



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

**14 October 2013**

**-: Present :-**

Councillors Morey (Vice-Chair), Addis, Baldrey, Barnby, Kingscote, Pentney, Stockman, Brooksbank and Hytche

(Also in attendance: Councillors James and Stringer)

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### **53. Apologies for absence**

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 Hytche instead of Councillor McPhail. Councillor Morey, as Vice-Chairman, therefore chaired the meeting.

### **54. Minutes**

The Minutes of the meeting of the Development Management Committee held on 9 September 2013 were confirmed as a correct record and signed by the Chairman.

### **55. Urgent Items**

The Committee considered the items in Minute 68, 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.

### **56. P/2013/0662/PA Unit 4, Metherell Avenue Industrial Estate, Brixham**

The Committee considered an application for a change of use from B1 to B2.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Sandra Tribble and Ian Browse had a total of five minutes to address the Committee against the application and Roger Richards addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor James addressed the Committee

Resolved:

- i) refused for the reasons set out in the submitted report; and

- ii) a Notice of Enforcement be issued within 3 months of the date of the Committee.

**57. P/2013/0900/HA 1 Milton Park, Brixham**

The Committee considered an application for demolition of existing garage and formation of new bathroom, en suite and walk in wardrobe, new enlarged porch with new pedestrian access to Milton Street.

Prior to the meeting, Members of the Development Management Committee undertook a site visit.

Resolved:

Approved.

**58. P/2013/0758/MPA Land Adj To Park Bay & Holly Gruit, Brixham Road, Paignton**

The Committee considered an application for the development of 14 dwellings comprising 13 houses and one flat over a garage (FOG), with associated roads, garages and parking.

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 conditions being delegated to the Executive Head of Spatial Planning; and
- ii) the signing of a Section 106 Legal Agreement within 13 weeks of the valid application being submitted, or the application be refused.

**59. P/2013/1009/RM Land Adjacent to Torbay Business Park, Whiterock, Long Road, Paignton**

The Committee considered an application for reserved matters application for P/2011/0197 including, appearance, landscaping, layout and scale of two industrial units, enabling work for a new road, demolition of unit 31, relocation of 10 parking spaces for units 33-34.

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

Resolved:

Approved with the conditions set out in the submitted report.

**60. P/2013/0645/PA Land Adjoining 16,17 & 18, Hyfield Gardens, Torquay**

The Committee considered an application for an extension of time limit of previously approved application P/2010/0278 – formation of dwelling and detached garage.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Sharon Morris addressed the Committee against the application.

Resolved:

Subject to the signing of a Section 106 Legal Agreement within 3 months of the date of the committee, approved with the conditions set out in the submitted report.

**61. P/2013/0690/PA 4 Old Mill Road, Torquay**

The Committee considered an application for a change of use from A1 to A3/5.

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

Resolved:

Approved with the conditions set out in the submitted report.

**62. P/2013/0698/MPA Snooty Fox, 89 - 91 Fore Street, St Marychurch, Torquay**

The Committee considered an application for the erection of a four storey block of flats containing fourteen one bed flats and thirteen two bed flats and associated parking, following demolition of existing buildings.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Frederick James addressed the Committee against the application.

Resolved:

Refused on the grounds of the:

- i) impact of the development on the amenity of existing neighbouring properties;
- ii) overdevelopment of the site, particularly in relation to restricted parking and resulting in restricted amenity space for future residents; and
- iii) the lack of a Section 106 Legal Agreement.

**63. P/2013/0749/PA Unit 1, Lummaton Quarry, Happaway Road, Torquay**

The Committee considered an application for a change of use from (B8)(Storage and Distribution) SEC to a skip firm and waste transfer station (SUI Generis).

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Tim Holloway and Ian Franks had a total of five minutes to address the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Stringer addressed the Committee.

Resolved:

Approved:

- i) subject to the detailed wording of conditions to control the nature, hours and operation of the use being delegated to the Executive Head of Spatial Planning in consultation with the Environment Agency; and
- ii) the permission is for the applicant only and the use cannot be operated by any other person.

**64. P/2013/0775/S106 The Corbyn Apartments, Torbay Road, Torquay**

The Committee considered an application for modification of Section 106 ref: P/1991/0370 to allow eight apartments to be occupied on a permanent residential basis and the remaining nine apartments to be used for holiday letting except during the winter months when they could be used for short term letting.

At the meeting John Eaton addressed the Committee in support of the application.

Resolved:

That the proposed modification to the Section 106 Legal Agreement be approved, providing there aren't any representations received within the 21 day period following re-advertisement of the proposal, this period ends on 24 October 2013. That the Section 106 Legal Agreement be signed and completed within six months of the date of this committee.

**65. P/2013/0853/MPA Meadfoot Beach, Meadfoot Sea Road, Torquay**

The Committee considered an application for demolition of existing beach huts and provision of 133 new huts.

Prior to the meeting, Members of the Development Management Committee undertook a site visit. Members requested officers to ascertain whether the new huts would be appropriate for overnight stays, have water and electricity supplies and whether the proposals included a slipway to the beach for disabled people.

Resolved:

Approved, with detailed conditions being delegated to the Executive Head of Spatial Planning.

**66. P/2013/0876/MPA 52/54 Belgrave Road, Torquay**

The Committee considered an application for a change of use from a hotel to eight holiday apartments and two residential units.

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

Resolved:

Approved subject to:

- i) the improvements to the boundary treatment and revised signage of the building;
- ii) a Section 106 Legal Agreement to achieve planning contributions, a holiday use monitoring contribution and clauses pertaining to holiday occupancy and sole ownership of the holiday flats. That the Section 106 Legal Agreement be signed and completed by 21 November 2013 or the application be refused; and
- iii) conditions set out in the submitted report.

**67. P/2013/0979/PA Pine Lodge, Sladnor Park Road, Torquay**

The Committee considered an application for provision of a dwelling on adjacent land.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Richard Maddock addressed the Committee in support of the application.

Resolved:

Refused for the reasons set out in the submitted report and concern regarding visibility when accessing the highway.

**68. P/2011/0062/PA Daleside Court, Lincombe Drive, Torquay**

Members considered a request for an extension of time to issue planning consent. Members were advised that there were issues regarding land ownership which had delayed the completion of a Section 106 Legal Agreement. Members were informed that the Section 106 Legal Agreement had now been signed.

Resolved:

Approved.

**69. Spatial Planning Performance Report Quarter 2**

Members noted a report that set out the performance of the Spatial Planning Team. Members were pleased to hear that 83% (5 out of 6) of Major Planning Applications, in quarter two, were determined within 13 weeks. Members further noted that in quarter two 25 out 28 decisions made were in accordance with officer recommendation.

Members were advised that from 1 October 2013 there was no longer a need for separate conservation area consent, such consent would form part of a planning consent.

Chairman/woman

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