

South Hams Development Management Committee



Title:	Agenda										
Date:	Wednesday, 3rd August, 2016										
Time:	11.30 am										
Venue:	Council Chamber - Follaton House										
Full Members:	<p style="text-align: center;">Chairman Cllr Steer Vice Chairman Cllr Foss</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Bramble</td> <td>Cllr Hodgson</td> </tr> <tr> <td>Cllr Brazil</td> <td>Cllr Holway</td> </tr> <tr> <td>Cllr Cane</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Cuthbert</td> <td>Cllr Rowe</td> </tr> <tr> <td>Cllr Hitchins</td> <td>Cllr Vint</td> </tr> </table>	Cllr Bramble	Cllr Hodgson	Cllr Brazil	Cllr Holway	Cllr Cane	Cllr Pearce	Cllr Cuthbert	Cllr Rowe	Cllr Hitchins	Cllr Vint
Cllr Bramble	Cllr Hodgson										
Cllr Brazil	Cllr Holway										
Cllr Cane	Cllr Pearce										
Cllr Cuthbert	Cllr Rowe										
Cllr Hitchins	Cllr Vint										
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.										
Committee administrator:	Kathy Trant Senior Case Manager 01803 861185										

1. Minutes

1 - 8

To approve as a correct record and authorise the Chairman to sign the minutes of the meeting of the Committee held on 6 July 2016;

2. Urgent Business

Brought forward at the discretion of the Chairman;

3. Division of Agenda

to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;

4. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting;

5. Public Participation

The Chairman to advise the Committee on any requests received from members of the public to address the meeting;

6. Planning Applications

(a) 1527/16/FUL

9 - 16

Construction of a new suspended deck structure over the existing slipway, remedial works to the adjacent quayside frontage and car park and removal of a small section of rear wall located in front of the showers.

Land Adjacent To Whitestrand Car Park, Fore Street, Salcombe, Devon, TQ8 8BU

For Letters of Representation and further supplementary information select the following link:

<http://www.southhams.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=161581>

(b) 0004/16/FUL

17 - 22

Proposed change of use and alterations to ground floor to create garaging, parking and ancillary storage

11 Lower Street, Dartmouth, Devon, TQ6 9AN

For Letters of Representation and further supplementary information select the following link:

<http://www.southhams.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=160063>

(c) 1307/16/FUL

23 - 32

Resubmission of application number 0116/16/FUL being the demolition of an existing house and the building of a new dwelling and associated works

The Rough, Devon Road, Salcombe, TQ8 8HJ

For Letters of Representation and further supplementary information select the following link:

<http://www.southhams.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=161361>

(Upon the conclusion of the above agenda items, the meeting will be adjourned and re-convened at 2.00pm)

(d) 0890/16/HHO

33 - 40

Householder application for a first floor extension to comprise of master bedroom and ensuite

14 Riverside Walk, Yealmpton, Devon, PL8 2LU

For Letters of Representation and further supplementary information select the following link:

<http://www.southhams.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=160945>

(e) 0579/16/FUL

41 - 50

Erection of a detached house on land previously used for WI Hall

Site Of WI Hall, Ford Road, Yealmpton, PL8 2NA

For Letters of Representation and further supplementary information
select the
following link:

<http://www.southhams.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=160636>

(f) 1447/16/HHO

51 - 56

Householder application for an extension to first floor of
residential outbuilding/garage

Southford Cottage, Southford Lane, Staverton, TQ9 6NZ

For Letters of Representation and further supplementary information
select the
following link:

<http://www.southhams.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=161501>

(g) 1448/16/HHO

57 - 60

Householder application for a two storey extension to the
side of the house and addition of front porch

24 Parklands, Totnes, TQ9 5HZ

For Letters of Representation and further supplementary information
select the
following link:

<http://www.southhams.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=161502>

7. Planning Appeals Update

61 - 62

8. Planning Peer Challenge Action Plan 2016/17

63 - 114

**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
6 JULY 2016**

Members in attendance * Denotes attendance			
*	Cllr I Bramble	*	Cllr J M Hodgson
*	Cllr J Brazil	*	Cllr T R Holway
*	Cllr B F Cane	*	Cllr J A Pearce
*	Cllr P K Cuthbert	*	Cllr R Rowe
∅	Cllr R J Foss (Vice Chairman)	*	Cllr R C Steer (Chairman)
*	Cllr P W Hitchins	*	Cllr R J Vint

Other Members in attendance

Cllrs Baldry, Bastone, Ward and Wright

Officers in attendance and participating

Item No:	Application No:	Officers:
All agenda items		COP Lead Development Management, Planning Specialists, Solicitor and Senior Case Manager

DM.07/16 APPOINTMENT OF VICE CHAIRMAN

As the Vice Chairman had given his apologies, it was necessary to appoint a Vice Chairman for the duration of this meeting.

It was therefore **PROPOSED, SECONDED** and on being put to the vote declared **CARRIED** that Cllr Kathy Cuthbert be Vice Chairman for the duration of this meeting.

DM.08/16 JOHN SQUIRE

Since this was the first Committee meeting since John Squire (previously District Councillor for Brixton and Wembury ward and Member of Development Management Committee) sadly passed away, the Chairman paid tribute to him.

As a mark of respect, the Committee then proceeded to stand and observe a moment's reflection.

DM.09/16 MINUTES

The minutes of the meeting of the Committee held on 6 June 2016 were confirmed as a correct record and signed by the Chairman, subject to the clarification of condition 4 of Approval 14/1785/15/F Erection of detached

dwelling and associated parking within the garden – Deepdene, Cott Lane, Dartington to include 'to mitigate the impact on bats'.

DM.10/16 **DECLARATIONS OF INTEREST**

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

Cllr B F Cane declared a disclosable pecuniary interest in application **0945/16/FUL**: Provision of dwelling for rural worker/agricultural contractor – Priory Farm, Fancy Cross to Little Orcheton, Modbury, Devon, by virtue of the applicant being employed by him. He left the room for the duration of this item;

Cllr T R Holway declared a personal interest in application **0890/16/HHO**: Householder application for a first floor extension to comprise of master bedroom and en-suite – 14 Riverside Walk, Yealmpton, Devon by virtue of knowing residents who lived within that road. He remained in the meeting for the duration of this item and took part in the debate and vote thereon;

Cllrs J Brazil and J A Pearce both declared a personal interest in application **1527/16/FUL**: Construction of a new suspended deck structure over the existing slipway, remedial works to the adjacent quayside frontage and car park and removal of a small section of rear wall located in front of the showers. Use of new decking for A1 (retail), A3 (Restaurants and cafes) and A5 (hot food takeaway) uses – Land adjacent to Whitestrand Car Park, Fore Street, Salcombe, Devon by virtue of being Members of Salcombe Harbour Board. The matter had not been debated or discussed at a meeting of the Salcombe Harbour Board so no views had been expressed. They remained in the meeting for the duration of this item and took part in the debate and vote thereon.

DM.11/16 **PUBLIC PARTICIPATION**

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

DM.12/16 **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:

0945/16/FUL **Priory Farm, Fancy Cross to Little Orcheton,
Modbury, Devon**

**Parish: Modbury
Page 2**

Provision of dwelling for rural worker/agricultural contractor

Case Officer Update: N/A

Speakers included: Objector – Mr Simon Curran; Supporter – Mrs Amanda Burden; Ward Member – Cllr Ward

Recommendation: Refusal

The Ward Member made reference to the bus stop at the end of the lane.

During the debate on this item, other Members noted the issue of sustainability. The lane was a Public Right of Way and it was less than one mile to Modbury. The applicant was providing a service and as an agricultural contractor he was less likely to have livestock but did need space for machinery and there was an issue with needing to be on site for security of his equipment. There was a dwelling on site that had an agricultural tie. On balance, Members felt that the business justified a second dwelling.

Not all Members agreed that the location was sustainable, however weight was given to the views of the Parish Council who supported the application. Some Members felt that approval of the application was against policy and there was no justification for doing so. Members had a detailed debate on hours of work and traffic movements arising from this operation.

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Landscape scheme
4. Removal of Permitted Development rights
5. Agricultural/Agricultural contracting tie

Reasons:

Notwithstanding the comments of the agricultural consultant, the Committee felt that there was a justified need for the proposed dwelling.

0699/16/FUL

**Whitegates, Parsonage Road, Newton Ferrers,
PL8 1AS**

Parish: Newton Ferrers

Demolition of a single family dwelling and the erection of one detached single family dwelling and two semi-detached single family dwellings

Case Officer Update: Case Officer verbally updated Members that the agent had advised that the rear parking area was to be gated and used only by residents of plot 3. And that affordable housing contributions were no longer sought for developments of this size.

Speakers included: Objector – Mr Carl Scott; Supporter – Mr Barrie Hallett; Parish Council Representative – statement provided: Ward Members – Cllr Baldry (and a statement was read on behalf of Cllr Blackler)

Recommendation: Refusal

Committee Decision: Refusal

1307/16/FUL The Rough, Devon Road, Salcombe

Parish: Salcombe

Erection of detached dwelling and associated parking within the garden

Case Officer Update: Environmental Health had no objection and recommended an unsuspected contamination condition. Errors in the report were corrected as follows:

- In section design/landscape – sixth paragraph – tallest part of building on NE elevation is 2m forward of front building line of neighbour Burberry and the lift shaft projects a further 2m forward
- In section on overbearance – 1st paragraph – will project 4m forward (not 2m).

Speakers included: Objector – Mr Steve Hopkinson; Supporter – Mr R Robinson: Town Council Representative – Cllr Mike Fice: Ward Members – Cllrs Pearce and Wright

Recommendation: Conditional Approval

Committee Decision: Defer for site inspection

0890/16/HHO 14 Riverside Walk, Yealmpton Devon

Parish: Yealmpton

Householder application for a first floor extension to comprise of master bedroom and en-suite

Case Officer Update: N/A

Speakers included: Objector – Mr Andrew Hudson: Supporter – Mrs Sarah Lock: Ward Member – Cllr Keith Baldry

Recommendation: Conditional Approval

Committee Decision: Defer for site inspection

0004/16/FUL 11 Lower Street, Dartmouth, Devon, TQ6 9AN

Parish: Dartmouth

Proposed change of use and alterations to ground floor to create garaging, parking and ancillary storage

Case Officer Update: N/A

Recommendation: Conditional Approval

Committee Decision: Deferral pending further information to be submitted to Committee in respect of retail and highways issues

1527/16/FUL Land adjacent to Whitestrand Car Park, Fore Street, Salcombe

Parish: Salcombe

Construction of a new suspended deck structure over the existing slipway, remedial works to the adjacent quayside frontage and car park and removal of a small section of rear wall located in front of the showers. Use of new decking for A1 (retail), A3 (restaurants and cafes) and A5 (hot food takeaway) uses

Case Officer Update:

- Revised recommendation to confirm consultation period expires 8th July 2016. The recommendation is for delegated authority to the Community of Practice Lead Officer – Development Management for approval subject to the conditions as set out within the Committee Report and Officer's presentation following the expiry of the public consultation period providing no further representations are received that raise new material planning considerations. If any further representations that raise additional issues are received the application will be brought back to DM Committee at a later date for consideration.
- 51 letters of objection received to date.
- Additional consultation responses received from Salcombe Town Council, Environmental Health, Estuaries Officer and Environment Agency.

Speakers included: Supporter – Mr Chris Brook: Town Council Representative – Cllr Mike Fice: Ward Members – Cllrs Pearce and Wright

Recommendation: The Statutory Consultation period for this application expires on 8th July. The recommendation is for delegated

authority to the Community of Practice Lead Officer – Development Management for approval subject to the conditions as set out below following the expiry of the public consultation period providing no further representations are received that raise additional issues. If any further representations that raise additional issues are received the application will be brought back to DM Committee at a later date for consideration.

Committee Decision: Defer for site inspection

DM.13/16 **PLANNING APPEALS UPDATE**

Members noted the list of appeals as outlined in the presented agenda report and the COP Lead Development Management responded to questions and provided more detail where requested.

(Meeting commenced at 2.00pm and concluded at 6.10pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 6 July 2016

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
0945/16/FUL	Priory Farm, Fancy Cross to Little Orcheton, Modbury, Devon	Conditional Approval	Cllrs Rowe, Brazil, Hodgson, Vint, Holway (5)	Cllrs Bramble, Steer, Cuthbert, Pearce (4)	Cllr Cane (by virtue of declaring a DPI (1)	Cllrs Foss, Hitchins (2)
0699/16/FUL	Whitegates, Parsonage Road, Newton Ferrers	Refusal	Cllrs Brazil, Cane, Pearce, Holway, Bramble, Steer, Rowe, Cuthbert, Hodgson, Vint (10)	None	None	Cllrs Foss, Hitchins (2)
1307/16/FUL	The Rough, Devon Road, Salcombe	Refusal	Cllrs Pearce, Bramble, Hodgson, Vint, Brazil (5)	Cllrs Steer, Cuthbert, Rowe, Holway, Cane (5) Vote lost on Chairman's casting vote	None	Cllrs Foss, Hitchins (2)
1307/16/FUL	The Rough, Devon Road, Salcombe	Site Inspection	Cllrs Bramble, Pearce, Hodgson, Vint, Brazil, Steer (6)	Cllr Cuthbert, Rowe, Holway, Cane (4)	None	Cllrs Foss, Hitchins (2)
0890/16/HHO	14 Riverside Walk, Yealmpton	Site Inspection	Cllrs Bramble, Pearce, Cuthbert, Holway, Hodgson, Vint, Cane, Brazil (8)	None	Cllrs Rowe, Steer (2)	Cllrs Foss, Hitchins (2)
0004/16/FUL	11 Lower Street, Dartmouth	Deferral	Cllrs Bramble, Pearce, Cuthbert, Holway, Cane, Brazil, Rowe, Steer (8)	None	None	Cllrs Foss, Hitchins, Hodgson, Vint (4)
1527/16/FUL	Land adjacent to Whitestrand Car Park, Fore Street, Salcombe	Site Inspection	Cllrs Brazil, Pearce, Cane, Holway (4)	Cllrs Steer, Cuthbert, Bramble (3)	Cllr Rowe (1)	Cllrs Foss, Hitchins, Hodgson, Vint (4)

This page is intentionally left blank

PLANNING APPLICATION REPORT

Case Officer: Clare Stewart

Parish: Salcombe **Ward:** Salcombe and Thurlestone

Application No: 1527/16/FUL

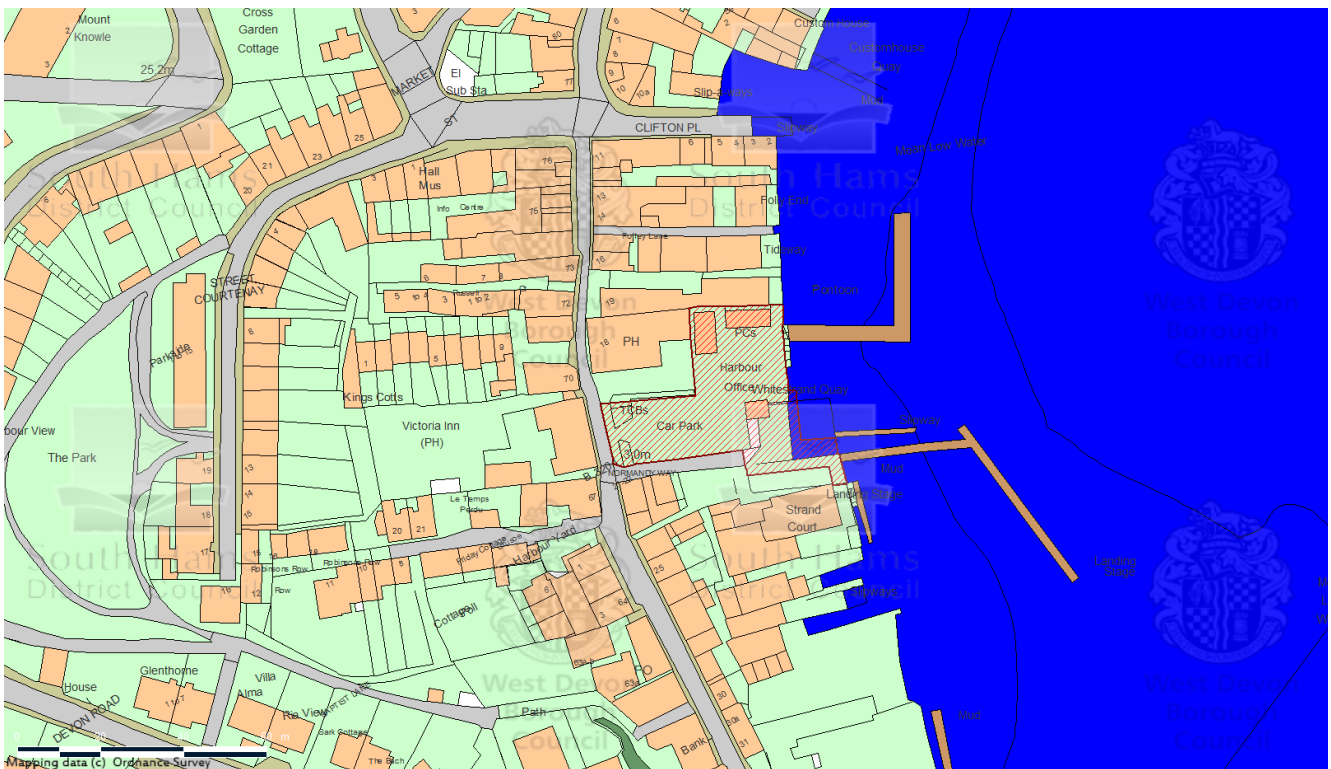
Agent/Applicant:

SHDC
Follaton House
Plymouth Road
Totnes
Devon
TQ9 5NE

Site Address: Land Adjacent To Whitestrand Car Park, Fore Street, Salcombe, Devon, TQ8 8BU

Development: Construction of a new suspended deck structure over the existing slipway, remedial works to the adjacent quayside frontage and car park and removal of a small section of rear wall located in front of the showers.

Reason item is being put before Committee: This application is being put before Committee has it has been submitted by SHDC and relates to land within its ownership



Recommendation: The Statutory Consultation period for this application expires the day after the July DM Committee. The recommendation is for delegated authority to the Community of Practice Lead Officer – Development Management for approval subject to the conditions as set out below following the expiry of the public consultation period providing no further representations are received that raise additional issues. If any further representations that raise additional issues are received the application will be brought back to DM Committee at a later date for consideration.

Conditions

1. Time limit
2. Accord with plans
3. Construction Environmental Management Plan (incorporating comments of Estuaries Officer and Natural England)
4. Floor Notice
5. Flood Warning and Evacuation

Informative regarding potential need for Marine License

Key issues for consideration:

Principle, design, heritage, flood risk, ecology, highways, amenity.

Site Description:

Whitstrand Car Park is situated within the centre of Salcombe, directly facing onto the waterfront. Access is taken from Fore Street. The car park site also includes the Harbour Office and Public Conveniences, which are found on the northern edge of the site.

The site is located within the Salcombe Development Boundary, Conservation Area and the South Devon AONB. There are a number of listed buildings within the vicinity of the site (notably the Public Houses to the north and directly opposite the car park entrance and the property immediately behind the Public Conveniences which are all listed at Grade II), but there are no listed structures within the application site (or within land immediately adjoining within the Council's ownership). The eastern edge of the application site also lies within the SSSI.

The Proposal:

Permission is sought for various works which are intended to help facilitate improvements to the public realm in the immediate locality. Some elements of the proposals could be carried out without planning permission by virtue of the Council's own permitted development entitlements (as detailed in Part 12 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), 'Development by local authorities'), however for completeness the full scope of works has been included within the application submission. The development includes:

- Construction of a new suspended deck structure above the existing slipway. The application seeks consent for the use of this area for purposes within Use Classes A1 (Retail), A3 (Restaurants and Cafes) and A5 (Hot Food Takeaway) of the Use Class Order. The benches which currently sit in front of the area of the proposed deck would be removed.
- Removal of the existing seating to the north of the War Memorial, levels to be tied in with the adjacent quay and new seating provided.
- A new stainless steel handrail would be installed along the front adjacent to the new seating area and around the new deck.
- Removal of an existing wall section adjacent to the Public Conveniences, and a new glass balustrade to be installed.

- The above works would result in the loss of 2 public parking spaces and 1 disabled parking space. There are currently 2 disabled parking spaces on the edge of the quay, and one of these would be relocated closer to the car park entrance.

Consultations:

- County Highways Authority – No highway related issues
- Environmental Health Section – Comments awaited
- Environment Agency – Comments awaited
- Natural England – Comments awaited
- Salcombe Harbour Authority – Support
- Estuaries Officer – Comments awaited
- Salcombe Town Council – Comments awaited

Any consultation responses received after the Agenda is finalised will be reported verbally at the Committee meeting.

Representations:

One letter of objection has been received, with concerns raised summarised as follows: Ruin the local area and remove views.

A query regarding how A1/A3/A5 uses would operate, with objection to takeaway use on the grounds of seagull problems and litter.

Any representations received after the Agenda is finalised will be reported verbally at the Committee meeting.

Relevant Planning History

None directly relevant to current proposals.

ANALYSIS

Principle of Development/Sustainability:

The principle of alterations/improvements to the public realm raises no objection in planning policy terms. The proposed A1/A3/A5 use of the deck area raises no objection in principle given the town centre location. Any operational development associated with these uses would need to be made the subject of a further application (if not covered by the Council's permitted development rights).

Design/Street Scene/Landscape:

The proposed development does not raise any design objections. The final details of the new seating area have not been included as part of this application. As public seating falls within the parameters of Part 12 of the GPDO (as referred to above), it is not considered reasonably necessary to condition the final details. Having regard to the current appearance of the site it is considered that the proposals would not result in substantive harm to the street scene.

Objection has been raised by a third party regarding the impact of the proposals on the appearance of the area and loss of views. Officers consider the development would not harm the appearance of the area. Arguably the new deck area could result in some loss of views as it would introduce activity into this space, but it is considered this would not result in a significant loss of a public view such that the application could be refused on this basis.

Heritage:

The application is accompanied by a Heritage Statement, which details the historic use of the slipway during WWII. Whilst there are no listed structures within the application site the slipway is of some local historical interest. Part of the slipway has already been built over to create the existing quay and car park area, and the impact of the proposed deck is considered acceptable in this context. Having regard to the context of the existing site and the scale and nature of development proposed, it is considered the character and appearance of the Salcombe Conservation Area would be preserved. In addition, the development would not result in harm to the setting of any nearby listed buildings.

Flood Risk:

The site is located within Flood Zones 2 and 3. It is considered the only real aspect of the application of potential concern in terms of flood risk is the new deck. A consultation response from the Environment Agency is awaited.

Ecology:

As noted above part of the site area, including a section of the proposed deck area, falls within the SSSI. The scale of operational development proposed in this area would be fairly limited (essentially comprising piling for the support posts for the deck). Consultation responses from Natural England and the Estuaries Officer are awaited.

Neighbour Amenity:

The proposed A3/A5 use of the deck has the potential to raise residential amenity issues, but given the size and location of the deck it is not considered a substantive planning policy objection can be sustained. Such uses would need to secure additional licensing from the Council's Environmental Health team.

Highways/Access:

Devon County Highways have not offered any specific comments. As noted above the proposal would result in some loss of public car parking, but on balance it is considered the impact of this would not be sufficiently harmful to justify refusal of the application in this case.

Other Matters:

The application has been advertised as adjoining/affecting a Public Right of Way. The PROW runs through the application site from the public highway to the quayside, and would not be obstructed/diverted as part of the current proposals.

The Planning Balance:

The proposals seek to improve the public enjoyment of the site, and having regard the consultations/representations received to date there are no planning policy reasons why the application should be refused (bearing in mind that parts of the development could be carried out without planning permission). Officers are therefore seeking authority to conditionally approve the application subject to

no further objections being received (which would result in the application being put to DM Committee again at a later date).

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment
CS10 Nature Conservation
CS11 Climate Change

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP5 Conservation and Wildlife
DP6 Historic Environment
DP7 Transport, Access & Parking

South Hams Local Plan

SHDC 1 Development Boundaries

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

This page is intentionally left blank

REPORT OF THE SITE INSPECTION GROUP HELD ON MONDAY, 25 JULY 2016

(a) **1527/16/FUL** Construction of a new suspended deck structure over the existing slipway, remedial works to the adjacent quayside frontage and car park and removal of a small section of rear wall located in front of the showers. Use of new decking for A1 (retail), A3 (Restaurants and Cafes) and A5 (hot food takeaway) uses – land adjacent to Whitestrand Car Park, Fore Street, Salcombe TQ8 8BU

Present: Cllr I Bramble
Cllr J Brazil
Cllr P K Cuthbert
Cllr R J Foss (Vice-Chairman)
Cllr T R Holway
Cllr J A Pearce
Cllr R Rowe
Cllr R C Steer (Chairman)

Also in attendance:

Mike Fice – Salcombe Town Council
Dan Field – Representing the applicant
Wendy Ormsby – Senior Specialist – Development
Management
Claire Stewart – Planning Case Officer
Darryl White – Senior Specialist – Democratic Services
Cllr Simon Wright – local Ward Member

The Chairman began the site inspection with introductions and proceeded to invite the Planning Case Officer to set out the detail of the application.

