

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the **South Hams Development Management Committee** held on **Wednesday, 13th March, 2019** at **11.30 am** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Steer
Vice Chairman Cllr Foss

Cllr Bramble
Cllr Brown
Cllr Hitchins
Cllr Holway
Cllr Rowe

Cllr Brazil
Cllr Cuthbert
Cllr Hodgson
Cllr Pearce
Cllr Vint

In attendance:
Councillors:

Cllr Bastone

Cllr Tucker

Officers:
HoP – Development Management
Planning Specialists
Deputy Monitoring Officer
Legal Advisor
DCC Highways Officer

58. **Minutes**
DM.58/18
The minutes of the meeting of the Committee held on 13 February 2019 were confirmed as a correct record and signed by the Chairman.
59. **Urgent Business**
DM.59/18
The Chairman advised that applications **2483/18/FUL**: Construction of a new quay to improve access (resubmission of 3078/17/FUL) and **2484/18/LBC**: Listed Building Consent for construction of a new quay to improve access – 1 Old Coastguard Cottages, Wembury, had been withdrawn from the agenda and would not be presented to the Committee at this meeting.

60. **Declarations of Interest**

DM.60/18

Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr Hodgson declared a personal interest in application **3628/17/FUL**: Erection of 12 dwellings, workshop/office, associated landscaping and site development works – Oak Tree Field at SX 778 588, Tristford Road, Harberton by virtue of being the Devon County Council Councillor for the area and she remained in the meeting and took part in the debate and vote thereon;

Cllrs Pearce and Brazil declared a personal interest in application **3838/18/FUL**: Extension and alterations to existing dwelling to create separate dwellings – St Valery, Herbert Road, Salcombe, by virtue of being Members of the Salcombe Harbour Board and the applicant being a close relative of the Salcombe Harbour Master. They remained in the meeting and took part in the debate and vote thereon;

Cllr D Brown declared a personal interest in the following planning applications that were sited within the South Devon AONB by virtue of being a Member of the South Devon AONB Partnership Committee and remained in the meeting and took part in the debate and vote thereon:

3262/18/FUL: Proposed residential development of two detached dwellings on vacant land. Revised scheme submission of refused application for three dwellings ref 1240/16/FUL) – Lyndale, Onslow Road, Salcombe

3838/18/FUL: Extension and alterations to existing dwelling to create two separate dwellings – St Valery, Herbert Road, Salcombe

61. **Public Participation**

DM.61/18

The Chairman announced that a list of members of the public and town and parish council representatives, who had registered their wish to speak at the meeting, had been circulated.

62. **Planning Applications**

DM.62/18

The Committee considered the details of the planning applications prepared by the Planning Case Officers as presented in the agenda papers, and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

a) **3628/17/FUL Oak Tree Field at SX 778 588, Tristford Road, Harberton**
Parish: Harberton

Erection of 12 dwellings, workshop/office, associated landscaping and site development works

Case Officer Update: Devon County Council as Lead Local Flood Authority had submitted an objection, but this had now been withdrawn subject to the inclusion of three pre-commencement conditions

Speakers included: Objector – Mr Stanley Oldfield: Supporter – Mr Nick Williams: Parish Council – Cllr Ginny Davison; Ward Member – Cllr Tucker

Recommendation: Refusal

During debate, a number of Members commented on the need for housing schemes of this type, and the importance of community led schemes being brought forward. Whilst the comments of the Highways Officer were accepted, the majority of Members had attended the site inspection and seen the junction for themselves, Members overriding view was that the small number of additional vehicle movements arising from the development would not result in an adverse impact on Highways safety. In addition, Members were aware that any development within the village would have a similar impact on highways matters. In reaching their decision, Members took account of the support of the parish council. Finally, Members took the view that the contribution requested by Devon County Council towards education provision should be significantly reduced or removed entirely, as the contribution should not be applied to affordable homes.

Committee Decision: Delegate to Head of Development Management Practice (HoP), in conjunction with Chairman to conditionally grant planning permission, subject to a Section 106 legal obligation.

However, in the event that the Section 106 legal Agreement remains unsigned six months after this resolution, that the application is reviewed by the HoP, in consultation with the Chairman of the Committee, and if no progress is being made delegated authority is given to the HoP to refuse the application in the absence of an agreed S106 Agreement.

