

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the South Hams Development Management Committee held on Wednesday, 8th June, 2016 at 11.00 am at the Council Chamber - Follaton House

Present: **Councillors:**

Chairman Cllr Steer
Vice Chairman Cllr Foss

Cllr Bramble
Cllr Cane
Cllr Hitchins
Cllr Holway
Cllr Rowe

Cllr Brazil
Cllr Cuthbert
Cllr Hodgson
Cllr Pearce
Cllr Vint

In attendance:

Councillors:

Cllr Gilbert
Cllr Wingate

Cllr Hawkins

Officers:

Becky Fowlds

1. Minutes

DM.01/16

The minutes of the meeting of the Committee held on 11 May 2016 were confirmed as a correct record and signed by the Chairman, subject to the correction of the reasons for refusal for application 2682/15/FUL to read as follows:

- Impact including loss of green space backing the Conservation Area and Heritage Asset; and
- Adverse impact on AONB of design, materials and massing.

2. **Declarations of Interest**

DM.02/16

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

Cllr R Foss declared a personal interest in application **28/1560/15O**: Outline application with some matters reserved for residential development scheme for 32 no. dwelling at allocated site K4 – Proposed development site at SX 7392 4386, Allocated Site K4, Garden Mill, by virtue of knowing the landowner. He remained in the room and took part in the debate and vote thereon.

3. **Public Participation**

DM.03/16

The Chairman announced that a list of members of the public who had registered their wish to speak at the meeting had been circulated.

4. **Planning Applications**

DM.04/16 **PLANNING APPLICATIONS**

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:

**28/1560/15/O Part of Allocated site K4, Garden Mill,
 Kingsbridge**

Parish: Kingsbridge

**Outline application (with landscaping reserved) for
erection of 32 no. dwellings and vehicular access**

Case Officer Update: Additional letter of objection received and revised consultation response received from Kingsbridge

Town Council objecting to the application on the basis of number of affordable homes.

Speakers included: Objector – Mr Mark Evans; Supporter – Mr Mark Donald/Mr Chris Hughes; Town Council Representative - Cllr Robin Griffin; Ward Members – Cllrs Gilbert and Wingate

Recommendation: Conditional Approval, subject to the satisfactory completion of a Section 106 Agreement dealing with the following matters:

- 1. Affordable Housing Provision**
- 2. Education Financial Contribution**
- 3. Landscape and Ecology Management Plan**

The Case Officer set out the policy context for this application. Members had a lengthy discussion on the merits of the application and raised a number of concerns, particularly in relation to the impact on the neighbouring Listed Building and development within the AONB. The local Ward Members raised concerns over the level of affordable housing being proposed. The viability consultant responded to questions regarding the affordability of the scheme and the Specialist (Place Making – Housing) advised in relation to the number of affordable homes being proposed. Other concerns were raised in relation to the design of the proposal, and that this proposal did not encompass a mixed proposal in line with the allocation being a mix of residential and employment uses. To conclude, the majority of Members were unable to support the proposal.

Committee Decision: Refusal

Reasons:

1. The development by reason of its scale, layout and design would result in harm to the setting of a Grade II Listed Building (Buttville House) and this harm is not outweighed by any public benefit of the proposed scheme. The development would therefore be contrary to the advice contained within paragraphs 132 and 134 of the NPPF, S66 of the Planning (Listed Buildings) Act 1990, and Policy DP6 of the Development Policies DPD.

2. The development is considered to constitute Major Development in the AONB and would cause visual harm to the character and appearance of the area, there are no exceptional circumstances to justify the development contrary to the advice contained within Paragraph 116 of the NPPF. Furthermore, it has not been demonstrated that the development within the AONB is in the public interest. The

development would be contrary to Policy DP2 of the Development Policies DPD.

3. The design and layout of the development is incoherent and fails to take the opportunity available for improving the character and quality of the area it does not, therefore, represent good design and is contrary to the provisions of Policy DP1 of the Development Policies DPD and paragraph 64 of the NPPF; and

4. The applicant has not adequately demonstrated that a sufficient level of affordable housing and other necessary financial contributions cannot be delivered. In particular the Council considers that the land value used in the applicant's viability assessment is too high. The development would be contrary to paragraph 173 of the NPPF and Policy CS6 of the Core Strategy DPD.