In so doing, the Case Officer confirmed that the application was now solely for the suspended deck structure and the usage aspects of the proposals had been removed from the application.

The Group then walked the application site and viewed it from a number of different vantage points. In reply to a question, the Group was advised that there were no listed structures within the application site.

In particular, Members noted that the proposals would result in the loss of three car parking spaces, including one allocated for disabled drivers. However, it was also noted that the disabled parking space would be relocated closer to the entrance of the car park.

The Chairman then concluded the site inspection and advised that the application would be re-presented to the next meeting of the DM Committee on 3 August 2016 for determination.

This page is intentionally left blank

PLANNING APPLICATION REPORT

Case Officer: Clare Stewart

Parish: Dartmouth **Ward:** Dartmouth and East Dart

Application No: 0004/16/FUL

Agent:

BBH Architects (Dartmouth) Ltd
9 Duke Street
Dartmouth
TQ6 9PY

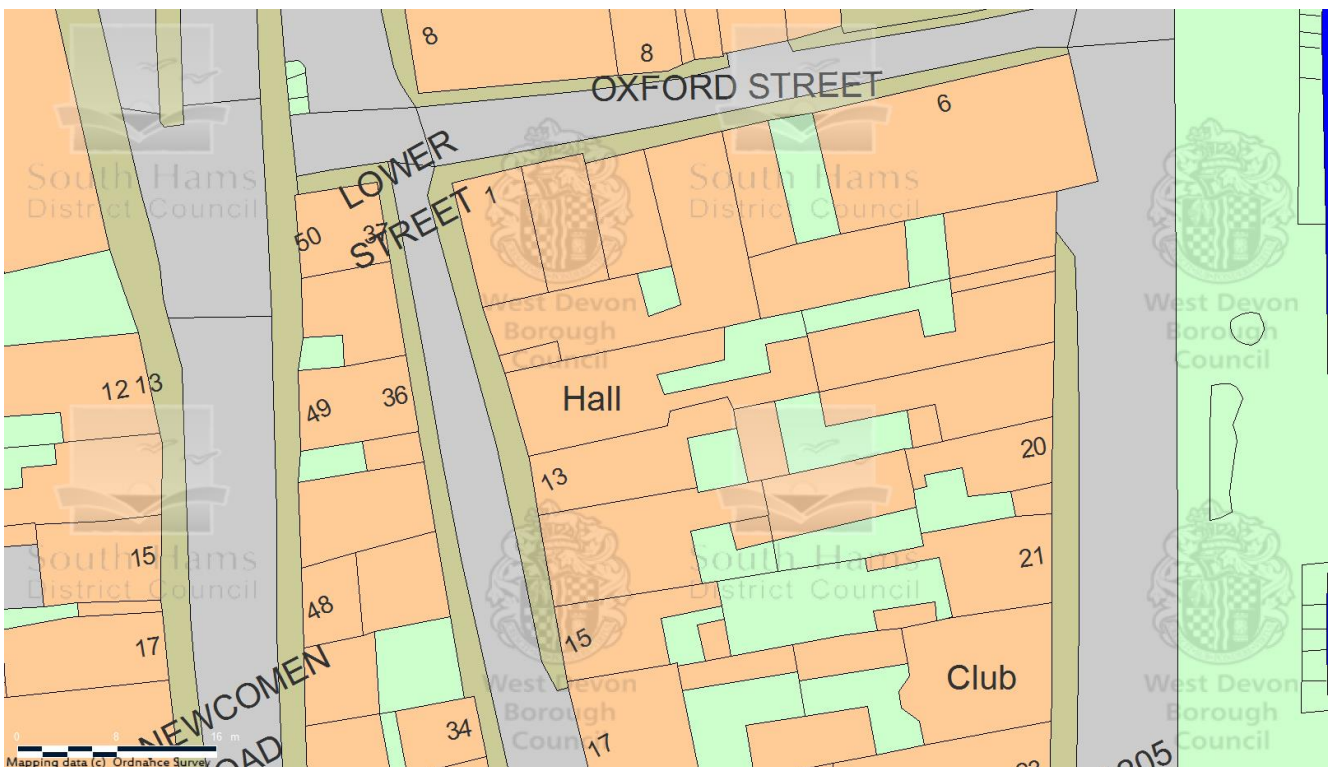
Applicant:

Lilifred Estates Office
Estates Office
23 Southernhay East
Exeter
EX1 1QL

Site Address: 11 Lower Street, Dartmouth, Devon, TQ6 9AN

Development: Proposed change of use and alterations to ground floor to create garaging, parking and ancillary storage

Reason item is being put before Committee: This application is brought by the Ward Members due to concerns regarding the loss of a retail unit in a town centre location.



Recommendation: Conditional approval

Conditions

1. Time limit
2. Accord with plans
3. New doors to be retained in timber

Key issues for consideration:

Loss of retail, design, highways safety, flood risk, heritage.

Site Description:

The site is situated within the centre of Dartmouth, on the eastern side of Lower Street and a short distance to the south of Oxford Street. A three storey structure sits on the site, with a retail unit on the ground floor (not currently occupied) and yard area behind with residential units above.

The site is located within the Dartmouth Conservation Area with a number of listed buildings in the vicinity. The site is also within the Central Shopping Area (which extends along both sides of Lower Street), Flood Zones 2 and 3 and the South Devon AONB.

The Proposal:

Permission is sought to convert the existing retail unit into a parking area which would extend into the existing yard to the rear. Five parking spaces are identified on the submitted plans, along with a small bin storage area to serve the existing residential units. The Agent has confirmed that the parking spaces would be rented out to anyone with a need for parking in Dartmouth, and would not be tied to the existing residential units. Existing doors and windows facing Lower Street would be blocked up with a new garage door installed, with an enlarged pedestrian door to serve the existing upper level residential units.

A revised plan showing a slightly wider garage door was submitted during the life of the application on the request of Devon County Highways.

Consultations:

- County Highways Authority – *“Noting the frequency of the ferry and amount of traffic that uses it I would still have the view that the application should not be refused on highway grounds. I note the garage door is wider and am happy with that also.”*
- Environment Agency – No comments received
- Dartmouth Town Council – *“Recommend Refusal on the grounds of loss of retail space, loss of an historic building affecting the street scene and highways concerns with cars reversing out into the ferry traffic across heavily used pedestrian pavements”*

Representations:

11 letters of objection have been received, with concerns raised summarised as follows:

- Important retail hall space, affordable option for independent traders
- Viable retail unit, would still be let if the tenant had not been told to leave
- Loss of retail space would contradict efforts of the Dartmouth BID
- Hall is historic, damage to its character, should be accessible

- Intrusion on character of street scene, other building facades already destroyed by garage conversions
- Existing garages in street used as workshops, unsightly and do not encourage spending
- Loss of employment
- Would exacerbate traffic movement issues in this area and disrupt pedestrian flow on important tourist walking route to Bayards Cove
- Safety of pedestrians
- Cars would have to be moved onto Lower Street in order to allow vehicles at the back of the parking area to exit, impact on traffic congestion along with vehicles from Lower Ferry.
- Parking spaces would be lost to accommodate one essentially private garage that is likely to have only seasonal use
- Width of street and pavement, would make access difficult when on-street parking also occupied
- Harm to amenities of neighbouring properties from noise and pollution arising from parking area

Relevant Planning History

None identified.

ANALYSIS

Principle of Development/Sustainability:

The loss of retail space has been raised as a concern by a number of third party objectors. Saved Policy SHDC2 of the 1996 Local Plan makes provision for changes of use to non-shopping uses where the shopping character of the street would not be undermined. In this particular case the existing premises doesn't actually have a shop front (previously the existing doors were left open when the shop was open), and there are still a significant number of other retail units in the locality. There is no evidence available to suggest that the loss of this one retail unit would deter shoppers from coming to Dartmouth. National guidance on retail planning is mostly focused on plan making (with emphasis on the preparation of town centre strategies), and the determination of applications for new retail development.

Having regard to the above it is considered there is no planning policy basis for refusal of the application on the grounds of the loss of the retail unit. The introduction of additional parking provision within a town centre raises no in principle policy objection. Due regard must still be had to other material planning matters as detailed below.

Design/Conservation/Landscape:

The proposal is considered acceptable in design terms, and would not significantly physically detract from the appearance of the locality. If the application is approved a condition is recommended to ensure the new doors are retained in timber given the location of the site within the Dartmouth Conservation Area.

Whilst letters of representation have made reference to the historic interest of the existing building it is not actually listed. The physical alterations to the exterior of the building would be relatively minor, and on balance it is considered the character of the Conservation Area would be preserved. The nature of the development would not result in harm to the setting of any listed buildings in the locality.

The scale of development proposed would have a significant impact on the AONB.

Flood Risk:

As the site area in question is already hard surfaced and the proposal would not introduce a more sensitive end use (such as primary living accommodation) it is considered there is no objection to the proposal on flood risk grounds.

Neighbour Amenity:

Concern has been expressed by third parties regarding the impact of the proposed parking area on the amenities of neighbouring properties. Whilst the introduction of the parking area would clearly have some impact in terms of noise and other potential disturbance, on balance it is not considered this would be so significant to warrant refusal of the application.

Highways/Access:

On receipt of a revised plan showing a slightly wider garage door, Devon County Highways have not objected to this application. As detailed above, a number of third parties have raised concerns about the impact of this proposal on traffic flows along Lower Street with particular reference to the fact that Lower Street is used by vehicles exiting the Lower Ferry and also well used by pedestrians (being on one of the main tourist routes through Dartmouth). Whilst Officers understand and appreciate these concerns, in the absence of an objection from the County Highways Authority it is considered that a reason for refusal on this issue could not be justified or sustained at an appeal.

The Planning Balance:

Whilst concerns regarding the loss of the existing retail unit are acknowledged, it is not considered there is sufficient planning policy grounds to refuse the application on this basis. Subject to a condition to ensure the retention of the new doors in timber, the proposal is considered acceptable in design terms with the character of the Conservation Area being preserved. The development would not result in harm to the setting of any listed buildings, and would not result in substantive harm to residential amenity. In the absence of an objection from Devon County Highways it is considered refusal on highways grounds could not be sustained. On this basis the application is recommended for approval subject to conditions as detailed above.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

National Planning Policy Framework/Practice Guidance

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

DP6 Historic Environment

DP7 Transport, Access & Parking

South Hams Local Plan

SHDC 1 Development Boundaries

SHDC 23 Shopping in Towns

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

This page is intentionally left blank

PLANNING APPLICATION REPORT

Case Officer: Wendy Ormsby

Parish: Salcombe **Ward:** Salcombe and Thurlestone

Application No: 1307/16/FUL

Agent:

Mr Phillip Pawsey
10 Moor Farm
East Portlemouth
Salcombe
TQ8 8PW

Applicant:

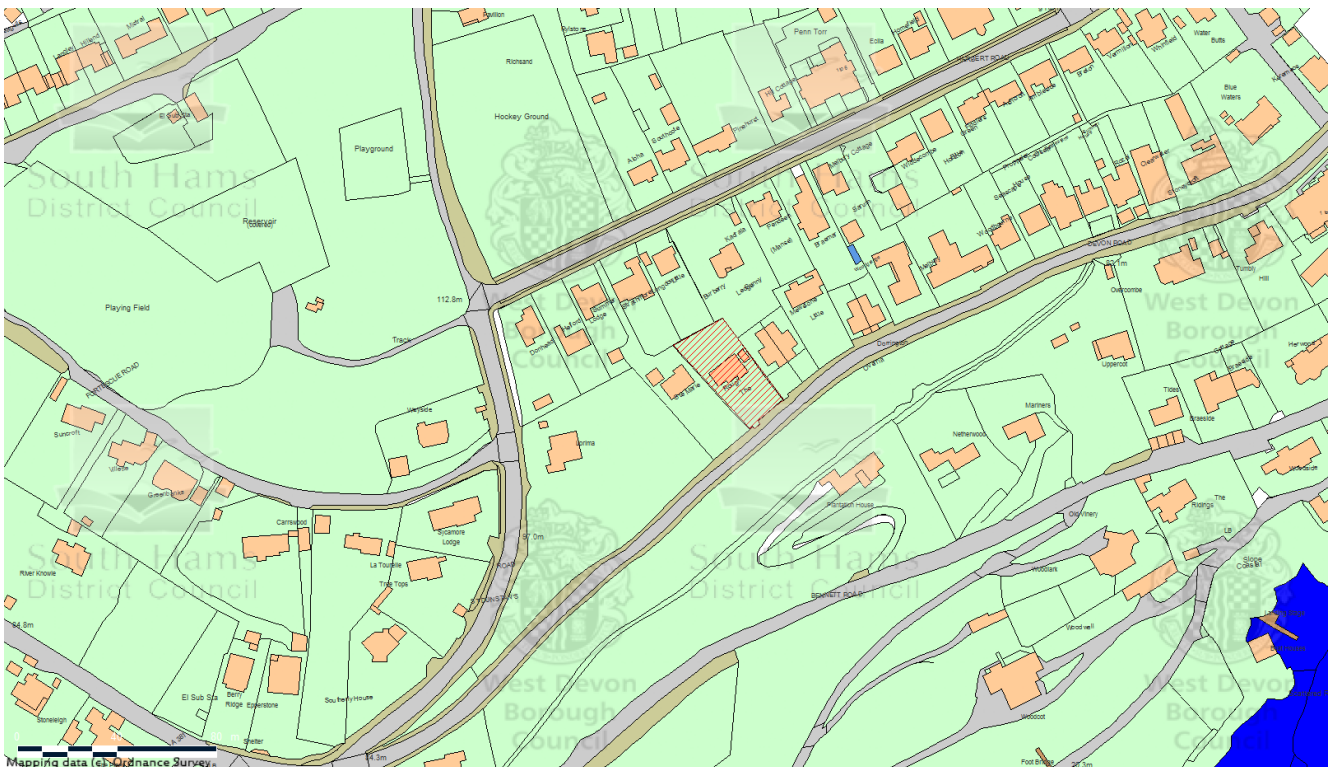
Mr & Mrs Richard Tudor
46 Park Avenue North
Harpenden
Hertfordshire
AL5 2ED

Site Address: The Rough, Devon Road, Salcombe, TQ8 8HJ

Development: Resubmission of application number 0116/16/FUL being the demolition of an existing house and the building of a new dwelling and associated works

Reason item is being put before Committee: Both Ward Members have requested this be considered at Committee for reasons including the following:

- Impact on neighbouring amenity
- Impact on the street scene
- Impact on the AONB



Recommendation: Conditional Approval

Conditions

1. Time
2. Accords with plans
3. Details of materials to be agreed
4. Natural roof slates to be used
5. Sample of stone to be approved including stone panel
6. Details of hard and soft landscaping to be agreed including boundary treatment
7. Details of drainage to be agreed
8. Recommendations of Ecology Report to be adhered to.
9. Windows indicated as obscure to be retained as such
10. Louvres on north east elevation to be angled to prevent overlooking of neighbour and to be retained
11. Permitted Development rights removed – extensions, roof alterations.
12. 1.8m privacy screen to be provided on north east end of first floor balcony

Key issues for consideration:

Impact on neighbours, impact on the street scene and the AONB.

Site Description:

The Rough is a vacant house sited towards the western end of Devon Road in Salcombe. The eastern end of Devon Road is included within the Conservation Area and is notable for its substantial Victorian dwellings set in spacious plots. As Devon Road continues westward and upwards the character of the road changes; many of the plots on the central, north side of the road have been redeveloped or modernised and the development density is much higher. There are a number of 3 storey dwellings set above a parking areas in this part of the road, therefore presenting the scale of a 4 storey property.

As you continue further west, upwards and away from the heart of the town the development density drops again; architectural styles are very varied including some modern redevelopments. The north side of Devon Road is elevated as the land drops down, north south, towards to estuary. The majority of the dwellings at the western end of Devon Road are elevated above the road and set well back from the road, older properties, including The Rough have no vehicular access. Due to the houses being set well back in their plots the character of this part of the road is green and leafy. The southern side of Devon road at this western end is not developed due to the steep gradient of the land and the road is tree lined but offering some views through across the estuary.

The Rough is a two storey dwelling of no particular architectural merit set back from the road and elevated from the road. Access is via a steep set of steps leading up from Devon Road. Part of the rear (north) garden of The Rough has recently been separated from the plot and now forms part of the gardens to the neighbour, Ste Marie, to the south west. Until recently the front garden of The Rough was heavily vegetated, much of the land has recently been cleared.

To the south west of the site is the property Ste Marie which is set well behind the building line of The Rough, to the north east are a pair of modern semi-detached houses, Burberry (the closest to The Rough) and Sunny Ledge. These are a pair of three storey houses with parking at the lower level. This modern development has been set at a lower level than the majority of dwellings in the area. Further east is Little Mewstone, an elevated, substantial dwelling set above and back from two levels of retaining walls which have allowed a garage and parking are to be provided below the house at road level.

Until recently the boundary between The Rough and Burberry was defined by dense, tall vegetation including trees. The owners of Burberry have recently cut a lot of this back including the felling of a

large tree that was located between the properties on Burberry's north west boundary. Despite this pruning there remains a substantial vegetative screen between the two sites.

The site is located within the development boundary of Salcombe and is within the South Devon Area of Outstanding Natural Beauty.

The Proposal:

It is proposed to demolish The Rough and to replace it with a much larger dwelling which will include the provision of access and garaging at road level. Whilst the principal accommodation will be provided within the 2 storey element of the house located towards the rear of the site it is proposed to use the space above the garage as additional rooms and to incorporate a lift shaft onto the front of the building. This gives the appearance of a four storey building, particularly when viewed as a 2D drawing. The main part of the house (upper 2 levels) however will be set back from the front of the garage (lower 2 levels) by approx. 9m, the lift shaft extends only to the 3rd level.

This application follows an earlier submission which was withdrawn in an attempt to respond to objections that had been raised; these alterations have resulted in a smaller and lower building. The scheme has been amended again during this submission, the alterations being the introduction of obscure glazing into a number of the north east facing windows and the materials have been changed in an attempt to reduce the vertical emphasis of the front elevation.

The development proposes a 5/6 bedroom house with one main living/kitchen area, double garage, conservatory and games room; it is a large house but is not as big internally as it may seem due to the changes in levels within the site. There will be outdoor terraces at first floor level to the south and west of the building. A balcony is proposed at second floor level, above the lift shaft.

Whilst contemporary in design the development does not follow the current trend of large glazed gables but includes a more traditional roof shape. The palette of materials includes natural slate, natural stone, timber cladding and painted render.

Consultations:

- County Highways Authority – standing advice
- Environmental Health Section - to be updated at Committee
- Town/Parish Council – objects for reasons including the following:
 - Overbearing impact on neighbours
 - Major impact on AONB, site is visible from the estuary
 - Major impact on street scene
 - Will dwarf neighbouring properties
 - Overlooking
 - Loss of light

Representations:

7 letters of objection have been received. The letters can be viewed in full on the Council's website. The reasons for objection are summarised and include the following:

- Overbearing impact
- Obtrusive
- Adverse impact on street scene
- Adverse impact on AONB
- Out of character with the area

- Overbearing lift shaft structure
- Appears as a 5 storey building
- Huge increase in size – 3 x size of previous
- Loss of privacy
- Loss of light – shadowing
- Loss of holiday letting revenue (construction and after development)
- Overdevelopment
- Loss of gardens
- Has Natural England been consulted?
- Plans lack information
- No privacy screen on front balcony
- Should not exceed original footprint.
- Planting will not screen neighbour
- Right to light breached

Relevant Planning History

41/0121/15/F

Householder application for garden landscaping to include a new access and garage along with associated works

The Rough Devon Road Salcombe TQ8 8HJ

Conditional approval: 04 Mar 15

0116/16/FUL

Demolition of existing house and building of new dwelling and associated works.

The Rough, Devon Road, Salcombe TQ8 8HJ

Withdrawn

ANALYSIS

Principle of Development/Sustainability:

The site is within the development boundary of Salcombe where the principal of residential development is acceptable subject to all other material planning considerations.

Design/Landscape:

The character of Devon Road has been described above (site description). This western end of Devon Road includes a number of properties such as the Rough that still maintain their elevated front gardens and have no vehicular access. Where vehicular access has been provided elsewhere on Devon Road this has often required significant excavation and the construction of large retaining walls which makes a significant change to the character of the area and the street scene.

In 2015 planning permission (41/0121/15/F) was granted at The Rough for the provision of a vehicular access from Devon Road and the construction of a triple garage, set into the hillside with a large retaining wall above. Viewed from a distance, with the 2 storey house above, this will appear as four levels of built development on the site. The principal of significantly increasing the built up appearance of the site and loss of garden has therefore already been accepted on the site.

The principal of development at street level has also been accepted at the adjoining dwellings of Burberry, Sunny Ledge and Little Mewstone. Officers consider that it is this loss of garden and introduction of built form at street level that most impacts on the character of the area and street scene and this principal is already accepted.

The principal of 3 and 4 storey dwellings is also well established within Devon Road.

The 2D drawings do give an impression of a tall, imposing building but the majority of the main part of the house (upper 2 levels) is set some 9m back from the garage with rooms above (lower 2 levels), this articulation will significantly reduce the impact and dominance of the building. The lift shaft is a prominent feature but the use of two material types reduces its vertical emphasis. Again the 2D drawings can give the impression that the lift shaft continues straight up to the top of the building but it terminates at first floor level; the conservatory set above the lift shaft is set back with a glazed balcony in front.

The tallest part of the building on the north east elevation is in line with the front building line of the neighbour Burberry, the lift shaft does project forward of this building line by 2m, but having regard to the position of the building relative to the road this will not be unduly prominent in the street scene. The remaining forward elements (Levels 1 and 2) are much lower and due to the topography will only be visible head on.

The upper 2 stories of the house will be visible when approaching the site from the west and east but will not appear out of place or out of character with the area; existing vegetation and proposed vegetation screens and softens views of the site.

Distant views of the site are possible from the estuary which is within the AONB. However due to the setback between the upper and lower parts of the dwelling and the use of different materials the development will not read as a solid, single built form and will not be unduly prominent in the landscape.

The development proposes to use a palette of materials that, with the exception of the timber cladding, fit with the local vernacular and will help the building to assimilate into its surroundings.

It is considered that the design of the dwelling is acceptable and there will be no significant, adverse impact on the street scene, the character of the area or on the AONB.

Neighbour Amenity:

Immediate neighbours have raised strong concerns about impact on their residential amenity with particular reference to overbearance, loss of privacy and loss of light.

Overbearance

The dwelling most likely to be affected by this development is Burberry, located on the north east boundary. Whilst the proposed new dwelling will be significantly deeper than the existing dwelling it will project only 2m forward of the front building line of Burberry (excluding the lower garage levels which will not impact on Burberry) and approx. 3m beyond the rear building line of Burberry. The new development will be set between 2.8m and 3.4m from the common boundary.

Burberry has no windows in its central side facing gable element but does have windows in the rear element of the side elevation and a rear outdoor terrace. The impact of the development on the aspect of these windows and the amenity area has been considered, it is concluded that the impact will be acceptable having regard to the existing relationship between the two sites.

The forward projection of the new dwelling will not have an unduly overbearing impact.

The impact on the neighbour to the east is also considered to be acceptable.

Loss of light

There will be no significant impact with regard to loss of light to front facing windows and the front terraces of adjoining properties and the very pleasant outlook over the estuary from these properties will remain.

Due to the level of Burberry and Sunny Ledge relative to the existing height of The Rough and due to the presence of boundary vegetation, Burberry and Sunny Ledge already receive shadow towards the end of the day when the sun is in the west. Whilst the proposed dwelling will be some 1.3m higher than the existing property and will project some 3m further back into the site it is not considered that the loss of sunlight to neighbours will be increased to a level that would justify the refusal of planning permission.

The legal 'Right to Light' issue raised by one of the neighbours is a civil matter and not a material planning consideration.

Overlooking/loss of privacy

The majority of the windows in the north east elevation that face Burberry will either be obscure glazed or screened with forward viewing louvres. The first floor kitchen windows will remain clear glazed but these look across to the blank gable of Burberry. The 2 windows to the guest bedroom on the second floor will also remain clear glazed, these also face the blank gable.

