



Minutes of the Development Management Committee

13 October 2014

-: Present :-

Councillors Addis, Brooksbank, Kingscote, McPhail, Pentney, Tyerman, Ellery and Pountney

(Also in attendance: Councillors Lewis and Stockman plus Town Councillor Brian Harland)

44. Election of Chairman/woman

Councillor Kingscote was elected as Chairman for the remainder of the 2014/15 Municipal Year.

Councillor Kingscote in the Chair.

45. Apologies for absence

It was reported that, in accordance with the wishes of the Non-Coalition Group, the membership of the Committee had been amended for this meeting by including Councillor Ellery instead of Councillor Stockman.

It was reported that, since the publication of the agenda, Councillor Baldrey no longer wished to be part of the Liberal Democrat Group resulting in a vacancy on the Committee. With the wishes of the Liberal Democrat Group, the membership of the Committee had been amended until the review of political balance was determined at Council on 30 October 2014 by including Councillor Pountney.

46. P/2014/0141/MPA - Riviera Bay Holiday Park, Mudstone Lane, Brixham

The Committee considered a full application for:

- (i) the demolition of all existing holiday chalet units (185 total); existing facilities building; staff accommodation building; and two separate buildings used for storage on part of the Riviera Bay Holiday Park;
- (ii) proposed development of 72 new self-catering holiday lodges; new ancillary management building including shop, cafe/bar and gym room; laying out of 180 car parking spaces to serve the redeveloped holiday park; and associated mitigation works, including construction of a bat barn; and
- (iii) development of two residential properties (use Class C3) at the corner of Douglas Avenue and Mudstone Lane, to be accessed from Mudstone Lane.

It was noted this application was accompanied by an Environmental Statement.

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 Keith Fenwick addressed the Committee in support of the application and Councillor Harland from Brixham Town Council also addressed the Committee.

Resolved:

Approved subject to:

- (i) resolution of the outstanding issues with Natural England including agreement to the Appropriate Assessment. In the event that that agreement by Natural England is not reached the application to be referred back to the Development Management Committee;
- (ii) the completion of a Section 106 Agreement being signed within three months of the date of this Committee, or the application be refused; and
- (iii) the final determination of appropriate conditions being delegated to the Director of Place to include, but not limited to, the conditions set out in the submitted report and additional conditions relating to removal of lodges, drainage and monitoring of coastal erosion/stability.

(**Note:** Prior to consideration of application P/2014/0141/MPA, Councillor Tyerman declared a non-pecuniary interest as a Trustee of Torbay Coast and Countryside Trust.)

47. P/2014/0687/MOA - Land To The Rear Of Broadway, Dartmouth Road, Brixham

The Committee considered an outline application for development of up to ten dwellings and associated infrastructure with all matters reserved other than access.

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:

- (i) the completion of a Section 106 Agreement within the statutory time period or the application be refused;
- (ii) the determination of conditions being delegated to the Director of Place to include, but not limited to, the conditions set out in the submitted report with condition 03 being amended as follows:

‘Prior to the commencement of development a Section 278 Highways Agreement shall be entered in to, in order to secure the necessary works to the public highway, unless otherwise agreed. The 278 works shall include work to Dartmouth Road to form a right turn filter lane to the site including road calming measures. This shall include detail of materials and finishes to be used. The works shall then be implemented prior to the occupation of the first dwelling.’; and

- (iii) additional conditions relating to a cirl bunting survey and Extended Phase 1 Habitat survey being undertaken.

48. P/2014/0311/PA - St Margaret Clitherow RC Primary School, Polhearne Way, Brixham

The Committee considered a full application for the construction of a new teaching block.

Prior to the meeting, written representations were circulated to members. At the meeting Councillor Harland from Brixham Town Council addressed the Committee.

Resolved:

Consideration deferred to allow for resolution of outstanding matters in respect of the travel plan.

(**Note:** Prior to the consideration of application P/2014/0311/PA, Councillor Ellery declared a non-pecuniary interest as his grandchildren attend this school.)

49. P/2014/0817/MR4 - White Rock Primary School, Davies Avenue, Paignton

The Committee considered a full application for construction of a two storey classroom block and dining room extension, together with the provision of a combined cycle/pedestrian path.

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

Resolved:

Approved with determination of conditions being delegated to the Director of Place to include, but not limited to, the conditions set out in the submitted report and additional condition relating to implementation and monitoring of the travel plan.

50. P/2014/0827/PA - 5-7 Ilsham Road, Torquay

The Committee considered a full application for two new dwellings and change of use from A3 (restaurants and cafes) to A1 (shop) and also from part, C3 (dwelling house) to A1 (shop).

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 Rawson addressed the Committee against the application and Ms Nicola Smith addressed the Committee in support of the application.

Resolved:

Approved subject to:

- (i) the receipt of additional revised plans which confirm that the rear service wing is to be rebuilt to fully accord with the existing structure and further detail in respect of the proposed 'plant' at first floor level to ensure that it does not impact on residential amenity;
- (ii) the imposition of the conditions set out in the submitted report, with condition 01 being amended to ensure no servicing or deliveries shall take place between 6.00 a.m. and 9.00 a.m. and between 2.30 p.m. and 3.30 p.m.

51. P/2014/0634/MPA - 59 Rock Road, Torquay

The Committee considered a full application for demolition of existing bungalow with annexe and erection of 11 no bespoke apartments; associated parking and amenity spaces.

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:

- (i) the imposition of the conditions set out in the submitted report and the Director of Place being authorised to determine any further appropriate conditions; and
- (ii) the completion of a Section 106 Agreement by 8 January 2015 or the application be refused.

52. Spatial Planning Performance Report Quarter 2

The Committee noted the Spatial Planning performance monitoring report for quarter 2.