

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the **South Hams Development Management Committee** held on **Wednesday, 23rd November, 2016** at **11.30 am** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Steer
Vice Chairman Cllr Foss

Cllr Bramble
Cllr Cane
Cllr Hodgson
Cllr Rowe

Cllr Brazil
Cllr Hitchins
Cllr Holway

In attendance:

Councillors:

Cllr Bastone
Cllr Brown
Cllr Pennington
Cllr Wright

Cllr Birch
Cllr Green
Cllr Smerdon

Officers:

Becky Fowlds
Patrick Whymer

Lead Specialist DM

39. **Minutes**

DM.39/16

The minutes of the meeting of the Committee held on 26 October 2016 were confirmed as a correct record and signed by the Chairman.

40. **Declarations of Interest**

DM.40/16

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

Cllr J M Hodgson declared a personal interest in application **1623/16/FUL**: Construction of a new three storey private residence on a brownfield site currently occupied by three garages on a site on the outskirts of Totnes – Garages 1-3 adjacent to 1A Christina Park, Totnes by virtue of knowing one of the objectors. She remained in the meeting for the duration of this item and took part in the debate and vote thereon.

41. **Public Participation**

DM.41/16

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

42. **Planning Applications:**

DM.42/16

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:

1333/16/FUL Lantern Lodge Hotel, Hope Cove

Parish: South Huish

Planning Permission for demolition of the Lantern Lodge Hotel and construction of 5 dwellings

Case Officer Update: N/A

Speakers included: Supporter – Mr Mark Evans: Parish Council – Cllr Jo Hocking: Ward Members – Cllr Pearce (statement read out) and Cllr Wright

Recommendation: Conditional Approval subject to completion of s106 legal agreement

During discussion on this item a number of Members expressed their concern over the loss of a tourism asset in a prime position, and the impact that this would have on the local economy. Members had found the site inspection helpful. Whilst appreciating that the hotel needed investment, the independence of the submitted viability assessment was called into question. There was also concern that the proposed housing would not be affordable for local people and the proposal was described as opportunism at the expense of the local community. Members felt that all options for the site had not yet been explored and they could not support the proposal. Members also felt strongly that an affordable housing contribution should be made. In line with the Written Ministerial

Statement, the Council recognised the guidance for planning obligations set out in the PPG. However. Members expressed the opinion that the site presented exceptional circumstances to the extent that Affordable Housing contributions should be sought in line with the adopted SPD.

Committee Decision: Refusal

Reasons:

1. The application proposes the loss of a valued tourist facility in a prime location without any explanation of why an alternative solution cannot be found to maintain a business providing tourist services and some local employment. The loss of such a facility would be harmful to the purposes of the AONB designation and is contrary to policies DP12, DP14 of the South Hams Development Policies DPD and the National Planning Policy Framework
2. Wording regarding the lack of financial contribution towards affordable housing provision to be delegated to the COP Lead Development Management in consultation with the Chairman and Vice Chairman of Development Management Committee

[Post Meeting Note: In line with the debate, the second reason for refusal is confirmed as follows:

The proposed development does not provide affordable housing provision in an area with an exceptional and demonstrable local need. No justification has been provided by way of submission of a suitable viability study that indicates that such provision would compromise the overall viability of the development. As such the proposed development is considered contrary to South Hams Core Strategy Policy CS6 and the provisions of the South Hams Affordable Housing SPD].

1879/16/HHO Kynance, Higher Broad Park, Dartmouth

Parish: Dartmouth

Householder application for proposed extension to ground floor, remodelling and raising of roof height

Case Officer Update: An error in the report was corrected, the proposed roof will be 29cm higher than Sutherlands Loft, not 10cm as stated

Speakers included: Objector – Mr John Firmin: Supporter – Mr Ben Inghim

Recommendation: Conditional Approval

Committee Decision: Defer for Site Inspection

0268/16/HHO Water Edge, Lower Street, Dittisham

Parish: Dittisham

Householder application for replacement Boathouse

Case Officer Update: N/A

Speakers included: Objector – Ms Olivia Loewendahl: Supporter – Mr Peter Coxon: Parish Council – Cllr Michael Faulkner: Ward Member – Cllr Tucker (statement read out)

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions: (please refer to report for conditions in full)

1. Standard three year time limit for commencement
2. Development to be carried out in accordance with approved plans
3. Construction Environmental Management Plan
4. Details regarding light spill
5. Details of proposed slip way
6. Ancillary use
7. Proposal to adhere with recommendations set out within ecology report
8. Landscaping recommended in ecology report to be adhered to
9. Restriction on creation of additional floor space
10. Details of materials to be submitted
11. Removal of PD rights for Class E
12. No external lighting unless previously agreed in writing by the LPA

1623/16/FUL Garages 1-3 adjacent to 1A Christina Park, Totnes

Parish: Totnes

Construction of a new three storey dwelling

Case Officer Update: N/A

Speakers included: N/A

Recommendation: Conditional Approval

Committee Decision: Defer for Site Inspection

0039/16/FUL Queshills, Ware Hill, Ugborough

Parish: Ugborough

Conversion of domestic garage with first floor storage into separate dwelling together with associated parking

Case Officer Update: N/A

Speakers included: Parish Council – Cllr Fletcher: Ward Member – Cllr Holway

Recommendation: Refusal

During discussion on this item, a number of Members did not agree that the proposal justified a refusal on Highways grounds, particularly as there was already a garage on the site. In addition, Members felt that this was an opportunity for construction of a small dwelling in a village location. Members discussed the Highways implications in detail, but concluded that the proposal should be supported.

