

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



**Minutes of a meeting of the South Hams Development Management Committee
held on
Wednesday, 13th April, 2022 at 10.00 am at the Council Chamber - Follaton
House**

Present: **Councillors:**

Chairman Cllr Brazil
Vice Chairman Cllr Foss

Cllr Abbott
Cllr Hodgson
Cllr Reeve
Cllr Taylor

Cllr Brown
Cllr Pannell
Cllr Rowe

In attendance:

Councillors:
Cllr Long (via Teams)
Cllr Pearce
Cllr Pringle (via Teams)

Officers:
Senior Specialists – Development Management
Specialists – Development Management
Monitoring Officer
Devon County Council Highways Officer
Specialist – Democratic Services
IT Specialists

65. **Minutes**
DM.65/21
The minutes of the meeting of the Committee held on 16th March 2022 were confirmed as a correct record by the Committee.
66. **Declarations of Interest**
DM.66/21
Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr B Taylor declared an Other Registerable Interest in applications 0647/21/FUL; 4713/21/HHO; and 3445/21/FUL; (Minutes DM.60/21 (a), (b), and (d) below refer), as he was a Member of the South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon;

Cllr J Brazil, being the Ward Member for Item 6d, relinquished Chairmanship of the meeting to the Vice Chairman, Cllr R Foss for the later morning session and remained in the meeting and took part in the debate and vote thereon, Minutes DM.68/21 (c) and (d) below refer.

67. **Public Participation**

DM.67/21

The Chairman noted the list of members of the public, Town and Parish Council representatives, and Ward Members who had registered their wish to speak at the meeting.

68. **Planning Applications**

DM.68/21

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) 0647/21/FUL Asherne Lodge, Strete
Parish: Strete Parish Council

Development: Construction of a stone finished car park

Case Officer Update: The Case Officer clarified the reasons for deferral when the application was last presented to the Committee. If approved, the application would be conditioned for both hard and soft landscaping. The heritage officer had confirmed that he was supportive of the application as it would help to make the vehicles less conspicuous. The tree survey had now been completed and the tree officer no longer had any objection to the application.

Following the presentation by the Parish Councillor, where she outlined support for the application and stated that there would be no fundamental difference to traffic movements if the parking area was approved. It was stated that it would be safer for vehicles, which currently park on the grass verge, as they would be able to turn in the carpark, aiding exit, and that there would be no further increase in vehicle journeys to the current situation. The Highways Officer from Devon County Council expressed his gratitude to hear evidence from someone local to the parish. He now reversed his objection and added his approval to the application.

During the debate, Members stated the proposal was an improvement on the extant situation, with a better fit to the landscape and no additional traffic.

Speakers included: Supporter – Mrs L Newman; Parish Council – Cllr K Gill; Ward Member – Cllr R Foss

Recommendation: Refusal

Committee decision: Conditional Approval delegated to the Head of Development Management (DM), in consultation with the Chairman of the DM Committee, and the Proposer and Seconder.

Conditions

3 year Time Limit
Accord with Plans
Adherence to Ecology Report
Adherence to Arboricultural Report
No external lighting
Surface Water Drainage
Unexpected Contamination
Hard and Soft Landscaping
Samples of Materials
Access Gate to Open Inwardly
Use of Car Park Limited to Three Properties

6b) 4713/21/HHO The Willows, Bolberry Road, Hope Cove, TQ7 3HT
Parish: South Huish Parish Council

Development: Householder application for ancillary annexe

Case Officer Update: The application for removal of the existing shed, and replacement with annexe and car port was outlined. It was confirmed that the Parish Council was objecting to the application on the grounds of over development. Following questions from Members, the case officer confirmed that the annexe contained an extra bedroom and living area but the kitchen and bathroom were located in the main building. Further conditions relating to removal of Permitted Development (PD) rights on the site and ensuring the annexe could not be used as a holiday home could be added.

