

Minutes of the Planning Committee

18 September 2023

-: Present :-

Councillor Jacqueline Thomas (Chairwoman)

Councillors Fox, Joyce, Maddison, Pentney, Tolchard and David Thomas

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

23. Apologies for absence

Apologies for absence were received from Councillors Cowell and Mandy Darling for this meeting only.

It was reported that, in accordance with the wishes of the Conservative Group, the membership of the Committee had been amended to include Councillor David Thomas in place of Councillor Adam Billings.

24. Minutes

The minutes of the meeting of the Committee held on 29 August 2023 were confirmed as a correct record and signed by the Chairwoman.

25. Land East of Limekiln Close, Paignton (P 2022 1173)

The Committee considered an outline application for up to 25 dwellings and associated works with details of access to be determined with all other matters reserved.

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 Terry Graham-Watson addressed the Committee against the application. Mr Andrew Maltby addressed the Committee in support of the application.

In accordance with Standing Order B4.1 Councillor Billings addressed the Committee in relation to the application as Ward Councillor.

At the meeting the Planning Officer advised that since the report had been published the NHS had requested two contributions to be secured through a S106 agreement being a contribution of £521 per dwelling for NHS Devon ICB for GP Surgeries, which would total £13,020 for 25 units and a contribution of £437.79 per dwelling for South Devon NHS Foundation Trust for Acute and Community hospitals, which would total

£10,945 for 25 units. The officer recommendation was to include both those contributions within the Heads of Terms to be secured through a S106 Agreement.

Councillor David Thomas asked for clarity around the proposed initiative layout in response to the objector's concerns. An amendment was suggested to the reserved matters condition to ensure the indicative layout was not fixed and could be refined as necessary.

Resolved (unanimously):

Approved subject to:

1. the completion of a Section 106 Legal Agreement to secure the heads of terms, in accordance with the adopted Planning Contributions and Affordable Housing Supplementary Planning Document, to include the additional contributions requested by the NHS, on terms acceptable to Officers;
2. the conditions outlined in the submitted report, with the final drafting of conditions delegated to the Divisional Director of Planning, Housing and Climate Emergency. Condition 1 – Reserved matters to be amended omitting: 'The details of the reserved matters shall be consistent with the details submitted and approved pursuant to the outline consent.'
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.

26. Access Track South of Limekiln Close, Paignton (P 2023 0143)

The Committee considered an application for change of use of land for the establishment of a public footway/cycleway link to include improvement works to existing track.

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 Terry Graham-Watson addressed the Committee against the application.

Resolved (unanimously):

Approved subject to:

1. the completion of a Section 106 Legal Agreement within 6 months of the Committee date to secure the heads of terms as outlined at the meeting;
2. the planning conditions outlined in the submitted report, with the final drafting of planning 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.

27. Site at Waterside Quarry, Paignton (P 2023 0520)

The Committee considered a reserved matters application relating to outline application P/2019/0520 (three new dwellings with vehicular access). Matters for approval related to layout; scale; access; appearance and landscaping.

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 Adam Billings addressed the Committee in support of the application.

At the meeting the Planning Officer advised that there was a correction to the committee report. The submitted report stated that all the dwellings were two storeys to the east and one storey to the west, however this was incorrect and all three dwellings featured two storeys to the west.

The Planning Officer advised that since the report had been published one further objection had been received which listed material considerations including impact on the local area; not in keeping with the local area; overdevelopment; sets a precedent; impact of traffic and access and impact on trees and wildlife.

Resolved (unanimously):

Approved subject to:

1. 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;
2. The completion of a s106 agreement to ensure the retention of the calcareous coastal grassland in accordance with the Landscape and Ecological Management Plan (LEMP) and to ensure that the Habitat Regulations Assessment (HRA) avoidance and mitigation measures set out in the Stage 2 Appropriate Assessment are secured and complied with;
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 28, Councillor Billings declared a pecuniary interest as landowner and applicant and confirmed that he was speaking in a personal capacity and not as a Councillor or member of the Planning Committee).

Chairwoman
