



Minutes of the Development Management Committee

13 March 2017

-: Present :-

Councillor Kingscote (Chairman)

Councillors Barnby, Lewis (B), Morey, Pentney, Robson, Stringer, Tolchard and Winfield

(Also in attendance: Councillors Amil, Brooks, Excell, King, Lewis and Parrott)

90. Minutes

The Minutes of the meeting of the Development Management Committee held on 13 February 2017 were confirmed as a correct record and signed by the Chairman.

91. Urgent Items

The Committee considered the items in Minute 98, 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.

92. 286-288 Totnes Road, Paignton, TQ4 7HD - P/2015/0679/R3

The Committee considered an application for demolition of one pair of semi detached houses and redevelopment with two three bed houses and five two bed flats with associated parking.

Prior to the meeting written representations were circulated to members.

Resolved:

Approved with the final drafting of conditions being delegated to the Executive Head of Business Services relating to:

- i) reserved Matters;
- ii) tree protection;
- iii) details of cellular root protection system;
- iv) landscaping scheme including biodiversity enhancements;
- v) Implementation of drainage scheme;
- vi) submission of reptile mitigation strategy;
- vii) no vegetation removal or demolition during bird nesting season;
- viii) provision of cycle storage;

- ix) provision of bin storage and submission of waste management strategy; and
- x) provision of parking provision.

93. Whitehill Country Park, Stoke Road, Paignton, TQ4 7PF - P/2016/1253/MPA

The Committee considered an application for additional mobile holiday accommodation and associated engineering works, replacement of toilet block with mobile washroom facility and new tennis court.

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 Jeavons addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Amil addressed the Committee.

Resolved:

Approved subject to:

- i) the receipt of further information relating to drainage; ecology, highways and landscaping;
- i) a Section 106 Agreement towards the monitoring of the holiday use;
- ii) an Unilateral undertaking to fund a Traffic Regulation Order for the double yellow lines at the junction of Stoke Road and Totnes Road; and
- iii) final drafting of conditions to be delegated to the Executive Head of Business Services.

94. Devonshire Park (Formerly Nortel Site) Proposed Unit C Shown On Plan 14290 007B Land Off Brixham Road, Long Road Former Nortel Site, Paignton, TQ4 7BE - P/2016/1372/MVC

The Committee considered an application for the variation of conditions P1, 34 and 35 of P/2014/0947.

Prior to the meeting written representations were circulated to members.

Resolved:

Approved subject to:

- i) the receipt of additional evidence which demonstrates that there are no sequentially preferable alternative sites for a retail unit of 557sqm ground floor prior to the 23.03.2017 unless an extension of time has been agreed with the applicant. In the absence of satisfactory information, or where Officers conclude that such evidence fails to demonstrate that a significant adverse impact is unlikely then the application to amend condition 34 be refused;
- ii) revised wording to;

- a) retain a reference to the masterplan within Condition P1;
 - b) permit the provision of one retail unit with a gross ground floor area of less than 929sqm but restrict this one unit to a total floor area no less than 836sqm and including gross ground floor area of no less than 550sqm, and;
 - c) permit a non-retail concession within retail units, solely for A3 café/restaurant use, where the floorspace of the concession does not exceed 10% of the gross ground floor area of the unit;
- iii) all previous conditions; and
- iv) completion of a Deed of Variation to the original Section 106 Agreement linking the amendment to the original agreement, to be completed by 23 March 2017, or within three months of the date of this meeting where an extension of time has been agreed with the applicant. In the absence of the signed deed the application to be refused.

95. Myplace, Parkfield, Colin Road, Paignton, TQ3 2NR - P/2017/0121/MPA

The Committee considered an application for relocation of Torbay School to MyPlace, Parkfield. Alterations to MyPlace, Parkfield and construction of new single storey extension for Torbay School.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Simon Sinclair and Tim Tipping addressed the Committee against the application and Alison Kenny and Matt Caunter addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillors Lewis and Parrott addressed the Committee.

Resolved:

That the application be refused on the grounds of overdevelopment on the site and the impact the proposal would have on neighbouring properties by reason of the proximity to these properties.

96. Land At Raleigh Avenue, Adj. Davis Avenue, Chelston, Torquay, TQ2 6DU - P/2017/0031/CU

The Committee considered an application for the installation of 12.5m monopole, 2 microwave dishes, 2 equipment cabinets and associated works.

Prior to the meeting written representations were circulated to members. In accordance with

Resolved:

Prior approval refused due to the visual impact of the monopole on the surrounding area.

97. Land At Princess Gardens, Off Torbay Road, Torquay, TQ2 5EY - P/2017/0092/PA

The Committee considered an application for change of use of land for the temporary erection and operation of a 50m observation wheel, carousel and associated ancillary development (5 year period between the period of March to the 31st October).

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

Resolved:

Temporary approval subject to:

- i) consent granted for use between 15 March and 31 October annually up to and including 31 October 2020;
- ii) subject to the resolution of the matters set out in the submitted report;
- iii) the receipt of satisfactory revised drawings showing revised location;
- iv) an additional condition requesting the ground be reinstated with turf before Remembrance Sunday; and
- v) the completion of a Section 106 Agreement to mitigate the impact on the registered park and garden.
- vi) The condition relating to hours of opening to require operation to cease at 10pm.

98. Land West of Brixham Road, Paignton - P/2016/0188/MRM

The Team Leader for Development Management explained that following the meeting of the Committee held on 13 February 2017 clarity had been sought from the applicant on the accuracy of the landscaping and visual lighting assessment and any impact on the Area of Outstanding Beauty.

Resolved:

Members resolved to accept the submitted landscaping and visual lighting assessment.