

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the **South Hams Development Management Committee** held on **Wednesday, 18th January, 2017 at 10.00 am** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Steer
Vice Chairman Cllr Foss

Cllr Bramble
Cllr Cane
Cllr Hitchins
Cllr Holway
Cllr Rowe

Cllr Brazil
Cllr Cuthbert
Cllr Hodgson
Cllr Pearce
Cllr Vint

In attendance:

Councillors:

Cllr Baldry
Cllr Birch
Cllr Tucker

Cllr Bastone
Cllr Green
Cllr Wright

Officers:

Becky Fowlds
Patrick Whymer

Lead Specialist DM

47. **Minutes**

DM.47/16

The minutes of the meeting of the Committee held on 23 November 2016 were confirmed as a correct record and signed by the Chairman.

48. **Urgent Business**

DM.48/16

The Chairman advised that application **0771/16/OPA**: Outline planning application for planning permission to erect up to 65 dwellings (including

market, affordable and retirement housing), landscaping and associated works – Land at SX791 430, to rear of Green Park Way, Chillington had been deferred from the agenda following publication.

49. **Declarations of Interest**

DM.49/16

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 and Cllr R J Vint both 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. They remained in the meeting for the duration of this item and took part in the debate and vote thereon;

Cllr R C Steer declared a personal interest in application **1648/16/FUL**: Application for a small tension to existing beach café building to provide storage and toilet facilities for staff – Beachhouse Café, South Milton Sands, South Milton by virtue of a family member working for the tenant. He remained in the meeting for the duration of this item and took part in the debate and vote thereon.

50. **Public Participation**

DM.50/16

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

51. **Planning Applications**

DM.51/16

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:

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, Sunderlands Loft should have read Sutherlands Loft

Speakers included: Ward Members: Cllrs Bastone and Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time Limit
2. Accordance to plans
3. Materials to match existing
4. Remove PD
5. Contaminated land
6. Obscure Glazing
7. Construction Management Plan

**1623/16/FUL
Totnes**

Garages 1-3 adjacent to 1A Christina Park,

Parish: Totnes

Construction of a new three storey dwelling

Case Officer Update: N/A

Speakers included: Objector – Ms Anna Ali; Supporter – Mr Rud Sawers; Ward Members – Cllrs Birch, Green and Vint

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accordance with plan
3. Land affected by contamination
4. Surface water drainage in accordance with submitted details
5. Details and samples of external materials
6. All windows in east elevation to be obscure glazed
7. No external lighting
8. Details of tree planting along northern boundary of the site
9. Remove PD rights
10. Construction Management Plan

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:

1. Additional LoR raising following issues:
 - a. Business use of track will cause a nuisance
 - b. No way of controlling use of existing access points
 - c. Wildlife report failed to identify presence of slow worms on site
2. Officer has spoken with PROW officer, Mr Rowlands at DCC who confirmed he had no objection to the proposal
3. Proposed changes to conditions:
 - a. Condition 3 to read 'Vehicular access to the site by users of the hereby approved equestrian and dog training facilities shall only be made via the new access as shown on drawing number 1038.004 and not by any other access. Reason: In the interest of highway safety.'
 - b. Additional Condition: Within four months of the date of this decision a traffic management plan shall be submitted to and agreed in writing by the LPA to agree how access to and from the site will be managed. The Traffic Management Plan shall be implemented within four months of the date of their decision and maintained in perpetuity. Reason: In the interest of highway safety.'

Speakers included: Objector – Mrs Shirley Gilberts: Supporter – Mr Les Snodgrass: Parish Council Representative – Cllr Gordon Page: Ward Member – Cllr Pennington

Recommendation: Conditional Approval

Committee Decision: Conditional Approval with conditions to be amended to require the width of the new access to be increased to 8m, the details of which shall be previously agreed with the LPA.