It is proposed that a condition be applied requiring a privacy screen at the north east end of the second floor balcony.

There is one side facing bedroom window which will overlook the front garden of St Marie, this has been reduced in size from the withdrawn scheme and the impact is considered to be acceptable.

The rear elevation has a number of windows that will overlook the garden which is now in the ownership of Ste Marie; it would be unreasonable for the new owners of what was the garden of The Rough to expect privacy in this area.

There will not be an unacceptable level of overlooking as a result of this development.

Highways/Access:

The principal of providing a new vehicular access into this site has already been accepted. Adequate on-site parking and turning is available.

Other matters raised by third parties:

Loss of private letting income as a consequence of this development is not a material planning consideration.

Natural England have not been consulted regarding this application as there is no statutory or requirement for this.

Concerns have been raised regarding the adequacy of the information within the plans. Officers believe sufficient information has been provided to allow the development to be fully and properly assessed.

Conclusion

This application has been considered with particular reference to Policies DP3 (Residential Amenity), DP1 (High Quality Design) and DP2 (Landscape Character) of the South Hams Local Development

Framework and for reasons set out in this report is considered to be in accordance with these policies; as such Conditional Approval of this application is recommended.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

NPPF

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

CS10 Nature Conservation

CS11 Climate Change

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

DP4 Sustainable Construction

DP5 Conservation and Wildlife

DP7 Transport, Access & Parking

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

This page is intentionally left blank

REPORT OF THE SITE INSPECTION GROUP HELD ON MONDAY, 25 JULY 2016

(b) 1307/16/FUL Resubmission of application number 0116/16/FUL being the demolition of an existing house and the building of a new dwelling and associated works – The Rough, Devon Road, Salcombe TQ8 8HJ

Present: Cllr I Bramble
Cllr J Brazil
Cllr P K Cuthbert
Cllr R J Foss (Vice-Chairman)
Cllr J M Hodgson
Cllr T R Holway
Cllr J A Pearce
Cllr R Rowe
Cllr R C Steer (Chairman)

Also in attendance:

Cllr Mike Fice – Salcombe Town Council
Wendy Ormsby – Senior Specialist – Development Management
Alex Whish – Specialist - Assets
Darryl White – Senior Specialist – Democratic Services
Cllr Simon Wright – local Ward Member
Agents and neighbouring residents

The Chairman began the site inspection with introductions and proceeded to invite the Planning Case Officer to set out the detail of the application.

In so doing, and with the aid of photographs and elevation plans, the Case Officer made specific reference to the ridge and eaves heights and the proposed side elevation dimensions of the application.

The Group proceeded to walk the application site and the dimensions were pegged out to enable Members to visualise both the scale of the proposals and the impact on the neighbouring properties (most notably 'Burberry', which was the closest property to the application site).

The Assets Specialist was invited to comment on the planting proposals for the boundary between the application site and 'Burberry' and confirmed his view that there was no guarantee that the proposed re-planting would be as successful as had been illustrated in the photo montages produced by the agents. A number of additional questions ensued as to whether the proposed re-planting would mitigate the impact of the application. As a consequence, it was agreed that the Planning Case Officer would establish whether the existing boundary could be retained in its current format during construction works and report back on this matter to the Committee meeting on 3 August 2016.

Having been invited to respond to a question by the Chairman, the agents advised that the reason for the positioning of the proposed new dwelling was to maximise the light received by the property.

In light of a further request, the agents illustrated (with the aid of a measuring rule) the height to the floor of the proposed balcony at the front of the dwelling.

The Planning Case Officer also confirmed that she would advise the Committee at its meeting on 3 August 2016 in respect of the footprint of the proposed new dwelling.

The Group then viewed the proposals from 'Burberry' and walked along Devon Road to put the site into context within the local street scene. In particular, Members recognised that the properties all tended to be on the same building line within the street scene.

The Chairman then concluded the site inspection and advised that the application would be re-presented to the next meeting of the DM Committee on 3 August 2016 for determination.

PLANNING APPLICATION REPORT

Case Officer: Charlotte Howrihane **Parish:** Yealmpton **Ward:** Newton and Yealmpton

Application No: 0890/16/HHO

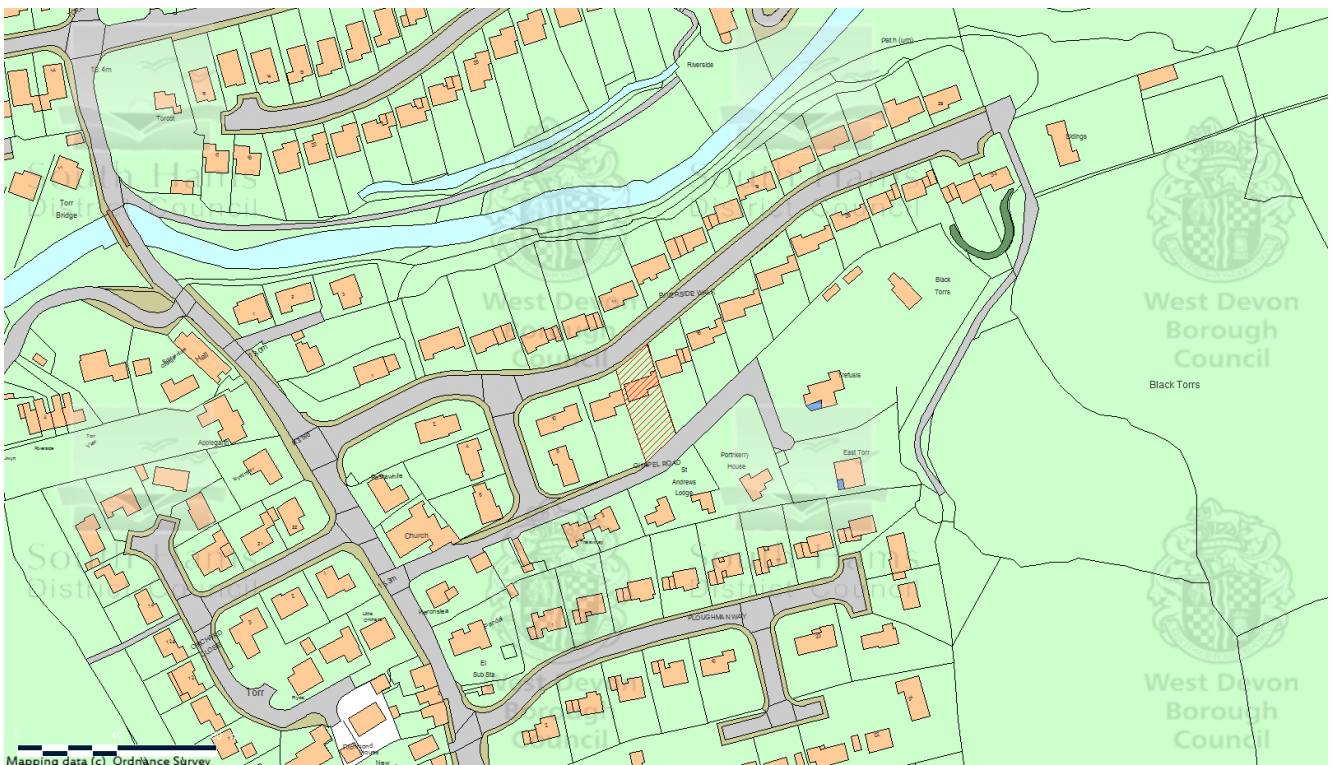
Applicant:

Mrs Sarah Lock
14 Riverside Walk
Yealmpton
Plymouth, Devon
PL8 2LU

Site Address: 14 Riverside Walk, Yealmpton, Devon, PL8 2LU

Development: Householder application for a first floor extension to comprise of master bedroom and ensuite

Reason that application is before the committee: The application has been brought to the Committee by Cllr Baldry, due the impact on the neighbouring property, no.16 Riverside Walk.



Recommendation: Conditional approval

Conditions:

1. Standard time limit
2. Accord with plans
3. Materials to match existing
4. No windows to side elevation

Key issues for consideration:

Design, neighbour impact, AONB

Site Description:

The application site is on the southern side of Riverside Walk, a cul-de-sac in Yealmpton, with large two-storey houses. The property in question, no.14, is mostly two-storey, with a flat-roof single-storey element and integrated garage to the eastern elevation. The property is a mix of block, red brick and render, with UPVC windows. The houses along this road are in a staggered formation, so that the property is set slightly behind the neighbour to the east (no.16) and slightly in front of the neighbour to the west (no.12).

The site is within the Yealmpton Development Boundary, and part of the South Devon Area of Outstanding Natural Beauty (AONB)

The Proposal:

This application seeks to extend the property at first floor level, over the existing flat-roof single-storey part of the property (including the garage). The extension would have a pitched-roof to match the main house, with a ridge height approximately 0.5m lower than the existing roof. It would have a depth of approximately 4.5m (half the depth of the house) and be 5.5m wide, with windows to the front and rear elevations. It is proposed to use materials which match the main dwellinghouse.

Consultations:

- County Highways Authority- no objection
- Parish Council- no comments to make

Representations:

Two letters of objection have been received, along with two letters of support. The reasons for objection can be summarised as follows:

- The extension would impact on the residential amenity of no.16, as the evening sunlight into the garden would be blocked, as well as affecting the light to two windows (ground floor and first floor) to the side elevation due to the proximity of the extension to the boundary.
- No measurements have been given on the plans
- Other extensions in the road have not been so big
- No.14 has carried out various works (extensions, fences, outbuildings) in recent years
- The plans do not accurately represent the layout of the house

- Plastic cladding should not be allowed
- No precedent has been set for this type of extension
- Internal alterations have breached building regulations

The two supporting letters both state that the proposal is a sympathetic extension, and may encourage others to approve their properties, or attract people to the area.

Relevant Planning History

- 62/1286/14/F- Retrospective householder application for a single-storey rear extension- conditional approval

ANALYSIS

Principle of Development/Sustainability:

The site is within the Yealmpton Development Boundary, and so the principle of residential extensions is acceptable.

Design/Landscape:

The design replicates the main house, on a smaller scale. The lower ridge height and shorter depth means that the extension would clearly be a subordinate addition to the property. The matching materials proposed would allow the extension to blend well with the existing property and surrounding landscape, as the dwellings along Riverside Walk are of a fairly uniform construction. Similar work has been carried out at other properties and so there would be no harmful impact on the street scene. The site is within the AONB, and Officers have a duty to ensure that this designated area is conserved and enhanced; given the urban nature of the site and its surroundings, and the small scale of the proposal, it is judged that there would be no harm to the wider setting of the AONB.

Neighbour Amenity:

The proposed extension would have no impact on the neighbour to the west (no.12), as it is proposed to be built to the eastern side. With regard to the affected neighbour, no.16, the application site is set back from the neighbour (front elevation is roughly 4m further south than the front elevation of no.16). The plots at Riverside Walk are large but quite narrow, and so the dwellings are relatively close to the neighbouring boundaries.

It has been suggested that the extension is too large and overbearing. Riverside Walk is characterised as an open plan nature with large detached dwellings positioned on generous plots, with large, dominating elevations. The addition of the extension is considered to be of a reasonable scale given the context of the site, and would not be significantly more dominating than the existing side extension.

Concern has been raised by the neighbour that the proximity of the extension would prevent sunlight from entering their rear garden in the evening, as it currently does, as well as blocking light to a bedroom and lounge window.

Having visited the application site and the neighbouring dwelling, Officers acknowledge that the extension would be on the boundary wall and it would have some impact on no.16,

however it is not considered that the loss of light would be at an unacceptable level; although direct sunshine may not come into the garden as much it does at present, there would still be natural light. Officers are satisfied that the garden space would still be able to be used and enjoyed by the neighbours. With regard to the loss of light inside the house, Officers do not consider that the proposed extension would have any more of a significant impact on the light to these rooms than the large trees to the rear of the garden currently do. No windows are proposed to the side elevation of the extension, and so there would be limited overlooking issues which would cause demonstrable harm to residential amenity. A condition would restrict the insertion of windows without LPA approval in the future, as it is felt that any windows to the side would directly look into the neighbouring garden and impact upon the privacy of these residents.

On balance, it is therefore considered that whilst there would be an impact to the neighbour, this would not be so unacceptable as to have a harmful effect on neighbour amenity as outlined in policy DP3, and does not warrant a refusal of the application.

Other Matters:

Some of the reasons for objections have been addressed earlier in the report, but several have not yet been addressed;

- No measurements given on the plans: the plans are clearly marked at 1:100 scale, and the proposal can be measured accordingly.
- Other extensions have not been so big in the area: Each application must be considered on its own merits, and Officers are satisfied that the proposal is of an acceptable scale.
- The owners of no.14 have carried out various building works in the last few years: Officers can only consider the proposed extension as submitted. Outbuildings and fences can be constructed under permitted development and should have no bearing on the consideration of this scheme. An existing single-storey extension was granted planning permission in 2014.
- The plans do not represent the house layout: The site is not listed and so the internal layout of the property is not relevant to the planning application
- Plastic cladding should not be allowed: There does not appear to be any plastic cladding on the building, or proposed as part of the extension.
- No precedent has been set: There are no precedents in planning and each application is decided on its own merits, although similar works have taken place within the road.
- Internal alterations have breached building regulations: This is not a material planning consideration and cannot form part of the determination of the application.

The Planning Balance:

Officers have considered the proposal alongside the submitted representations. Whilst it is acknowledged that the proposal would have an impact on the neighbouring property, this impact is not considered to be unacceptable and would not warrant a refusal of the application. It is considered to accord with all relevant local and national planning policies and is therefore recommended for conditional approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

This page is intentionally left blank

REPORT OF THE SITE INSPECTION GROUP HELD ON MONDAY, 25 JULY 2016

**(c) 0890/16/HHO Householder application for a first floor extension to
comprise of master bedroom and ensuite – 14 Riverside Walk, Yealmpton PL8
2LU**

Present: Cllr I Bramble
 Cllr P K Cuthbert
 Cllr J M Hodgson
 Cllr T R Holway
 Cllr J A Pearce
 Cllr R Rowe
 Cllr R C Steer (Chairman)

Also in attendance:

Cllr Keith Baldry – local Ward Member
Charlotte Howrihane – Planning Case Officer
Wendy Ormsby – Senior Specialist – Development
Management
Darryl White – Senior Specialist – Democratic Services
Yealmpton Parish Council Representatives

The Chairman began the site inspection with introductions and proceeded to invite the Planning Case Officer to set out the detail of the application.

In so doing, the Case Officer advised that the application sought to extend the property at first floor level, over the existing flat roof single storey part of the property (including the garage).

The Group proceeded to view the proposals from the rear garden of the application site. In addition and, to gauge the impact on the most affected neighbouring property (No. 16 Riverside Walk), the Group also viewed the proposals from the rear garden of this property.

To help the Group gauge the impact, attention was drawn to the proposals having been pegged out for Members' reference.

The Case Officer advised that her conclusion was that, whilst there would be some impact on No. 16, this would not be so unacceptable to warrant refusal of this application.

The local Ward Member in attendance asked Members to note the impact of a potential loss of light on both storeys of No. 16 and the fact that there were no equivalent extensions built on this side of Riverside Walk.

The Chairman then concluded the site inspection and advised that the application would be re-presented to the next meeting of the DM Committee on 3 August 2016 for determination.

This page is intentionally left blank

PLANNING APPLICATION REPORT

Case Officer: Jeremy Guise

Parish: Yealmpton **Ward:** Newton and Yealmpton

Application No: 0579/16/FUL

Agent/Applicant:

Mr Steve Kassell
Pillarsbarn
Ivybridge
PL21 9LA

Applicant:

Mr R Buckland
Burraton House
Ivybridge
PL21 9LA

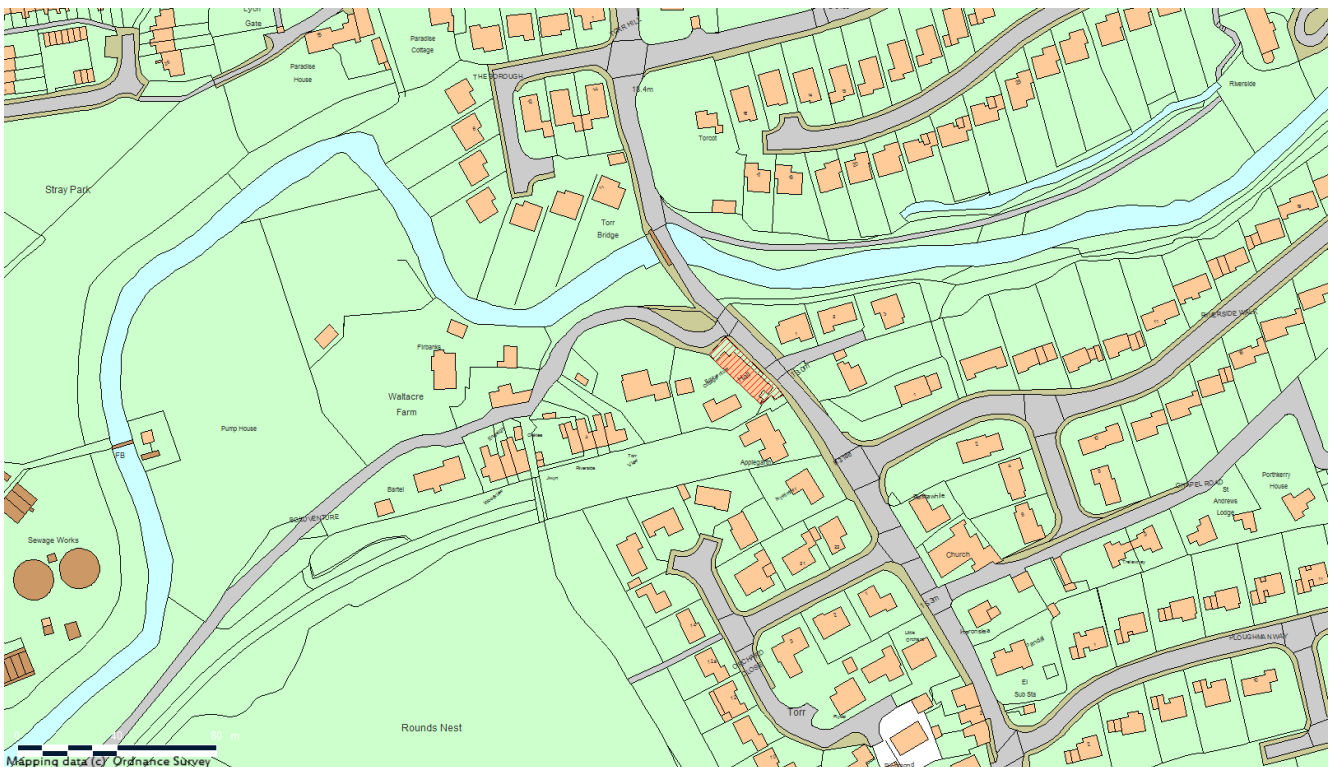
Site Address: Site Of WI Hall, Ford Road, Yealmpton, Devon, PL8 2NA

Development: Erection of a detached house on land previously used for WI hall

Reason item is being put before Committee: At the request of Cllr. Ian Blackler, Ward member for Newton and Yealmpton: 'I am asking for this application to go to Development Committee due to the objections that have been raised, I personally feel it should be approved' (Note that these comments were made in relation to refusal; recommendation, before flood risk issues were resolved)

This application was tabled for consideration at the 11th May 2016 Planning Committee, but consideration was deferred to a later Planning Committee at the applicant's request in order to allow for further exploration of the flood risk issue with the Environment Agency and SHDC Emergency Planners. This request was granted.

Since the 11th May a process of dialogue, meetings and consultations and clarifications in relation to flood risk issues has taken place between the applicant, the Environment Agency and SHDC Emergency planners. This has resulted in SHDC Emergency planners revising their position on flood risk in relation to the proposal. SHDC Emergency planners are no longer raising objection to the application, but are recommending conditions in relation to emergency access in the event that the application is approved. On this basis your planning officers have also revised their recommendation and are now recommending that conditional planning permission be granted.



Recommendation: Conditional Approval

Conditions (see end of report)

Key issues for consideration:

- Flood risk and drainage issues
- The design and appearance of the proposed house
- The adequacy of the proposed residential environment
- Impact upon the amenities of neighbours
- The adequacy of proposed access and parking arrangements

Financial Implications (Potential New Homes Bonus for major applications):

It is estimated that this development has the potential to attract New Homes Bonus of **£1.165** per annum, payable for a period of 6 years. Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

Site Description:

The application site is a small rectangular shaped area of land approximately 0.03ha in size located adjacent to the Ford Road (B3186) and to the south of the Yealm river.

It was previously occupied by a Women's Institute (WI hall). This was a single storey building which has now been demolished leaving a vacant site. There is one tree within the site. Other are trees close to the boundary.

The surrounding area is residential in character with 'Applegarth', a large detached house to the south, Boldventure another house to the east and Tuckers Close, a small residential cul-de-sac, to the west. Most of these are late twentieth century additions.

The Proposal:

Permission is sought for the erection of a three bedroomed, reverse level, house. Accommodation is provided on four levels in this split level house: a car port at lower ground floor level; an entrance hall, two bedrooms and a bathroom at upper ground floor level; a living room at lower first floor level and a kitchen and another bedroom, with ensuite bathroom at upper first floor level. External finish would be mostly render on a stone plinth with a natural slate roof, part hipped and part gabled and extending into catslides.

The proposed house is shown occupying the southern part of the site leaving the remainder as amenity space, permeable hardstanding, turning area and a soakaway drainage system. Access is shown onto the Ford Road (B3186) with only a low stone wall proposed along the frontage to allow a visibility splays of 2.4x45m in both directions

The application submission is accompanied by a Design and Access Statement, Tree Survey, Homecheck contamination risk, flood risk, radon and ground stability and a copy of the Yealmpton Parish Emergency flood plan.

The architect explains the rationale for the design in the Design and Access statement. It states:-

'The layout of the site is greatly influenced by the existing constraints. The site is long and narrow fronted by a public footpath.

Due to overlooking issues the property has been designed so that the main aspects face away from existing properties. This configuration coupled with the optimum location for parking access, and private amenity areas has generated the layout on site.

The building has been designed to place all living space at a minimum height of 14.300TBM to avoid potential flooding issues.'

Consultations:

- **County Highways Authority** – It is noted the access has been relocated and it is now considered adequate visibility splays are available noting the speed of traffic on the B road. The application provides adequate parking and turning and therefore all previous objections can be removed
- **Yealmpton Parish Council** – No comments to make
- **Environment Agency – (18th March 2016)** Object to the application on flood risk grounds. It has not been demonstrated that the proposal can satisfy the second part of the Exception Test because there is no safe access and egress during a flood event. This is sufficient reason to refuse planning permission.

Furthermore the development should not be permitted unless your authority is content that the flood risk Sequential Test can be satisfied in accordance with current Government guidance within the National Planning Policy Framework (NPPF). As you will be aware, failure of the Sequential Test is also sufficient justification to refusing a planning application.

The application site lies within Flood Zone 3, defined by the Environment Agency Flood Maps having a high probability of flooding, and has previously flooded. Paragraph 103, footnote 20 of the NPPF requires applicants for planning permission to submit an FRA when development is proposed in such locations.

We confirm that, based on the flood risks of the area, the ground floor level of the dwelling (including habitable and non-habitable rooms) should be elevated above the 1 in 100 year flood level including an allowance for climate change

Regardless of this, it is expected for a new dwelling that there should be a safe access and egress route from the development during times of flooding. Paragraph 7-038 of the Planning Practice Guidance is clear that access and egress needs to be part of the consideration of whether new development will be safe. We advise that the safety of this route should be considered for a 1 in 100 year flood event (including some allowance for climate change) to determine the risks over the lifetime of the development.

The hazard rating for this development site falls into the 'danger for all' classification based on Defra/Environment Agency guidance, which is the most severe rating. We note that a 'stay put approach' is being proposed during flood events. While we acknowledge this could be viable, this does not eliminate the risks and our expectation is that occupants or the emergency services should be able to safely enter or leave an dwelling during times of flooding. Based on our understanding of the risks, we consider that this would not be possible for the development proposed in this application.

However, if you are minded to approve the application on the basis that other material considerations outweigh the flood risks, you may wish to consult internally with your Emergency Planners to determine their views on safe refuge as an alternative to safe access and egress. They will need to confirm that they can incorporate the additional occupants into their emergency evacuation plans.

Note:- As a consequence of further consideration since submitting the comments listed above the EA has revised its position. It acknowledges that flood mitigation measures have been proposed and will propose planning conditions should the Council be minded to approve the application. The detail of these revised comments and the proposed conditions will be verbally reported at Committee.

