



## **Minutes of the Development Management Committee**

**12 June 2017**

**-: Present :-**

Councillor Kingscote (Chairman)

Councillors Barnby, Lewis (B), Hill, Pentney, Morey (Vice-Chair), Robson, Stringer and Tolchard

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### **1. Election of Chairman**

Councillor Kingscote was elected as Chairman of the Development Management Committee for the 2017/18 Municipal Year.

Councillor Kingscote in the Chair.

### **2. Apologies for absence**

It was reported that, in accordance with the wishes of the Conservative and Liberal Democrat Groups, the membership of the Committee had been amended for this meeting by including Councillors Robson and Pentney instead of Councillors Winfield and Darling (S) (respectively).

### **3. Appointment of Vice-Chairman**

Councillor Morey was appointed as Vice-Chairman for the 2017/18 Municipal Year.

### **4. Minutes**

The Minutes of the meeting of the Development Management Committee held on 8 May 2017 were confirmed as a correct record and signed by the Chairman.

### **5. White Rock Primary School, Davies Avenue, Paignton - P/2017/0295**

The Committee considered an application for the erection of a prefabricated modular building to be used as nursery accommodation.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were available for members to view on the Council's Website. A late representation from two ward Councillors in support of the application was read out at the meeting by the Team Leader for Development Management.

Resolved:

Approved, subject to the receipt of the additional information relating to ecological habitat and final drafting of conditions being delegated to the Executive Head of Business Services.

**6. Land West Of Brixham Road, Paignton - P/2016/0411**

The Committee considered an application for approval of reserved matters (access, appearance, landscaping, layout and scale) following outline approval reference P/2011/0197 in relation to the erection of a retail store (ground floor level) with student accommodation above (first and second floor level), associated parking and landscaping (plans and proposal/description revised 16 February 2017).

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

Resolved:

That the application be deferred for further investigation in respect of highway matters and an alternative access for delivery vehicles.

**7. Land Off Brixham Road (Long Road), Former Nortel Site, Paignton - P/2017/0123**

The Committee considered an application for variation of condition on planning application P/2014/0947 (Outline Application with all matters reserved except access, for demolition of the remaining buildings on the site and redevelopment for mixed use purposes comprising up to 255 Class C3 dwellings, up to 5,574sqm of B1 and /or B8 business and/or warehousing uses, up to 8,501sqm Class A1 (bulky goods) retail with up to 515sqm garden centre, and up to 139sqm of A3 cafe /restaurant uses, along with related site access, access roads and paths, parking, servicing, open space and landscaping) - Variation of Condition P1 (approved plans) to amend the access off Long Road.

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

Resolved:

Approved subject to:

- (i) submission of further detail which demonstrates to the satisfaction of the Executive Head for Business Services that the quantum of development approved at outline stage (to include the 5574sqm of business uses and 515sqm of garden centre) can be appropriately delivered within the revised access arrangement. In the absence of information that

demonstrates that the quantum of business uses can be appropriately delivered the application to be refused as it fails to ensure that the distribution of uses granted at outline stage can be achieved;

- (ii) submission of revised access details that reduces the conflict between the two access points that sit in close proximity to the satisfaction of the Executive Head of Business Services;
- (iii) completion of a Deed of Variation to the original Section 106 Agreement linking the amendment to the original Agreement, to be completed within three months of the date of this meeting unless an extension of time has been agreed with the applicant. In the absence of the signed Deed within an agreed time period the application be refused; and
- (iv) conditions from the parent permission P/2014/0947 be attached to this application.

**8. Land At Brixham Road, Yannons Farm (Areas C And D), Paignton - V/2017/0001**

The Committee considered an application for a Deed of Variation to the Section 106 Agreement which supports P/2015/0124/MPA.

Prior to the meeting, written representations were available for members to view on the Council's Website.

Resolved:

That completion of a Deed of Variation of the Section 106 Agreement that accompanies planning permission P/2015/0124 to allow a Nomination Agreement for affordable housing to be entered into prior to occupation of the affordable housing instead of six months prior to occupation be ratified.

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Chairman