Reasons:

1. The benefits of the scheme outweigh the highways objection and it is not considered such an unacceptable impact on highway safety.
2. Harberton has been identified as a Sustainable Village within the JLP with an indicative figure of 20 dwellings, and any development in and around the village will have some impact on the highway.

b) 3262/18/FUL Lyndale, Onslow Road, Salcombe
Parish: Salcombe

Proposed residential development of two detached dwellings on vacant land. Revised scheme submission of refused application for three dwellings ref 1240/16/FUL

Case Officer Update: An additional condition would be added for a Construction Management Plan

Speakers included: Objector – Mr Robert Smith: Supporter – Mr Nigel Keen: Town Council – Cllr Mike Fice; Ward Members – Cllr Wright (statement read) and Cllr Pearce

Recommendation: Conditional Approval

During debate, a number of Members raised concerns over the proposal, echoing some of the reasons for refusal of the previous application. Having visited the site, there were also concerns over the stability of the land, and the impact of construction on a steep site where a report confirming that it would be safe to do so had not been received. Members raised issues over the parking arrangements and the safety of vehicles crossing a pavement, but the Highways Officer confirmed that this was in line with the 'Manual for Streets'. Finally, Members were of the view that, whilst the design was good, it was not in the right location and would be out of keeping in this street, having an adverse impact on the street scene.

Committee Decision: Refusal

Reasons:

1. The proposed development, by reason of its siting, height, scale and massing, will have an overbearing and dominant impact upon nos 9 and 10 Knowle Road, and will cause an increased sense of enclosure, loss of privacy both direct and perceived and a loss of natural daylight to the rear garden areas and rear elevations of these properties. The proposals are contrary to Policy DP3 (Residential Amenity) of the Development Policies DPD and Paragraph 127 of the NPPF and Policy Dev 1 of the emerging Joint Local Plan.
2. The proposed development, due to its siting being closer to the highway than other properties in the area, its design and external appearance, will have a negative impact upon the streetscene (Onslow Road) and local visual amenity of the area which is within the South Devon AONB, and which fails to positively respond to local townscape, and landscape character contrary to policies DP1 (High Quality Design) of the Development Policies DPD, paragraph 127 of the NPPF and Policy DEV 10 of the emerging JLP

**c) 3838/18/FUL St Valery, Herbert Road, Salcombe
Parish: Salcombe**

Extension and alterations to existing dwelling to create two separate dwellings

Case Officer Update: None

Speakers included: Supporter – Mr David Sims Stirling: Town Council – Cllr Mike Fice; Ward Member – Cllr Pearce

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with Plans
3. Surface water drainage scheme
4. Removal of PD rights (A, B, C and E)
5. Access altered, laid and surfaced prior to occupation
6. Obscure glazing NE and SW elevations
7. Construction Management Plan

63. **Planning Appeals Update**

DM.63/18

Members noted the list of appeals as outlined in the presented agenda report. The HOP Development Management provided further detail on specific decisions.

The Meeting concluded at 4.00 pm

Signed by:

Chairman

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Voting Analysis for Planning Applications – DM Committee 13 March 2019

| Application No: | Site Address | Vote | Councillors who Voted Yes | Councillors who Voted No | Councillors who Voted Abstain | Absent |
|------------------------|--------------------------------------------------------|----------------------|---------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------------------------------------------|---------------|
| 2066/18/FUL | Oak Tree Field at SX778 588, Tristford Road, Harberton | Conditional Approval | Cllrs Rowe, Pearce, Bramble, Holway, Hodgson, Brown, Vint, Steer, Foss, Cuthbert, Hitchins (11) | (0) | Cllr Brazil (by virtue of not being present for all of the presentation) (1) | (0) |
| 3262/18/FUL | Lyndale, Onslow Road, Salcombe | Refusal | Cllrs Brown, Bramble, Cuthbert, Vint, Brazil, Pearce, Hodgson (7) | Cllrs Foss, Steer, Hitchins, Holway (4) | (0) | Cllr Rowe (1) |
| 3838/18/FUL | St Valery, Herbert Road, Salcombe | Conditional Approval | Cllrs Steer, Foss, Bramble, Pearce, Cuthbert, Hitchins, Brown, Holway, Vint, Hodgson, Brazil (11) | (0) | (0) | Cllr Rowe (1) |

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