- **SHDC Emergency Planners** – Following discussions with the Environment Agency Emergency Planning is satisfied that safeguarding can be achieved by evacuating between the two flood

events (i.e. Surface Water Flooding and then Fluvial Flooding events). This can be controlled through a planning condition requiring the production of a detailed emergency plan.

Representations:

Six letters of representation (LOR's) have been received. All object to the proposal. The grounds of objection can be summarised as follows:-

- Flooding
The issue of future flooding has not been addressed. The site is located in level 3 Flood Plain where it would be against government advice to allow a new dwelling. Can see no reason for Environment Agency to change its' views. The Council seems intent to ignore the EA's advice. There is concern about position of proposed soakaway.
- Character of the area
The proposal is even higher than previous applications. It is too high. It is out of keeping with the height of adjacent properties. The old WI building has simple single story. Only a single storey acceptable.
- Height overlooking./ overbearing
Extreme loss of privacy. The building will severely infringe upon privacy of existing properties opposite and adjacent. At the height proposed it will tower over the neighbouring cottage, adversely effecting light at certain times of the day. It will also overlook several local houses and gardens.
- Traffic and access
The proposed access is onto a *very* busy main road. It would be extremely dangerous with parked cars and a bus stop where the vehicular access is shown
- No need for this application
There is no need for new house in area with 5,000 new houses planned for extended area (Sherford)

Relevant Planning History

Ref 62/1298/15F erection of a house Withdrawn by applicant October 2015 following advice from EA and SHDC Emergency Planners that it would not be supported.

ANALYSIS

Principle of Development/Sustainability:

The site was last used to accommodate a WI hall. A WI hall can in certain circumstances be considered to be a community building. A proposal to redevelop the site for an alternate residential use therefore falls to be considered, in the first instance, against Policy DP9, Local Facilities of the adopted Local Development Plan. Point 2 of Policy DP9 states:-

2. In order to protect access to community services the change of use or redevelopment of a local facility will not be permitted unless:-

- (a) there is alternative local provision, and/or*
- (b) there is proven absence of demand for the facility, and/or*
- (c) It can be shown that it is non viable.*

Since submission, the applicant's agent has expanded upon the brief comment in the Design and Access statement about the use being unviable, He has explained that former the WI building was a corrugated iron construction in very poor condition which was demolished as it was not fit for purpose and due to the damage caused to it and its lack of use, the owners decided it was no longer economically viable. He has also pointed out that Yealmpton has a new parish hall linked to the school, which has provided all of the community facility which was required. This statement, together with the absence of any representations from the local community objecting to the proposal on grounds of loss of a community facility grounds, indicates that the proposal is acceptable in relation to policy DP9.

The site is a previously developed site located within the settlement boundary for Yealmpton, a designated local centre. The proposal complies with Core Strategy Polies CS1, Location of

development and CS5, previously developed land and there is no, in principle, objection to residential development.

However, the site is also located in an area where there is a known risk of flooding. In such locations the provisions of Section 10 National Planning Policy Framework (NPPF) 'Meeting the challenge of climate change, flooding and coastal changes', Core Strategy Policy CS11 Climate Change and Development Plan Policies DP1 High Quality Design and DP4 Sustainable Construction overlay these, in principle, considerations.

Section 10 Paragraphs 100-103 of the NPPF are relevant, with paragraph 102 in particular most relevant. It states:-

'When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in area at risk of flooding where, informed by a site specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:-

- *Within the site the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location, and*
- *Development is appropriately flood resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning and it gives priority to the use of sustainable drainage systems.*

Policy CS11 requires *management of impacts of climate change through design and location of development, including sustainable drainage, water efficiency measures and ensuring no loss of flood storage capacity.* Policy DP1 requires *layouts to promote health and well being ... cohesion and safety* and Policy DP4 requires point 1. *Development should be adaptable, anticipating change in household needs and family structures throughout their lifetime as well as anticipating the impacts of climate change.* And point 3 *Development will avoid or mitigate any increase to the risks of floods occurring or to their severity both on site and elsewhere.*

The development has been designed to be flood resistant with all living accommodation except the entrance hall set above the relevant flood level, a void below the building will prevent displacement of flood water elsewhere. Nevertheless the development needs to be considered against relevant flood risk policies.

This policy framework sets out a two stage process whereby a development proposal is considered, in the first instance against the provisions of the Sequential Test, and only in the event that it fails to meet these requirements can an Exceptions Test be applied.

The site does not satisfy the requirements of a Sequential Test. There are sites in the wider local area that could accommodate a new dwelling that are not subject to flood risk. However, the Sequential Test needs to be applied in a way that considers the wider context. This is a 'brownfield' site, previously occupied almost in its entirety, by a community building. It is a site located in the centre of a settlement surrounded by residential property, much of which is relatively modern, and residential offers a viable long term use in alignment with the wishes of the present owner. In these circumstances the advantages of securing a future use for the site and making a small contribution towards increasing housing supply in the District are, on balance considered to outweigh the rigid application of the Sequential Test .

Where the requirements of the Sequential Test cannot be met an Exceptions Test Can be applied.

The first part of the test requires that the development provides wider sustainability benefits to the community that outweigh flood risk. In this case the redevelopment of this brownfield site, returning it to an economically viable use that contributes to housing supply in the area provides a sustainability benefit that outweighs the level of flood risk and satisfies the first part of the Exception Test.

The proposal is located within flood zone 3, where new residential development must demonstrate that safe access and egress can be provided during a flood event in order to satisfy the second part of the Exception Test. This includes timely forewarning procedure and safe evacuation route for residents, for the duration of the flood event. This is particularly important for those groups who are most vulnerable: the young, elderly disabled and with a chronic medical condition, as 'a stay put' flood solution, waiting for the flood waters recede, may expose them to significant risk. Following extensive consideration between the applicant's representatives, the Environment Agency and the Council's Emergency Planners it has been established that it is possible to put in place a conditional regime which provides adequate warning and safe evacuation from the site in a future flood event, On this basis the Council's Emergency Planners have withdrawn their earlier objection. This satisfies the second part of the Exception Test.

It is considered that, subject to adherence to appropriate conditions, the proposal satisfies the requirements of CS11, Climate Change of the Core Strategy and policies DP1, High Quality Design, and DP4, Sustainable Construction of Development Policies DPD and paragraph 102 of the NPPF.

Design/Landscape:

Policy DP1, High Quality Design, requires all development to display high quality design which, in particular, respects and responds to the South Hams character in terms of its settlements and landscape.

The site is within the settlement boundary and was formally occupied by a utilitarian WI hall, of no special merit. It is relatively small and narrow, and constrained, but is of sufficient size to be considered a development plot.

The internal arrangement proposed are slightly contrived to avoid the creation of windows on the south western and south eastern elevations that would overlook neighbouring property. Furthermore, whilst there are some residual concerns that this proposal represents the shoehorning of a house into a tight plot and that a high proportion of the space is occupied by a vehicle turning area and soakaway, it is considered that the applicant's architect has managed the available space quite well, given the challenges on this constrained site and that, on balance, proposal is acceptable in this location.

Apart from being established residential the character of the wider area is quite mixed. Bonaventure Cottage the nearest neighbour, to the west, is low level, set back in its plot and of some age. The houses in Tucker's close, opposite and Applegarth, neighbour to the south, are modern and solid rather than architecturally remarkable.

Neighbour Amenity:

Policy DP3, Residential Amenity, requires, among other things, that new development does not have an unacceptable impact on the living conditions of occupiers of nearby properties. It makes clear unacceptable impacts will be judged against the level of amenity generally accepted within the locality and could result from:

- a. loss of privacy and overlooking;
- b. overbearing and dominant impact;
- c. loss of daylight or sunlight;
- d. noise or disturbance;
- e. odours or fumes.

The main aspect of the house and its windows faces towards the north east and north west towards the road to avoid overlooking of the neighbours. The height of the building has been increased in an effort to try and overcome concerns about flooding, and it is higher than its neighbours, but the closest neighbour at Bonaventure Cottage presents a flank elevation to the site and is partly screened by foliage. Applegarth, the neighbour to the south, does have windows on its northern elevation that face at an oblique angle towards the site, but its principle elevations are east west. The proposed impact of the proposed house upon its neighbours is considered to be satisfactory in terms of Policy DP3.

Highways/Access:

The highway authority is satisfied with the proposed access and parking arrangements and satisfies the requirements of Policy DP7.

The achievement of a visibility splay of 2.4x45m onto Ford Road in the south easterly direction is dependent on the with proposed low front boundary wall shown. A condition to ensure that this sight line is permanently retained and ensure that is not replaced at a subsequent date with a higher, or vegetation allowed to grow that obscures this sight line is considered necessary.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.

Planning Policy

NPPF

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment
CS10 Nature Conservation
CS11 Climate Change

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP4 Sustainable Construction
DP5 Conservation and Wildlife
DP7 Transport, Access & Parking

South Hams Local Plan

SHDC 1 Development Boundaries
MP 15 Yealmpton

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Proposed Planning Conditions**Time limit**

The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved drawing numbers

The development hereby approved shall in all respects accord strictly with drawing numbers 630.07 RP; 630.08RP Rev.A; 630.09P; Rev.B; 630.10RP Rev. B; 630.11RP Rev B; 630.12RP Rev.C; 630.13RP Rev. A;

630.14RP Rev.B; 630.15RP received by the Local Planning Authority on 16th March 2013.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

Materials

Prior to their installation details of facing materials, and of roofing materials to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with those samples as approved.

Reason: In the interests of visual amenity.

Tree protection during construction

The development hereby approved shall be carried out in such a manner as to avoid damage to the existing trees and hedgerows as shown on the plans, including their root systems, or other planting to be retained as part of the landscaping scheme, by adopting the following:

- (i) All trees to be preserved should be marked on site and protected during any operations on site by a fence.
- (ii) No fires shall be lit within the spread of the branches of the trees
- (iii) No materials or equipment shall be stored within the spread of the branches of the trees
- (iv) Any damage to the trees shall be treated with an appropriate preservative.
- (v) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated, except in accordance with details shown on the approved plans. Reason: To protect the existing trees and hedgerows in order to enhance the amenities of the site and locality.

Removal of PD windows first floor south west and south east elevations

Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking, re-enacting or further amending that Order), all windows at first floor level and above on the south west and south east elevation shall be obscure glazed prior to first occupation and shall be permanently maintained as such.

Reason: In the interests of amenity to prevent overlooking of neighbouring residential property

No construction or vegetation growth within sight lines

Within the sightlines at the vehicle entrance shown on the approved plan the applicant, and successors in title shall not construct any structure or allow vegetation to grow above 0.5m.

Reason in order to ensure that adequate sight lines are [provided for the development.

Updated Emergency Plan Required

Prior to first occupation of the residential elements of the premises an emergency plan will be produced detailing the trigger points for evacuation, safe routes to safe harbourage, and contact details for emergency responders within the community. This plan once approved will be made available to future residents by means such as in the welcome pack of sale.

No mud, stones, water or debris shall be deposited from the site onto the public highway at any time.

Prior to works commencing a dust suppression scheme shall be submitted to and approved by the Local Planning Authority. Such scheme shall include details of vehicle wash off points. The approved dust suppression scheme shall be implemented upon commencement of the works hereby approved and maintained during the period of construction/works on site.

Reason: In the interests of residential amenity

Removal of PD - extensions & garden structures

Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking, re enacting or further amending that Order), no development of the types described in Schedule 2, Part 1, Classes A-H of the Order, including the erection of extensions, porches, garages or car ports, the stationing of huts, fences or other structures shall be carried out on the site, other than that hereby permitted, unless the permission in writing of the Local Planning Authority is obtained.

Reason: To ensure that flood risk is not increased elsewhere.

Space under house to be kept permanently void

The voids shown located underneath bedrooms 1 and 2 on drawing number 630.14RP rev B set immediately below the finished floor level 14.300, shall be kept permanently void and clear of obstruction. They shall not be utilised for storage or incorporated into the habitable part of the house.

Reason:- To ensure that flood risk is not increased elsewhere.

This page is intentionally left blank

PLANNING APPLICATION REPORT

Case Officer: Sarah Carroll

Parish: Staverton **Ward:** Dartington and Staverton

Application No: 1447/16/HHO

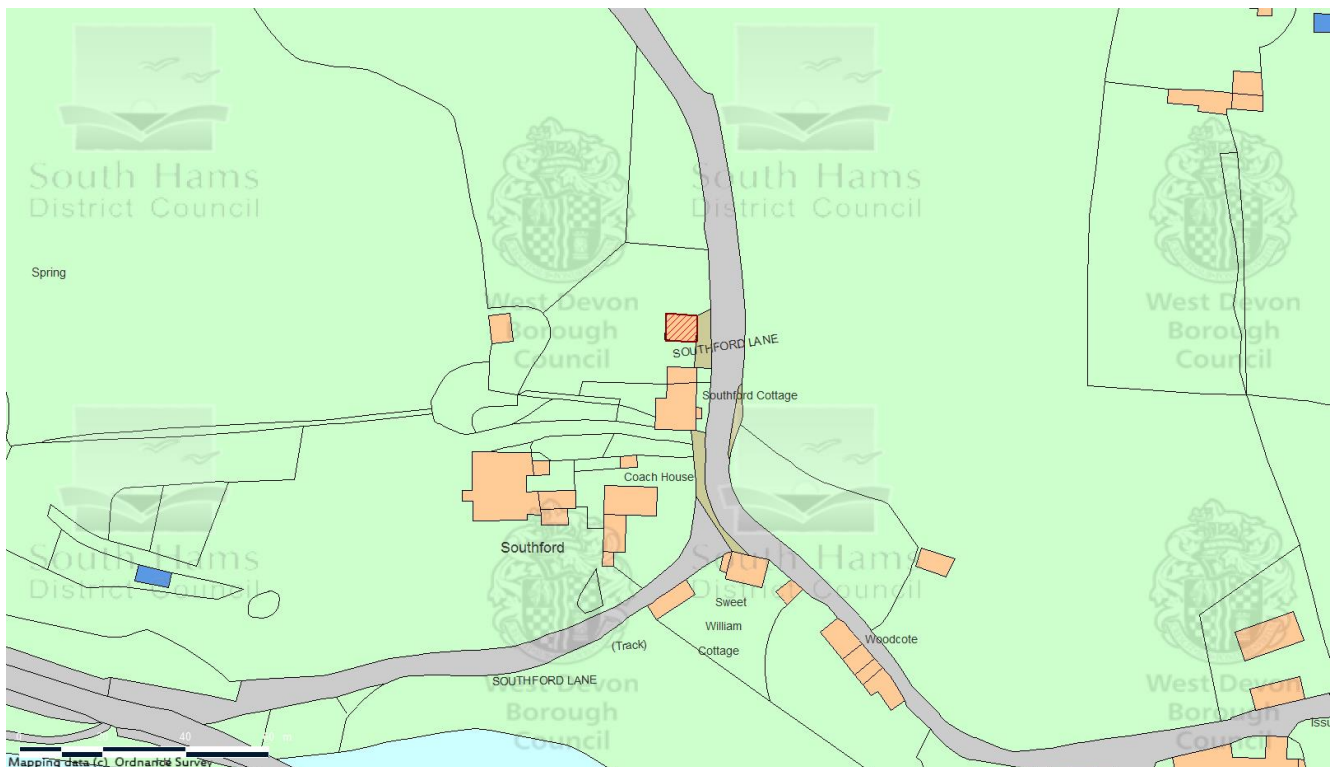
Agent/Applicant:

Ms Jennie Fitzjohn
Southford Cottage
Staverton
Totnes
TQ9 6NZ

Site Address: Southford Cottage, Southford Lane, Staverton, TQ9 6NZ

Development: Householder application for an extension to first floor of residential outbuilding/garage

Reason item is being put before Committee: The applicant is a family member of a current member of staff



Recommendation:
Conditional Approval

Conditions (see end of report)

Key issues for consideration

The key issues for consideration are; the principle of developing in the countryside, the design of the extension, neighbour amenity issues and the impact on the site's constraints (i.e. Bat - Special Area of Conservation (Bat-SAC) and the setting of the Grade II Listed Building).

Site Description

The site is located on the western edge of the village of Staverton, outside of the development boundary, located to the west side of Southford Lane. The property comprises an old two-storey cottage that has been extended at the rear and includes a detached garage with a loft at first floor level. The main dwelling forms the first of six properties along Southford Lane and is within the setting of a Grade II Listed Building Southford. The site also lies in a Bat Special Area of Conservation.

The detached garage with loft above is utilised at two differing levels. The garage is at ground floor, as previously stated, and entered from road side on the eastern elevation and also from inside a stone wall facing the main dwelling on the southern elevation. The loft, however, is accessed externally at first floor level from the northern elevation as there is an increase to the ground level of the site to the north of the garage.

The Proposal

The proposal seeks to extend the loft room above the garage by 4 meters to the north. The roadside elevation of the garage/loft to the east contains a dry stone wall to the side of the garage entrance and a hedge above the wall that, coupled together, measures 3.5 meters from ground floor level. The roof of the proposed extension will measure 5 meters from the roadside ground floor level however is also stepped back from the road side elevation by almost 2 and a half meters. The design of the extension is to further extend the dormer style pitched roof by 4 meters to the north to allow for additional internal space for use as a loft studio.

The width of the proposal measures 5 meters wide and maintains the same height as the existing loft roof. The northern elevation proposes painted timber double doors similar to the existing door and three roof lights on the western elevation facing the garden area. The roof material is to be maintained, as is the render and cladding to the external walls.

Consultations:

- County Highways Authority: no objection.
- Environmental Health Section: no comments received.
- Town/Parish Council: Support - remain ancillary to main dwelling.
- Conservation Officer: No objection.
- Ecology Officer: Condition the Preliminary Ecological Appraisal (PEA). In particular, to be vigilant of the bird nesting season given the presence of a bird box (paragraph 4.2 of the PEA).

Representations:

No representations received

Relevant Planning History

Application Reference	50/1905/02/F
Proposal	Erection of extension to dwelling
Site Address	Southford Cottage Staverton Totnes Devon TQ9 6NZ
Decision	Conditional approval: 20 Nov 02
Application Reference	50/1906/02/F
Proposal	Erection of loft extension
Site Address	Southford Cottage Staverton Totnes Devon TQ9 6NZ
Decision	Conditional approval: 20 Nov 02
Application Reference	50/1052/08/F
Proposal	Extensions to dwelling
Site Address	Southford Cottage Southford Lane Staverton Totnes TQ9 6NZ
Decision	Conditional approval: 26 Jun 08

ANALYSIS

Principle of Development/Sustainability:

The application is located outside of the development boundary and within the countryside. Policy DP17 permits extensions to dwelling houses within the countryside provided it is '*subordinate in scale and proportion to the original dwelling*'. This extension is considered small scale in accordance with this policy.

Design/Landscape: The design is considered acceptable, mirroring the proportions already existing on the northern elevation and utilising matching materials

Officers do not consider that the proposal would not have any impact on the surrounding countryside. The main dwelling is located off a lane within a hamlet and the development would read as a domestic extension within the existing built environment. Additionally, the current use of the land is a private garden area serving South Ford Cottage.

Heritage: There will be no adverse impact on the special architectural and historic importance of the Grade II Listed Building to the south west of the site due to the distance between the buildings and the scale of the proposed development.

Neighbour Amenity: The location of the development is on the far side of any neighbours, therefore the proposal is not impacting on neighbour amenity.

Highways/Access: The proposal involves a first floor extension that would extend into the existing garden. There would be no impact on the highway network.

Ecology: Officers note the site is located in a Bat Special Area of Conservation, however the Preliminary Ecological Appraisal (PEA) received with the application confirms that no additional preventative measures are necessary in this instance. However, the ecology officer has pointed out that given the presence of a bird box on site adherence to paragraph 4.2 of the PEA will prevent any harm during the bird nesting season.

For these reasons officers conclude that the proposal is acceptable and recommend approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

All standard policies listed (including NPPF):

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

CS10 Nature Conservation

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

DP5 Conservation and Wildlife

DP6 Historic Environment

DP15 Development in the Countryside

DP16 Conversion and Reuse of Existing Buildings in the Countryside

DP17 Residential Extensions and Replacement Dwellings in the Countryside

South Hams Local Plan

SHDC 1 Development Boundaries

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Proposed Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing number(s) SCL 5.0, SCL 4.0, SCL 8.0, SCL 2.0 revision 2, SCL 9.0 revision 2 received by the Local Planning Authority on 11/05/2016 and SLC 7.0 revision 2 received by the Local Authority on 20/07/2016.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. The recommendations, mitigation and enhancement measures of the Ecological Report, by Green Lane Ecology dated May 2016, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority.

Reason: To safeguard the interests of protected species

4. The extension hereby permitted shall only be used in connection with the main dwelling, known as 'Southford Cottage' and shall not be used as a separate unit of accommodation, or for any business/commercial purposes.

Reason: In the interest of the amenities of the area and in accordance with Policies CS1 and DP3 of the South Hams Local Development Framework and the National Planning Policy Framework, 2012, in particular paragraph 55.

This page is intentionally left blank

PLANNING APPLICATION REPORT

Case Officer: Charlotte Howrihane

Parish: Totnes **Ward:** Totnes Bridgetown

Application No: 1448/16/HHO

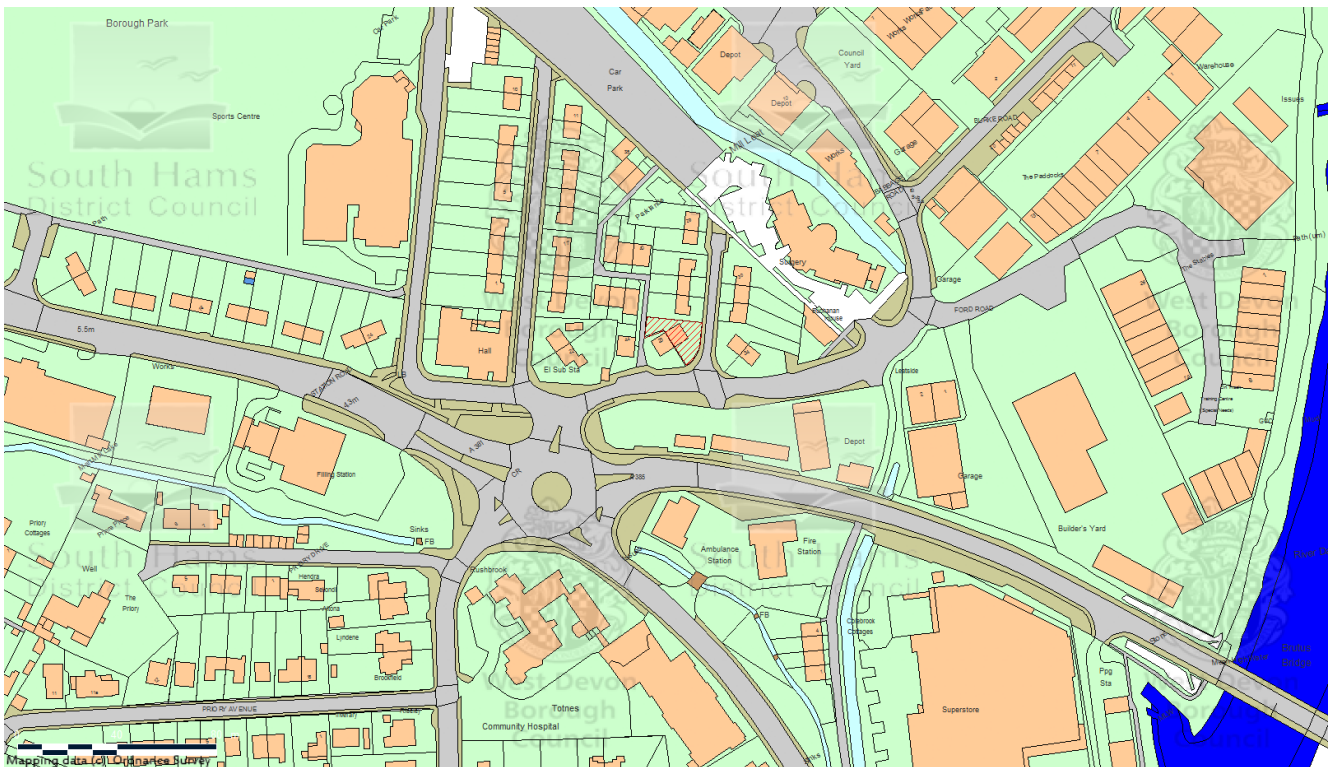
Applicant:

Ms Jennie Fitzjohn
Southford Cottage
Staverton
Totnes
TQ9 6NZ

Site Address: 24 Parklands, Totnes, TQ9 5HZ

Development: Householder application for a two storey extension to the side of the house and addition of front porch.

