



## Minutes of the Development Management Committee

11 December 2017

**-: Present :-**

Councillor Kingscote (Chairman)

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

(Also in attendance: Councillors Brooks and Lewis (C))

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### **43. Apologies for absence**

Members were advised the following the Council meeting on 7 December 2017 the political balance of the Committee had been amended. Councillor Hill was therefore no longer a member of the Committee and an apology for absence was received from the Mayor's Non-Political Executive Group.

### **44. Minutes**

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

### **45. Land South Of Yalberton Road, (Yannon's Farm), Paignton (P/2014/0983/MOA) - update**

The Committee considered an update to the outline application for a 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 sqm and 9,200 sqm 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) (Departure from the Adopted Torbay Local Plan).

Prior to the meeting, written representations were available to members on the Council's website.

Resolved:

Approved, subject to:

- (i) Cirl bunting mitigation is required for 8 pairs where on site mitigation can be provided for one pair and off site compensation is required for 7 pairs. If the applicant does not agree this position within one month of the committee date the application should be refused;

- (ii) S106 contributions to be revised in accordance with the current SPD;
- (iii) exclusion of the 1.115 ha parcel of employment land from the S106 agreement is acceptable;
- (iv) the £360k contribution for improvement works to the junction of Yalberton Road and Brixham Road is required; and
- (v) all other S106 obligations are to remain as set out in the original report.

**46. Hoburne Ltd, Grange Court Holiday Centre, Grange Road, Paignton (P/2016/0625/PA)**

The Committee considered an application for the redevelopment of touring section known as Hill View to holiday static caravans with a 12 month holiday season.

Resolved:

Approved, subject to:

- (i) a condition requiring submission of a delivery method plan to the Local Planning Authority which will include notifying local people of when the caravans will arrive; and
- (ii) final drafting of the conditions being delegated to the Executive Head for Assets and Business Services.

**47. Hoburne Ltd, Grange Court Holiday Centre, Touring Section (Woodland Glade), Grange Road, Paignton (P/2016/0633/PA)**

The Committee considered an application for the redevelopment of touring section known as Woodland Glade to holiday static caravans with 12 month holiday season.

Resolved:

Approved, subject to:

- (i) a condition requiring submission of a delivery method plan to the Local Planning Authority which will include notifying local people of when the caravans will arrive; and
- (ii) final drafting of the conditions being delegated to the Executive Head for Assets and Business Services.

**48. Land Off Brixham Road - Former Nortel Site, Long Road, Paignton (P/2017/0571/MVC)**

The Committee considered an application for a variation of conditions on planning

application P/2014/0947/MOA; as amended by S73 applications P/2016/1372 and P/2017/0123: Outline Application with all matters reserved except access, for demolition of the remaining buildings on the site and redevelopment for mixed use purposes comprising up to 255 Class C3 dwellings, up to 5,574sqm of B1 and /or B8 business and/or warehousing uses, up to 8,501 sqm Class A1 (bulky goods) retail with up to 515 sqm garden centre, and up to 139 sqm of A3 cafe /restaurant uses, along with related site access, access roads and paths, parking, servicing, open space and landscaping. (Condition 32: Restrictive Goods Condition).

Prior to the meeting, written representations were available to members on the Council's website.

Resolved:

Approved, subject to:

- (i) prior to the first use of any retail unit formed from the retail floorspace hereby permitted that part of the site shaded orange/yellow on Plan 14290-200C (Phase 1) shall be remediated to a level acceptable for its future intended land use/s as indicated in the outline Masterplan reference 1449-PL-001 Rev A, and in accordance with the remediation strategy approved as part of planning permission P/2017/0493 or P/2017/0494;
- (ii) no more than 115 dwellings shall be occupied on the site until that part of the site shaded blue on Plan 14290-200C (Phase 2) has been remediated to a level suitable for its future intended land use/s as indicated within the outline Masterplan reference 1449-PL-001 Rev A, and in accordance with the remediation strategy approved as part of planning permission P/2017/0493 or P/2017/0494;
- (iii) all previous Conditions (as amended by previous S73 applications); and
- (iv) the provision of a planning obligation to secure the sum of £36,744 as mitigation for the increased impact upon the Western Corridor caused by the additional traffic which would result from the introduction of convenience retail within the development, paid upfront or secured via a S106 Legal Agreement.

#### **49. Land At Woodview Road, Paignton (P/2017/1042/MPA)**

The Committee considered an application for the construction of two Use Class B2 industrial manufacturing units, to provide 2,255.9 m<sup>2</sup> (GIA) of floor space, external lighting, circulation space, car parking and hard standing.

