



## Minutes of the Development Management Committee

13 August 2012

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

(Also in attendance: Councillors Davies, Ellery and Stringer )

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### 37. Apologies for absence

An apology for absence was received from Councillor McPhail. 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 McPhail. Cllr Morey, as Vice-Chairman, therefore chaired the meeting.

### 38. Minutes

The Minutes of the meeting of the Development Management Committee held on 16 July 2012 were confirmed as a correct record and signed by the Chairman.

### 39. P/2011/1037/MPA - Land Holding At Churston Court Farm, Churston Ferrers, Brixham

The Committee considered an application for the use and sale of recycled stone from Churston Soil Recovery from crushing/screening process on Churston Court Farm.

Prior to the meeting written representations were circulated to the Committee and members of the Development Management Committee undertook a site visit. At the meeting Mr Wimbridge addressed the Committee against the application and Amanda Burden addressed the Committee in support.

Resolved:

Refused on the grounds that

- (i) the applicant failed to prove that there were exceptional circumstances to justify the proposed sale of recycled stone on the site, which is located within an Area of Outstanding Natural Beauty;
- (ii) the applicant failed to demonstrate that the proposal would be in the public interest; as such the proposed development is contrary to paragraph 116 of the National Planning Policy Framework and the policy tests set out in policy L1 of the Saved Adopted Torbay Local Plan 1995-2011;

- (iii) the proposed development would harm the value of this Area of Outstanding Natural Beauty by reason of the permanent formation of earth bunds within an agricultural area that are unsightly and damaging to the character of the area; and
- (iv) delegated authority be given to the Executive Head of Spatial Planning to consider additional reasons for refusal on the grounds of noise and traffic.

(Note: Following the above resolution the Planning Officer requested a steer from the Committee regarding taking enforcement action over the height of the earth bunds present of site. The committee expressed support in favour of taking enforcement action subject to the Planning Officer taking further advice as to the effect on the neighbouring properties. The Planning Officer agreed to report the case for enforcement action to the September meeting of the Development Management Committee.)

(Note: Prior to consideration of Minute 39 Councillor Kingscote declared a non-pecuniary interest and stated that he is a member of the AONB; Councillor Stockman declared a non-pecuniary interest and stated that having expressed view at previous Brixham Planning Meeting she did not consider it appropriate to take part on this issue; and Councillor Barnby declared a non-pecuniary interest and stated that Mr Haddock is President of the Paignton Conservatives.)

**40. P/2012/0281/MPA - Torquay Girls Grammar School, 30 Shiphay Lane, Torquay**

The Committee considered an application for the formation of new sports hall. Revised plans received showing amended design, orientation and access to the proposed new sports hall.

Prior to the meeting a written representation was circulated to the Committee and members of the Development Management Committee undertook a site visit. At the meeting Dr Nicholas Smith addressed the Committee in support of the application.

Resolved:

Approved subject to:

- (i) Sports England removing their objection;
- (ii) further aboricultural considerations; and
- (iii) the negotiation by officers of the design to refine the appearance of the building

All conditions submitted in the report to be delegated to the Executive Head of Spatial Planning.

**41. P/2012/0441/PA - 66 Moor Lane, Torquay**

The Committee considered an application for a new detached dwelling and vehicular access, within the grounds of No 66 Moor Lane.

Prior to the meeting written representations were circulated to the Committee and members of the Development Management Committee undertook a site visit. At the meeting John Hill addressed the Committee against the application and Vic Mascall addressed the Committee in support. In accordance with Standing Order B4.1 Councillor Stringer addressed the Committee.

Resolved:

Approved subject to:

- (i) the completion of a Section 106 Agreement in respect of waste management, sustainable transport, lifelong learning and greenspace and recreation within three months of the date of this Committee or the application be re-considered by members; and
- (ii) conditions set out in the submitted report be delegated to the Executive Head of Spatial Planning.

**42. P/2012/0580/PA - Torre Primary School, Barton Road, Torquay**

The Committee considered an application for the installation of a single mobile classroom.