Reason item is being put before Committee: Applicant is related to an employee of the Council (Planning Specialist)



Recommendation: Conditional Approval

Conditions (see end of report)

Key issues for consideration: Design, Neighbour Impact

Site Description:

The site is a two-storey, semi-detached property in Parklands, a series of residential cul-de-sacs in the centre of Totnes. The site is at the entrance to the cul-de-sac, on the junction of Parklands and Babbage Road, and so occupies a corner plot, positioning it at an angle to the neighbour property and the majority of the houses in the road. There is currently reasonable-sized front and back gardens, with space for parking to the side of the house.

The property is rendered with a natural slate roof, and UPVC doors and windows. It is within the Totnes Development Boundary and not within any special areas of designation.

The Proposal:

The application seeks permission for the erection of a two-storey extension to the side of the house, as well as the addition of a front porch. The proposed materials would match the existing house. The existing parking area would be moved to the front of the house, with the existing gravelled area to be landscaped.

Consultations:

- County Highways Authority- no comments
- Environmental Health Section- recommend unsuspected contamination condition
- Town Council- no objection

Representations:

None

Relevant Planning History

None

ANALYSIS

Principal of Development

The site is a residential property within the Totnes Development Boundary, and so the principle of extension is acceptable under policy CS1 subject to all other material planning considerations.

Design/landscape

The site is large enough to accommodate the proposed extension without appearing cramped and would ensure that sufficient amenity and parking areas are retained. Examples

of extensions of a similar scale can be seen in the area, and with materials proposed to match the existing dwelling, the extension and front porch would blend well with the main house. The residential character of the area would be retained, and so the proposal is considered to accord with design and landscape policies, namely CS7, CS9, DP1 and DP2.

Neighbour Amenity

The property is sited at an angle to no.25, the neighbour to the northern boundary. This means that although the extension would decrease the distance between the properties, the positioning of dwellings and windows is such that they would not be directly overlooking one another, and residential amenity for both dwellings would be protected. The proposed porch would face the road and be screened by hedges, and so also raises no concerns. No third-party representations have been received, and the Town Council has no objections to the application. It is therefore recommended for conditional approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

South Hams LDF Core Strategy

CS1 Location of Development

CS7 Design

CS9 Landscape and Historic Environment

Development Policies DPD

DP1 High Quality Design

DP2 Landscape Character

DP3 Residential Amenity

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Proposed Conditions:

1) The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which this permission is granted.
Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2) The development hereby approved shall in all respects accord strictly with drawing numbers 24P/003 rev.5, 24P/004 rev.4, 24P/005 rev.3 and 24P/006 received by the Local Planning Authority on 1st June 2016

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those of the existing building, unless amendments have been agreed in writing with the Local Planning Authority.

Reason: In the interests of visual amenity.

4) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

South Hams District Council Agenda Item 7
DEVELOPMENT MANAGEMENT COMMITTEE 3-Aug-16

Appeals Update from 20-Jun-16 to 22-Jul-16

Ward Charterlands

APPLICATION NUMBER : **05/1229/15/F** APP/K1128/W/16/3145745
APPELLANT NAME: Mr & Mrs Yin
PROPOSAL : Demolition of existing dwelling and outbuildings and erection of 2No replacement dwellings to include creation of new access (Resubmission of planning approval 05/2922/14/F)
LOCATION : Seafront, Marine Drive, Bigbury On Sea, Kingsbridge, TQ7 4AS
APPEAL STATUS : Appeal decided
APPEAL START DATE: 18-March-2016
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 07-July-2016

Ward Dartington and Staverton

APPLICATION NUMBER : **14/1424/15/VAR** APP/K1128/W/16/3151849
APPELLANT NAME: Dr F Benatt
PROPOSAL : Variation of condition 5 (parking restriction) of planning consent 14/2278/14/F
LOCATION : Lower Allerton Farmhouse, Dartington, Totnes, Devon, TQ9 6DY
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 19-July-2016
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Newton and Yealmpton

APPLICATION NUMBER : **2611/15/FUL** APP/K1128/W/16/3153009
APPELLANT NAME: Mr R May
PROPOSAL : READVERTISEMENT (Address Description Amended)Erection of dwelling
LOCATION : Land at SX 553 478, opposite Thorndean, Bridgend, Noss Mayo, PL8 1DX
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 13-July-2016
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Salcombe and Thurlestone

APPLICATION NUMBER : **0198/16/HHO** APP/K1128/D/16/3154586
APPELLANT NAME: Mr J Walker
PROPOSAL : Householder application for two storey rear extension; external alterations and new steps to extended sunken garden.
LOCATION : 13 Courtenay Street, Salcombe, Devon, TQ8 8DQ
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 19-July-2016
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **41/2536/15/F** APP/K1128/W/16/3146708
APPELLANT NAME: Mr N Schwartz
PROPOSAL : Householder application for two storey rear extension; external alterations and new steps to extended sunken garden.
LOCATION : 13 Courtenay Street Salcombe Devon TQ8 8DQ
APPEAL STATUS : Appeal Decided
APPEAL START DATE: 31-March-2016
APPEAL DECISION: Appeal Allowed
APPEAL DECISION DATE: 22-July-2016

Ward Stokenham

APPLICATION NUMBER : **0518/16/HHO** APP/K1128/D/16/3153721
APPELLANT NAME: Mr P Fleming
PROPOSAL : Householder application for a proposed wooden bridge link at rear of dwelling between existing first floor french doors and upper patio garden.
LOCATION : 1 Longpark Cottages, East Portlemouth, Devon, TQ8 8PA
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 11-July-2016

APPEAL DECISION:

APPEAL DECISION DATE:

APPLICATION NUMBER : **53/0762/15/O** APP/K1128/W/15/3135784
APPELLANT NAME: Mr Humphrey Waterhouse
PROPOSAL : Outline planning permission for the erection of a single storey detached dwelling, including landscape, layout and scale
LOCATION : Development Site At Sx 7801 4255, Mill Court, Frogmore, Kingsbridge, TQ7 2PB
APPEAL STATUS : Appeal decided

APPEAL START DATE: 09-December-2015
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 23-June-2016

Report to: **Development Management Committee**
Date: **3 August 2016**
Title: **PLANNING PEER CHALLENGE ACTION PLAN
2016/17**
Portfolio Area: **Customer First – Cllr H Bastone**
Wards Affected: **All**
Relevant Scrutiny Committee: **Overview and Scrutiny Panel**

Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Immediately.
However, it is also recognised that the Overview and Scrutiny Panel has requested the opportunity to consider the contents of the Action Plan at its next meeting on 4 August 2016

Author: **Drew Powell** Role: **Specialist Manager**

Contact: **Ext 1240 drew.powell@swdevon.gov.uk**

RECOMMENDATIONS:

That the Committee:

- 1. note the content of the Planning Peer Challenge report (Appendix 2 refers);**
- 2. endorse the content of the Action Plan 2016/17 being implemented to improve performance within the wider Planning function (Appendix 3 refers); and**
- 3. receive on a monthly basis key performance data relevant to the Action Plan.**

1. Executive summary

1.1 The report outlines the Action Plan that has been developed to implement the recommendations contained within the Report arising from the Planning Improvement Peer Challenge visit conducted between 18th and 20th April 2016.

1.2 Effective Development Management supports the Councils priorities and objectives and also supports the local economy.

1.3 Failure to deliver the service in line with National Performance Measures may result in the Council being 'designated'. Designation could have adverse impacts in terms of reputation and also financially.

2. Background

2.1 Stability, and by association performance, within the Planning Service, and in the new Community of Practice of Development Management evolving within the new operating model, has adversely been affected by a number of internal and external factors over a number of years.

2.2 There has been a clear improvement in terms of the time taken to determine planning applications as a result of targeted and robust performance management measures over the last six months.

2.3 This improvement is, however, only part of the picture and in order to take a wider, objective view of the function, the Council invited the Local Government Association (LGA) and the Planning Advisory Service (PAS) to undertake a planning improvement peer challenge.

2.4 In advance of the challenge a Position Statement (see Appendix 1) was prepared. This statement set the scene for the challenge team which was made up of experienced officers and members with the necessary skill set to cover the agreed scope of the challenge.

2.5 The challenge took place during between the 18th and 20th April and many Members will have had input to the process. In addition staff, Parish and Town Councils, Developers, Agents and other Stakeholders were engaged. The resulting, comprehensive Report (see Appendix 2) has been circulated to all members and comments have been collated.

3. Outcomes/outputs

3.1 The Peer Challenge Report provides a comprehensive assessment of the Councils planning function and identifies both the strengths and areas for improvement.

3.2 The development, implementation and ongoing monitoring of a robust Action Plan in order to address the findings and key recommendations of the Report will ensure that improvements are delivered.

4. Proposed Way Forward

4.1 The Report identifies a number of key areas where improvements can be made. These are summarised in fourteen key recommendations on Pages 5-6.

4.2 A draft Action plan has been developed (see Appendix 3) to address these issues. In some areas, substantial progress has already been made and this is included within the Plan which includes actions, timescales and responsible officers.

4.4 Members views on the Plan are sought through this Report and there will be consultation events with Agents, Developers, Parish and Town Councils and other stakeholders to ensure that the Plan reflects the inclusive process that was followed through the Peer Challenge itself.

4.5 It is proposed that the Action Plan is owned and developed by the Development Management Committee and that key performance data is made available on a monthly basis.

4.6 In addition performance against the Plan will be monitored by the Overview and Scrutiny Panel on a quarterly basis.

5. Summary and Conclusions

5.1 The Planning Peer Challenge Report made a number of key recommendations in order to improve performance across the wider planning function. As a result a detailed Action Plan has been developed which will enable improvement to be monitored.

6. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The provision of a high performing planning service will support effective decision making within the Development Management Committee. The development, implementation and monitoring of the proposed action plan will support this provision.

Financial	Y	There are risks associated with being 'designated' through poor performance including a potential reduction in income from application fees. Whilst it is not possible to predict this at this early stage, the experience from the regime covering major applications is that the financial risk is very low.
Risk	Y	In addition to the risks associated with being 'designated' (paragraph 1.4 and section 6 above refer), there are well rehearsed reputational risks associated with the performance of the Development Management Service. Whilst there have been a number of factors that have had an adverse impact on the service, performance is improving and the action plan is proposed in order to deliver wider, sustainable improvement.
Comprehensive Impact Assessment Implications		
Equality and Diversity	N	There are no equality and diversity implications directly related to this report.
Safeguarding	N	There are no safeguarding implications directly related to this report.
Community Safety, Crime and Disorder	N	There are no community safety or crime and disorder implications directly related to this report.
Health, Safety and Wellbeing	N	There are no health, safety and wellbeing implications directly related to this report.
Other implications	N	N/A

Supporting Information

Appendices:

Appendix 1: Position Statement

Appendix 2: Planning Peer Challenge Final Report 28 June 2016

Appendix 3: Peer Challenge Action Plan 2016-17

Background Papers:

None.

South Hams District Council and West Devon Borough Council



Planning Peer Challenge April 18-20th 2016 Position Statement

Final Version
13 April 2016

Working together



South Hams
District Council



West Devon
Borough
Council

Contents

1. Introduction and the Challenge
2. Vision and Leadership
3. The Development Management (Planning) Service
4. Governance and Delegation
5. Performance
6. Local Plan and Policy Making
7. Appendices A-G



Section 1 - Introduction and the challenge

1.1 This Position Statement provides the context for the Peer Challenge of Development Management and Strategic Planning delivered by the shared services of South Hams District Council and West Devon Borough Council. The review is due to take place between 18 and 20 April 2016.

1.2 The statement outlines the context within which the councils now deliver their services, the fundamental and innovative changes that have taken place over the last year as part of the Transformation 2018 (T18) Programme and a summary of present performance.

1.3 The Members and Senior Leadership Team understand the key role that effective planning and decision making plays in forming, supporting and delivering the vision, corporate values and statutory functions of the councils and the impact this has on the community.

1.4 The primary focus of the review has been scoped, with support from the Planning Advisory Service and the Local Government Association, and is as follows although it is envisaged that other areas of interest and future development are likely to arise as the review progresses;

The aims of the peer challenge are to:

- Assess whether the new ways of case management working that have been introduced across the integrated service and which are the foundation of the shared service is (or will) contribute to the delivery of desired outcomes in relation to the consideration of planning proposals and delivery of high quality development across the area.
- Investigate whether there remain inconsistencies in governance arrangements in relation to planning between the two LPA and assess what if any impact the lack of harmonisation has on the efficiency of the service and the experience of the customer.
- Review the Council's corporate priorities for sustainable development and economic growth: consider the existing planning policies and services offered to customers to evaluate whether the councils are considered to be positive by local businesses and supportive of economic growth in the area.
- Consider the effectiveness of the respective roles of officers and members in developing planning strategies, particularly in the context of the proposed joint local plan.
- Review the mechanisms for community involvement, including relationships with town and parish councils, customer access to planning services and the means for engaging communities in consideration of development proposals and the development of policies to guide development in the future

- Review rates of planning appeals and judgements on judicial reviews and appraise the extent to which local and national planning policy is taken into account by both officers and members when making decisions on planning proposals and whether this fosters good outcomes through the determination process
- Review and comment on the efficiency and effectiveness of decision making arrangements at planning committees, including governance arrangements, committee practice, role of members, speaking rights and training for members.
- Identify any learning opportunities that will help the councils to move forward and achieve their ambitions including through the proposals for commissioning effective planning services in the future.

1.5 In addition to the agreed scope above, the Councils are interested in;

- developing a vision for 'planning decision making'
- looking forward, being bold and innovative in its ambition,
- developing a high performing planning service, that is scaleable and attractive to potential markets in the future.



Section 2 - Vision and leadership

2.1 South Hams and West Devon Councils began their shared service journey in 2007 with the appointment of a shared Chief Executive. Since then through a range of iterative processes including the creation of a shared leadership and then wider management team, the depth of sharing has increased. Governance and Democratic process has remained separate with each Authority retaining its own decision making powers and identity.

2.2 Whilst substantial savings and efficiencies have been achieved by the development of the shared service the impending financial crisis facing most Councils demanded a more fundamental look at how the relationship worked. Both Councils were facing funding gaps over the next four years of between £2.2million and £2.5 million (28%). With between 65%-75% of revenue expenditure on staff costs, responding to the financial challenge meant reducing staff numbers whilst maintaining frontline services.

2.3 In 2013/14 the Councils engaged with leSE and Ignite to explore how a new Operating Model, similar to that being implemented in Eastbourne, may offer a more radical and sustainable option for future delivery as opposed to continued organic development of the shared service. As a result Transformation 2018 (T18) was born. The South Hams Committee Reports at Appendix A and B outline the original future operating model and business case and the latest monitoring update, respectively.

2.4 The Business Case for the programme included an investment of £4.61million from South Hams and £2.83million from West Devon, with predicted annual recurring savings of £3.37million and £1.64 million, respectively.

2.5 The decision to take on such a fundamental, innovative and high risk change programme reflects the vision of the Leaders and Members of both Councils. The decision has been backed up by unwavering commitment to see the programme through and to realise the benefits to the local communities.

2.6 The T18 programme is based on a number of key principles;

- Centred around the citizen not the Council
- Removal of service silos
- Enabled by technology
- Driven by behaviours

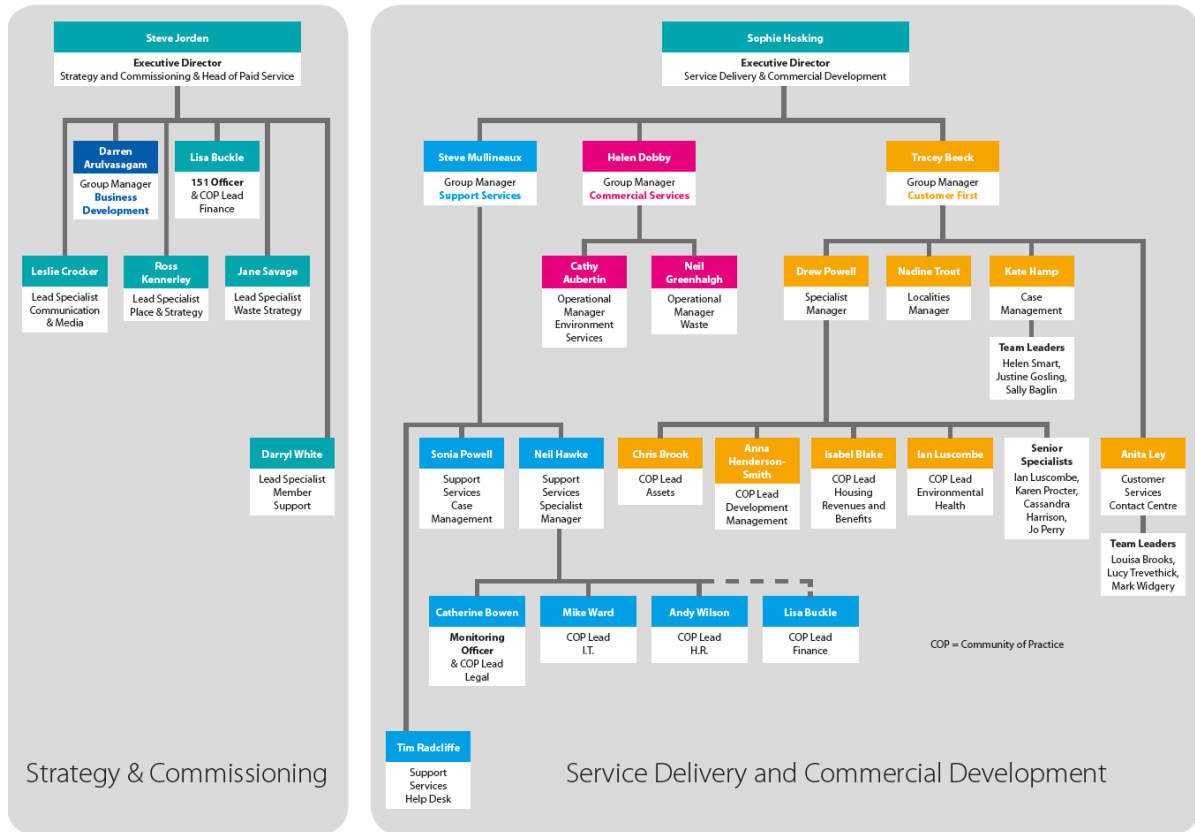
More details on the T18 programme are available upon request and will form part of the introduction on Day one of the Challenge.

2.7 Over the last 12 months the Councils have;

- re-engineered over 400 processes (60 linked to Planning/Development Management)- redesigned, mapped, scripted and tested
- Implemented new systems, the smarter use of technology and an emphasis on channel shift and efficiency

- totally redesigned structures on a case management and specialist model – removed all service silos
- reduced staff numbers by 30% (approx. 100 FTE's)

2.8 The new Structure



The chart above outlines the new operating model in terms of organisational structure. At present as the new ways of working develop, there is a 'soft split' between Strategy and Commissioning on the left and Service Delivery and Commercial Development on the right. The Councils are presently scoping options to increase their ability to trade and become more financially sustainable. One of the options includes transferring the right hand side, 'the delivery', into a Local Authority Controlled Company.

Vision and Priorities – Our Plan

2.9 Our Plan: South Hams/West Devon will be the single strategic plans that set out the vision, objectives and activities of each Council. It brings together all strategies and plans and sets out a comprehensive story of what the council wants to achieve through two blended and interrelated elements;

- The corporate plan establishing the Councils vision, objectives, priorities, actions and delivery approaches and
- The Local Plan establishing land use planning policies and allocations

2.10 At a local level WDBC, SHDC and Plymouth City Council are embarking on a Joint Local Plan. A draft of the Collaboration Agreement is being finalised at this time and officer time and funding has been committed.

2.11 Under the regional devolution bid *Place* features as a key element- in particular accelerated growth in the Plymouth area and collaborative Local Planning. See the prospectus at <http://www.heartofswlep.co.uk/sites/default/files/user-1889/Heart%20of%20the%20South%20West%20Devolution%20Prospectus.pdf>

2.12 In terms of sub-regional planning and Duty to Co-operate both Councils are signatories to the Devon wide DTC agreement (available upon request).

2.13 See Section 6 for details and links to Our Plan and its development.

Section 3 - The Development Management (Planning) Service

3.1 The Planning, or Development Management, Service within the Councils have moved more slowly towards being truly shared when compared with other frontline services. The reasons for this are not clear but factors include the existence of different polices and decision making, geographical challenges around delivery and a different management approach.

3.2 Stability within the Planning Service, and in the new Community of Practice of Development Management evolving within the new operating model, has been affected by a number of internal and external factors over a number of years.

3.3 The national shortage of suitably qualified Planning Specialists, combined with the loss of experienced knowledgeable officers through the T18 recruitment process, resulted in a reduced resource to deliver the service. Recruitment in advance of T18 was very difficult as there was no job security in view of the 'at risk' nature of the majority of posts. Posts have been back-filled with Agency staff which does not, generally, offer the same continuity and stability as establishment staff.

3.4 Delivery of the new operating model and the associated future efficiencies has required the migration of all planning records into new software from the established M3 system across to Civica's APP as part of the corporate solution. During the transition period, it was essential to operate both the old and the new software systems in order to maintain our statutory duties and minimise any risk to the council.

3.5 There has been extensive demand on key officers to support the transition and additional time spent training Case Managers and Specialists on use of the new systems. The impact of the above has been an increase in the backlog of applications waiting to be determined, delays in validating new applications and reduced levels of customer satisfaction.

3.6 The migration of data from the old M3 software into the APP (Civica) solution took place in November/December 2015. This included a programmed period of downtime of a week. There was an ongoing programme of updates as records/documents that extended to a number of weeks in entirety. Full migration of all records from M3 and therefore visibility is now 95% complete but the time taken, which was longer than expected, has had an impact on both performance and reputation. Notwithstanding these issues, applications are now being managed within the new APP system and some of the predicted efficiencies are beginning to have an impact. It is important to stress that these will take time to be fully realised.

3.7 The main benefit of the transition to date is that all applications received through the National Planning Portal are being automatically uploaded to the new APP system thereby removing the need for manual input and onward delay in processing the applications.

3.8 There have been some issues relating to uploading and viewing applications on the planning website which have now mainly been resolved. The website is now far more stable and increased functionality to improve the customer experience will be delivered in the near future.

3.9 Transition into the new way of working using Civica's W2 system is currently being trialled and once established will deliver a number of benefits including;

- Increased visibility of the progress of an application – Customer Advisers and Applicants will be able to follow progress of an application
- Applications will be managed and performance driven by Case Managers rather than being held by Specialists (formerly Planning Officers)
- Automatic updates through preferred method of contact (SMS, email, letter)
- Fully paperless capability

3.10 There have been a number of changes made to the service as a result of the transition and a new management approach, these include;

- Embedding performance management within the service
- Single IT platform, APP, for both Councils
- Fully shared Specialists and Case Managers – operating across both Councils depending on demand
- Use of Mobile Locality Officers to erect site notices and take photos to allow Case Managers and Specialists to reduce travel time on lower risk applications
- Review of Duty Planning system with the introduction of appointments for face to face and telephone calls.
- The retention of a charged pre-app service across both Councils

Section 5 on Planning Performance outlines the measures that have been taken to reduce the back log of applications and performance issues highlighted in 3.5 above.

Section 4 - Governance and Delegation

4.1 The two Councils retain separate and different Governance arrangements.

South Hams DC

4.2 The outcome of the Boundary review was to reduce the number of elected Members in SHDC from 40 to 31 in May 2015, each serving a four year term. The Council operates an Executive form of governance and has adopted the 'Strong Leader' model – Leader appointed for a 4 year term and able to appoint their own Deputy. The Leader is also the Chairman of the Executive, with their Deputy being the Vice-Chair.

4.3 Each of the 31 Members serves on one of either the Executive (6 Members), Overview and Scrutiny Panel (13 Members) or the Development Management Committee (12 Members). Each Executive Member has an allocated area of responsibility (a 'portfolio' area).

4.4 A key objective with regard to the make-up of the Development Management Committee was to ensure that it was both politically and geographically balanced as far as was practically possible.

West Devon BC

4.5 The Council operates with 31 elected Members each serving a four year term and is a fourth Option Council, with a 'Single Committee' (Hub Committee) form of governance. All appointments (including Leader and Civic Mayor) are appointed by the Council at its annual meeting each May.

4.6 Each of the 31 Members has a role on one of either the Hub Committee (9 Members) or the Overview and Scrutiny (Internal) and (External) Committees (11 Members on each). Each Hub Committee Member has an allocated area of responsibility.

4.7 Planning and Licensing Committee is made up of 10 Members presently, 7 Conservative and 3 Independent, which reflects political and geographical across the Borough.

