



Minutes of the Development Management Committee

14 December 2015

-: Present :-

Councillor Kingscote (Chairman)

Councillors Barnby, Cunningham, Darling (S), Lewis, Morey, Stringer,
Tolchard and Winfield

48. 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 Councillors Lewis and Tolchard instead of Councillors Manning and Robson.

49. Minutes

The Minutes of the meeting of the Development Management Committee held on 9 November 2015 were confirmed as a correct record and signed by the Chairman.

50. Urgent Items

The Committee considered the items in Minute 51, 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.

51. Extensions of time for Completion of Section 106 Agreement - various addresses

The Team Leader for Development Management sought Members' approval to grant the following extensions of time to the Section 106 Agreements in respect of the applications listed below:

Land off Yalberton Road (Yannons Farm), Paignton (2015/0214/PA) for an additional two week period;

Land off Brixham Road, Long Road, Former Nortel Site, Paignton (2014/0947/MOA) for an additional three month period; and

Bishops Court Hotel, Lower Warberry Road, Torquay (2013/0372/MPA, 2013/0400/PA, 2013/0401/LB, 2013/0891/PA) for an additional three month period.

Resolved:

That the extensions of time to allow the Section 106 Agreements in respect of the following applications be approved:

- a) Land off Yalberton Road (Yannons Farm), Paignton (2015/0214/PA) for an additional two week period;
- b) Land off Brixham Road, Long Road, Former Nortel Site, Paignton (2014/0947/MOA) for an additional three month period; and
- c) Bishops Court Hotel, Lower Warberry Road, Torquay (2013/0372/MPA, 2013/0400/PA, 2013/0401/LB, 2013/0891/PA) for an additional three month period.

52. Silverlawns Nursing Home, 31 Totnes Road, Paignton P/2015/0908/MPA

The Committee considered an application for partial demolition of main building, extension to and conversion of main building to form 11 residential units, conversion and raising of roof of outbuilding to south western corner of site to form 3 residential units and erection of new building to south eastern corner of site to form 4 residential units to include new vehicular access on to Midvale Road and lane to south of site, parking provision for 18 cars and landscaping scheme.

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 and informative set out in the submitted report together with additional conditions to secure the completion of a Section 278 Agreement in relation to highway works, full drainage details, reinstatement of entrance piers and the retention of the original entrance door, or if this is impracticable, approval of any replacement.

53. Land South Of Yalberton Road, (Yannon's Farm), Paignton P/2014/0983/MOA

The Committee considered an application for outline mixed use proposal for phased residential development (Use Class C3) of up to 192 dwellings and employment development (Use Classes B1 and B8) of between 7,400 sq m and 9,200 sq m floor area, together with the provision of ecological mitigation measures, public open space and other associated infrastructure. (Means of access to be determined only) (Revised Scheme) (this is a departure from the Adopted Torbay Local Plan 1995-2011).

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 successful resolution of technical issues relating to access arrangements, ecology mitigation/compensation and Section 106 Agreement relating to timing of provision of employment development, delivery of highway and junction improvement works before residential occupation, 30% affordable housing, including up to 5% self build plots, pedestrian, cycle and public transport links to/from Yannons Farm, and necessary contributions (namely £360k contribution towards Brixham Road highway improvement works; £130-155k to continue proposed shared footpath/cycleway along Yalberton Road and upgrade Brixham Road toucan crossing; Cirl bunting mitigation/compensation strategy for 8 pairs; £9,600 waste management contribution; £803,234 sustainable development contributions (sustainable transport, education, lifelong learning – libraries, and greenspace and recreation) within six months of the date of this Committee or the application be reconsidered; and
- (ii) the conditions set out in the submitted report and an additional condition relating to the protection of cirl buntings.

54. 1 Southfield Road, Paignton P/2015/0840/MPA

The application was withdrawn from the agenda at the request of the applicant to allow time to secure design improvements.

55. Brookfield House, Brookfield Close, Paignton P/2015/0927/R3

The Committee considered an application for the construction of multi-games area, car park and formation of access adjacent to Torbay School on site of Brookfield House, Paignton.

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 and an additional condition relating to lighting for the footpath.

56. Land West Of Brixham Road, Paignton V/2015/0004/V

The Committee considered an application for a variation to the Section 106 Agreement for P/2011/0197 - alignment of woodland walk.

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

Resolved:

That the terms of the Section 106 Agreement be revised in respect of the amended woodland walk route and completed within three months from the date of this Committee.

57. 101 Braddons Hill Road East, Torquay P/2015/0897/VC

The Committee considered an application for demolition of existing warehouse, and construction of 9 two storey dwellings with 9 car parking spaces. Variation of conditions 1 and 3 of planning approval P/2015/0320 to allow more extensive demolition of stone boundary wall fronting Museum Road to create vehicular and pedestrian access.

Prior to the meeting written representations were circulated to members.

Resolved:

That

- (i) condition 1 be varied to allow the inclusion of revised plans which show the wall reduced in height;
- (ii) condition 3 be varied to allow demolition sufficient to achieve this; and
- (iii) completion of a Section 106 Agreement which has regard to the previous 106 Agreement.

58. Spa View, Lower Warberry Road, Torquay P/2015/0983/MPA

The Committee considered an application for erection of a building of nine apartments with parking (revised scheme).

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

Resolved:

Approved subject to:

- (i) the conditions set out in the submitted report and further modifications to the principal elevation facing Lower Warberry Road;
- (ii) a Section 106 Agreement or Unilateral undertaking to secure £450 towards the provision of waste facilities and a contribution towards the upgrading the adjacent public footpath; and
- (iii) an informative requesting the retention of the boundary wall and stating that future applications to enclose the balconies will not be looked on favourably.

59. The Anchorage, Headland Road, Torquay P/2015/0986/PA

The Committee considered an application for the demolition of the existing traditionally designed two storey dwelling and attached double garage and its replacement with a modern "marine" style detached, three storey dwelling and attached double garage (with cinema room over). The application will incorporate the existing 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 David Brooks addressed the Committee against the application and Mr Nick Jackson addressed the Committee in support of the application.

Resolved:

Approved with the conditions set out in the submitted report.

60. 4 - 24, Torwood Street, Wellswood, Torquay P/2015/1108/MVC

The Committee considered an application for Variation of conditions P1, 4 and 22 regarding P/2014/0965 - Condition P1 plans, Condition 4 Floor Levels and Condition 22 materials. Proposal includes a 'pop up' on the roof to conceal lift over runs, duct work and to provide safe access for maintenance. Gross external area of ground floor to be increased from 1,612 sqm, to 1,713 sqm.

Prior to the meeting, written representations were circulated to members. At the meeting Mr Peter Tisdale addressed the Committee in support of the application.

Resolved:

Subject to no adverse representations being received before the end of the consultation period, approved with conditions set out in the submitted report and an additional condition relating to the treatment and siting of the pop up box.

61. Exclusion of the Press and Public

Prior to consideration of the item in Minute 62 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

62. Enforcement Action

The Team Leader for Development Management presented the exempt report and options available to Members.

Resolved:

That Option B be approved, and the Head of Spatial Planning be requested to place the works order within 4 weeks.

Chairman