Speakers included: Ward Members – Cllrs J Pearce & M Long

Ward Members: One of the Ward Members reminded the Committee that the application had been made by a member of staff and hence had to be called to be heard by the Committee. It was her opinion that the siting of the building was situated high enough that the stream would not be impacted. The Ward Member also felt that the footprint of the annexe would be less than the current hard standing of patio, which was therefore an improvement. If the Committee was minded to conditionally approve the application, she requested that a condition be added to stop any further hard standing in the garden.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions

1. Time limit
2. Accord with plans
3. Materials to match existing
4. Annexe to remain ancillary, not let, leased or separate unit of accommodation
5. Permitted development rights removed for whole site
6. Surface water drainage

The Chair of the Committee passed to the Vice Chair for the next two applications.

6c) 1508/21/FUL "Land at Northlands", Chittleburn Hill, Brixton
Parish: Brixton Parish Council

Development: READVERTISEMENT (revised plans received) Application for proposed single storey dwelling with associated access, driveway and private garden

Case Officer Update: The Case Officer clarified the position of the site in relation to the Neighbourhood Plan (NP), and outlined that there was nothing in the NP to stop building outside of the village curtilage. The Joint Local Plan (JLP) highlighted sustainability, which was applicable as this application was infill. The Highways Authority had raised the issue of an additional access point onto the highway, but as this site originally had an access point it would be re-opening an access point rather than establishing a new one.

Speakers included: Supporter – Mr D Bothma; Parish Council: Cllr L Hitchins; Ward Member – Cllr D Brown;

During the debate Members stated that the site visit had been useful to see the application in context. Although factually, the site was without the boundary and therefore in the countryside, the site was on waste land and not in green space, and the application was for a discrete building. The Chair thanked Brixton Parish Council for the hard work involved in developing their NP, but, on this occasion, the application could not be refused on boundary issues. It was suggested that the Parish Council could consider adding into their NP a stipulation for housing for primary/local residence as this condition could not be applied on this site as it was without the NP and the JLP did not reference this condition.

Recommendation: To delegate authority to the Head of Development Management to approve the application subject to completion of a Unilateral Undertaking to secure financial contribution to mitigate impacts on the Plymouth/Tamar European Marine Site (EMS).

Committee decision: To delegate authority to the Head of Development Management to approve the application subject to completion of a Unilateral Undertaking to secure financial contribution to mitigate impacts on the Plymouth/Tamar European Marine Site (EMS).

Conditions/Reasons for refusal (list not in full)

1. Time for commencement
2. Approved plan
3. Tree protection measures
4. Parking/Turning prior to occupation
5. Landscaping scheme to include indigenous species.
6. Remove PD rights
7. Climate reduction measures to be implemented prior to occupation.

6d) 3445/21/FUL Sunny Side, The Haybarn, South Allington
Parish: Chivelstone Parish Council

Development: Replacement Dwelling and associated works.

Case Officer Update: The Case Officer updated on the certificate of lawfulness which covered the main building and two of the out buildings, but there were other outbuildings also on site, including a building which was confirmed as being used for Airbnb rental purposes.

Speakers included: Supporter – Ms Sutherland; Ward Member – Cllr J Brazil;

The Ward Member outlined the planning history of the site and the issue of allowing 'house creep'. It was his opinion that this application constituted development through the back door and planning approval, if granted, should not allow for other buildings which were now on site but were not part of the Certificate of Lawfulness. It was stated that the site had been built up in the countryside and within the Area of Outstanding Natural Beauty (AONB). The Monitoring Officer confirmed that use of an ancillary building for Airbnb purposes could be challenged by Planning Enforcement.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions: (list not in full)

1. Time for commencement
2. Approved plans
3. Materials details (notwithstanding submitted information)
4. Drainage details foul and surface water.
5. Landscaping details
6. No PD
7. No Ext. Lights
8. Hard and soft landscaping – including preservation of trees in screening
9. No holiday lets

6e) 4442/21/ARM Land at Broom Park, Dartington, TQ9 6JR
Parish: Dartington Parish Council

Development: Application for reserved matters, seeking approval of appearance, landscaping, layout, and scale for 80 dwellings and discharge of outline conditions 9, 12, 15, 16, 17, and 18, following outline approval 3842/20/OPA.