A visual representation of the Council structures is at Appendix C.

Delegation

4.8 At present the schemes of delegation differ for the two Councils. Work is on-going to re-align the two schemes so that there are less differences and at the same time the schemes have been re-assessed to ensure that they are appropriate to enable decisions to be made within an appropriate time framework. Copies of the Committee Report and Scheme of Delegation for West Devon, which was agreed by the Planning and Licensing Committee on 29 March 2016, and considered at the Council meeting on 5 April, are attached at Appendix D and E, respectively.

4.9 The proposed scheme of delegation for South Hams, which is closely aligned to the West Devon scheme is also attached (see Appendix F), this is to be considered at the Development Management Committee on the 13 April which will then make a recommendation to the meeting of the Full Council on the 19 May.

4.10 Essentially the proposal allows for officer delegation to either approve or refuse applications where no comments have been received from consultees or members of the public that are contrary to the officer recommendation. If a contrary comment has been received a delegated decision can only be made with the agreement of the Ward Member(s) and in the case of South Hams the Ward member(s) and Chair of the Development Management Committee.

4.11 The majority of applications that require consultation with members are still dealt with through delegation and it is not considered that the overall number of applications called to committee for determination is at an unacceptable level.

Delegation Data

SOUTH HAMS	2013/14	2014/15	2015/16 (to 23/3/16)
Committee	3.38%	4.65%	3.47%
Member delegated	17.76%	19.28%	21.08%
Officer delegated	78.85%	76.07%	75.45%

WEST DEVON	2013/14	2014/15	2015/16 (to 23/3/16)
Committee	6.45%	4.91%	3.57%
Member delegated	Information not collected – shown as “officer delegated”		5.12%
Officer delegated	93.54%	95.09%	91.30%

Section 5 - Performance Data

Performance

5.1 Planning performance is monitored through service leads, management teams, portfolio holder briefings, and Overview and Scrutiny Committee. Appeal decisions are reported to all Councillors and to the Development Management Committee or Planning and Licensing Committee, whichever is relevant.

5.2 The following tables give a snapshot of the performance of the planning services over the last three years:

Major applications

% on target	2013/14	2014/15	2015/16 (to 23/3/16)
SH	88.46%	81.5%	95.5%
WD	62.5%	92.3%	91.7%

5.3 Major applications has been given a high profile for several years and the performance results in this area show a high percentage determined within agreed timescales. Whilst every Development Management Specialist can have a Major application there is a team approach to these applications with one of the Senior Specialists having an overview of the Major applications, who chairs a fortnightly meeting with internal and external consultees regarding current applications and pre-applications.

Minor applications

% on target	2013/14	2014/15	2015/16 (to 23/3/2016)
SH	55.5%	50.88%	50.84%
WD	56.19%	52.27%	43.46%

Other applications

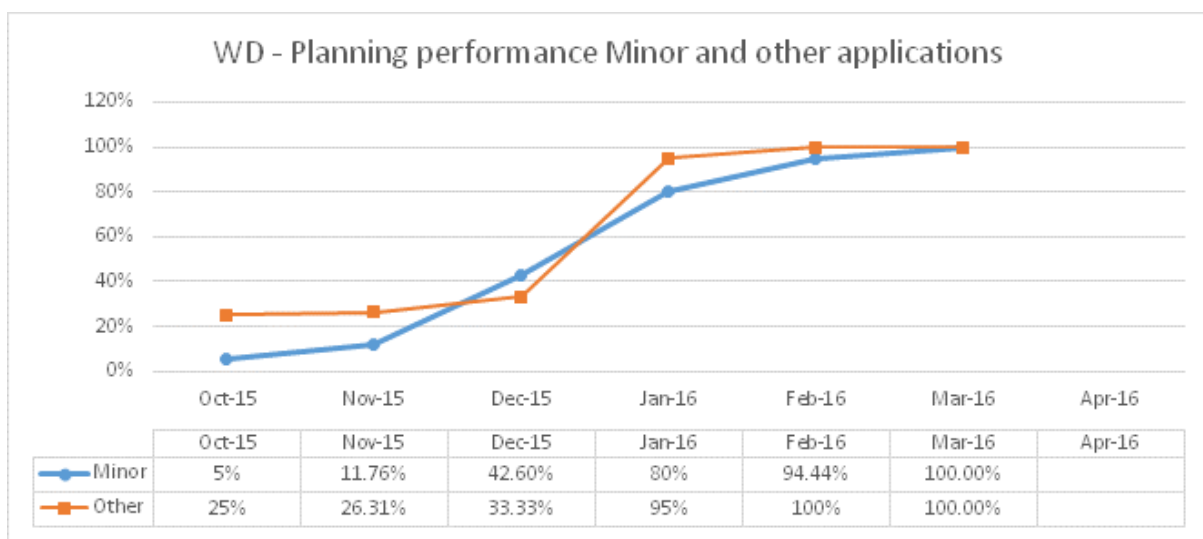
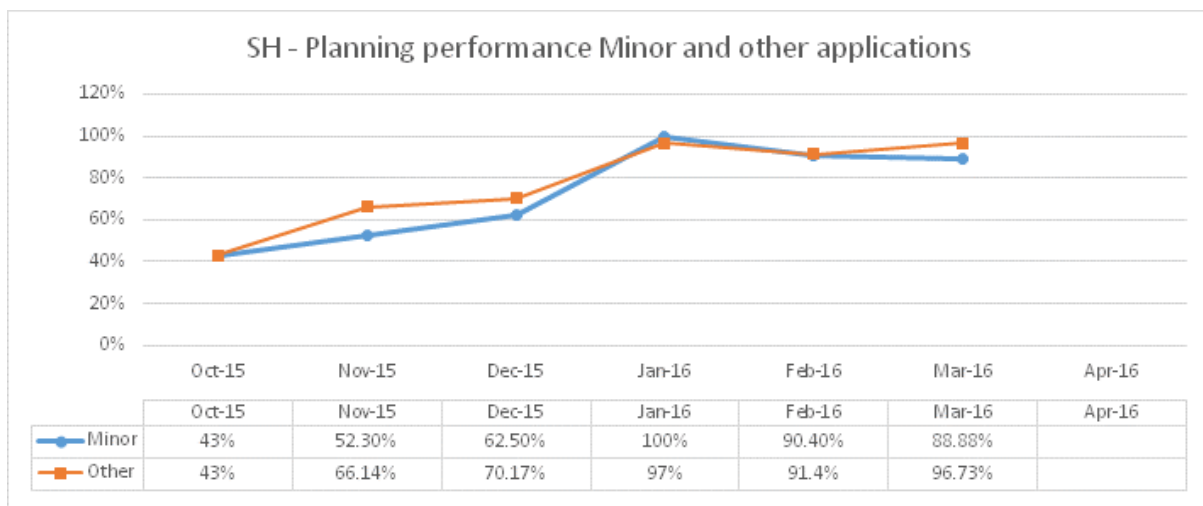
% on target (or with PPA/ Extension of Time) Target 60%	2013/14	2014/15	2015/16 (to 23/3/16)
SH	76.02%	64.47%	63.53%
WD	72.2%	83.08%	47.9%

5.4 Recent years have proved very challenging for Minor applications. Delays in determination have occurred due to a number of factors, including the transition process that has been undertaken, staffing levels and the processes that were in place to ensure that performance was at an acceptable level.

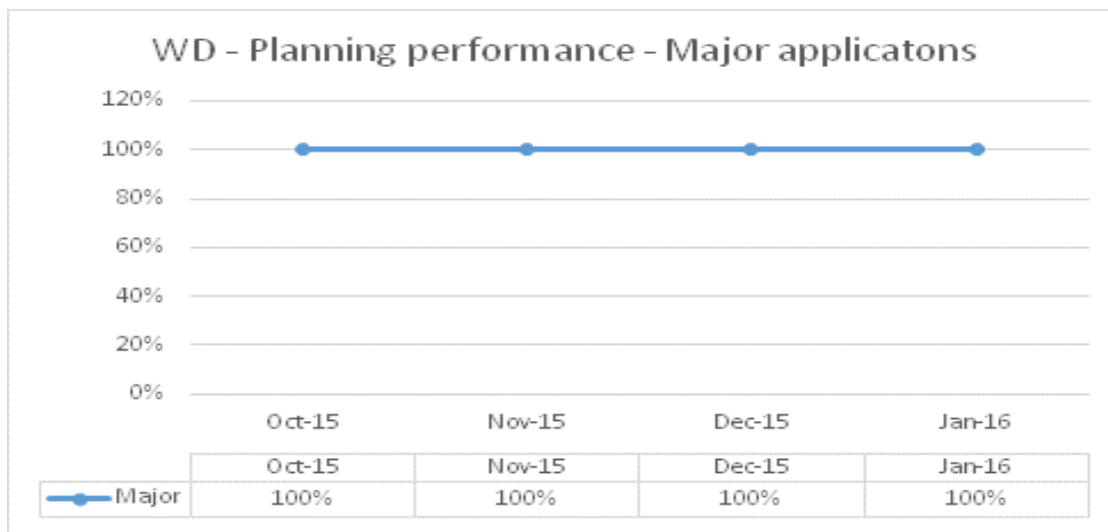
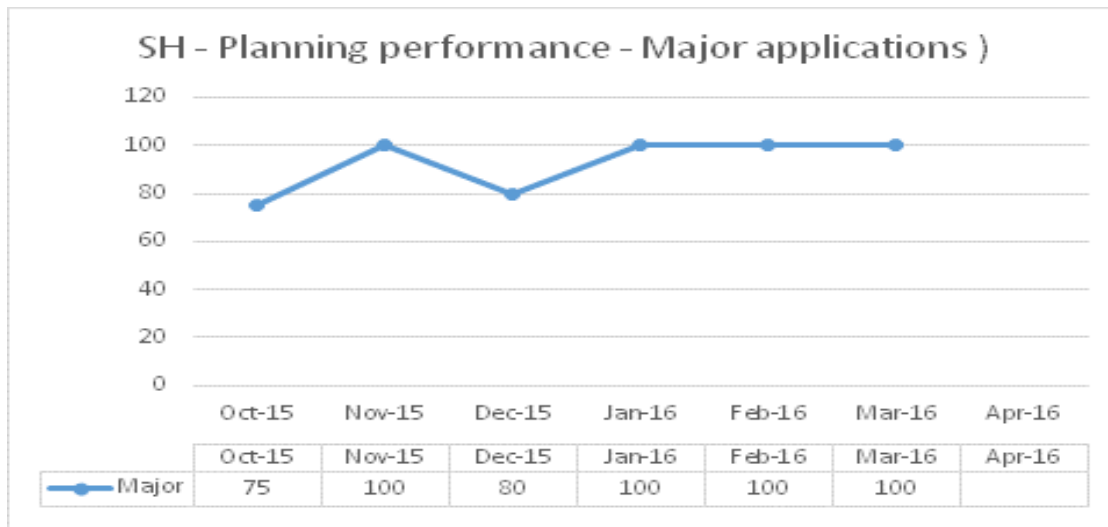
Present Performance

5.5 The transition process that has been undertaken does provide for a new way of working that has and will continue to improve the efficiency of the planning process, together with a more stable and committed body of staff has provided a dramatic increase in performance in this calendar year. Actions have been also been undertaken to improve performance management to keep performance as a key priority.

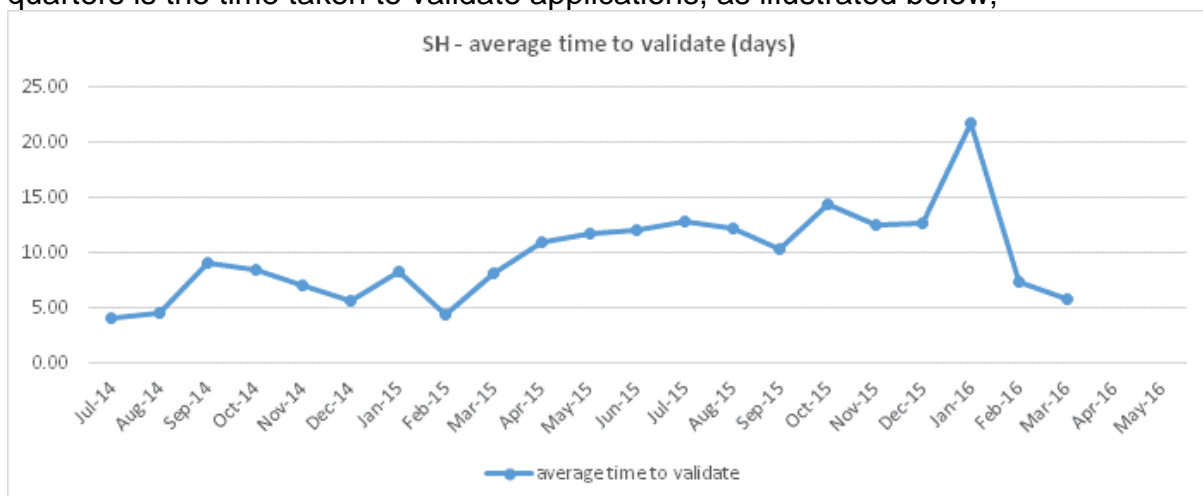
Minors and Others

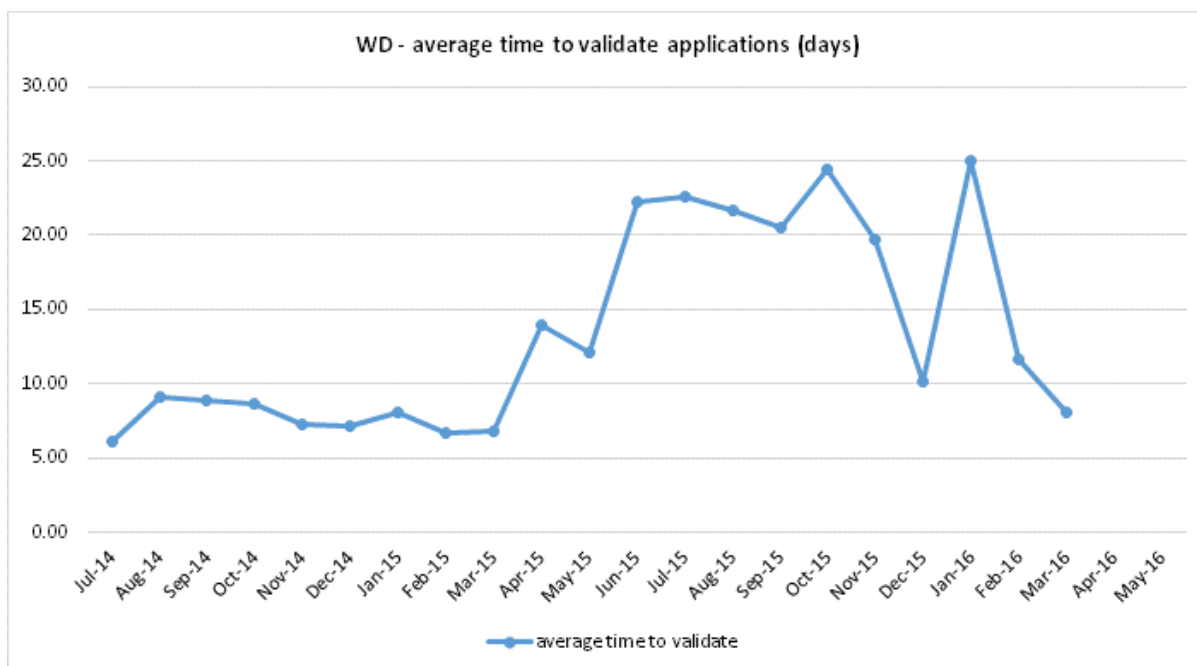


Majors



5.6 A key factor that has affected determination performance over the last three quarters is the time taken to validate applications, as illustrated below;





Appeals

South Hams	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	35	32	30
Total won	24	19	20
Total Lost	11	13	10

West Devon	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	25	24	29
Total won	12	14	14
Total Lost	13	10	15

Major Appeals:

South Hams	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	1	4	1
Total won	0	3	0
Total Lost	1	1	1

West Devon	2013/14	2014/15	2015/16 (as at 23/3)
Total appeal decisions	3	0	2
Total won	0	0	1
Total Lost	3	0	1

5.7 The number of appeals received remains broadly similar each year over the last three years. In terms of overall performance, it is considered that the ration of appeals allowed/dismissed within the South Hams area is broadly consistent to national average. It is acknowledged that the ration of allowed appeals is slightly higher within the West Devon Area and we need to undertake some work to identify any particular trends and lessons to be learnt to improve this ratio.

Pre-application submissions

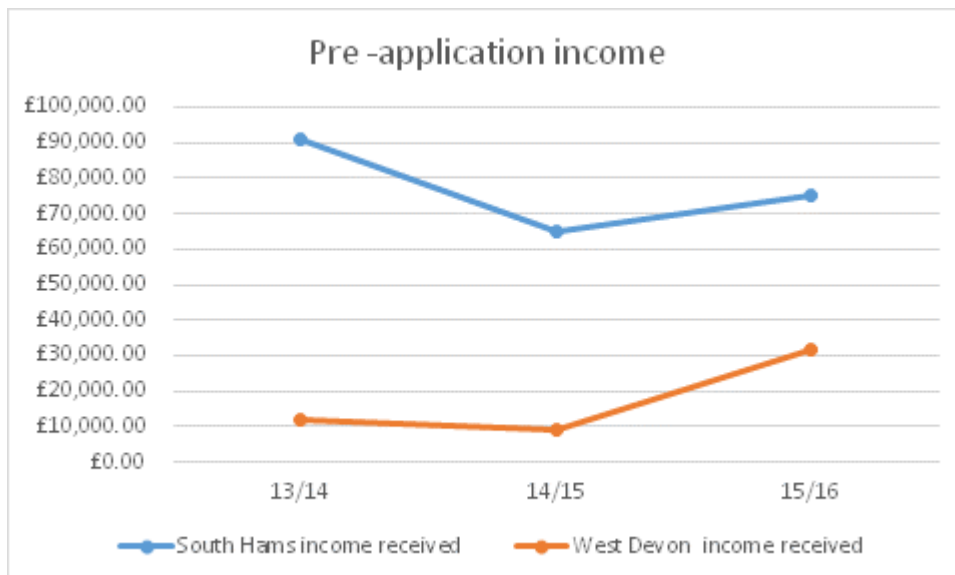
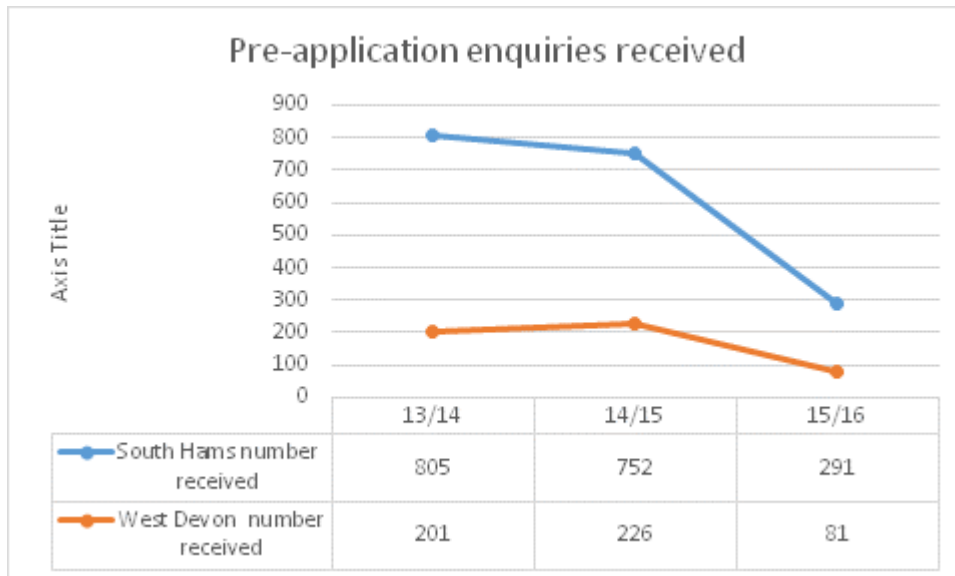
5.8 Formalised pre-application was introduced in South Hams in 2009 and West Devon in 2012. The following table gives details of volumes over time;

Pre-apps received

	Total	2009	2010	2011	2012	2013	2014	2015	2016
Total	4,165	2	522	623	523	894	1,061	487	53
South Hams Planning	3,657	2	522	623	521	740	834	371	44
West Devon Planning	508	0	0	0	2	154	227	116	9

5.9 The Councils provide a specific pre-application service that is set out on the website with a form to complete and forward to the Council. This will normally provide sufficient detail along with associated plans/design and access detail to enable officers to give guidance as to whether a scheme will receive support at application stage or if further amendments are required.

5.9 On receipt, each pre-application submission is given a unique file number and a dedicated case officer. Officers will facilitate meetings to discuss the pre-application, a charge is made for this service.



Section 6 - Local Plan and Policy Making

6.1 Both SHDC and WDBC have a clear basis for strategic planning and have adopted Local Plans.

6.2 For SHDC there are a suite of documents adopted under the Local Development Framework including

- Core Strategy 2006
- Development Policies Development Plan Document 2010
- Sherford New Community Area Action Plan 2007
- Rural Areas Site Allocations Development Plan Document 2011
- Dartmouth Site Allocations Development Plan Document 2011
- Ivybridge Site Allocations Development Plan Document 2011
- Kingsbridge Site Allocations Development Plan Document 2011
- Totnes Site Allocations Development Plan Document 2011

6.3 These documents provide a planning context to 2016 with phased allocations beyond 2016. The documents and supporting information are held at <http://shdcweb.swdevon.lan/article/3234/The-Development-Plan>

6.4 The Council has undertaken limited monitoring of implementation since 2011/12 but has, most recently, issued a Housing Position Statement which reflects a significant deficiency in supply when set against the 5 year land supply target. Details at <http://shdcweb.swdevon.lan/article/1886/Monitoring-Our-Progress-on-Strategic-Plans>

The most recent position statement is attached at Appendix B.

6.5 WDBC also has a suite of adopted documents running through to 2026. These include

- Local Plan Review (as amended by Core Strategy) 2011
- Local Development Framework Core Strategy. 2011
- Infrastructure Delivery Plan 2010

6.6 Details are available at <http://westdevon.gov.uk/article/3237/The-Current-Development-Plan>

6.7 WDBC has also undertaken monitoring and details are at <http://westdevon.gov.uk/article/2408/Monitoring>

6.8 In 2014 both Councils embarked upon a process of a Joint Local Plan under the title of “Our Plan” – a document that was also intended to encompass the full range of Council activities within a single corporate plan. This work went out on initial “Regulation 18” consultation. With details at

<http://westdevon.gov.uk/ourplan> and <http://southhams.gov.uk/ourplan>

6.9 Following this WDBC decided to embark on submission of a formal “Our Plan” Local Plan for just West Devon. This formal “Regulation 19” version was published in February 2015 and has been through formal consultation. Details are at <http://westdevon.gov.uk/CHttpHandler.ashx?id=12825&p=0>. South Hams didn’t progress to a Regulation 19 stage.

6.10 By autumn 2015 it was clear that the context for Local Plans was shifting markedly – with a particular emphasis on planning across Housing Market Areas. In light of this both SHDC and WDBC agreed to undertake a joint Local Plan with Plymouth City Council (PCC). This was agreed by SHDC in December 2015 (details at <http://southhams.gov.uk/CHttpHandler.ashx?id=16950&p=0>) and by WDBC in February 2016 (details at <http://mg.swdevon.gov.uk/documents/s377/Our%20Plan%20-%20Local%20Plan%20Arrangements.pdf>)

6.11 PCC simultaneously agreed to the Joint Local Plan process and a Collaboration Agreement is in preparation alongside joint governance arrangements and shared staff and resources. The timetable anticipates submission in autumn/winter 2016 and is explained further in the Our Plan Newsletter at <http://southhams.gov.uk/CHttpHandler.ashx?id=17137&p=0>

6.12 Both Councils have offered strong commitment to the Neighbourhood Plan process with 35 plans currently in preparation. None have yet reached examination and there is a building tension between the advancement of Neighbourhood Plans and the lack of an adopted Local Plan.





Planning Improvement Peer Challenge

South Hams and West Devon Councils

On site April 18 - 20 2016

Final Report June 28 2016

Working together



1.0 Background and scope of the peer challenge

1.1 This report is a summary of the findings of a planning improvement peer challenge organised by the Local Government Association (LGA) in cooperation with the Planning Advisory Service (PAS) and carried out by its trained peers. Peer challenges are managed and delivered by the sector for the sector. They are improvement orientated and are tailored to meet individual councils' need. Indeed they are designed to complement and add value to a council's own performance and improvement focus. They help planning services review what they are trying to achieve; how they are going about it; what they are achieving; and what they need to improve.

