



Minutes of the Development Management Committee

17 October 2011

-: Present :-

Councillor McPhail (Chairwoman)

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

(Also in attendance: Councillors Hernandez, Lewis, Richards and Thomas (D), plus Town Councillor Brian Harland)

328. 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 Councillor Barnby.

329. Minutes

The Minutes of the meeting of the Development Management Committee held on 19 September were deferred to the next meeting of the Committee.

330. Urgent Items

The Committee considered the items in Minutes 339, 340, 341 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.

331. P/2011/0470/MPA - Riviera Bay Holiday Park, Mudstone Lane, Brixham

The Committee considered an application for the re-advertisement of demolition of two buildings used for laundrette, maintenance workshop, housekeeping and entertainment office; demolition of wooden shed used for housekeeping; formation of 11 new holiday lodges with new car parking layout to accommodate up to 216 car parking spaces, relocation of bin store and development of 12 residential properties fronting Douglas Avenue.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Keith Fenwick and Matt Purdom addressed the Committee in support of the application. Councillor Harland from Brixham Town Council also addressed the Committee.

Resolved:

Approved with conditions delegated to the Executive Head of Spatial Planning; to include the schedule of suggested conditions listed in the submitted Report and others deemed necessary by the Executive Head, with the exception of the suggested 10 year time restriction for the holiday lodges; subject to:

- (i) the completion of a Section 106 Agreement in respect of sustainable transport; greenspace and recreation; lifelong learning; stronger communities and waste; and recycling in terms acceptable to the Executive Head for Spatial Planning within six months of the date of this Committee or the application be re-considered by the Committee;
- (ii) the inclusion of appropriate conditions and Section 106 clauses to ensure that the outcomes of the Habitats Regulations appropriate assessment are integrated into the consent in order to protect the integrity of the SAC;
- (iii) further negotiations in respect of the potential for visual improvements to the exterior of the existing chalets; and
- (iv) an informative in respect of the use of materials not to include cedar cladding.

332. P/2011/0932/PA - 5A Bay View Steps, King Street, Brixham

The Committee considered an application for formation of new residential unit number 5A over 4 and 5 Bay View Steps, rear of Kings House, King Street.

Prior to the meeting, Members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Claire McComb addressed the Committee against the application and Julian Craddock addressed the Committee in support of the application.

Resolved:

Subject to the completion of a Section 106 Agreement in respect of waste management, sustainable transport, lifelong learning and greenspace in terms acceptable to the Executive Head for Spatial Planning and signed within six months of the date of this Committee, or the application will be re-considered by members, approved with the conditions set out in the submitted Report.

333. P/2011/0881/PA - 160A Torquay Road, Paignton

The Committee considered an application for demolition of structure and formation of new furniture showroom.

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

Resolved:

Subject to the completion of a Section 106 Agreement in respect of improvements to the cycle route in the vicinity of the site, in terms acceptable to the Executive Head for Spatial Planning within three months of the date of this Committee or the application be re-considered by members, approved with the conditions set out in the submitted Report.

334. P/2011/0813/MPA - 2-16 Southview Road, Paignton

The Committee considered an application for demolition of eight dwellings and ancillary buildings and formation of 14 dwellings together with associated parking and vehicular/pedestrian access and amenity.

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 Kirkup addressed the Committee against the application.

Resolved:

Consideration deferred to allow for further information in respect of highways and parking and more specifically the maneuverability available to vehicles using the proposed echelon parking.

335. P/2011/0856/MPA - Former General Accident Fire and Life Assurance Plc, General Buildings, Greenway Road, St Marychurch, Torquay

The Committee considered an application for demolition of building and erection of 7 retail units (for purposes within use classes A1, A2, A3, A4 and/or A5) and 4 residential dwellings with associated highways works, car parking and landscaping.

Prior to the meeting written representations were circulated to members of the Committee. At the meeting Tom Rocke addressed the Committee in support of the application.

Resolved:

Consideration deferred to allow for public consultation on the revisions to the scheme.

336. P/2011/0799/PA - Old Toll House, Torbay Road, Torquay

The Committee considered an application for an extension of time in respect of application P/2008/0980 – formation of roof terrace and modifications to the lift.

At the meeting Paul Harvey addressed the Committee in support of the application.

Resolved:

Refused for the reason set out in the submitted Report.

337. P/2011/0802/LB - Old Toll House, Torbay Road, Torquay

The Committee considered an application for an extension of time limit in respect of application P/2008/0981 – formation of roof terrace and modifications to lift.

At the meeting Paul Harvey addressed the Committee in support of the application.

Resolved:

Refused.

338. P/2011/1388/MOA - land at area 4 south, Scotts Meadow, off Riviera Way, Browns Bridge Road and r/o 1-21 Swallowfield Rise, Torquay

The Committee considered an application for residential development to construct up to 155 dwellings with associated vehicular and pedestrian access, landscaping and public open space (in outline) which was a departure from the Local Plan.

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

On this occasion, the Chairman decided to vary Standing Orders and allow members of the public to address the Committee for 10 minutes rather than the prescribed 5 minutes. At the meeting Martin Edgall addressed the Committee against the application and Michael Newman and Malcolm Hockaday addressed the Committee in support of the application.

Resolved:

Refused for the following reasons:

- (i) on the grounds that the extent of the development and its consequent landscape impact would not be compliant with the requirements of the Urban Landscape Protection Area Designation due to the impact that the development would have on the value of the area as an open element within the townscape and the contribution it makes to the urban environment; and
- (ii) the lack of a signed Section 106 Agreement to defray the cost of local community infrastructure.

339. 2011/0395/MPA - Totnes Road Service Station, site adj 141 Totnes Road, Paignton

The Senior Planning Officer explained that further to the meetings of the Development Management Committee held on 31 May 2011 where the above application had been considered, and 22 August 2011 where the Committee had agreed to an extension of time for the completion of the Section 106 Agreement, further time was required to allow for the imminent completion of the Section 106 Agreement.

Resolved:

That the Section 106 Agreement be completed by 17 November 2011 or the application will be re-considered by members.

340. 2010/1350/PA - Berry Head Hotel, Berry Head Road, Brixham

The Senior Planning Officer explained that further to the meeting of the Development Management Committee held on 21 February 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 Agreement was imminent and sought members approval for an extension of time for one month.

Resolved:

That the Section 106 Agreement be completed by 17 November 2011 or the application will be re-considered by members.

341. P/2011/0227/MPA - Shedden Hall Hotel, Shedden Hill Road, Torquay

The Senior Planning Officer explained that further to the meeting of the Development Management Committee held on 18 April 2011, where the above application was approved, and as a result of negotiations with the applicant the Section 106 Agreement needed to be re-configured to remove the need for a joint bank account between the developer and applicant. The Senior Planning Officer further explained that the applicant intended to redevelop the original main villa in-conjunction with the new aspects of the proposal which would therefore make the need for the bank account redundant.

Resolved:

That the Section 106 Agreement in respect of Shedden Hall Hotel be re-configured to remove the need for the joint bank account and that it be completed by 17 November 2011 or the application will be re-considered by members.