**0253/16/FUL Putts Reservoir, Upper Wood Lane,
Kingswear**

Parish: Kingswear

**Application for redevelopment of brownfield site
(redundant reservoir) to provide one dwelling**

Case Officer Update: None

Speakers included: Objector – Mrs Sallie Cooper; Supporter – Mr Dan Rogers; Parish Council Representative - Cllr Hector Newcombe: Ward Members – Cllr Hawkins and Cllr Rowe

Recommendation: Conditional Approval

During discussion Members referred to the recent site inspection. Concerns were raised about the access road and its ownership, however this was not a material consideration. A condition was included that required a construction management plan to be in place and this would address some of those concerns. It was agreed that the Construction Management Plan be agreed with Chairman and Vice Chairman of DM Committee.

Committee Decision: Conditional Approval

Conditions:

1. Time
2. Accord with plans
3. Details of landscaping, including natural planting
4. Construction management plan
5. Unsuspected contamination
6. Details of reptile method statement

7. Removal of vegetation outside of bird nesting season
8. Adherence to the Arboricultural report
9. Provision of the bin storage screening fence prior to occupation

**14/1785/15/F Deepdene, Cott Lane, Dartington TQ9
6HE**

Parish: Dartington

**Erection of detached dwelling and associated parking
within the garden**

Case Officer Update: N/A

Speakers included: Supporter – Mr Z Morgan: Ward
Member – Cllr Hodgson

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Final drainage scheme
4. Lighting Strategy
5. No land raising in identified Flood Zone 2 area
6. Accord with recommendations of the Preliminary Ecological Appraisal
7. Removal of permitted development rights

**0901/16/FUL Admiral Court, Nelson Road,
Dartmouth**

Parish: Dartmouth

Erection of 2no. terraces of industrial units (class B1)

Case Officer Update: N/A

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time
2. Accords with plans
3. Drainage details to be agreed

4. Materials to match existing units within site
5. Unsuspected contamination
6. Details of hardsurfacing to be agreed
7. Parking to be provided and retained

5. **Planning Appeals Update**

DM.05/16

Members noted the list of appeals as outlined in the presented agenda report and the Planning Specialist responded to questions and provided more detail where requested.

6. **Affordable Housing Obligations**

DM.06/16

Members were presented with a report that asked them to note where the DM Committee had previously granted conditional approval on a number of applications, subject to satisfactory completion of s106 agreements that included affordable housing or an affordable housing contributions. As a result of a recent Court of Appeal decision it was necessary to advise the Members of the impact of that decision on the previously granted applications.

It was then:

RESOLVED

1. That s106 agreements on small scale residential development previously considered by the Development management Committee be completed without the requirement for affordable housing or an affordable housing contribution; and
2. In cases where the s106 Agreement for small scale residential development only related to the provision of affordable housing or a financial contribution to affordable housing, the applications are approved without the requirement for a s106 agreement.

The Meeting concluded at Time Not Specified

Signed by:

Chairman

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Voting Analysis for Planning Applications – DM Committee 8 June 2016

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
28/1560/15/O	Proposed development site at SX 7392 4386, Allocated site at K4, Garden Mill, Kingsbridge	Refusal	Cllrs Hitchins, Cane, Cuthbert, Rowe, Brazil, Hodgson, Bramble, Vint, Holway (9)	Cllrs Steer, Foss (2)	Cllr Pearce (1)	None
0253/16/FUL	Putts Reservoir, Upper Wood Lane, Kingswear	Conditional Approval	Cllrs Hitchins, Cane, Pearce, Holway, Bramble, Steer, Foss, Cuthbert (8)	Cllrs Hodgson and Rowe (2)	Cllr Vint (1)	Cllr Brazil (1)
14/1785/15/F	Deepdene, Cott Lane, Dartington	Conditional Approval	Cllrs Steer, Foss, Bramble, Pearce, Cuthbert, Rowe, Holway, Hitchins, Cane, Vint (10)	Cllr Hodgson (1)	None	Cllr Brazil (1)
Page 1 01/16/FUL	Admiral Court, Dartmouth	Conditional Approval	Cllrs Steer, Foss, Bramble, Pearce, Cuthbert, Rowe, Holway, Hodgson, Hitchins, Vint, Cane (11)	None	None	Cllr Brazil (1)

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