The proposed development does not accord with the provisions of the development plan (Torbay Local Plan 2012-2030) in force in the area in which the land to which the application relates is situated. However, the scheme had been approved at outline stage under permission P/2011/0197/OA (now lapsed).

Prior to the meeting members of the Development Management Committee

undertook a site visit.

Resolved:

Approved, subject to:

- (i) the consultation with the AONB unit and Transport Officers and the successful resolution of any matters raised, further consultation with the Council's Ecological Consultants regarding Cirl Buntings and the implications of the development on their habitat, if it is considered necessary a Section 106 agreement to secure biodiversity mitigation, completion of a HRA screening and expiry of the consultation period (with no new issues raised);
- (ii) additional information on lighting which will cause no additional harm to the AONB;
- (iii) verification that the offsite landscaping secured by permission P/2011/0197/OA has been managed and protected;
- (iv) conditions to include travel plan, traffic and freight management plan, additional conditions recommended by the HRA consultant, with final drafting of conditions to be delegated to the Executive Head for Assets and Business Services; and
- (v) no issues being raised during the consultation period that expires on 27 December 2017.

**50. Ormonde Cottage, 15 Newton Road, Torquay (P/2017/0406/MPA)**

The Committee considered an application to provide 12, two bedroom town houses (as revised by plans received 16.11.2017).

Prior to the meeting members of the Development Management Committee undertook a site visit and written representations were available to members on the Council's website. At the meeting James Garnham addressed the meeting against the application and Adrian Gillett addressed the meeting in support of the applications.

Resolved:

Refused for the reasons set out in the submitted report.

**51. Rutland Hotel, Daddyhole Road, Torquay (P/2017/0751/PA)**

The Committee considered an application for the conversion of the former Rutland Hotel into 5 flats, partial demolition of existing buildings and construction of 1 three bedroom house and 2 four bedroom houses.(revised scheme 24/10/17).

Prior to the meeting, members of the Development Management Committee undertook a site visit and written representations were available to members on the Council's website. At the meeting Rosemary Bradley addressed the Committee in support of the application.

Resolved:

Approved, subject to:

- (i) further discussions with the Arboricultural Officer regarding landscaping;
- (ii) the receipt of satisfactory revised plans for parking, recycling and bin storage;
- (iii) a condition to ensure the reinstatement of the stone gate posts; and
- (iv) the final drafting of the conditions being delegated to the Executive Head for Assets and Business Services (to include those listed within the report).

**52. Former Changing Rooms, Stoodley Knowle Meadow, Torquay (P/2017/0966/PA)**

The Committee considered an application for change of use to form community cafe, Store and toilet facilities.

Prior to the meeting, written representations were available to members on the Council's website. At the meeting Simon Blake addressed the Committee in support of the application.

Resolved:

Approved subject to final drafting of the conditions being delegated to the Executive Head for Assets and Business Services (to include those listed within the report).

**53. Allways, Teignmouth Road, Torquay (P/2017/1037/PA)**

The Committee considered an application for a replacement contemporary styled two-storey dwelling.

Prior to the meeting, members of the Development Management Committee undertook a site visit and written representations were available to members on the Council's website. At the meeting Nigel Goodman addressed the Committee against the application and Mick O'Connor addressed the Committee in support of the application.

Resolved:

Approved, subject to:

- (i) the conditions set out in the report together with conditions requiring a finished floor level to be agreed and controlling outdoor lighting; and
- (ii) final drafting of the conditions being delegated to the Executive Head for Assets and Business Services.

**54. Storage Land, Inter-line, Woodland Close, Torquay (P/2017/1066/PA)**

The Committee considered an application for a proposed waste storage and recycling facility.

Resolved:

Approved, subject to:

- (i) the receipt of satisfactory further information from the Council's Arboricultural Officer;
- (ii) the final drafting of the conditions being delegated to the Executive Head for Assets and Business Services (to include those listed within the report).

(Note: Cllr Barnby left the meeting during discussion of this item.)

**55. Torquay Academy, Cricketfield Road, Torquay (P/2017/1072/R3)**

The Committee considered an application for an extension to Torquay Academy, comprising 6 Classrooms, 3 dry changing rooms, associated internal access corridors and 1-to-1 interview/group room. Extension to be 3 storeys in height with facade treatments and layout to match existing Academy building.

Prior to the meeting members of the Development Management Committee undertook a site visit and written representations were available to members on the Council's website. At the meeting Steve Margetts addressed the Committee in support of the application.

Resolved:

Approved, subject to:

- (i) the receipt of satisfactory additional information relating to highways and arboriculture;
- (ii) a condition requiring compliance with the landscaping scheme, addition of swift boxes and timing of any works not impacting on birds; and
- (iii) the final drafting of the conditions being delegated to the Executive Head for Assets and Business Services (to include those listed within the report).

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Chairman