

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the **South Hams Development Management Committee** held on **Wednesday, 7th October, 2020 at 11.00 am** at the **Via Skype**

Present: **Councillors:**

Chairman Cllr Brazil
Vice Chairman Cllr Foss

Cllr Hodgson	Cllr Holway
Cllr Rowe	Cllr Abbott
Cllr Kemp	Cllr Long
Cllr Pringle	Cllr Taylor
Cllr O'Callaghan*	
(*substituting for Cllr Pannell)	

In attendance:

Councillors:

Cllr Bastone	Cllr Pearce
Cllr Reeve	

Officers:
Head of Planning
Senior Specialist – Planning
Deputy Monitoring Officer
Democratic Services Manager
Specialist – Democratic Services
DCC Highways and Drainage Officers

11. **Minutes**
DM.21/20
The minutes of the meeting of the Committee held on 9th September 2020 were confirmed as a correct record by the Chairman
12. **Declarations of Interest**
DM.22/20
Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllrs R Rowe and B Taylor both declared a personal interest in application 0857/20/HHO as she they were Members of the South Devon AONB Partnership Committee. Both Members remained in the meeting and took part in the debate and vote thereon;

Cllr J Brazil declared a personal interest in application 0265/20/ARM as he was the Local Ward Member. Therefore Cllr Brazil stood down as Chair for the afternoon session (during which this application was presented) and the Vice Chair, Cllr R. Foss chaired the afternoon session. Cllr Brazil remained in the meeting and took part in the debate and vote thereon.

13. **Public Participation**

DM.23/20

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

14. **Planning Applications**

DM.24/20

The Committee considered the details of the planning application 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:

**6a) 2545/19/FUL "Land at Venn Lane", Norton
Parish: Stoke Fleming**

Development: Retrospective application for change of use of land to provide site for the Stagecoach bus depot and highway improvements.

Case Officer Update: There were no updates

Speakers included: Supporter – Ms A Burden; Parish Council – Cllr S Coupar; Ward Member – Cllr H Reeve; Neighbouring Ward Member – Cllr H Bastone

Recommendation: Conditional approval

During questions with the Case Officer, it was clarified that, should this application be approved, Condition 4 would be updated to reflect that the application is retrospective; a new condition would be applied to move the gates in by six metres to allow vehicles to pull off the road before the gates were opened; condition of hedge planting would involve Members; and an additional condition would be added to ensure that, if the site were vacated in the future, then it would be returned to its original condition and for agricultural use.

During the discussion Members noted that the site was outside of the development boundary as defined in the Joint Local Plan (JLP) and the agreement made during the Baker Estates application that Venn Lane would form the boundary with no further development beyond this lane. Some Members felt that approval would set a precedent and potentially allow increased development in the countryside.

It was also noted that while the Case Officer's report made mention of the 260 chalets nearby, no mention was made of the houses right next to this site, which would be affected by noise and fumes, and overlooking, and no mention was made of Environmental Health consultation.

Although the Case Officer had stated there were no traffic problems as the site and the field behind had been used for park and ride for the Dartmouth Royal Regatta, the Ward Member clarified that Highways had been so concerned about traffic that the Regatta had had to install traffic lights on this road. In addition, this park and ride facility had not been used for the last two regattas. It was felt that screening was very poor and that there had been no photograph supplied during the report that looked towards Venn Road. Members also felt that alternatives sites had not been explored enough and that the industrial area in the Bakers Estate could be one such potential site.

Members acknowledged the importance of public transport and that a suitable site for Stage Coach was needed, however, due to access issues, visual amenity, and development outside of the JLP boundary, this site was not appropriate.

In the event of the recommendation for refusal being approved, the Head of Development Management informed Members that, as a retrospective application, there would then be a need to take enforcement action which was suggested to be delegated to him, in consultation with the Ward Member and the neighbouring Ward Members.

Committee decision: Refusal, with the Head of Development Management being given delegated authority, in consultation with the Chair, and Cllrs Foss and Long to take enforcement action.

Reasons:

The proposed change of use at the site will result in an unacceptable visual incursion into the open countryside which will cause harm to the surrounding landscape and visual amenity, in conflict with policies DEV23 and TTV26 of the Joint Local Plan.

6b) 0857/20/HHO 3 Edwards Close, Thurlestone, TQ7 3BP
Parish: Thurlestone

Development: Householder application for first floor extension

Case Officer Update:

In the 'Other Relevant History' on page 21, Members were requested to note the approved application for 7 Edwards Close (55/1292/15/F) is also - like 55/0092/12/ allowed at appeal at 11 Edwards Close - unimplemented and time expired. As such there is only one extant permission for an extension in Edwards Close (No.2).

Speakers included: Objector – Ms J. Munn; Supporter – Mr D. Gibby; Parish Council – Cllr S. Crowther; Ward Members – Cllrs J. Pearce and M. Long

Recommendation: Conditional Approval

During the debate for this application, discussions centred on the Joint Local Plan (JLP), Thurlestone's adopted Local Neighbourhood Plan (NP), JLP SDP Guidance for extensions and on the Development Brief, Master Plan and Design & Access Statement documents for the initial Reserved Matters application for the estate (which outlined that two storey buildings in the estate were aligned north to south). JLP Policy TP7 requires extensions should be subordinate in form and scale. Members felt that this application would not be subordinate in form to the host dwelling as required by NP policy, would involve a substantial 2-storey element of some scale and bulk running east to west and would be inappropriate development, having an adverse impact on the appearance of the dwelling, and the character and pattern of development locally, out of keeping with this sensitive area. Approval would undermine NP Policy thereby potentially setting a precedent. Members reiterated that the point of NPs being adopted was to give voice and control to local residents so disregarding the policies of the NP would be contrary to localism.

