

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the South Hams Development Management Committee held on Wednesday, 6th January, 2021 at 2.00 pm at the Teams

Present: **Councillors:**

Chairman Cllr Brazil
Vice Chairman

Cllr Brown	Cllr Hodgson
Cllr Holway	Cllr Rowe
Cllr Abbott	Cllr Kemp
Cllr Long	Cllr Pannell
Cllr Pringle	Cllr Taylor
Cllr Reeve* As Substitute for Cllr Foss	

In attendance:

Councillors:

Cllr Baldry	Cllr Bastone
Cllr Pearce	Cllr Smerdon

Officers:
Head of Planning
Senior Planning Specialists
Deputy Monitoring Officer
Legal Officer
Democratic Services Manager
Democratic Services - Specialist

30. **Minutes**
DM.40/20
The minutes of the meeting of the Committee held on 2nd December 2020 were confirmed as a correct record by the Chairman.
31. **Appointment of Vice-Chair**
DM.41/20

The Chair informed the Committee of the sad news of the recent loss of Cllr Foss' wife. Cllr Foss had had a very difficult few months which he had faced with courage and determination and he was in the thoughts of all Members at this very sad time. Since Cllr Foss had tendered his apologies for this meeting, the Chairman invited nominations to serve as Vice-Chairman for this Committee meeting.

It was subsequently:

RESOLVED

That Cllr Holway be appointed to be Vice-Chairman for the duration of this Committee Meeting.

32. **Declarations of Interest**

DM.42/20

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

Cllr H Reeve declared a personal interest in application 2795/20/FUL, as the application site was in the vicinity of a relative's property and she remained in the meeting and took part in the debate and vote thereon;

33. **Public Participation**

DM.43/20

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

34. **Planning Applications**

DM.44/20

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:

6a) 3285/20/FUL Rose Cottage, Landscope, Ashburton, TQ13 7LT - Parish: Staverton

Development: Retrospective change of use of existing shed from domestic use to use for commercial motorcycle maintenance and servicing.

Case Officer Update: Following publication of the Officer's report on the website, the applicant had made a late submission countering points made in the report. These were outlined to the Committee and the Case Officer responded to each point raised.

Speakers included: Supporter – Mr Gray-Thompson; Parish Council – Cllr Catherall; Ward Member – Cllr J Hodgson;

Recommendation: Refusal

The Ward Member confirmed to the Committee that no member of the public had complained about this business and countered the Case Officer's assertion that there would be increased traffic were the application to be approved, but rather there would be increased traffic following refusal as the business would have to move to a near-by town, and the applicant would then be making 12 extra journeys per week to travel to and from the new locale. The Ward Member's view was that the new policies outlined in the Case Officer's reason for refusal were active after this business had been established.

Some Members outlined their support for the business as it had been operating for over five years already, noted that the business had the support of the Parish Council and neighbours, and that it was sustainable as there was no similar business nearby thereby showing a business need. A Member moved conditional approval of the application that was subsequently seconded. Before the vote was taken, a discussion was had regarding what conditions would be applied should the application be approved. These included, but were not limited to, conditions regarding noise, opening hours, and ensuring the business use was restricted to motor cycle maintenance should the present applicant cease to operate. Members were asked to consider the following key issues: Principle / Sustainable Development; Design, Visual Impacts and the SWD Landscape Character Area (1E); Neighbouring Amenity.

Committee decision: Conditional approval

Conditions:

1. The development hereby approved shall only be used for the maintenance, servicing and / or repair of motorcycles and for no other purpose.

Reason: In order to ensure compliance with JLP Policy TTV26 and to prevent uses which might be inappropriate for this rural location.

2. No maintenance, servicing or repair of motorcycles shall be carried out and no deliveries accepted or despatched except between the hours of 9am and 6pm Monday to Friday, or 9am to 1pm on Saturdays, and not at all on Sundays or Bank Holidays

Reason: To protect the amenities of local residents from noise in accordance with JLP Policies DEV1 and DEV2.