1.2 The peer challenge involves an assessment against a framework for a local authority planning function which explores:

- **Vision and leadership** - how the authority demonstrates high quality leadership to integrate spatial planning within corporate working to support delivery of corporate objectives;
- **Community engagement** – how the authority understands its community leadership role and community aspirations. Then how the authority uses spatial planning to deliver community aspirations;
- **Management** - the effective use of skills and resources to achieve value for money, accounting for workload demands, ensuring capacity and managing the associated risks to deliver the authority's spatial vision;
- **Partnership engagement** – how the authority has planned its work with partners to balance priorities and resources to deliver agreed priorities; and
- **Achieving outcomes** - how the authority and other partners are delivering sustainable development outcomes for their area.

1.3 As part of the above five themes the Council also asked the peer team to look at the following areas:

- Case Management System (T18);
- Governance and Planning Committees;
- Service support to corporate priorities;
- Planning policy;
- Customer and Community Access; and
- Development Management Performance.

1.4 Peers were:

- **Jack Hegarty** – *Managing Director Wychavon and Chief Executive Malvern Hills District Councils*
- **Cllr Andrew Proctor** *Leader, Broadland District Council.*
- **Alan Gomm** *Local Development Framework Manager – Borough Council of Kings Lynn and West Norfolk Borough Council*

- **Mark Cawood** *Planning and Building Control Manager, North East Lincolnshire Council/ ENGIE*
- **Phillipa Silcock** *Principal Consultant - Planning Advisory Service.*
- **Robert Hathaway** *Peer Challenge Manager, LGA Associate,*

1.6 PAS where possible will support councils with implementing the recommendations as part of the Council's improvement programme. It is recommended that the council discuss ongoing PAS support, including the cost of it, with Alice Lester, Programme Manager at alice.lester@local.gov.uk. The LGA is currently discussing support with the Councils in relation to officer/member training. A range of other support from the LGA – some of this might be at no cost, some subsidised and some fully charged <http://www.local.gov.uk/> is available. For more information contact Andy Bates, Principal Adviser andy.bates@local.gov.uk. Additional support direct from PAS, including the subscription offer is at <http://www.pas.gov.uk/documents/332612/1102169/PAS+flyer+final+version/21115b48-e7dd-4d25-9e64-2298cfeaeadab>

1.7 As part of the peer challenge impact assessment and its evaluation, PAS or the LGA may get in touch in 6-12 months to find out how the Council is implementing the recommendations and what beneficial impact there has been.

1.8 The team appreciated the welcome and hospitality provided by South Hams and West Devon Councils and partners and the openness in which discussions were held. The team would like to thank everybody they met during the process for their time and contribution.

2. Executive Summary

2.1 South Hams and West Devon's ambitious Transformational 2018 (T18) programme has been successful in delivering significant financial savings on schedule. Driven by four key principles, including services 'centred around the citizen' and easier access 'enabled by technology', the new operating model offers clear potential for delivery of modern planning services. In the last year both Councils have totally changed the way they deliver their services with re-engineered internal processes, moving from departments to cohorts of case managers and specialist officers from all services and 30 per cent (100 full time equivalents) less staff.

2.2 The Councils recognise that their planning services have been slow in being truly shared compared to the progress of other frontline services. While other front line services have more easily made the transition to T18, delivery of the development management (DM) service in particular has suffered from significant customer concerns and local reputational damage. The Councils are generally aware of the reasons for this and internal reports have detailed factors such as a loss of experienced staff, difficulties in recruitment and problems with information technology (IT), most notably the front end customer interface.

2.3 Significant corporate management focus is invested on improving the planning service which is recognised as vitally important to supporting the delivery of corporate priorities and ensuring that appropriate development provides a stronger economic base. On-going reviews of sufficient capacity in the T18 model to deliver the DM service and weekly discussions with the IT partner are examples of this. The peer team's recommendations are designed to support the on-going improvement drive. We consider that a sharply focussed DM service improvement plan, with strong corporate officer/councillor ownership and accountability, offers significant potential for further improvement. Paramount among these is the need for substantial improvement in the DM websites, sufficient staff resources, improved ability for customers to contact the planning service and improvements to the quality of pre application advice.

2.4 Despite the very high level of customer and stakeholder dissatisfaction with the DM service we believe there are prospects for improvement. Corporate oversight, managerial leadership and councillor and officer trust is high and these are crucial to a successful outcome. The Planning Committee at South Hams and the Planning and Licensing Committee at West Devon (the Committees) are generally sound and speed of decision making is generally good and improving. Preparation of the South West Joint Local Plan between both Councils and Plymouth offers a good platform for the spatial expression of the 'Our Plan' single strategic plans that set out the vision, objectives and activities of each Council. We would encourage both councillors and officers make it a priority to ensure they quickly 'fix' the fundamentals of the DM processes and recapture the visionary and place shaping nature of planning to serve existing and future generations.

2.5 The political leaders of both Councils recognise that "customers have had a hard time" and residents deserve "a quality service to meet their expectations". Given that most local issues coming in front of ward members are about planning, councillors want to see a planning service that both supports them in their community leadership role and is one they can be proud of in upholding the reputation of their Council.

3. Recommendations

1. Develop and embed the T18 model to respond more specifically to the context and challenges of the DM service. Specifically consider issues relating to how the T18 model can deal with the whole end to end processes of negotiating and determining proposals, to achieve better accountability, increased capacity and a greater customer focus.
2. Act on the findings of resource reviews, especially at the case manager level, so as to ensure that sufficient capacity to deliver an effective and customer facing DM service. This should include developing a strategy for dealing with applications more efficiently within the time limits without the need for excessive recourse to extension of time agreements, and also to ensure that applicants and the public have a single point of contact.
3. Work with the IT partner to ensure that the recognised IT problems, especially in relation to the planning constraints and history, and the labelling of plans, are tackled as a matter of urgency. In doing this, ensure that the web site is easy to use and learn from currently high performing customer focussed planning services.
4. Urgently reinstate regular local agent's forums.
5. Facilitate engagement with Town and Parish Council representatives to develop appropriate protocols to ensure that the concerns of these stakeholders are fully taken into account, and that feedback is given to them where a recommendation that differs to their views is reached. Also engage with the town and parish councils on expectations around support for neighbourhood plans.
6. Ensure timely processes and mechanisms for adoption of a Local Development Scheme as part of the rapid progression of the South West Devon Joint Local Plan to adoption.
7. Keep the communities, planning agents and stakeholders regularly informed of and involved in the South West Devon Joint Local Plan's progress recognising the benefits of maintaining an expeditious timeline for adoption
8. Engender strong leadership of the Planning Committees through regular training and appropriate updates on planning policy (including on the 5 year land supply for housing). General planning training should be made available to help non-planning committee members to be more effective local community leaders.
9. Report a suite of performance indicators directly to the Planning Committees and where necessary Cabinet and Hub, including productivity and performance of

Planning Committee itself. KPIs including quality, value and customer focus and land supply, should be reported via a performance dashboard to demonstrate the Service's contribution to wider corporate objectives.

10. Ensure there are adequate resources to focus on economic growth and affordable housing. This should include reviewing the approach of viability assessments paid for by planning applicants, and developing a pool of knowledge about comparables including values and build rates across the relevant market areas.
11. Review in 12 months' time the operation of the Schemes of Delegation to examine whether even greater harmonisation would be beneficial.
12. Further evaluate the risks at this time of moving to a Local Authority Controlled Company.
13. Ensure sufficient focus, capacity and consistency in delivering a high quality pre application service to provide greater certainty to customers and allow more time for helping shape development to meet community needs. Enhanced pre application engagement should also include delivering informal pre planning briefings to members of the Committees on significant major developments.
14. Review Committee site visit protocols to ensure planning decision making is as efficient as possible.

4. Case Management Working in T18

4.1 The peer team were impressed with the boldness and high level ambition of the two councils to deliver substantial financial savings through the T18 programme. Senior managers have clearly focused their energies on supporting members on the transformational journey. Significant investment of £4.61 million from South Hams Council and £2.83 million from West Devon have ensured that predicted annual savings of £5 million, between the Councils, are on schedule. We met the senior members and managers from both Councils where it was clear that senior leadership is committed to driving through successful implementation despite the obvious challenges and difficulties in implementing a significantly different operating model. However, not all councillors had the same level of understanding and awareness of the implications of the T18 programme and many did not fully foresee the truly radical nature of delivery. More could be done to support all councillors to fully understand the new processes. Be that as it may, we found good political support that is clearly intent on seeing the T18 through.

4.2 We agree with the Councils' assessment that attempts to create a truly joined up planning service across both Councils has been slow to develop. The Councils are also

very aware that the DM service is at the very early stages of introducing the T18 model due to issues with workload, staff capacity and difficulties with IT that we discuss more fully later in the report. Officers have taken reports on the DM service and T18 and IT to Overview and Scrutiny Panels at both Councils and the significant issues are therefore well known and reported in the Councils. The timing of the peer challenge has obviously heavily influenced our findings in that we are unable to critically assess how the T18 was actually working in anything like a finished process in relation to the planning service..

4.3 Based on our extensive interviews and understanding of how the Councils plan to use the case management model in T18 the peer team considers that the Councils will have to very carefully manage potential risks with the new ways of case management working in DM. In particular we consider that there needs to be greater clarity among councillors, staff, customers and consultees in relation to the interrelated themes of accountability, ownership and customer focus. For example we consider that there needs to be a shared common understanding of the responsibilities of the case manager who is managing the progression of a planning application and the responsibilities of the specialist who is leading on determining the application. This is obviously important to all who need to know who to contact to discuss a planning application in terms of customer service.

4.4 Given the highly democratic nature of the planning process –accountability is vital. The high degree of democratic input into planning decisions on some controversial or major applications makes planning somewhat different from most other council services. Given the need for qualitative and value judgements at many stages of the decision making process, and the statutory nature of stakeholder engagement, it is vital that the T18 model ensures clear accountability for decision making to respond to the unique needs of the DM service. Continuity in relation to accountability is also vital as for example work on a major application proposal requires not just a decision at the end, but a series of processes, negotiations and balancing decisions along the way to a decision right from early pre-application discussions. This can occur over an extended timeframe but the integration of pre-app advice into consideration of the application is critical to achieving satisfaction from customers.

4.5 Some councillors, staff, planning agents and some Town and Parish councillors told us they were very confused by role titles such as case manager, specialist and community of practice lead and consequently were unsure who to talk to about addressing issues during the process. We also found generally low levels of confidence among staff that the case management model would work in delivering the high quality DM service that the two Councils aspire to. Our recommendation is for the Councils to further develop the application of the case management element of the T18 model in relation to the DM service.

4.6 Several staff, managers and planning agents told us that capacity at case manager and specialist level is severely stretched and is contributing to the slow start of the T18 model in DM. This was evidenced by agents' reports of long delays and last minute requests for extensions of time. Some staff reported that they and colleagues are under

significant and unrelenting work pressure. We understand that the present numbers of case managers and specialists was derived from an 'end state' resourcing model. This took account of the need for less staff once channel shift, through fully enabled IT, had occurred and also when staff were working efficiently following training and successful bedding down period. When we spoke to specialists who are internal consultees to the planning process, such as Environmental Health and Wellbeing, Drainage, Landscaping and Biodiversity, they confirmed that resourcing issues at case manager level were slowing the speed at which they received requests for consultation advice. They also reported that the reduction in the numbers of specialists had meant that higher workloads weakened their ability to provide effective and timely responses to some planning applications.

4.7 Senior managers told us that they were aware of these concerns and had already commissioned a review of case manager capacity. It will be important for the Councils to act on the outcome of this review. If, given the high volumes and demand, the review finds that more resources are required, then we consider that the Councils should give serious consideration to at least additional temporary capacity to allow the DM service to settle to a steady state. Community of practice leads also need to keep the number of planning specialists and supporting expert specialists under review to maintain the high quality of planning decision making.

4.8 The Councils have recently received the results of a staff survey and while we did not have the opportunity to discuss this in any specific detail we understand that it highlights that staff morale is generally low. The peer team considers that responding positively to the staff survey will provide a good platform to address key issues to ensure staff ownership of an evolved T18 model and a positive upswing in morale confidence following a period of significant corporate transformation.

5. Governance and Planning Committees

5.1 Judged by dismissed planning appeals the quality of the Committees' decisions appear generally sound (see later section for performance figure). The sizes of the Committees at 12 members at South Hams and 10 at West Devon appears appropriate for the numbers and types of applications.

5.2 The proportion of applications (less than 4 per cent) coming before Committee is low at both Councils and this supports efficient decision making. We noted the proportionately higher percentage of member delegated decisions at South Hams (21 per cent) when compared with West Devon (5 per cent). Both Councils have recently adopted new schemes of delegation as a means of ensuring that there are fewer differences between the two, to enable greater consistency and to promote efficient decision making. The member working group set up to review the schemes tried to harmonise the individual Schemes of Delegation but this has not proved possible. Differences remain in terms of the involvement of the Chairs of Committee. The peer team consider that the Councils should, in 12 months, review the operation of the Schemes of Delegation to examine

whether even greater harmonisation would be beneficial and achievable. It would be more efficient for the joint officer team to be working to one joint scheme and of course easier for planning agents and customers who work across both Council areas.

5.3 We visited both the South Hams Planning Committee and the West Devon Planning and Licensing Committee and found that both display a number of key strengths. Both Committees promote high levels of public engagement through appropriate public speaking opportunities, accessible locations with good room layout and audibility. Both rooms contained good IT facilities to project plans and photographs to aid debate. We saw for ourselves the level of public engagement by high attendances of both planning applicants, agents, objectors and non-planning committee councillors.

5.4 The peer team considered that the Chairs of both Committees kept the meetings in good order and helpfully defined the stages in considering the applications. Debate was good natured and there appeared generally to be good levels of trust and confidence between Committee members and officers. Committee members at both Councils showed a good level of technical and general planning knowledge and had obviously kept up to date on local appeal results. It was clear that the community of practice lead (effectively the head of DM) was well respected. Both Committees are supported by specialists including planning, environmental health, legal, democratic services and highway officers (from Devon County Council). However, on one particular occasion we felt that the Chair of the West Devon Committee could have been better supported by officers when a matter of normal procedure was overlooked in relation to a declaration of interest. In this, and in other professional/technical issues, the Chair of both Committees need to receive the highest standards of advice to help them discharge their duties.

5.5 The Chairs of the Committees ensured that the tone and atmosphere of their meetings was inclusive. We were told by some Planning Committee members, other councillors and some planning agents that they felt that some meetings were over long. The South Hams Planning Committee we attended was four –five hours in duration. Committee members can play an active part to support the Chair in the efficient running of to make the meetings efficient by:

- ensuring that they have a full grasp of the officer's report;
- by asking questions before the meeting;
- by avoiding repetitious points, and;
- by ensuring that they only ask relevant planning related questions in the meeting.

5.6 Chairs obviously have a role to play to; graciously but firmly, keeping a good pace to the debate and stepping in where necessary. And the importance of planning committee as the 'front door' of the planning services business can be enforced at members' training which has its part to play how members operate at the meeting. Members will also have an

important role to determine how reports are presented, their written format and how their views are taken account of on any particular application.

5.7 Both political Leaders want to see strong and highly effective Committees. To support this and to continue to improve on the performance at both Councils, the peer team have a number of additional areas for focus - as discussed below.

5.8 Committee members ward councillors and planning agents told us that they would value earlier political engagement at the pre application stage. This would allow councillors, officers and the applicant/agent to be better sighted of the opportunities and challenges to development and for earlier involvement of Councillors in their community leadership and place shaping roles. It also provides some elements of greater certainty for applicants and agents in helping them to 'de risk' their projects.

5.9 For some major or controversial applications we also recommend the Councils consider the use of informal pre planning briefings to members of the Committees. This would need to take place before officer reports on planning applications are published, allowing all members of the Committees to engage with planning and other technical officers at an earlier stage. Such a pre planning briefing has the clear potential to encourage Councillors and officers to be better informed about a proposal, to discuss issues and to point out areas of concern in an informal setting. It will also aid officers in understanding what issues they may need to provide more information and advice on.

5.10 In order to aid efficiency in decision making the peer team recommend a review of the site visit protocols at both Councils. By way of context, we understand that at one recent West Devon Planning Committee meeting all three items were deferred for site visits. Deferrals for site visits introduces delay, additional costs and continued uncertainty for applicants. Site visits are an important part of the decision making process where appropriate and the Councils could consider their use before Committee with the Chair and community of practice lead discussing a forward agenda list of items that includes the recommending of site visits. The ward councillor(s) could also be invited on these visits, provided they are made aware that it isn't a lobbying opportunity or the place for a debate of the proposal.

5.11 We consider that the Committees should take more accountability for and be better aware of relevant planning performance. This is particularly important given the possibility of designation by Government for poor performance on the speed of determining applications, quality of decisions (as measured by overturns on appeal), and local plan preparation. We are aware that the Councils' Overview and Scrutiny Committees receive planning performance information. However, we consider that relevant key performance indicators, including updates on the Councils' five year land supply, should be reported to the Committees to build their greater ownership, to enhance understanding of critical local decision making issues and to enable members to be more strongly engaged in performance management. Given the importance of the planning system in delivering on the Councils' vision in Our Plan, and in supporting financial stability through appropriate

growth, we also feel that Cabinet at South Hams and the Hub Committee at West Devon should be advised on key data trends.

5.12 Committee members told us that they complete mandatory training before sitting on Committee. Some members felt that there would value more in-depth and stronger bespoke mandatory induction training to support their decision making role. They also told us that helpful training updates were also offered but that attendance was mixed. The peer team also believe that Committee members could benefit from additional training and support including:

- the weight to be attached to technical evidence, especially highways, in planning decisions and learning from the Planning Inspectorate and relevant appeals;
- members receiving earlier information about submitted appeals to support their earlier involvement and community leadership role; and
- managing the tension between acting as ward councillor and serving as a Committee member where decisions are plan and policy led unless material considerations determine otherwise.

6. Support to Corporate Priorities

6.1 We found that Planning Committee members had a good grasp of the emerging corporate priorities and annual priorities of sustainable development along with the need to focus and deliver on enhanced economic growth. Both Councils are developing single strategic plans that set out their vision, objectives and activities for their areas. 'Our Plan: South Hams/West Devon' aims to bring together the Corporate Plan and Local Plan into a strategic overarching document together with land use policies and allocations.

6.2 Both Councils' future strategic approach to economic growth and housing is emerging as part of the 'Our Plan' discussions and consultations. Both Councils have issued annual local priorities for 2015/6 that are essentially interim positions pending adoption of Our Plan: South Hams/West Devon.

6.3 The peer team found that while there was a growing appreciation of the role of planning to shape local communities, more could be done to support all councillors to appreciate their place shaping roles and the importance of development for sustainable growth. In order for Planning Committee members to ensure that planning maximises its ability to deliver local priorities in 'Our Plan' it is important that they recognise their role as community leaders - as opposed to their ward councillor roles - when taking individual planning decisions. This is particularly the case in relation to housing and employment proposals, where local public opposition and resistant to change can be high. We were advised of at least some recent instances at Kingsbridge and Salcombe where local interests seemed to trump appropriate economic development opportunities.

6.4 It is vital for the growth of sustainable communities, especially in relation to affordable housing and local jobs, for Committee members to take a Council-wide strategic view. It is

also important for Committee members to be aware of the economic benefits that can flow from development and officers and planning agents need to furnish members with appropriate information on this so that the on-going economic benefits of development can be taken into account.

6.5 In addition, growth in business rates, council tax and New Homes Bonus will be vital to sustain local government delivery of services given the decline in Government grant and the increasing reliance on local sources of revenue for councils. Although not a material consideration in planning decision making 'per se' it will be an important strategic objective for the Councils and will inform future income generation strategies.

6.6 We were told by planning agents that there is a growing recognition among the planning specialists of the need to place weight on the benefits of development in economic terms along with a stronger recognition of the need to demonstrate that the councils are 'open for business'. The Director leadership in supporting the Compulsory Purchase Order (CPO) for the site adjoining the longstanding major strategic economic growth area at Langage, to the north of the A38 on the Plymouth fringe, has been welcomed as a tangible example of the Council supporting business growth.

6.7 However, both Councils, and especially West Devon, recognise that there remain weaknesses in their own capacity and focus on the necessary business and economic regeneration required to improve job and wage creation in the local economy. We were told for example that despite a report in 2014 on 'Facilitating Economic Growth in South Hams and West Devon' – progress on taking this issue forward has been slow.

6.8 The peer team feel that in order to deliver the emerging corporate priority of economic growth, a clearer vision, strategy and distinctive local priorities are required, backed by adequate capacity and resources to supplement the existing asset management resource. We do not want to promote the reintroduction of the traditional economic development officer approach, focusing on inward investment, but suggest additional capacity of officers with a strong commercial sense and acumen who could work with relevant growth sectors and emerging industries. Additional officer capacity could also support developing and stretching the existing asset base of the Councils, especially at South Hams which has an asset portfolio value of some £75 million.

6.9 We were encouraged by the recent progress on developing an Asset Plan and Income Generation proposals, to develop land and buildings through changes of use, new build and refurbishment. Additional capacity in this area could also support the time consuming work of building strong and flourishing partnerships with land owners, developers and investors and produce an income stream for the Councils. This would also allow a stronger focus for securing Growth Fund money through the Heart of the South West Local Enterprise Partnership. The role for the Committees and supporting community of practice lead and specialists will be to influence the spatial direction of any emerging vision and strategy and to deliver quality and timely planning advice and determination when developments are presented.

6.10. Given high ratio of house prices to incomes in both areas plus high second home ownership, with inconsistent success in securing additional affordable homes through the planning system, more needs to be done to consistently secure affordable housing in the area. The ratio of house price to incomes in both Councils is high - South Hams is 13.9 and in West Devon it is 9.9. On top of this, the Councils estimate that approximately 15 per cent of houses in South Hams are second homes while at West Devon the figure is approximately 8 per cent although there are areas such as Salcombe with a much higher figure. In 2014/5, 52 per cent (92/177) of houses built in South Hams were affordable while for the same period West Devon recorded figures of 48 per cent (56/116). This is commendable. However, in 2015/6, 24 per cent of houses built in South Hams were affordable (figures for West Devon are not available). This delivery is against an existing Local Development Plan target of 55 per cent of affordable houses on qualifying sites.

6.11 The reasons given for the planning system not meeting its targets for affordable housing were mainly applicant/developer challenges on the grounds of viability. It will be vital through the emerging South West Devon Joint Local Plan (see further section) and the adoption of supporting supplementary planning guidance that appropriate and realistic affordable housing requirements are set, based on the Strategic Housing Market Assessments and other relevant viability data to satisfy Planning Inspectorate requirements at 'examination' stage. The Councils will also need to be mindful of the recently adopted Housing and Planning Act 2016, in particular the Government's priority of starter homes and the implications of this for affordable housing. In due course the Councils may consider that a joint housing strategy to operate alongside the Local Plan would be beneficial to set out housing requirements, including affordable housing, and delivery mechanisms to achieve objectives.

6.12 The peer team were surprised to be told that the Councils bears the costs of viability analysis where developers do not agree to provide a policy compliant level of affordable housing. The cost to the Councils, in 2015/6, was in the range of £60-£70,000. Many Councils, ensure that developers who are promoting a development which does not comply with local policy, request a viability analysis to be paid for by the developer. This is entirely appropriate and we recommend this as an immediate action.

6.13 We are aware that at a corporate level the Councils are at the early stages of exploring a Local Authority Controlled Company and asked for our advice. While this was not the focus of our work it is relevant given its potential impact upon the effective delivery of the planning service and its move to a new delivery model. We offer the initial view that, at this time, divestment of services to such a company should only take place if there was no detriment to the Councils ability to deliver services to its own communities and that there are clear potential and actual opportunities identified. It would also be important for there to be sufficient capacity within the Councils to implement further change within proposed timescales; at present we would question whether all of these conditions exist.

7. Planning Policy

7.1 The peer team support collaboration with neighbouring Plymouth City Council over the development of a South West Devon Joint Local Plan. The important potential advantage will be that the three Councils will have more scope to spatially plan economic growth and housing over a larger geographical area. Given the importance of Plymouth to the sub regional area in terms of housing, economy, infrastructure and leisure, joint working on long term spatial strategies makes sense. Development of a new up to date Local Plan will overcome current weaknesses at South Hams, where the existing Local Plan extends to 2016 only, while earlier work on updating West Devon's Local Plan was suspended in 2015. Effective monitoring at both Councils was also challenging.

