



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

**22 August 2011**

**-: Present :-**

Councillor McPhail (Chairwoman)

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

(Also in attendance: Councillor Harland (Brixham Town Council))

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### **208. 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 the Conservative vacancy.

### **209. Minutes**

The Minutes of the meeting of the Development Management Committee held on 25 July 2011 were confirmed as a correct record and signed by the Chairwoman.

### **210. Urgent Items**

The Committee considered the items in Minutes 222 and 223 not included on the agenda, the Chairwoman 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.

### **211. P/2011/0490/PA The Old Market House, The Quay, Brixham**

The Committee considered an application for revisions to approved scheme P/2009/0219/PA and P/2003/0220/LB (revised plans).

Prior to the meeting members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting, in accordance with Standing Order A23.7, Councillor Harland from Brixham Town Council addressed the Committee.

Resolved:

Approved with the condition set out in the submitted Report, and an additional condition relating to monitoring of the extractor unit.

**212. P/2011/0491/LB The Old Market House, The Quay, Brixham**

The Committee considered an application for revisions to approved scheme P/2009/0219/PA and P/2003/0220/LB (revised plans).

Prior to the meeting members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting, in accordance with Standing Order A23.7, Councillor Harland from Brixham Town Council addressed the Committee.

Resolved:

Listed building consent granted with the informative set out in the submitted schedule.

**213. P/2011/0698/AD The Old Market House, The Quay, Brixham**

The Committee considered an application for new pub signs.

Prior to the meeting members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting, in accordance with Standing Order A23.7, Councillor Harland from Brixham Town Council addressed the Committee.

Resolved:

Advertisement consent approved with the informative set out in the submitted schedule.

**214. P/2011/0550/PA Site adjacent 4 Greenover Road, Brixham**

The Committee considered an application for formation of 2 semi detached dwelling houses with vehicle access on site adjacent to 4 Greenover Road (affects the setting of a listed building).

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 Keith Polyblank addressed the Committee against the application, and Councillor Harland from Brixham Town Council addressed the Committee in accordance with Standing Order A23.7.

Resolved:

Approved with the conditions set out in the submitted Report and two additional conditions relating to receipt of a satisfactory landscaping plan and details of how the boundary wall will be rebuilt and maintained.

**215. CN/2011/0039/ and P/2011/1209/PA Paignton Green, Esplanade Road, Paignton**

The Committee considered an application for formation of a children's play park and details pursuant to condition 1 (levels), condition 2 (boundary treatment), condition 3 (details of play equipment), and condition 4 (landscaping) in relation to approved application P/2009/1209 which granted consent for a children's play park at Paignton Green, Esplanade Road, Paignton.

Prior to the meeting written representations were circulated to members of the Committee. At the meeting Rachel Tapper addressed the Committee against the application.

Resolved:

- (i) that condition 4 in respect of landscaping details were resolved at the previous Development Management Committee held on 25 July 2011; and
- (ii) that public consultation be undertaken in respect of condition 7 (drainage) with outcome of the consultation being reported at a future meeting of the Development Management Committee.

(Note: During consideration of application CN/2011/0039/ and P/2011/1209/PA Councillor Barnby confirmed that she did not perceive herself to have a personal prejudicial interest as she no longer was a member of Paignton Regatta Committee.)

**216. P/2011/0632/PA Roscrea Hotel, Alta Vista Road, Paignton**

The Committee considered an application for change of use from hotel accommodation to residential care home.

Prior to the meeting written representations were circulated to members of the Development Management Committee.

Resolved:

Approved with the informative set out in the submitted Report.

**217. P/2011/0674/PA Land R/O Collaton Farmhouse, 337 Totnes Road, 8 Collaton Mews and 18 - 28 Brecon Close, Paignton**

The Committee considered an application for formation of two detached bungalows with car parking.

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

Resolved:

Subject to the completion of a Section 106 Agreement in respect of waste management, sustainable transport, education, lifelong learning and greenspace and recreation, approved with the conditions and informative set out in the submitted schedule in terms acceptable to the Executive Head for Spatial Planning.

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

The Committee considered an application for demolition of the existing building (arranged as five flats) and formation of seven new apartments with 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 Fiona McPhail addressed the Committee against the application and Daniel Metcalfe addressed the Committee in support. In accordance with Standing Order B4.1 Councillor Bent addressed the Committee on behalf of residents.

Resolved:

Approved subject to:

- (i) the completion of a Section 106 Agreement in respect of sustainable transport, greenspace and recreation, lifelong learning and waste and recycling in terms acceptable to the Executive Head for Spatial Planning within six months of the date of this Committee, failure to complete the agreement within this timescale would result in the application being reconsidered by the committee;
- (ii) the receipt of satisfactory revised plans in respect of the east elevation to mitigate concerns of overlooking; and
- (iii) imposition of the conditions set out in the submitted Report and additional conditions in respect of the submission of a mature landscaping scheme.

(Note: Prior to consideration of application P/2011/0062/PA the Chairwoman Councillor McPhail declared a personal prejudicial interest and withdrew from the meeting room where the Vice Chairman, Councillor Morey, chaired the item.)

**219. P/2011/0402/HA Orchard Cottage, Lower Warberry Road, Torquay**

The Committee considered an application for extension at first floor level to create two bedrooms and bathroom.

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

the meeting John Osborne and Charlotte Winter addressed the Committee against the application (both having two and half minutes each).

Resolved:

Approved with the conditions set out in the submitted Report.

**220. P/2011/0522/MOA The Pines, 78 St Marychurch Road, Torquay**

The Committee considered an application for demolition of the building and construction of a new block of 13 flats (in outline).

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

Resolved:

Approved subject to:

- (i) the imposition of the conditions and informatives set out in the submitted Report, with siting, footprint, height and bulk of the proposal set out in condition 01 having been dealt with at this Committee;
- (ii) completion of a Section 106 Agreement by 28 September 2011 in respect of municipal waste and recycling, sustainable transport, stronger communities, lifelong learning and greenspace and recreation in terms acceptable to the Executive Head for Spatial Planning by 28 September 2011, failure to complete the agreement within this timescale would result in the application being reconsidered by the committee; and
- (iii) the receipt of satisfactory additional information in respect of the protection of trees during and after development, retention of the boundary wall and parking ratio being 1:1½ spaces per unit.

**221. P/2011/0735/HA 18 Padacre Road, Torquay**

The Committee considered an application for removal of kitchen windows and replacement with UPVc French windows, replacement of rear door and steps with UPVc window.

Resolved:

Approved.

**222. 2011/0395/MPA - Totnes Road Service Station, site adj 141 Totnes Road, Paignton**

The Senior Planning Officer explained that further to the meeting of the Development Management Committee held on 31 May 2011, where the above

application was considered, the Section 106 Agreement had not been completed by the required date. The Senior Planning Officer further explained completion of the Section 106 Agreement was imminent and sought members' approval for an extension of time for one month.

Resolved:

That the Section 106 Agreement be completed by 22 September 2011.

**223. Appeal Decision**

The Senior Planning Officer advised the Committee on the outcome of an appeal decision in respect of 22 Ilsham Road, Torquay which had been previously refused by the Development Management Committee in August 2010. The Committee noted the Council had been instructed to pay costs , which amounted to £2,598.35 (including VAT) to the applicant.

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Chairman