



Minutes of the Development Management Committee

14 July 2014

-: Present :-

Councillor McPhail (Chairwoman)

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

9. Minutes

The Minutes of the meeting of the Development Management Committee held on 12 May 2014 were confirmed as a correct record and signed by the Chairwoman.

10. Urgent Items

The Committee considered the items in Minute 11 and 12, 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.

11. Telecommunication Mast - Brixham College

The Team Leader, Major Development advised the Committee that an application for a 4G telecommunication mast at Brixham College had been received. The Committee noted that as the application expired on 10 July 2014, the Chairwoman and Vice-Chairman had been consulted on the proposal and planning consent issued.

12. P/2014/0028/MPA - Burley Court Apartments, Wheatridge Lane, Torquay

Further to the meeting of the Development Management Meeting held on 14 April 2014, the Committee was advised that the Section 106 Agreement for the above had not been completed within the required timescales and the reason for this. Due to circumstances Spatial Planning had not issued a refusal notice and sought members approval for an extension for the Agreement to be completed.

Resolved:

Approved.

13. P/2014/0181/PA - 13 Greenway Road, Brixham

The Committee considered an application for a single detached two storey dwelling and new access from Orchard Close.

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 Bottrill addressed the Committee against the application and Mr Berry addressed the Committee in support of the application.

Resolved:

Subject to the completion of a Section 106 Agreement being signed/submitted within three months of the date of this Committee or the application be refused for reasons of a lack of such agreement, approved with the conditions set out in submitted report including an amendment to condition 3 with respect to the protection and retention of trees.

14. P/2014/0442/HA - 302 Dartmouth Road, Paignton

The Committee considered an application for replacement enclosure for the existing swimming pool and the construction of a gymnasium and associated leisure facilities for domestic use.

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 Bartlett addressed the Committee in support of the application.

Resolved:

Approved with the conditions set out in the submitted report.

15. P/2014/0470/VC - The Arboretum, Blagdon Road/West Lane, Paignton

The Committee considered an application for revision to conditions 8, 9, 10 and 11 of application references P/2008/1217 and P/2009/0479 relating to provision of facilities building, phasing of development on the site and to allow residential use of nine apartments in the main building (apartments 42-50).

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

Resolved:

Approved to allow:

- (i) residential use of the 9 apartments in the main building on the site. Requiring a variation of condition 8 on planning application references P/2008/1271PA and P/2009/0479PA which restricted the occupancy of the units on the site to holiday use only. (The remainder of the units approved under application references P/2008/1271PA and P/2009/0479PA would continue to be restricted to holiday occupation.);
- (ii) revision of the trigger for the delivery of the leisure facilities building to

making it available for use within 36 months of the sale and occupation of the 7th unit in the main building. (Under application reference P/2012/0461 the trigger was varied to delivery 'within 20 months of the commencement of units 5-20 and 34-41, and prior to the occupation of units 2-4 and 21-33'. Under the original consents P/2008/1271PA and P/2009/0479PA delivery was 'prior to the occupation of any of the units'.);

- (iii) revision of the phasing of development on the site to accord with plan reference 1489.1.7.3P. The provision of the woodland units and leisure facilities building to be completed within 36 months of the sale and occupation of the 7th unit in the main building;
- (iv) payment of planning contributions as per previous agreements in relation to holiday development;
- (v) payment of planning contributions in relation to the 9 residential apartments as set out in the submitted report, with a variation of the trigger to pay being amended to 36 months following the occupation of the 7th unit. In the event that the leisure facilities building and woodland holiday lodges are provided within that period then the requirement to make the residential planning contribution be waived,
- (vi) the imposition of an additional condition prohibiting occupation of the holiday units until the leisure facilities (being a swimming pool, a hydro pool, a gym a bar and cafe or restaurant) are provided; and
- (vii) the earlier obligation of fractional ownership being removed.

16. V/2013/0004/V - The Corbyn Apartments, Torbay Road, Torquay

The Committee considered an application for proposed modifications to the Section 106 Agreement (P/1991/0370).

Resolved:

Approved, subject to the completion of a Section 106 Agreement within three months of the date of this Committee.

17. P/2014/0286/MRM - Land at Area 4 South, Scotts Meadow, Off Riviera Way, Browns Bridge Road And Rear Of 1 - 21 Swallowfield Rise, Torquay

The Committee considered an application for reserved Matters Approval for 155 dwellings pursuant to P/2010/1388 relating to scale, layout and appearance of dwellings together with hard and soft landscape designs, associated roads and footpaths. Information to satisfy conditions 4,5,9,10 and 11 relating to nesting and roosting opportunities, energy efficiency, cycle parking, refuse, phasing, management of retained hedgerows and grassland and submission of Travel Plan.

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 Newman addressed the Committee in support of the application.

Resolved:

Subject to satisfactory revised plans being received to resolve to the issues listed in submitted report, approval delegated to the Director of Place. In the event that resolution of the concerns set out in the submitted report are not reached within the agreed extension of time, the application be refused for reasons of poor design in relation to the outstanding matters. It was agreed that there was some discretion in this as revised plans had been submitted immediately prior to the meeting which responded to some of the itemised concerns.

18. P/2014/0363/HA - Marine View, 8 Peak Tor Avenue, Torquay

The Committee considered an application for an extension to the existing 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 Mr Jones and Mr Gardner addressed the Committee against the application.

Resolved:

Approved with the condition set out in the submitted report.

19. P/2014/0501/MPA - Lansdowne Hotel, Old Torwood Road, Torquay

The Committee considered an application for demolition of existing building, construction of 14 apartments with underground parking, revision to vehicular and pedestrian access.

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 College addressed the Committee in support of the application.

Resolved:

Subject to:

- (i) the completion of a Section 106 Agreement being completed before 27 August 2014 (with loss of employment contribution removed) or the application be refused for reasons of a lack of 106 Section Agreement; and
- (ii) the receipt of satisfactory revised information in respect of drainage;
- (iii) inclusion of additional condition relating to tree protection during construction.

approved with conditions relating to those set out in the submitted report.

20. Spatial Planning Performance Report

The submitted report was noted.

21. Vote of Thanks

The Committee gave the Team Leader, Major Development their appreciation and thanks for his support and wished him well for his future endeavours.

Chairwoman