It was agreed it was not appropriate to specifically reference the Development Brief, Master Plan and Design & Access Statement documents for the initial Reserved Matters application in the reason for refusal but could be expanded upon in the event of an appeal.

Committee Decision: Refusal

Reasons:

The proposed extension is not subordinate in form and is therefore an inappropriate form of development on Edwards Close, not locally distinct, out of keeping with the original design ethos and established character and pattern of development locally, contrary to Thurlestone Neighbourhood Plan Policies TP7 2.i, TP1 1 and TP1 2 and JLP Policy DEV 20 1, 2, 3 & 4.

**9) 0265/20/ARM Field to Rear of 15 Green Park Way, Port Lane, Chillington
Parish: Stokenham**

Development: Application for approval of reserved matters following outline approval 0771/16/OPA (Resubmission of 3193/18/ARM)

Case Officer Update:

Officers had received several late objections over the last few days, including one that morning. The Case Officer understood that Members had also received some of these direct. Majority of issues raised had already been covered in the report with the exception of the following updates:- Condition 18 (details for a pump) was no longer needed as current scheme no longer required a pump. Case Officer confirmed that density was 20 to 21 houses per hectare, lower than that stated in the report. Re the potential impacts of water discharge into SSSI (Site of Special Scientific Interest), the Environment Agency (EA) had stated they wanted more information, but given they were satisfied on the previous application that this was covered in the LEMP and conditions 15 and 16 on this current application required further details to demonstrate no impacts on the SSSI, Officers proposed the recommendation be changed to delegated approval subject to the EA confirming they were satisfied. Case officer confirmed that there would now be pavements on both sides of the access road in line with the drawings approved at outline stage.

Speakers included: Objector – Ms A Cadd-Harlington; Supporter – Mr E Lewis; Ward Member – Cllr J. Brazil

Recommendation: Conditional approval subject to the Environment Agency being satisfied with potential impacts on the SSSI, delegated approval with Chair, Ward Members and Head of Planning

During the debate, a great deal of time was given to the suggested drainage scheme with Members feeling that individual soakaways for each plot was a better way forward, although the Drainage Officer from Devon County Council (DCC) reiterated that both DCC and South West Water were happy with the proposed scheme. Some Members had concerns that the proposed root barrier membrane along the bund would guide tree and hedge roots down towards the houses on Green Park Way with potential structural damage. Following concerns that fences may impede flood water, the Case Officer confirmed that, if approved, a condition could be added to secure details of the fencing near the bund. The applicant confirmed that they would be happy to review bee, bat, and bird box deployment on the

estate and the Case Officer confirmed this could be secured as part of the LEMP. Members made reference to the severe nature of flooding in the local area which most felt would be exacerbated by the scheme presented.

Committee decision: Refusal

Reasons:

The proposed layout does not facilitate a satisfactory scheme of surface water drainage to adequately manage flood risk. As such the proposal is contrary to DEV35 of the Plymouth and South West Devon Joint Local Plan; Paragraph 9.82 of the Supplementary Planning Document, with particular reference to the proposal failing to demonstrate it does not increase flood risk elsewhere; and the National planning Policy Framework 2019, in particular paragraphs 149, 150 and 165.

15. Planning Performance Indicators

DM.25/20

Members reviewed the performance indicators as outlined in the presented agenda report.

In discussion, particular reference was made to:

- (a) Quarter 1 dropped significantly because of the delays due to lockdown resultant from the Covid-19 Pandemic
- (b) Figures during May were relatively normal for that month, but June had seen exceptionally high numbers in terms of new planning applications received. Fee income is down compared to last year due to a drop in Major Applications.
- (c) Pg 32, enforcement – in Q1 larger amount than previous Quarter, number of cases closed still more than new ones being opening so workload was still coming down even although some staff were diverted onto covid duties earlier in the year, reducing resources.

16. Planning Appeals Update

DM.26/20

Members noted the list of appeals as outlined in the presented agenda report.

The Head of Development Management provided further details on specific recent appeal decisions.

The Meeting concluded at 4.35 pm

Signed by:

Chairman



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Voting Analysis for Planning Applications – DM Committee 7th October 2020

<i>Application No:</i>	<i>Site Address</i>	<i>Vote</i>	<i>Councillors who Voted Yes</i>	<i>Councillors who Voted No</i>	<i>Councillors who Voted Abstain</i>	<i>Absent</i>
2545/19/FUL	“Land at Venn Lane”, Norton	Conditional approval	Cllrs Brazil, Hodgson, Holway, Rowe (4)	Cllrs Abbott, Foss, Kemp, Long, O'Callaghan, Pringle, Taylor (7)	(0)	Cllr Brown (1)
2545/19/FUL	“Land at Venn Lane”, Norton	Refusal	Cllrs Abbott, Foss, Kemp, Long, O'Callaghan, Pringle, Taylor (7)	Cllrs Brazil, Hodgson, Holway, Rowe (4)	(0)	Cllr Brown (1)
0857/20/HHO	3 Edwards Close, Thurlestone	Refusal	Cllrs Hodgson, Holway, Kemp, Long, O'Callaghan, Pringle, Taylor (7)	Cllr Abbott and Brazil (2)	Cllrs Foss and Rowe (2)	Cllr Brown (1)
0265/20/ARM	“Field to rear of 15 Green Park Way”, Port Lane, Chillington	Refusal	Cllrs Abbott, Brazil, Hodgson, Kemp, Long, O'Callaghan, Pringle, Rowe, Taylor (9)	Cllr Holway (1)	Cllr Foss (1)	Cllr Brown (1)

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