

## **PLANNING COMMITTEE**

**14 MAY 2024**

Present:

Councillors Bradford (Vice-Chair), Goodman-Bradbury, Hall, Hook, MacGregor, Nutley, Nuttall, Palethorpe, C Parker (Chair), Parrott, Purser, Sanders, J Taylor and Williams

Members in Attendance:

Councillors Daws and G Taylor

Apologies:

Councillors Atkins and Bullivant

Officers in Attendance:

Trish Corns, Democratic Services Officer  
Gary Crawford, Planning Officer  
Jennifer Joule, Senior Planning Officer  
Christopher Morgan, Trainee Democratic Services Officer  
Ian Perry, Principal Planning Officer  
Darren Roberts, Interim Planning Officer  
Sim Manley, Interim Head of Development Management  
Paul Woodhead, Monitoring Officer

### **19. MINUTES**

It was proposed by Councillor Nutley and seconded by Councillor Nuttall that the minutes of the previous meeting be agreed as a correct record and signed by the Chair.

A vote was taken

Resolved

That the minutes of the previous meeting be agreed as a correct record and signed by the Chair.

### **20. DECLARATIONS OF INTEREST.**

Cllr J Hook declared an interest in applications 6b and 6c as she is acquainted with one of the directors and had met with the directors. She considered that she could speak and vote on this item.

## Planning Committee (14.5.2024)

Cllr Nutley declared an interest in application 6a as he is the Executive Member for leisure. He has spoken to the Monitoring Officer and had been advised that he could speak and vote on this item.

Cllr Palethorpe declared an interest in applications 6b and 6c as he is the Executive Member for Estates and Assets. He left the chamber during discussion and voting on this item, and did not participate in either.

### a) **24/00328/FUL - Broadmeadow Sports Centre, Teignmouth**

The Interim Planning Officer introduced the application to the Committee. The recommendation was changed to 'delegated authority to approve' due to the need for a bat survey to be carried out before approval could be granted. If the bat survey came back with evidence of bats the application would come back to Planning Committee for agreement.

Comments from Councillors during debate included:

- Ecological survey has been carried out in reception area

It was proposed by Councillor Nutley and seconded by Councillor Williams that delegated authority to approve be granted to the Interim Planning Officer, subject to the conditions listed below including the bat survey.

A vote was taken. The result was 12 in favour, 1 against, and 1 abstention.

Resolved

That delegated authority be given to the Interim Business Manager to approve the application subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission  
REASON: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the application form and the following documents:
  - Site Location Plan 1837-P001 Rev B
  - As Proposed Site Plan 1837-P100 Rev C
  - As Proposed Ground Floor Plan 1837-P101 Rev L
  - As Proposed First Floor Plan 1837- R102 Rev F
  - As Proposed Elevations 1837- P200 Rev DREASON: In order to ensure compliance with the approved drawings.
3. Development shall be carried out in full accordance with the Flood Risk Assessment dated January 2024, including the provision of a refuge at first floor level, use of a Flood Warning and Evacuation Plan, and signing up to the Environment Agency and Met Office warning services, for the lifetime of the development.  
REASON: In order to minimize the risk to occupiers of the site in the event of flooding.
4. Prior to commencement of development, an emergence survey shall be

carried out within the bat activity season of May to August, in order to establish the presence of bats within the building.

Alternatively, a close inspection of each of the multiple potential roost features shall be undertaken by a specialist ecologist and any resultant measures undertaken.

The results of the survey or inspection shall be submitted to the local planning authority and agreed in writing prior to commencement of development.

REASON: To safeguard legally protected species and in the interests of biodiversity protection, in accordance with Policy EN8 of the Local Plan.

**21. 22/01597/FUL - ALEXANDRA CINEMA, NEWTON ABBOT**

The Senior Planning Officer introduced the application to the Committee.

Public Speaker, Supporter – Spoke on:

- Cultural Hub for town
- Atrium extension necessary
- Income generation from bar/café area

Comments from Councillors during debate included:

- Size of auditorium
- View from the extension
- Decision should not consider viability
- Atrium has attractive design
- Why is the business plan condition necessary?
- Harm must be justified with public benefit
- Atrium provides public benefit

In response Officers clarified the following:

- No complaints from highways
- Balance between harm and public benefit
- The business plan helps offset the less than substantial harm and is essential for the officer recommendation

It was proposed by Councillor Macgregor and seconded by Councillor Hall that permission be granted as set out but with the removal of condition 3. Officers considered that the removal of this condition would change their recommendation from approval to refusal.

A vote was taken. The result was 4 in favour, 8 against, and 2 abstentions, therefore the vote was lost.

It was proposed by Councillor and seconded by Councillor that permission be granted as set out in the report.

A vote was taken. The result was 8 in favour, 4 against, and 2 abstentions.