Committee Decision: Authority delegated to COP Lead Development Management in consultation with the Chairman of DM Committee, to approve the application and set out conditions to apply to the planning consent

0745/16/FUL Land at Westerland, Totnes Road, Marldon

Parish: Marldon

Retrospective change of use from Agricultural to Equestrian. Plot 1, Field subdivided with fencing and two stables on skids, for horses and two areas fenced for dog exercising and training use and new access provision

Case Officer Update: N/A

Speakers included: Ward Member – Cllr Pennington

Recommendation: Conditional Approval

Committee Decision: Defer for Site Inspection

43. **Application to work on Trees subject to a TPO**

DM.43/16

2347/16/TPO 46 Barton Brake, land of Leyford Close, Wembury

Parish: Wembury

Request to fell T2 - Sycamore

Case Officer Update: N/A

Speakers included: Parish Council – Cllr Packer: Ward Member – Cllr Brown (statement read out) and Cllr Cane

Recommendation: Conditional Approval

Committee Decision: Refusal

In discussing this application the Members noted the potential impact on the AONB and the detrimental impact on biodiversity.

44. **Planning Appeals Update**

DM.44/16

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.

45. **Planning Performance Indicators**

DM.45/16

The COP Lead Development Management introduced the latest set of performance indicators related to the Development Management service. During the discussion on this item, the Solicitor advised that an up to date list of current s106 Agreements would be circulated for Members information.

It was then:

RESOLVED

That the latest set of performance indicators be noted.

46. **Review of Site Inspection Protocol**

DM.46/16

Members were presented with a report that presented a review of the current Site Inspection Protocol, as suggested in the Action Plan that had arisen from the Planning Peer Review.

In discussing the report, Members appreciated that the intention was to improve the efficiency of decision making by speeding up the process. By 'front loading' the site inspection process, it should prevent presented applications from being deferred to the next Committee date, other than in the most exceptional circumstances.

It was then:

RESOLVED to **RECOMMEND** to Council:

1. That the revised Site Inspection Protocol as presented at Appendix A to the report be adopted; and
2. That authority to make minor amendments be delegated to the COP Lead Specialist Development Management, in consultation with the Chairman of DM Committee.

The Meeting concluded at 5.30 pm

Signed by:

Chairman

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Voting Analysis for Planning Applications – DM Committee 23 November 2016

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
1333/16/FUL	Lantern Lodge Hotel, Grand View Road, Hope Cove	Refusal	Cllrs Bramble, Brazil, Cane, Hodgson, Holway and Rowe (6)	Cllrs Foss, Hitchins and Steer (3)	None	Cllrs Cuthbert, Pearce and Vint (3)
1879/16/HHO	Kynance, Higher Broad Park, Dartmouth	Site Visit	Cllrs Bramble, Hitchins, Hodgson, Holway and Rowe (5)	Cllrs Steer and Cane (2)	Cllr Foss (1)	Cllrs Brazil, Cuthbert, Pearce and Vint (4)
0268/16/HHO	Water Edge, Lower Street, Dittisham	Site Visit	Cllrs Holway, Hitchins and Rowe (3)	Bramble, Foss, Hodgson, Cane and Steer (5)	Cllr Brazil (not in attendance for officer presentation) (1)	Cllrs Cuthbert, Pearce and Vint (3)
0268/16/HHO	Water Edge, Lower Street, Dittisham	Conditional Approval	Cllrs Bramble, Foss, Hodgson, Cane and Steer (5)	Cllrs Hitchins and Holway (2)	Cllr Brazil (not in attendance for officer presentation) and Cllr Rowe (2)	Cllrs Cuthbert, Pearce and Vint (3)
1623/16/FUL	Garages 1-3 adjacent to 1A Christina Park, Totnes	Site Visit	Cllrs Bramble, Hitchins, Hodgson, Holway, Steer and Foss (6)	Cllrs Brazil and Cane (2)	Cllr Rowe (1)	Cllrs Cuthbert, Pearce and Vint (3)
0039/16/FUL	Queshills, Ware Hill, Ugborough	Conditional Approval	Cllrs Bramble, Brazil, Cane, Hodgson, Holway, Hitchins, Foss and Rowe (8)	Cllr Steer (1)	None	Cllrs Cuthbert, Pearce and Vint (3)
0745/16/FUL	Land at Westerland, Totnes Road, Marldon	Site Visit	Cllrs Bramble, Brazil, Cane, Hodgson, Holway, Hitchins, Foss, Steer and Rowe (8)			Cllrs Cuthbert, Pearce and Vint (3)
2347/16/TPO	46 Barton Brake, Wembury	Refusal	Cllrs Hodgson, Brazil, Bramble, Rowe and Cane (5)	Cllrs Steer, Foss, Hitchins and Holway (4)		Cllrs Cuthbert, Pearce and Vint (3)

