



Minutes of the Development Management Committee

12 December 2016

-: Present :-

Councillor Kingscote (Chairman)

Councillors Barnby, Brooks, Cunningham, Morey, Robson, Stringer and Winfield

(Also in attendance: Councillors Lewis, Manning, Stublely and Thomas (D))

58. Apologies for absence

An apology for absence was received from Councillor Pentney.

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 Brooks instead of Councillor Tolchard.

59. Minutes

The Minutes of the meeting of the Development Management Committee held on 14 November 2016 were confirmed as a correct record and signed by the Chairman.

60. Urgent Items

The Committee considered the items in Minute 61, 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.

61. Land West of Brixham Road, Paignton - P/2016/0188

Further to the meeting of the Development Management Committee held on 8 October 2016 where an extension of time was granted for additional information to be submitted in respect of the above application, the Team Leader for Development Management sought members' approval for an additional extension of time.

Resolved:

That an extension of time until 14 February 2017 be approved for the submission of additional information.

62. Land To The Rear Of Broadway, Dartmouth Road, Brixham - P/2016/0772/MVC

The Committee considered an application for the removal of Condition 3 - Traffic calming measures in respect of application P/2015/0097 (development of up to 10 dwellings and associated infrastructure with all matters reserved other than access.).

In accordance with Standing Order B4.1 Councillor Stubley addressed the Committee.

Resolved:

That the removal of condition 3 of outline application P/2015/0097 be approved subject to:

That the removal of condition 3 of outline application P/2015/0097 be approved subject to:

- (i) the clearance, replanting and subsequent dedication of the visibility splay prior to the first occupation of any of the dwellings;
- (ii) a Section 106 Agreement obligation to tie the amended permission to the planning obligation entered into in respect of permission P/2015/0097; and
- (iii) a Section 278 Agreement to secure financial contribution of £2,000 for improvements to road markings and/or signage and £5,000 towards the future costs to the Highway Authority of maintaining the visibility splay.

63. Land To The Rear Of 16 To 26 Castor Road, Brixham - P/2016/0947/MPA

The Committee considered an application for the erection of 10 dwellings (revision to originally proposed layout and site area).

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 Jan Tribble addressed the Committee against the application and Mr Jonathan Ling-Cottey addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Manning addressed the Committee.

Resolved:

Refused on the grounds of overdevelopment on the site, loss of amenity for the neighbouring properties due to the height and siting of the proposed development, loss of privacy, limited parking provision on site and failure to demonstrate that there would not be an increased risk of flooding within a critical drainage area.

64. Beverley Parks (Goodrington) Ltd, Goodrington Road, Paignton - P/2016/0964/MPA

The Committee considered an application for the change of use of site area designated for touring pitches to provide additional mobile holiday accommodation and associated engineering works. Change of use of existing residential unit to call centre. (Proposal/description amended 2 November 2016).

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 receipt of additional information in respect of ecology to include a Habitat Regulations Assessment that concludes there would be no likely significant effect on the integrity of the South Hams Special Area of Conservation, landscape and drainage. Final drafting and determination of appropriate conditions be delegated to the Executive Head of Business Services and an informative requesting delivery of the static caravans be undertaken during off peak traffic times.

65. Myplace, Parkfield, Colin Road, Paignton - P/2016/1159/PA

The Committee considered an application for alterations and construction of two single storey extensions with courtyard between and relocation of school.

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 Simon Sinclair addressed the Committee against the application. In accordance with Standing Order B4.1 Councillor Lewis addressed the Committee.

Resolved:

That the application be refused on the grounds of overdevelopment on the site and the impact the proposal would have on neighbouring properties by reasons of the proximity to these properties

66. Rock House, Rock House Lane, Torquay - V/2016/0003/V

The Committee considered an application to vary an existing Section 106 Agreement secured pursuant to P/2012/0566 in relation to 'enabling development' within the grounds of Rock House, Rock Lane, Maidencombe to fund essential repairs to the roof.

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

Resolved:

That the Assistant Director Corporate and Business Services be instructed to complete a revised Section 106 Agreement to permit the disposal of the identified flats subject to £75,000 of the proceeds from the sale being deposited in the joint bank account set up to ensure that the agreed schedule of roof repairs to Rock House are completed in full.

67. Shedden Hall Hotel, Shedden Hill Road, Torquay - P/2016/0305/MPA

The Committee considered an application for the refurbishment of former hotel and demolition of modern extensions. Conversion to provide 4 residential apartments. New build residential accommodation within grounds comprising 3 two storey garden cottages, 4 four storey town houses and 1 four storey coach house. Provision of 19 car parking spaces. Reconnection to public footpath and reinstatement of stone boundary wall.

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 Neil Wilson addressed the Committee in support of the application.

Resolved:

Approved, subject to:

- (i) amended landscape proposals;
- (ii) an Arboricultural Method Statement;
- (iii) final drafting of conditions being delegated to the Executive Head of Business Services in respect of those listed in the submitted report;
- (iv) the conclusion of a Section 106 Agreement at the applicants expense to secure the restoration of the main villa in-line with an agreed phasing plan; and
- (v) greenspace and sustainable transport contributions in accordance with the adopted SPD 'Planning Contributions and Affordable Housing' as 'deferred contributions' if shown to be necessary via the viability study.

68. Land Rear Of 107 Teignmouth Road, Torquay - P/2016/0599/MPA

The Committee considered an application for formation of 12 flats and associated parking (revised plans received 26.10.2016).

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

Resolved:

Approval subject to

- (i) the conclusion of a Section 106 Agreement to secure financial contributions;
- (ii) the submission of drainage details;
- (iii) the final drafting and determination of appropriate planning conditions relating to those set out in the submitted report being delegated to the Executive Head of Business Services.

(**Note:** Prior to consideration of this application, Councillor Winfield withdrew from the meeting room.)

69. Land at Edginswell (land at A3022 and at Junction of Edginswell Lane and Newton Road), Torquay - P/2016/0955/MVC

The Committee considered an application for the variation of condition P1 of P/2007/1743 to allow amendments to the appearance, footprint and internal layout of the car showroom and alterations to the layout of the parking and car display area (the proposed development to which the application relates is situated within 10 metres of relevant railway land).

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 resolution of flood risk and ecological matters to be delegated to the Executive Head of Business Services;
- (ii) the completion of a deed of variation to the original Section 106 Agreement linking the amendment to the original agreement;
- (iii) final drafting and determination of appropriate planning conditions to be delegated to the Executive Head of Business Services conditions relating to those listed at the end of the submitted report that reflect the extant permission; and
- (iv) the Environment Agency withdrawing their objection and reason for refusal.