Resolved

## Planning Committee (14.5.2024)

That permission be granted subject to conditions addressing the following matters, the precise number and form of which shall be delegated to the Head of Development Management:

1. Standard three year time limit for commencement
2. Development to proceed in accordance with the approved drawings
3. Any works in association with or construction of the atrium extension shall not commence until a phasing plan for the development has been submitted to and approved in writing by the Local Planning Authority. The development to proceed only in accordance with the agreed phasing approach. The phased approach must secure the restoration of the single theatre/auditorium prior to or alongside the construction of the atrium-style southern extension.
4. Detailed drawings of off-site highway works to realigned footway (as requested by the Environment Agency) to be submitted to and approved in writing by the Local Planning Authority prior to any works to the atrium-style southern extension. Development to proceed only in accordance with the agreed footway design.
5. Resilience and resistance measures to protect against flood risk to be submitted to and approved in writing by the Local Planning Authority prior to any works to the atrium-style southern extension. Development to proceed only in accordance with the agreed measures.
6. Prior to occupation, flood emergency evacuation plan to be submitted to and approved in writing by the Local Planning. Plan to be made available to all occupants.
7. Development works to proceed in accordance with the precautions, measures and enhancements described in the Bat and Protected Species Survey.
8. Replacement tree planting to be secured.
9. Installation of cycle parking to be secured.
10. Programme of works to increase public understanding of Frank Matcham, prominent theatre architect from Newton Abbot. Details of which to be submitted to and approved in writing by the Local Planning Authority and thereafter implemented.
11. Proposals for the development to reduce its carbon impact to be submitted to and approved in writing by the Local Planning Authority and thereafter implemented.
12. Details of rooflights and requirement to lie flush as indicated on elevation drawings
13. Slate sample
14. Eaves details and rain water goods specifications
15. External new windows and doors specifications
16. Brick plinth sample

### **22. 22/01598/LBC - ALEXANDRA CINEMA, NEWTON ABBOT**

The Senior Planning Officer introduced the application to the Committee.

It was proposed by Councillor J Hook and seconded by Councillor Williams that permission be granted as set out in the report.

## Planning Committee (14.5.2024)

A vote was taken. The result was unanimously in favour.

Resolved

That permission be granted subject to conditions addressing the following matters, the precise number and form of which shall be delegated to the Head of Development Management:

1. Standard three year time limit for commencement
2. Development to proceed in accordance with the approved drawings
3. Any works in association with or construction of the atrium extension shall not commence until a phasing plan for the development has been submitted to and approved in writing by the Local Planning Authority. The development to proceed only in accordance with the agreed phasing approach. The phased approach must secure the restoration of the single theatre/auditorium prior to or alongside the construction of the atrium-style southern extension.
4. Demolition to take place by hand (to protect the listed building)
5. Scheme for protection of existing listed building features during works
6. Proposed internal elevation drawings
7. Detailed stage extension drawings
8. Retention and repair of the balcony structure
9. Details of rooflights and requirement to lie flush as indicated on elevation drawings
10. Slate sample
11. Eaves details and rain water goods specifications
12. External new windows and doors specifications
13. Brick plinth sample
14. Programme of works to increase public understanding of Frank Matcham, prominent theatre architect from Newton Abbot. Details of which to be submitted to and approved in writing by the Local Planning Authority and thereafter implemented.

### a) **23.02157.FUL - Land Off Idestone, Ide**

The Senior Planning Officer introduced the application to the Committee.

Public Speaker, Objector – Spoke on:

- Road accidents in last 5 years
- No local demand
- Other dog walking sites available
- Noise issues
- Biodiversity concerns

Public speaker, Supporter – Spoke on:

- Principle of development supported
- No heritage objections
- Only 1 user with 4 dogs at one time

## Planning Committee (14.5.2024)

- Limited number of vehicles per house
- No objections from consultees

Comments from Councillors during debate included:

- 31 objectors
- Agricultural land
- Change of business use
- Dog walkers would be responsible for the dogs
- Dog walking fields needed
- Narrow road
- Increased traffic
- No highways objections
- Good for dogs that struggle with socialisation
- No biodiversity statement
- Generates more traffic
- Better locations elsewhere
- Disruption to wildlife
- Loss of crop

In response Officers clarified the following:

- The site will only be used for dogwalking
- There will be 2 vehicles per hour
- The applicant would check the site daily
- Cirl bunting areas aren't on site
- Land can be converted back to agricultural use
- Biodiversity Officer doesn't consider there to be an impact

It was proposed by Councillor Parrott and seconded by Councillor Nuttall that permission be refused due to environmental and traffic concerns.

A vote was taken – the results were 4 in favour, 8 against, and 2 abstentions and so the vote was lost.

It was proposed by Councillor J Taylor and seconded by Councillor Hall that permission be granted as set out in the report.

A vote was taken. The result was 8 in favour, 4 against, and 2 abstentions.

Resolved

That permission be granted subject to conditions addressing the following matters, the precise number and form of which shall be delegated to the Head of Development Management:

1. Standard three year time limit.
2. Works shall proceed in accordance with approved plans.
3. The development shall not be brought into its intended use until details of the heritage information to be provided online and upon an interpretative display panel located on a publicly accessible boundary fence location have been submitted to and agreed in writing by the Local Planning

## Planning Committee (14.5.2024)

Authority.

4. The use hereby approved shall only be used for the exercising of dogs between the hours of 8am to 8pm April – October and 8am to 4pm November - March.
5. Dog walking sessions must be limited to one customer per session with a maximum of two booked sessions permitted per hour.
6. No external lighting shall be installed on, or in association with the development unless otherwise agreed in writing by the Local Planning Authority.

### **23. APPEAL DECISIONS - TO NOTE APPEAL DECISIONS MADE BY THE PLANNING INSPECTORATE.**

The Committee noted the appeals decisions made by the Planning Inspectorate.

### **24. S73 MAJOR DECISIONS SUMMARY**

The Committee noted the Major Decisions Summary sheet.

The meeting started at 10.00 am and finished at 12.15 pm.

Cllr Colin Parker  
Chair