



Minutes of the Development Management Committee

8 August 2016

-: Present :-

Councillor Kingscote (Chairman)

Councillors Barnby, Brooks, Morey, Robson, Stringer, Tolchard and Winfield

15. Apologies for absence

An apology for absence was received from Councillor Pentney.

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 Brooks instead of Councillor Cunningham.

16. Minutes

The Minutes of the meeting of the Development Management Committee held on 11 July 2016 were confirmed as a correct record and signed by the Chairman.

17. Urgent Items

The Committee considered the item in Minute 18, 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.

18. Former Jewson Ltd, St James Road, Torquay (P/2015/1225)

The Committee was advised by the Team Leader, Development Management, that at the Development Management Committee on 14 March 2016 approval was granted subject to a Section 106 Legal Agreement being completed within three months of the date of the Committee. A further request had been made for an extension of time to sign the Section 106 Legal Agreement.

Resolved:

That an extension of 1 month from the date of this Committee for the signing of a Section 106 Legal Agreement be approved.

19. Land West Of Brixham Road, Paignton - P/2016/0094/MPA

The Committee considered an application for the erection of 42 dwellings and associated infrastructure (revised documents received 6 June 2016).

Prior to the meeting, written representations were circulated to members. At the meeting Luke Waldron addressed the Committee in support of the application.

Resolved:

Refused for the following reasons:

- i) The proposal would constitute an overdevelopment of the site and fail to deliver a high quality living environment or a good standard of amenity for future occupants as a result of poor quality landscaping, dwellings of inadequate floor space, lack of useable private amenity space and a poor parking arrangement in terms of numbers and distances from dwellings they serve contrary to paragraph 17, 56 and 58 of the National Planning Policy Framework and policies SS11, H1, DE1, DE2, DE3, C4 and TA3 and associated Appendix F of the Torbay Local Plan 2012-2030;
- ii) In the absence of any signed legal agreement or upfront payment under Section 106 of the Town and Country Act 1990 (as amended), the scheme fails to satisfy the objectives of Local Plan Policy SS6 and SS7 and the Council's SPD "Planning Contributions and Affordable Housing: Priorities and Delivery" and the associated "Update 3 Paper", which seek to secure the delivery of physical, social and community infrastructure directly related to the development and necessary to make it acceptable in spatial planning terms. In the absence of secured contributions in line with the adopted policy the proposal is therefore contrary to Policy SS6 and SS7 of the Torbay Local Plan 2012-2030 and guidance outlined within paragraphs 203 and 204 of the National Planning Policy Framework; and
- iii) The proposal fails to make appropriate provision for affordable housing in line with Policy H2 and H3 of the Torbay Local Plan 2012-2030 and in the absence of the a viability assessment to justify a lower level of affordable housing provision the proposal is contrary to Policy H2 and H3 of the Torbay Local Plan 2012-2030.

20. Land West Of Brixham Road, Paignton - P/2016/0188/MRM

The Committee considered an application for the approval of appearance, landscaping, layout and scale in relation to a sports pavilion and associated development including a sports playing pitch, multi-use games area and car park (proposal/description amended 5 April 2016).

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

Resolved:

Approval delegated to the Executive Head Business Services in consultation with the Chairman and Vice-Chairman, should further information not be submitted within 2 months from the date of this Committee the application be refused.

21. Silverlawns Nursing Home, 31 Totnes Road, Paignton, TQ4 5LA - P/2016/0555/MVC

The Committee considered an application for the variation of conditions application re P/2015/0908/MPA (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.) - Vary condition P1 to include one additional residential unit within the proposed new building to the south eastern corner of site.

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

Resolved:

Approved subject to:

- i) the conditions set out in the submitted report with final drafting and determination of appropriate planning conditions being delegated to the Executive Head for Business Services.

22. Land At Brixham Road, Yannons Farm (Area D), Paignton - P/2016/0610/MRM

The Committee considered an application for the submission of Reserved Matters relating to layout, scale, appearance and landscaping in relation to P/2015/0124 (Hybrid application. Full planning application for 70 dwellings, related infrastructure, landscaping, play areas and a hill top park. Outline planning permission for up to 70 dwellings with all matters reserved except for 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 Michael Newman addressed the Committee in support of the application.

Resolved:

Approved subject to:

- i) the receipt of a satisfactory consultation response from the Landscape Officer; and

- ii) any necessary conditions required (in support of those imposed at outline stage) being delegated to the Executive Head for Business Services.

23. 76 Warbro Road, St Marychurch, Torquay, TQ1 3PS - P/2016/0371/PA

The Committee considered an application for the change of use from printers' workshop to MOT testing station, including installation of an MOT lift (additional information received 20 July 2016).

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

Resolved:

Refused, for the reasons set out in the submitted report.

24. Holme Court, Lower Warberry Road, Torquay, TQ1 1QR - P/2016/0545/PA

The Committee considered an application for replacement balconies to the south, east and west elevations (description amended 22 July 2016).

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

Resolved:

Conditional approval subject to, no further representations being received during the consultation period that have not been previously considered by the Development Management Committee.

Chairman/woman