



Minutes of the Development Management Committee

14 March 2016

-: Present :-

Councillor Kingscote (Chairman)

Councillors Barnby, Cunningham, Darling (S), Manning, Morey, Robson and Winfield

(Also in attendance: Councillors Bent, Brooks and King)

82. Apologies for absence

An apology for absence was received from Councillor Stringer.

83. Minutes

The Minutes of the meeting of the Development Management Committee held on 9 February 2016 were confirmed as a correct record and signed by the Chairman.

84. Declaration of Interest

Councillor Morey declared a non-pecuniary interest in Minute 94 as his wife is employed at South Devon College.

85. Urgent Items

The Committee considered the items in Minutes 95 and 97, 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.

86. Oldway Mansion, Torquay Road, Paignton (CN/2015/0081/CON and CN/2015/0100/CON)

The Committee considered an application for:

- the discharge of conditions 3, 4, 8, 10, 11, 12, 13 and 14 for P/2011/1020 (Change of use of Oldway Mansion and Rotunda from Council Offices to hotel with ancillary conference and spa facilities. External alterations, entrance foyer and refurbishment/reinstatement of glass conservatory. Demolition of squash courts. Improvements to existing car parking area and new car parking to rear service area).
- the discharge of condition re (P/2011/1021) Change of use of Oldway Mansion and Rotunda from Council offices to hotel with ancillary

conference and spa facilities condition 4 - Phasing Programme, condition 5 - CMP, Detailed Programme Conditions Survey and Structural Survey, condition 7 (Mechanical and Electrical and Civil Structural Strategy, condition 8 - Lighting Strategy and condition 9 - Flues and Extracts.

Prior to the meeting written representations were circulated to members.

Resolved:

Consideration deferred for a further two months to complete the Independent Viability Assessment, which is now underway, and for further discussion regarding the options for securing delivery of the previously approved development.

87. Land West Of Brixham Road, Paignton (P/2015/1126/MRM)

The Committee considered an application for the approval of appearance, landscaping, layout and scale in relation to 217 dwellings and associated development.

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

Resolved:

Consideration deferred to the Development Management Committee to be held on 11 April 2016 to allow for the additional information submitted by the applicant to be fully assessed.

88. 13 Esplanade Road, Paignton (P/2016/0038/VC)

The Committee considered a proposal for removal of Condition 1 Ref: P/2013/1320 - Holiday Occupancy, relating to a previous application for alterations and separation of Nos.12 & 13 (reinstatement of original separate properties) to form 11 bedroom hotel (No.12) and 7 Holiday Apartments (No.13). Single storey extension at rear to form Utility Room for No.12.

Prior to the meeting, members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Stuart Lewton addressed the Committee against the application and Steve Woods and Kerry Libby addressed the Committee in support of the application.

Resolved:

Refused for the reasons set out in the submitted report and enforcement action be taken on the current use of the property.

89. Land At Paignton Green, Parks Path, Paignton (P/2016/0133/PA)

The Committee considered an application for erection of a coffee kiosk (resubmission of P/2015/1123).

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

Resolved:

Approved subject to the imposition of conditions regarding:

- i. the submission of drainage details;
- ii. collection and storage of waste; and
- iii. controlling the hours of use of the kiosk from 08:00 to 20:00 Monday to Sunday.

90. Wheatridge Lodge, Wheatridge Lane, Torquay (P/2015/0939/HA)

The Committee considered an application for a detached double garage with workshop and storage above to rear of property (as revised by plans received 16.12.2015).

Prior to the meeting written representations were circulated to members. Members undertook a site visit on 9 February 2016, when the application was previously considered by the Development Management Committee.

Resolved:

Approved with the conditions and informative set out in the submitted report.

91. Land Adj. Beggars Roost, Beach Road, Babbacombe, Torquay (P/2015/1184/PA)

The Committee considered an application for change of use to provide car parking (19 spaces), associated landscaping and associated works.

Prior to the meeting, members of the Development Management Committee undertook a site visit and written representations were circulated to members. At the meeting Irene Brown and Alan Griffey addressed the Committee against the application and Christopher Parker addressed the Committee in support of the application. In accordance with Standing Order B4, Councillors Brooks and Bent addressed the Committee.

Resolved:

In consultation with the Chairman and Vice-Chairman of the Committee, approval delegated to the Executive Head for Operations and Finance subject to:

- (i) the imposition of the conditions in the submitted report;
- (ii) the submission of an acceptable construction management plan, including monitoring the stability of dwellings on Beach Road; and
- (iii) investigating with the Highway's Department the potential to extend the traffic light system to all properties on Beach Road.

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

The Committee considered an application for conversion of loft space and part enclosure of roof terrace to form four additional apartments, two with access to open roof terrace. Alterations to external elevations. Increase in car parking provision from 20 to 22 spaces.

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

Resolved:

Approved, subject to the completion of a Section 106 Agreement/unilateral undertaking (to secure the agreed level of Affordable Housing/Section 106 contributions and a contribution of up to £10,000 towards local parking mitigation measures) within 3 months of Development Management Committee and subject to the prior submission of details relating to screening; compliance with the requirements of Strategic Transport regarding cycle parking; electric charging points and provision for disabled users; and imposition of conditions relating to: a lighting scheme to mitigate impact on bats, implementation of car parking/cycle storage and travel plan.

Members asked officers to investigate, prior to the issue of the decision notice relating to the previous planning permission, the cost of cliff stabilisation works in relation to the agreed development viability assessment/Section 106 Agreement.

93. 28 Shiphay Avenue, Torquay (P/2016/0093/HA)

The Committee considered an application for a side extension.

Resolved:

Approved with the condition set out in the submitted report.

94. South Devon College, Long Road, Paignton (P/2015/1210/LDO)

The Committee considered an application for a Local Development Order for the erection of buildings and/or the use of land for the purposes of education, associated student accommodation and car parking, not to exceed the 23,000m² (gross internal area) of new total floor space, over a time period of 15 years.

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

the meeting Laurence Frewin addressed the Committee in support of the application.

Resolved:

That Development Management Committee supports the adoption of the Local Development Order and recommends the Mayor to formally adopt the Local Development Order on behalf of the Council.

95. Land off Brixham Road, Long Road, former Nortel Site, Paignton (2014/0947/MOA)

The Head of Spatial Planning advised that further to the meeting of the Development Management Committee held on 14 December 2015 (Minute 51 refers) where the above application was given an extension of time to allow for the completion of the Section 106 Agreement, a further extension was required.

Resolved:

That the deadline for the completion of the Section 106 Agreement be extended by one further month.

96. Exclusion of Press and Public

Prior to consideration of the item in Minute 97 the press and public were formally excluded from the meeting on the grounds that the item involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended).

97. Enforcement Action

Further to the meeting of the Development Management Committee held on 14 December 2015 where Members considered enforcement action (Minute 61 refers), the Head of Spatial Planning updated members on the current position and future options.

Resolved:

A full assessment be undertaken and reported to a future Development Management Committee.