to the payment of planning obligations inline with adopted policy, via an upfront payment or a formal Section 106 Legal Agreement within 6 months of the date of this committee or the application be re-considered by members, approved with conditions delegated to the Executive Head of Spatial Planning; to include the schedule of suggested conditions listed in the submitted report.

371. P/2011/0796/PA - Watcombe Service Station, Teignmouth Road, Torquay

The Committee considered an application for the construction of new pitched slate roof on the existing flat roof of the 1st floor of the property to provide 2 new dwelling units with access by a rear stairway.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Steve Pearce addressed the Committee in support of the application.

Resolved:

Subject to:

- i) the resolution of the arrangements of the fencing at the first floor level and the roof access (resolution delegated to officers);
- ii) the signing of a Section 106 Legal Agreement or upfront payment in order to provide for appropriate planning contributions/infrastructure works, to be signed within 6 months of the date of this committee or the application be re-considered by members;

Approved, with conditions to be delegated to the Executive Head of Spatial Planning; to include the schedule listed in the report.

372. P/2011/0849/PA - Aremo, 68 Windsor Road, Torquay

The Committee considered an application for a change of use from residential to House in Multiple Occupation.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Mr O'Callaghan and Navoj addressed the Committee in support of the application.

Resolved:

Subject to the completion of a Section 106 Legal Agreement to offset costs that will arise from the use, to be completed within 6 months of the date of this committee or the application be re-considered by members, approved with the conditions set out in the submitted report.

373. P/2011/0896/PA - Site Formerly Known As 1-5 Athenaeum Place, Side Of 27 Braddons Street, Torquay

This application was withdrawn by the applicant.

374. P/2011/0991/PA - 27 - 29 Walnut Road, Torquay

The Committee considered an application for a change of use to create a single unit to provide sheltered housing accommodation with warden services for vulnerable adults.

Prior to the meeting, written representations were circulated to members. At the meeting Debbie Freeman addressed the Committee in support of the application.

Resolved:

Subject to:

The completion of a Section 106 Legal Agreement in respect of

- i) a person employed as a warden/supervisor for the facility shall be accessible to 27 and 29 Walnut Road at all times;
- ii) the occupancy of 27 and 29 Walnut Road shall be limited to persons referred by Torbay Adult Services as somebody classified as a vulnerable adult; and
- iii) the applicant shall not sell, lease or otherwise dispose of either 27 or 29 Walnut Road separately from the other and shall maintain ownership and management of the two properties as one facility at all times;

and the removal of condition 2 of the previous planning application P/2005/1383/PA. Approved with the condition set out in the submitted report.

375. P/2011/0522/MOA - The Pines, 78 St Marychurch Road, Torquay

The Senior Planning Officer explained that further to the meeting of the Development Management Committee held on 22 August 2011, where the above application was approved, the Section 106 Legal Agreement had not been completed by the required date. The Senior Planning Officer further explained that the Agreement had now been completed and as such sought approval of the committee to sign the agreement and issue the decision.

Resolved:

That the Section 106 Legal Agreement be signed within one month or the application will be re-considered by members.

Chairman