

## **Minutes of the Planning Committee**

**30 May 2023**

**-: Present :-**

Councillor Jacqueline Thomas (Chairwoman)

Councillors Billings, Cowell, Steve Darling, Fox, Joyce, Maddison, Pentney and Tolchard

(Also in attendance: Councillors Barbara Lewis, Chris Lewis and David Thomas)

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### **1. Minutes**

The minutes of the meeting of the Committee held on 13 March 2023 were confirmed as a correct record and signed by the Chairwoman.

### **2. Preston Down Road, Paignton - P/2022/0820**

The Committee considered an application for the construction of 101 dwellings including a mix of 1, 2, 3 and 4 bedroom homes (30 affordable) together with new means of access, landscaping, public open space, play areas and associated works on two fields north and south of Preston Down Road.

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website. At the meeting Mr Ed Brown addressed the Committee in support of the application.

In accordance with Standing Order B4.1 Councillor Barbara Lewis addressed the Committee in support of the application.

Resolved:

Approved subject to:

1. the completion of a satisfactory Section 106 planning agreement and the agreement of any necessary extensions to the statutory determination period to complete this agreement;
2. a condition requiring the application to be started within 18 months of the date of the decision notice;
3. the conditions as outlined in the submitted report, with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and

4. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

**3. 7 - 9 The Riviera, Paignton - P/2023/0028**

The Committee considered an application for the change of use from a residential care home (Use Class C2) to form 11 supported living accommodation units (Use Class C3b).

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website.

At the meeting the Planning Officer advised, that since the report had been published there had been an update on the use to clarify that there were eleven self-contained 'single person' supported living flats.

Resolved (unanimously):

Approved subject to:

1. the completion of a suitably worded Section 106 Legal obligation to secure a sustainable development obligation of £792;
2. the conditions as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
3. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

**4. Sports Pitch - Site Adjacent to Brixham Cricket Club, 83 North Boundary Road, Brixham - P/2020/0480**

The Committee considered an application for the change of use from agricultural land to outdoor football pitch for sports and recreational use, formation of parking area and associated works. (Part-retrospective).

Prior to the meeting written representations were available on the Council's website. At the meeting Mr Mike Morey and Mr Sean Langdon addressed the Committee in support of the application.

At the meeting the Planning Officer provided an update on the background to the application and that a further application P/2022/0339 had been submitted for an outdoor pitch with changing rooms and parking on the lower field which was also before the Committee at this meeting and detailed changes to the original plans for this football pitch.

Resolved:

Approved subject to:

1. the conditions as outlined in the submitted report, subject to condition 1 being reworded to include the former condition of the site as agricultural and condition 10 being reworded to include the word 'screening' within the condition, with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency;
2. the completion of a Section 106 agreement to:
  - a. secure the community use of the site;
  - b. reflect that the land must be returned to agricultural use for permanent pasture if the current use ceases;
  - c. reflect agricultural permitted development rights removing the ability for caravans and temporary buildings to be placed on the site; and
3. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

**5. Sports Pitch - Side Adjacent to Brixham Cricket Club, 83 North Boundary Road, Brixham - P/2022/0339**

The Committee considered an application for the change of use from agricultural land to outdoor football pitch, formation of parking area, changing rooms, boundary fence and associated works. (Part-retrospective).

Prior to the meeting written representations were available on the Council's website. At the meeting Mr Mike Morey and Mr Sean Langdon addressed the Committee in support of the application.

At the meeting the Planning Officer provided an update on the background to the application and that application P/2020/0480 for an outdoor pitch to the north of the site was also before the Committee at this meeting.

Resolved:

Approved subject to:

1. a condition restricting the use to between 08:00 to 21:30 due to the proximity of residential properties;
2. the conditions as outlined in the submitted report, subject to condition 1 being reworded to include the former condition of the site as agricultural and condition 10 being reworded to include the word 'screening' within the condition, with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency;

3. the completion of a Section 106 agreement to:
  - a. secure the community use of the site;
  - b. reflect that the land must be returned to agricultural use for permanent pasture if the current use ceases;
  - c. reflect agricultural permitted development rights removing the ability for caravans and temporary buildings to be placed on the site; and
4. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

**6. Gazebo - Cafe, Oddicombe Beach - P/2023/0205**

The Committee considered an application for the construction of a gazebo (part retrospective).

Prior to the meeting written representations were available on the Council's website.

Resolved (unanimously):

Approved subject to:

1. the receipt of a Site Specific Flood Risk Assessment that demonstrates that the development is safe from all risks of flooding, to the satisfaction of officers;
2. the condition as outlined in the submitted report with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency; and
3. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Planning, Housing and Climate Emergency, including the addition of any necessary further planning conditions or obligations.

(Note: Prior to consideration of the item in Minute 6, Councillor Steve Darling declared a non-pecuniary interest as he rents a beach hut roof chalet at Oddicombe Beach and Member of Babbacombe Corinthian Cadet Club.)

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Chairwoman