6b) 2795/20/FUL Land at SX 711 588, North East of Horsebrook Farm, Avonwick, TQ10 9EU - Parish: South Brent not North Huish

Development: Proposed static caravan on agricultural land

Case Officer Update: The Case Officer noted that the application site was located within the parish of South Brent and not North Huish as outlined in the agenda report, however she confirmed that both South Brent Parish Council and North Huish Parish Council had been consulted and commented on the application. There had been concerns expressed from neighbours regarding rain water and foul discharge resulting from this application therefore the Case Officer clarified that rain water would discharge directly into two 1,000 litre tanks below ground, a minimum of five metres from the van, and the foul water would discharge into two above ground waste storage tanks of 30,000 litres each, again a minimum of five metres from the van. These two tanks would be emptied by a private mobile company approximately every two months. The water discharge proposed solutions were for both rain and foul water. The definition of what constituted a static caravan was clarified, along with maximum size permitted under that definition. A Member queried the distance from nearest residential property given in Officer's committee report which was clarified by the Officer as a typographical error and the correct measurement provided to Committee prior to the decision being taken.

Recommendation: Conditional Approval

Speakers included: Ward Members – Cllrs G Pannell and P Smerdon

Ward Members: One of the Ward Members expressed concerns over the size of the foul water tanks which seemed excessive to the site and would require large tankers to come to empty them in a rural area. It was also noted that residents had grave concerns about contamination of nearby water supply. The Ward Members felt that a need for the development in this rural location had not been demonstrated which was contrary to policy.

Debate:

During the debate some Members outlined concerns over the scale of the proposed application as the field in question was only 2.6 hectares, thereby constituting overdevelopment. Members also expressed concerns regarding water supplies and potential for contamination of water to neighbours. It was noted that the site already contained a stable block and a small caravan, both of which Members felt could meet any welfare needs.

Committee Decision: Delegated Refusal

Reasons for refusal:

It has not been demonstrated in this countryside location that there is a proven agricultural need for an additional structure on this site in the form of the proposed static caravan to provide a welfare facility to serve the small holding operating from the site. The proposal is therefore contrary to policies SPT1, SPT2, TTV1 criteria 4, TTV26 criteria 2 iv and DEV15 criteria 6 of the Plymouth & South West Devon Joint Local Plan 2014-2034.

6c) TPO 1018 Land adjacent to 4 Malborough Park, Malborough, TQ7 3SR Parish: Malborough

Development: Tree Preservation Order (TPO).

The Chairman advised the Committee that this application had been deferred to a future Committee meeting for consideration.

35.

Housing Position

DM.45/20

The Officer gave an update on the annual Housing Position report which had been recently published. The Council now had a 6.1 year land supply with 1,449 homes built last year, cumulatively this is 653 homes above target. Going forward there had been identified a supply of over 8,200 deliverable homes. Members noted that this report reflected the huge improvement the Joint Local Plan (JLP) had brought to the Council's planning environment. The Joint Local Plan team were thanked for their hard work. Some Members commented that local infrastructure was not keeping pace with homes development but it was noted that the Council's ability to counter this was limited to Section 106 Agreements, which could not counter all concerns.

The Officer confirmed that an interactive JLP website was now available and all three Local Planning Authorities had direct links to this. It would be used to provide news and updates, and mapping was beginning to be included.

Following a Member enquiry, the Officer confirmed that some sites had been deemed no longer viable. The only sites included in the JLP were those which were deliverable on National Planning Policy Framework criteria. It was confirmed that viability would be looked at over the coming year including a review of developers who had not progressed

with their approved planning applications as this could impact on housing numbers.

The Authority Monitoring Report would be produced in February 2021 and would also include the split between brownfield and green field sites. Members would be invited to a future Briefing on this matter.

36. **Planning Appeals Update**

DM.46/20

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

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

37. **Update on undetermined major applications**

DM.47/20

Members noted the list of undetermined major applications.

The Head of DM committed to sending Members the definition of what constituted a major application and confirmed this definition was set by Central Government.

The Meeting concluded at 4.55 pm

Signed by:

Chairman

Voting Analysis for Planning Applications – DM Committee 6th January 2021

<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>
3285/20//FUL	Rose Cottage, Landscape, Ashburton	Conditional approval	Cllrs Abbott, Brazil, Brown, Hodgson, Holway, Kemp, Long, Pannell, Pringle, Reeve, Rowe, Taylor (12)	(0)	(0)	(0)
2795/20/FUL	Land at SX 711 588, North East of Horsebrook Farm, Avonwick, TQ10 9EU	Refusal	Cllrs Abbott, Brown, Holway, Long, Pannell, Pringle, Reeve, Rowe, Taylor (9)	(0)	Cllrs Brazil, Hodgson, Kemp (3)	(0)

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