Case Officer Update: Following questions at the site visit, the Case Officer showed the light spill plan, plus where the bins would be sited and massed for collection.

Following the Case Officer introduction, the Ward Member proposed deferral of the application. However, there was no seconder for this proposal.

Speakers included: Objector – Mr M O'Connell; Supporter – Mr G Hutton; Parish Council – Cllr T Turrell; Ward Member – Cllr Hodgson;

During the debate, one Member commented that a similar development in his Ward had resulted in local people moving into the development and he felt the same would happen at this development, while another Member thought the development had substantial affordable and social rental properties that would be beneficial to the area.

Members did express sympathy with the Local Ward Member as this area had seen a great many developments granted planning permission over recent years as it fell neither in the coastal region nor within the AONB.

Recommendation: Grant reserved matters consent for Appearance, Landscaping, Layout and Scale and confirm compliance with conditions 9, 12, 15, 16, 17 & 18 of outline consent 3842/20/OPA

Committee decision: Grant reserved matters consent for Appearance, Landscaping, Layout and Scale and confirm compliance with conditions 9, 12, 15, 16, 17 & 18 of outline consent 3842/20/OPA

Conditions: (list not in full)

1. Development to be carried out in accordance with list of submitted plans and documents.
2. Sample panel of materials (inc stonework) to be provided on site for approval.
3. Sample section of stone faced hedgebank to be constructed for approval.
4. Hedgehog holes to be provided in fences.
5. Landscape implementation and replacement for 5 years (in areas outside of the open space management programme).
6. Solar pv details to be submitted including how these will be recessed into roof slope.
7. Removal of permitted development rights for fences, gates and walls forward of any wall that fronts onto a road.

6f) 4443/21/ARM Land at Sawmills, North of A385, Dartington
Parish: Dartington Parish Council

Development: Application for reserved matters, seeking approval of appearance, landscaping, layout, and scale for 40 dwellings and discharge of outline conditions 9, 12, 15, 16, 17, and 18, following outline approval 3841/20/OPA.

Case Officer Update: There were no updates on the report.

Speakers included: Objector – Mr A Chadwick; Supporter – Mr G Hutton; Parish Council – Cllr B Reeves; Ward Member – Cllr Hodgson;

The applicant confirmed they would be happy to thrust bore the overflow pipe from the surface water attenuation tank through the opposite field to minimise any environmental impact. Therefore it was agreed that Condition 16/8 was not to be discharged at this point.

During the debate, Members expressed regret at the decision to disband the Conservation and Design Review Panel and felt that this decision should now be reviewed.

Recommendation: Grant reserved matters consent for Appearance, Landscaping, Layout, and Scale and confirm compliance with conditions 9, 12, 15, 16, 17 & 18 of outline consent 3842/20/OPA

Committee decision: Grant reserved matters consent for Appearance, Landscaping, Layout, and Scale and confirm compliance with conditions 9, 12, 15, 16, & 17 of outline consent 3842/20/OPA

Conditions: (list not in full)

1. Development to be carried out in accordance with list of submitted plans and documents.
2. Sample panel of materials (inc stonework) to be provided on site for approval.
3. Sample section of stone faced hedgebank to be constructed for approval.
4. Hedgehog holes to be provided in fences.
5. Landscape implementation and replacement for 5 years (in areas outside of the open space management programme).
6. Solar pv details to be submitted including how these will be recessed into roof slope.
7. Removal of permitted development rights for fences, gates and walls forward of any wall that fronts onto a road.
8. Details of retaining hedgebank and pedestrian garden access on northern side of plot 36.

69. Update on Undetermined Major Applications

DM.69/21

The list of undetermined major applications was noted. It was confirmed that withdrawal of an application was the prerogative of the applicant. It was stated that a six monthly review of a Section 106 agreement, by bringing it back to Committee, would be part of the Development Management review, which was met with approval by Members.

70. Planning Appeals Update

DM.70/21

Members noted the list of appeals as outlined in the presented agenda report. It was noted that design, and particularly weather-boarding, required policies within the JLP to be developed to cover these.

The Meeting concluded at 6.20 pm

Signed by:

Chairman
