



Minutes of the Development Management Committee

12 August 2013

-: Present :-

Councillor Morey (Vice-Chairman)

Councillors Addis, Baldrey, Barnby, Kingscote, Pentney, Stockman, Hytche and Tyerman

(Also in attendance: Councillors Butt, Darling, Doggett, Thomas (D) and Thomas (J))

26. 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 Councillors Hytche and Tyerman instead of Councillors Brooksbank and McPhail. Councillor Morey, as Vice-Chairman, therefore chaired the meeting.

27. Minutes

The Minutes of the meeting of the Development Management Committee held on 8 July 2013 were confirmed as a correct record and signed by the Chairman.

28. P/2012/1074 Land off Alfriston Road, Paignton

The proposal is for residential development to form 84 dwellings, creation of new vehicular access and pedestrian accesses and associated works. The Committee considered revisions to the layout and Section 106 Legal Agreement, from those previously presented to and discussed by Committee.

Prior to the meeting, written representations were circulated to members. At the meeting John Bowden addressed the Committee against the application and Simon Collier addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Thomas (J) addressed the Committee.

Resolved:

Approved subject to:

- i) the drafting of conditions being delegated to the Executive Head of Spatial Planning; and
- ii) a satisfactory Section 106 Legal Agreement being completed and signed within three months of this Committee, or the application will be reconsidered in full by Committee.

29. P/2013/0436/MPA J Sainsbury Plc, Yalberton Road, Paignton

The Committee considered an application for the extension to store building comprising an extension infill to existing loading bay and erection of glazed lobby to store entrance; alterations to car park layout including installation of recycling area and erection of eight new trolley bay shelters; installation of canopy in connection with groceries on-line operation; and placement of firework container in service yard.

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

Resolved:

Approved with the conditions set out in the submitted report.

Members requested officers to write to J Sainsbury PLC to remind them to wait for planning applications to be considered by the Council before implementation.

30. P/2013/0530/PA Windmill Cottage, Windmill Lane, Paignton

The Committee considered an application for the demolition of Windmill Cottage and formation of two, three bedroom, dwellings with garages.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Jennifer Clark addressed the Committee against the application. In accordance with Standing Order B4.1 Councillor Butt addressed the Committee.

Resolved:

That the application be deferred for further negotiations in relation to the size and design of the proposed dwellings.

31. P/2013/0572/MOA Land Adjacent To The A385 Totnes Road, Collaton St Mary

The Committee considered an outline application for proposed residential development (up to 175 units) and associated development including provision of open space, landscaping, ponds and other associated development. All matters reserved for further consideration except access. This was advertised as a departure from the 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 Ann Waite addressed the Committee against the application and Ed Heynes addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Thomas (D) addressed the Committee.

Resolved:

Refused for the reasons set out in the submitted report.

32. P/2013/0626/PA Roselands County Primary School, Lynmouth Avenue, Paignton

The Committee considered an application for the extension of existing hardstanding school playground and erection of 2.4m boundary fence.

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

Resolved:

Approved with the conditions set out in the submitted report.

33. P/2013/0656/PA 45 Winsu Avenue, Paignton

The Committee considered an application for the demolition of existing house and construction of two new houses.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Ian Hancock addressed the Committee against the application and Colin Ritchie addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Doggett addressed the Committee.

Resolved:

Refused on the ground of:

- i) the proposed dwellings by reason of their size, siting and design, would represent an inappropriate form of development. The cramped nature of the built form, resulting from the overdevelopment of the site, would be out of character with the prevailing context in the street scene and would therefore have an adverse impact on the character and appearance of the area. Furthermore, the dwellings would have an unacceptable impact on the living conditions of the neighbouring properties. The proposed dwellings would therefore be contrary to policies H9, H10, LS, BES and BE1 of the saved adopted Torbay Local Plan and paragraphs 56, 57, 60 and 61 of the NPPF.
- ii) In the absence of a legal agreement under S106 of the Town and Country Planning Act 1990, the applicant has failed to satisfy the sustainability aims of policies CF6 and CF7 and the Council's SPD Planning Contributions and Affordable Housing: Priorities and Delivery (Update 3). Therefore the development fails to secure the delivery of the physical, social and

community infrastructure necessary to make the development acceptable in planning terms. As such the proposal is contrary to policies CF6 and CF7 of the Local Plan and paragraph 206 of the NPPF.

34. P/2013/0183/MPA Torre C Of E Primary School, Barton Road, Torquay

The Committee considered an application for the construction of four classrooms with vehicular access for grounds maintenance; formation of hard surface play area.

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

Resolved:

Approved subject to the conditions set out in the submitted report and:

- i) soakaway and surface water drainage design proposals being agreed with Drainage Structures or agreement with Drainage and Structures to a pre-commencement condition requiring these details, within the 13 week determination date, otherwise the application will be refused on the 13 week determination date;
- ii) the payment of the cost of the required highways measures or a Section 106 Legal Agreement securing payment of these costs by the 13 week determination date, otherwise the application be refused on the 13 week determination date;
- iii) the detailed wording of conditions, including the travel plan, be delegated to the Executive Head of Spatial Planning.

35. P/2013/0244/HA Tallet, Barrington Road, Torquay

The Committee considered an application for the formation of an extension at first floor level (revised scheme).

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Trudi Cross addressed the Committee against the application and Simon Blake addressed the Committee in support of the application.

Resolved:

Approved.

36. P/2013/0529/HA 147 Fore Street, Barton, Torquay

The Committee considered an application for a two storey extension to the side and rebuild of detached garage.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Stuart Vass addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Darling addressed the Committee.

Resolved:

Approved with the conditions set out in the submitted report.

37. P/2013/0550/MPA Devon & Cornwall Constabulary, Southfield Road, Paignton

This application was withdrawn.

38. P/2013/0613/PA Jesmond Dene, 85 Abbey Road, Torquay

The Committee considered an application for the change of use of a guest house (Class C1) to HMO (sui generis) with internal works.

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

Resolved:

Approved, subject to the upfront payment of £6,175 and administration fee of £308.75 and the conditions set out in the submitted report.

39. P/2013/0614/LB Jesmond Dene, 85 Abbey Road, Torquay

The Committee considered an application for the change of use of a guest house (Class C1) to HMO (sui generis) with internal works.

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

Resolved:

Approved.