Prior to the meeting a written representation was circulated to the Committee and members of the Development Management Committee undertook a site visit. At the meeting Matt Redwood addressed the Committee in support of the application.

Resolved:

Approved subject to the condition set out in the submitted report.

**43. P/2012/0581/PA - Torre Primary School, Barton Road, Torquay**

The Committee considered an application for the removal of existing scout hut and formation of new hard surface play area in same location.

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

Resolved:

Approved subject to:

- (i) the replanting of an apple tree which will need to be removed to allow access for demolition purposes: and
- (ii) the condition set out in the submitted report.

**44. P/2012/0690/PA - Princess Gardens, Off Torbay Road, Torquay**

The Committee considered an application for the erection and operation of a 50M observation wheel with ticket office and supporting coffee and crepe unit on a temporary basis from 13/8/12 to 7/11/12.

Prior to the meeting members of the Development Management Committee undertook a site visit.

Resolved:

Approved subject to the condition set out in the submitted report.

**45. P/2012/0483/PA - Pavings, Roundham Gardens, Paignton**

The Committee considered an application for an extension to form hobbies room and utility room.

Prior to the meeting written representations were circulated to the Committee and members of the Development Management Committee undertook a site visit. At the meeting Ralph Trewern addressed the Committee against the application and Stephen Bottomley addressed the Committee in support.

Resolved:

Approved subject to:

- (i) the elevations and content of condition 1 to be checked; and
- (ii) the condition set out in the submitted report be delegated to the Executive Head of Spatial Planning.

**46. P/2012/0666/HA - 42 Broadsands Road, Paignton**

The Committee considered an application for a ground and first floor dormer extension to include integral double garage and car parking to front of property.

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

Resolved:

The Committee agreed to defer this item until the next meeting.

**47. P/2012/0704/PA - Blue Seafood Company, South Quay, The Harbour, Paignton**

The Committee considered an application to continue to site 40ft container on allocated parking area for a working area to meet EHO requirements continue to site 20ft blast freezer on allocated parking area to handle increased throughput.

Prior to the meeting written representations were circulated to the Committee and members of the Development Management Committee undertook a site visit. At the meeting Trevor Bartlett addressed the Committee in support of the application. In accordance with Standing Order B4.1 Councillor Ellery and Councillor Davies addressed the Committee.

Resolved:

Refused on the grounds that the application would have a detrimental impact on the character and appearance of the Conservation area.

**48. P/2012/0706/MPA - White Rock Business Park, Waddeton Close, Paignton**

The Committee considered an application for the development of Innovation Centre Phase 3 for Torbay (IC3) (Use Class B1).

Prior to the meeting members of the Development Management Committee undertook a site visit.

Resolved:

Approved subject to:

- (i) the design being refined further and approval be delegated to officers to agree this post Committee; and
- (ii) schedule of conditions in the submitted report be delegated to the Executive Head of Spatial Planning.

**49. P/2012/0633/MRM - Land Off Brixham Road, Rear Of Torbay Garden Centre Incorporating Yannons Farm, Adjacent To Little Preston, Short Preston And Woodlands Paignton**

The Committee considered an application for the approval of all reserved matters for a 6257sqm pharmaceutical manufacturing unit (use class B1) with associated external buildings.

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

Resolved:

Part discharge of the relevant outline conditions (1, 4, 9, 11 and 15) approved subject to:

- (i) further officer consideration of landscaping and visual amenity issues;
- (ii) further information on drainage
- (iii) further details of a travel plan to be provided which promotes sustainable forms of travel;
- (iv) an amendment to the report under the heading Accessibility. The first sentence of the second paragraph states 'In parking terms, the number of spaces proposed exceeds usual standards ' which is not correct; and
- (v) the conditions remain to be satisfied for the rest of the site and the rest of the development as approved in the outline consent.

to be delegated to the Head of Spatial Planning.

#### **50. Appeal Decisions**

The Committee noted the outcome of recent appeal decisions and expressed their thanks to the Planning Department for all their hard work.

#### **51. Site Review Meetings, Proposed Revised Protocol**

The Committee considered a revised protocol in respect of Site Review Meetings.

Resolved:

Approved.

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Chairwoman