7.2 The Director's leadership, backed by clear political support at South Hams/West Devon was vital to securing agreement with Plymouth City Council in relation to the agreement to produce a South West Devon Joint Local Plan. Plymouth and other stakeholders felt that progress in achieving commitment and agreement to the Plan was in marked contrast to the previously slow and cumbersome experience in joint strategic planning working between the three authorities.

7.3 The terms of the Joint Collaboration Agreement provide robust joint governance arrangements with two councillors from both South Hams and West Devon appointed to the Joint Steering Group, alongside two councillors from Plymouth. The fact that the Member Steering Group is supported by a Joint Officer team, comprising the Policy Units of all three councils, means that both South Hams and West Devon will benefit from additional capacity and expertise. We feel that this is important given the relatively small policy planning team currently covering South Hams and West Devon. This will support monitoring of the Joint Local Plan which has been an issue for both Councils, especially at South Hams.

7.4 Formal joint working with neighbouring authorities also helps fulfil the statutory requirement of the Duty to Co-operate (Localism Act 2012). This helps ensure the Plan takes account of the wider area and supports a focus on issues across local government boundaries. Even though Dartmoor National Park is not a signatory to the Joint Local Plan Agreement, the Parks Authority will be engaged through the Duty to Co-operate. Given the fact that some Council's Local Plans have failed at Examination on the Duty to Co-operate grounds, formal joint working should assist the Councils to demonstrate that this requirement has been met.

7.5 The peer team consider that the Councils have set a very 'aggressive' Joint Local Plan preparation timetable which aims to approve a draft Joint Local Plan for public consultation in July 2016 with a submission to independent examination by the Planning Inspectorate in autumn/winter 2016. Part of the urgency is the need to ensure that a Local Plan is at the submission stage as quickly as possible to prevent Government intervention due to the lack of an adopted and compliant Local Plan. It is vital that the Councils work speedily to

adopt, publish and publicise a Local Development Scheme to set out clear milestones and targets to support the ambitious timescales.

7.6 The additional capacity and expertise from working with Plymouth, supported by the commissioning of private sector consultants for specialist areas, provides additional support to meet this timescale. However, with such a timetable there are significant risks for all three Councils if they do not deliver what they intend and promise. Full officer and member capacity needs to be in place and assured by management and political leaders to ensure all this work can be completed on time.

7.7 The peer team feel that in order to meet the aims of getting the Joint Plan to submission stage and to build stronger awareness and ownership of the emerging Joint Local Plan, it is vital that South Hams and West Devon improve their communication with all councillors, Parish and Town Councils, statutory consultees and planning agents. Despite efforts by the Councils to communicate this, we found that some councillors, most Town and Parish Councils and agents were unaware of the agreement to produce a Joint Local Plan; and especially the urgent timetable to achieve this. It is important for the Councils to update information on their websites, especially under the 'Our Plan' newsletters as we found that information in relation to the Joint Local Plan did not reflect the up to date situation.

7.8 In developing the Joint Local Plan it is vital that all South Hams and West Devon Councillors are regularly engaged to ensure the widest political ownership of hard choices about the location and pattern of growth, supporting infrastructure and areas of environmental protection. For example, it will be important for adequate debate and realistic expectations to be set in relation to challenging local housing issues such as affordable housing, second homes and retirement demographics. We feel that similarly high levels of political engagement are required so that Councillors may fulfil their roles as community champions of the Plan to encourage and build local interest and involvement. Ensuring that Town and Parish Councils and local organisations are supported in playing a full part in the Plan's development is important to build local credibility. Both Councils have existing processes to engage with Town and Parish Councils and these should be built on to meet the needs and timescales for Local Plan production. Other opportunities may include 'themed parish conferences' which have worked well in other Council areas.

7.9 We are aware that both Councils have offered strong commitment to 35 Town and Parish councils to support the progress of Neighbourhood Plans with a number at an advanced draft stage. However, expertise has been lost in recent staff changes and Town and Parish Councils told us that this is holding back progress which in some instances is denting local confidence in the process. Some South Hams and West Devon Councillors and some Town and Parish Councils also told us about a building tension between progress of Neighbourhood Plans and development of the new South West Devon Joint Local Plan. As part of improved engagement with Town and Parish Councils realistic discussions need to take place about the priority and capacity that can be provided to support Neighbourhood Plans in the light of tight timescales and resources required by the

Joint Local Plan. Improved engagement can also assist in achieving clarity of understanding on the relative roles of neighbourhood and strategic policies in the light of the emerging Joint Local Plan.

8. Customer and Community Access

8.1 The peer team recognise that the main drivers of the T18 programme include improving customer, community and public access to the planning service. We found that the main transformational principles of citizen centred delivery, easier public/customer access and self-service set out a clear statement of customer focus in strategy and delivery. These ambitions are backed by clear strategic intent in the form of a Customer First Strategy and IT Strategy with a single IT platform across both councils that offers clear potential for improvement in DM service delivery. For example, the new ways of working aim to deliver benefits including:

- increased visibility of the progress of a planning application – customer advisers, applicants and planning agents will be able to follow progress of an application electronically;
- applicants or planning agents will be able to receive automatic updates through a preferred method of contact (text messages, e mail, letter); and
- fully paperless capability.

8.2 The Councils' officer structure to deliver T18 demonstrates a good focus on customer access at a senior managerial level. In order to provide political oversight, South Hams has aligned Cabinet member responsibilities to T18 while at West Devon a member lead for Customer First is championing channel shift, to provide easier and more efficient customer access. We were encouraged to see that members and officers are willing to find solutions that respond to customer needs. For example, the piloting of the reinstatement of a duty planner service at Okehampton.

8.3 The peer team met with a range of group managers, community of practice leads, specialists and case managers and witnessed a developing team approach. This is encouraging and offers the potential to the Councils to realise the wider non-financial benefits of T18, such as service delivery 'centred on the citizen' and 'removal of service silos'. Understandably, in light of shift to an entirely new operating model, when speaking to a range of staff we found varying levels of commitment and enthusiasm for T18; although we consider that the vast majority of staff we met are committed to making the new operating model work.

8.4 Staff told us that the Councils' investment in technology has significantly enhanced their ability to work agilely and has improved their on-site efficiency. Many also felt they benefitted from working from home and that they were more productive. Staff valued the

ability to work more flexibly and this provides potential for working closer to communities as the Councils' Customer Service approach matures.

8.5 However, despite these emerging strengths the Councils are aware that the effect of implementing the T18 transformation project has had an adverse impact on the customer service element of DM. We consistently heard messages from planning agents, Planning Committee members, other Councillors and Town and Parish Councils of poor customer service which has undoubtedly damaged the service's reputation and standing. Internal staff and senior managers are acutely aware of this feedback and concerns about IT progress and Customer Services in DM have been reported to Overview and Scrutiny Panels. The main concerns appear to be :

- an inability of customers to obtain easy access to a member of staff who can speak to them about the progress of their application;
- slow validation and processing times;
- a loss of experienced and expert staff and a large quick exit of planning knowledge under the T18 rationalisation;
- a lack of ongoing and regular engagement with planning agents and a limited understanding and appreciation of the costs to their business of poor customer service;
- the sharing of only limited information to Town and Parish Councils about the significant changes to DM operational delivery and lack of feedback when officers recommend against their comments; and
- a poor digital interface and quality of information on the websites including limited self-service and poor labelling of plans.

8.6 In order to rebuild trust and confidence it is vital that directors and senior managers, political leaders, portfolio holders and other senior members provide strong, clear and effective leadership to a time limited DM improvement plan with a strong focus on customer services. Paramount among key priorities include working with the IT partner to deliver urgent and essential improvements to the web sites. We are aware that matters have escalated to the need for the Head of Paid Service to have weekly phone calls with the IT partner in an attempt to trouble shoot and gain assurance of improvement actions and timescales.

8.7 We understand that the IT partner is due to attend a joint Overview and Scrutiny Committee in late May 2016 and we suggest that early engagement between the Director, senior staff and senior politicians and the IT partner would be beneficial in reaching some positive outcomes. We feel there may be benefits to the involvement of customers and stakeholders in an appropriately managed setting to help the contractors more appreciate the actual needs of customers, so these can be better reflected in the design of the customer interfaces.

8.8 'Failure demand', currently puts excessive pressure on staff and managers and creates significant frustration for planning agents, applicants and stakeholders. Providing better opportunities for users of the DM service to speak more easily to staff would provide reassurance and rebuild trust. The peer team recognise that this would mean a financial adjustment but we consider that a slightly longer payback time on investment on T18 is worthwhile to deliver increased customer satisfaction and an improved local reputation.

8.9 Planning agents told us that there had been little or no formal group communication since the last agent's forum in October 2015. Since then T18 has commenced and there has been a significant escalation of customer concerns. We would recommend that the reintroduction of an early planning agents meeting is another priority with thought given to the agenda and management of the meeting to ensure constructive dialogue. These forums should then meet on a regular basis thereafter – probably quarterly. A quick win may be advising planning agents of the revised Schemes of Delegation which they appeared to be unaware of.

9. Development Management Performance

9.1 The peer team noted a mixed but improving picture in performance on the speed of deciding planning applications. We appreciate that this is a single measure but as the Government can designate Councils, where speed on certain planning applications falls below set thresholds, it is an important consideration for the DM service and Planning Committees. Both Councils have benefitted from a clearer performance management and team focus on deciding the most important major applications and performance at both councils, but especially West Devon, has improved. With both councils approving well over 90 per cent of major applications in agreed timescales in 2015/16, performance in this area is much improved.

9.2 Recent monthly performance figures for deciding non major applications are improving significantly following a period of very poor performance. This period of poor performance was partly linked to a consequence of consistently high workloads coupled with the initial implementation of T18 that saw a significant churn in staff at different levels, IT downtime and slow validation.

9.3 It is important that this recent performance uplift in speed of processing is sustained, especially when additional resources to support validation rates are withdrawn. The service has responded to the poor performance levels and consequent risk of designation by deploying more focussed performance management, more stable staff resources and improving capacity and process, including using additional resources to speed up validation. It has also used the tool of extension of time agreements to ensure that targets are met. However, there is increased resistance to this from agents and long term reliance on time extensions risks further erosion of trust and working relationships with developers. Given the reduction in staff resources to deliver the DM service under T18, plus major concerns about customer focus, we recommend that the director and community of

practice lead, working with the Portfolio Holder and Hub lead, continue to monitor resources and performance closely.

9.4 Overall, planning appeal results for the last three years for both Councils remain relatively static in terms of appeals successfully defended and appeal costs against the Councils are low. South Hams' appeal performance hovers round 66 per cent of appeals successfully defended which is consistent with the national average. However, performance at West Devon has tended to be lower and in 2015/16 the Council lost just over half of planning appeals made against its decisions. We did not have time to examine in detail the appeal decisions but the DM service is aware that joint working with West Devon Planning and Licensing Committee members needs to identify any trends and lessons to improve on these results. Earlier we recommended more detailed reporting of performance statistics and appeal results and relevant learning from experience needs to form part of this.

9.5 The peer team recognise that the T18 model offers the potential for specialists to more clearly focus on matters of significance and judgement and that silo working between the professions has started to break down which has performance benefits. However, at the present time, we found that officer and managerial attention was focussed on dealing with the T18 process to the detriment of being able to focus on vision, outcome and added value. While we recognise the vital need to embed the T18 model and to tackle existing IT and customer care issues, it is important that the very process of dealing with planning applications does not overwhelm the capacity for planning to add value to developments and deliver outcomes that are consistent with the corporate objectives. To achieve this we recommend that as part of performance reporting for DM, a balanced score card/performance dashboard approach is used encompass quality, value/productivity and customer care as three important themes. In order to make the performance information as helpful and understandable to a wide audience a range of presentation techniques, such as strong pictorial content and charts as opposed to long narrative should be explored.

9.6 The Councils are aware of a very significant decline in the take up of their paid for pre application offer. The total number of requests between both Councils peaked at 1061 in 2014 declining to under half of that (487) in 2015; with the more acute fall at South Hams. Planning agents told us that their lack of confidence in the pre application service including slow responses, inconsistent advice and poor value for money had caused them to significantly scale back their use of the service. Planning agents advised that in place of submitting requests for pre application advice, they would submit planning applications, often expecting to get a refusal and then use the officer's report and the reasons for refusal as the pre application advice to submit a second application that sought to tackle the initial reasons for refusal. This "work-around" by agents adds significantly to workload and costs. Moreover, councillors have expressed a desire to have the opportunity to be involved in managed pre-applications as part of their community leadership role.

9.7 The peer team consider pre application advice as an essential part of a good quality DM service and the steep decline in usage reduces the opportunity of the Councils to influence both development and associated community benefits where major schemes are involved. A worthwhile pre-applications service will provide a supplementary income stream to cover its cost. On top of this, we strongly recommend, as part of any early meeting with Planning Agents and as part of an improvement priority, that the Councils redefine and actively promote and deliver improved and more targeted pre application offer to their customers.

10. Further Support

PAS would be happy to discuss with South Hams and West Devon on developing a package of further support (paid for at cost). Specifically, we recommend exploring PAS support around:

- Mentoring for the Committee Chair
- Training for the Planning Committee
- Critical friend review of the emerging plan and NPPF compatibility of the suite of DPDs

There are also tools and materials available on the [PAS website](#) which can be downloaded and used for free. Some of these are listed here.

DM tools: PAS has produced a suite of materials which should help with various aspects of the DM process. The councils have already had access to support for their DM service from PAS, particularly in relation to the DM challenge kit. The resources below are available to download and use.

-
- [Pre-app processes](#): PAS has a number of pre-application resources available to download and use.
- [Conditions](#): PAS has produced a best practice not on applying and discharging conditions
- [Project managing major applications](#): PAS has produced a new note about handling major applications
- [Using S106s – standard templates etc](#)



Local Government Association Local Government House, Smith Square, London SW1P 3HZ

Telephone 0207 664 3000 Fax 0207 664 3030

Email info@local.gov.uk

www.local.gov.uk

Planning Peer Challenge – Action Plan

The following plan outlines the specific actions that will be taken to respond to the Peer Challenges recommendations. Reporting back on delivery against the actions will include the outcome/outputs of the action.

Overall monitoring of performance improvement will be through the new suite of key performance indicators detailed in Recommendation 9 and through delivery of the Joint Local Plan

Peer Challenge Recommendation	Comments/Actions completed	Proposed Action	Timescale	Lead Officer(s)
<p>1. Develop and embed the T18 model to respond more specifically to the context and challenges of the DM service. Specifically consider issues relating to how the T18 model can deal with the whole end to end processes of negotiating and determining proposals, to achieve better accountability, increased capacity and a greater customer focus.</p>	<p>1.1 The model is being developed and implemented within Development Management to reflect these recommendations.</p> <p>1.2 Under present trials L6 Senior Case Managers ('Junior planners') handle lower level householder apps from cradle to grave. The majority of other cases will be managed by Case Managers (CM) – ie they will push the application through the process and ensure that dates are met, consultations gathered, applicants/neighbours kept informed of progress etc. The Specialist will be accountable and responsible for the decision having assessed the application. Accountability will be clear; we will effectively have a CM managing the application and a Specialist determining the application.</p>	<p>A1. Extend trial to all CM/Specialists dealing with planning applications.</p>	<p>September 2016</p>	<p>Drew Powell Kate Hamp</p>

	<p>1.3 The Community of Practice Lead will be responsible for ensuring that the DM process is delivered efficiently and lawfully.</p> <p>1.4 The weekly list for Parish and Town Councils has now been amended to identify the relevant Case Manager and Specialist (if relevant).</p> <p>1.5 The need for an accountable officer to be contactable by agents, applicants, Parish's etc is fully recognised.</p>			
<p>2. Act on the findings of resource reviews, especially at the case manager level, so as to ensure that sufficient capacity to deliver an effective and customer facing DM service.</p> <p>This should include developing a strategy for dealing with applications more efficiently within the time limits without the need for excessive</p>	<p>2.1 Recent reports to West Devon Hub Committee (minute) and South Hams Executive (minute) detail the resources at Case Manager level already identified to support transition.</p> <p>2.2 There has been an initial focus on securing a marked improvement in determination performance (with extension of time agreements) in order to minimise the risk to the Councils from new performance measures proposed within the Housing and Planning Bill.</p> <p>2.3 See 1.4 and 1.5 above</p>	<p>A2. Review staffing levels during transition to ensure post transition levels will be sufficient to sustain performance</p> <p>A.3 As part of the new approach to performance management (see also 9.1) we will also be measuring determination performance in line with the relevant 8</p>	<p>February 2017</p> <p>August 2016</p>	<p>Drew Powell Kate Hamp</p> <p>Drew Powell</p>

<p>recourse to extension of time agreements, and also to ensure that applicants and the public have a single point of contact.</p>		<p>and 13 week statutory targets.</p>		
<p>3. Work with the IT partner to ensure that the recognised IT problems, especially in relation to the planning constraints and history, and the labelling of plans, are tackled as a matter of urgency. In doing this ensure that the web site is easy to use and learn from currently high performing customer focussed planning services.</p>	<p>3.1 Since the visit there have been major improvements in terms of functionality in relation to planning history and constraints. There remains issues with the stability and functionality of the website and it is accepted that further development/improvement is necessary.</p>	<p>A.4 Review present action plan to develop the website in line with best practice and to facilitate self-serve and channel shift in line with operating model principles.</p>	<p>September 2016</p>	<p>Mike Ward</p>
<p>4. Urgently reinstate regular local agent's forums.</p>	<p>4.1 The frequency of forums has reduced during transition but the need for an active dialogue is fully recognised by officers.</p>	<p>A.5 A joint Developer/Agent forum will take place w/c 22 August 2016 at the Watermark Centre in Ivybridge.</p>	<p>August 2016</p>	<p>Pat Whymer</p>

		<p>A.6 Training on how agents can self-serve using new software will be given at future forums.</p> <p>A.7 Specialists and Senior Case Managers will attend the Forums to facilitate and build closer working relationships</p>		
<p>5. Facilitate engagement with Town and Parish Council representatives to develop appropriate protocols to ensure that the concerns of these stakeholders are fully taken into account, and that feedback is given to them where a recommendation that differs to their views is reached.</p>	<p>5.1 The current consultation on the Joint Local Plan has specifically targeted workshops with all town and parish councils. Responses from town and parish councils will be addressed and responded to as the Joint Local Plan progresses. Further engagement will be planned and set out in the Joint Local Plan Engagement Strategy.</p>	<p>A.8 Consult Town and Parish Councils and establish direct liaison during current and future consultation phases.</p> <p>A.9 Provide clear summary of Town and Parish Council comments and an explanation of any divergence from their comments in the officer report. A copy of the report to be provided to T/P</p>	<p>In line with JLP programme</p> <p>October 2016</p>	<p>Tom Jones Lesley Crocker</p> <p>Pat Whymer</p>

Also engage with the town and parish councils on expectations around support for neighbourhood plans.	5.2 Councils have dedicated staff resource focussed on Neighbourhood Plans and targeted support package. Current JLP consultation raises following for consideration	Councils with the decision notice	November 2016	Pat Whymer
		A.10 Offer direct planning training sessions T/P Councils either individually or by cluster		
		<ul style="list-style-type: none"> Supporting the emerging Networks in West Devon and South Hams. Entering into a Neighbourhood Plan Agreement with each group to clearly establish the intended purpose of the Plan, the relationship to the Joint Local Plan and roles & responsibilities of those involved. 	A.11 Establish liaison arrangements in JLP Engagement Strategy	September 2016
6. Ensure timely processes and mechanisms for adoption of a Local Development Scheme	6.1 Local Development Scheme is under current review by the Joint Local Plan (JLP) Member Steering Group.	A.12 Update Neighbourhood Plan Protocol to incorporate updated support package and clarify support level to NP networks and individual NP groups.	October 2016	Tom Jones
		A.13 Maintain as standing item for JLP Member Steering	In line with JLP programme	Tom Jones

<p>(LDS) as part of the rapid progression of the South West Devon Joint Local Plan to adoption.</p>	<p>6.2 Currently under watching brief to take into account any impacts on work programme in response to economic uncertainties</p> <p>6.3 Adoption of LDS already delegated to senior officers in consultation with lead members – allowing for speedy adoption once timing is clarified.</p>	<p>Group and issue as soon as reasonable.</p>		
<p>7. Keep the communities, planning agents and stakeholders regularly informed of and involved in the South West Devon Joint Local Plan’s progress recognising the benefits of maintaining an expeditious timeline for adoption</p>	<p>7.1 Current and future consultations to be undertaken in line with Engagement Strategy adopted by all three Local Planning Authorities (SH, WD, Plymouth). This includes involvement of all stakeholders.</p>	<p>A.14 Implement JLP Engagement Strategy. Review and update as necessary.</p>	<p>In line with JLP Programme</p>	<p>Lesley Crocker</p>
<p>8. Engender strong leadership of the Planning Committees through regular training and appropriate updates on planning policy (including on the 5 year land supply</p>	<p>8.1 All Members receive training on Planning matters as part of their induction. Additional training is undertaken in advance of becoming a DM/P&L Committee Member, and offered to other Members subject to availability.</p>	<p>A.15 Review and, where necessary, develop and implement a new training programme for planning committee members with wider</p>	<p>March 2017</p>	<p>Pat Whymer Darryl White</p>

<p>for housing). General planning training should be made available to help non-planning committee members to be more effective local community leaders.</p>	<p>8.2 The Planning Advisory Service were engaged to deliver Member training during 2015/16.</p>	<p>membership invited and supported.</p>		
<p>9. Report a suite of performance indicators directly to the Planning Committees and where necessary Cabinet and Hub, including productivity and performance of Planning Committee itself. KPIs including quality, value and customer focus and land supply, should be reported via a performance dashboard to demonstrate the Service's contribution to wider corporate objectives.</p>	<p>9.1 A range of KPIs have been reported through to different Committees in the past, most recently through O&S (Internal) at WD and O&S at SH.</p>	<p>A.16 A suite of KPIs, covering the suggested areas, will be developed and reported to Development Management/Planning and Licensing Committee on a monthly basis. The KPI's will provide trends over time and be supported by narrative by exception.</p>	<p>September 2016</p>	<p>Drew Powell</p>

<p>10. Ensure there are adequate resources to focus on economic growth and affordable housing. This should include reviewing the approach of viability assessments paid for by planning applicants, and developing a pool of knowledge about comparables including values and build rates across the relevant market areas.</p>	<p>10.1 It is considered that there is suitable in-house resource to manage affordable housing issues although there will be the need to engage external support on occasions.</p> <p>10.2 A Member working group has now been set up with responsibility for economic growth. The outcomes arising from this group will determine future resource provision.</p> <p>10.3 An initial assessment of how viability assessments are commissioned has been undertaken and harmonisation of approach between the two councils is being considered.</p> <p>10.4 An identified gap in in-house knowledge with regard to viability has been addressed during the recruitment of a Specialist into the Assets Community of Practice – an example of utilising transferable skills across the organisation in line with the key principles of the new operating model.</p>	<p>A.17 A review of our approach to viability and how we can ensure consistency and efficiency – in terms of cost and timeliness – will be undertaken</p>	<p>December 2016</p>	<p>Alex Rehaag</p>
<p>11. Review in 12 months' time the operation of the Schemes of Delegation to examine whether even greater harmonisation would be beneficial.</p>		<p>A.18 A review of the Scheme of Delegation will be undertaken in conjunction with the Chairs of Committee</p>	<p>July 2017</p>	<p>Pat Whymer</p>

12. Further evaluate the risks at this time of moving to a Local Authority Controlled Company.	12.1 Since publication of the Report, the councils have received the Price Waterhouse Cooper Report evaluating the risks. Proposals are presently being reported to Members through Hub and Executive.	Pending decision by Members	TBC	TBC
13. Ensure sufficient focus, capacity and consistency in delivering a high quality pre application service to provide greater certainty to customers and allow more time for helping shape development to meet community needs. Enhanced pre application engagement should also include delivering informal pre planning briefings to members of the Committees on significant major developments.	13.1 There has been a reduction in performance with regard to turn around times for pre-applications during transition. This has resulted in a reduction in volume.	A.19 Review pre-application process and charges.	October 2016	Pat Whymer
	13.2 SHDC negotiated and agreed its first Planning Performance Agreement (PPA) in June 2016. PPA's offer a mutually beneficial way for applicants and the councils to secure timely development.	A.20 Develop a Planning Performance Agreement protocol to include standard agreement template and charging policy.	November 2016	Tom Jones
		A.21 Develop a protocol to ensure early engagement of Members on major developments.	November 2016	Pat Whymer
14. Review Committee site visit protocols to ensure		A.22 Undertake a review of site visit protocols in	September 2016	Pat Whymer

planning decision making
is as efficient as possible.

conjunction with
relevant Committees