Conditions:

1. In accordance with plans
2. Details of entrance gate to be submitted and approved within 4 months and implementation of new access within 4 months, unless otherwise agreed
3. Restriction on use of existing access
4. In accordance with ecology report
5. Maintain access to public footpath
6. No mud or rocks on highway
7. The means of construction and drainage of all hard surfaced area and buildings including the new access track shall be submitted to and approved in writing by

the LPA and then provided in accordance with the approved details within four months of the date of this application, unless otherwise agreed in writing by the LPA

8. Within four months of the date of this decision a traffic management plan shall be submitted to and agreed in writing by the LPA to agree how access to and from the site will be managed. The Traffic Management Plan shall be implemented within four months of the date of their decision and maintained in perpetuity

**3230/16/COU 5 - 9 Victoria Road, Dartmouth
Parish: Dartmouth**

Change of use from retail (Class A1) to coffee shop (Mixed A1/A3 Class)

Case Officer Update: N/A

Speakers included: Objector – Mr Roger Purvey; Supporter – Mr Paul Williams; Ward Member – Cllr Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Standard Time Limit
2. Approved Plans
3. Noise Mitigation Measures
4. Hours of Operation
5. Access via Main Entrance

**3204/16/FUL 5 - 9 Victoria Road, Dartmouth
Parish: Dartmouth**

Modifications to shopfront and installation of 1 air conditioning unit on side wall

Case Officer Update: N/A

Speakers included: Objector – Mr Phil Townsend; Supporter – Mr Paul Williams; Ward Member – Cllr Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Standard Time Limit
2. Approved Plans

3. Noise Mitigation Measures
4. Air Conditioning Operation Hours
5. Access via Main Entrance

**3205/16/ADV 5 - 9 Victoria Road, Dartmouth
Parish: Dartmouth**

Advertisement consent for 1 x fascia sign and 1 x projecting sign

Case Officer Update: N/A

Speakers included: Supporter – Mr Paul Williams; Ward Member – Cllr Rowe

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Standard advert condition – maintenance
3. Standard advert condition – public safety
4. Standard advert condition – tidy site after removal
5. Standard advert condition – permission of site owner required
6. Standard advert condition – security

**1372/16/FUL Land at the Fairway, Newton Ferrers
Parish: Newton Ferrers**

Construction of 5no. DDA compliant dwellings and change of use of land

Case Officer Update: 3 new LoRs received, raising the following issues:
1. High level of objection
2. Not an identified site in emerging JLP or Neighbourhood Plan

Speakers included: Objector – Mr Rob Hudson; Supporter – Mr Andy Coughlan; Parish Council Representative – Cllr Caroline Adams; Ward Member – Cllr Baldry

Recommendation: Delegated authority to be given to the COP Lead Development Management to grant Conditional Approval in consultation with the Chairman and Vice Chairman of Development Management Committee and subject to the satisfactory completion of a Section 106 Agreement

Committee Decision: Delegated authority to be given to the COP Lead Development Management to grant Conditional Approval in consultation with the Chairman and Vice Chairman of Development Management Committee and subject to the satisfactory completion of a Section 106 Agreement

Conditions:

1. Time
2. Accords with plans
3. Details of levels to be provided and agreed
4. Details of surface water drainage to be submitted to and approved in writing by the LPA
5. Recommendations on Extended Phase 1 Habitat Survey and Ecological Appraisal to be adhered to.
6. No external lighting unless details previously agreed with LPA
7. Requirement for heavy metal soil sampling
8. Unsuspected contamination
9. Pre-commencement - Construction Management Plan
10. East facing dormer windows to be obscure glazed and fixed shut.
11. Materials to be agreed
12. Hard and soft landscaping to be agreed and implemented
13. Tree and hedgerow protection measures during construction to be agreed
14. Details of any retaining walls to be agreed
15. Construction details of estate road, footways, verges etc to be agreed and provided.
16. Removal of PD – roof extensions and means of enclosure
17. Pre-commencement – LEMP
18. Highway, parking and turning to be laid out prior to occupation
19. All off site highway improvement works shall be complete prior to the occupation of the first dwelling
20. No mud, stones, water or debris shall be deposited on the public highway

**2992/16/FUL The Rough, Devon Road, Salcombe
Parish: Salcombe**

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

Case Officer Update: N/A

Speakers included: Supporter – Mr Phil Pawsey; Ward Members – Cllrs Pearce and Wright

Recommendation: Conditional Approval

Committee Decision:Conditional Approval

Conditions:

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

**3599/16/VAR Combe Cottage, Slapton, Kingsbridge
Parish: Slapton**

Application for variation of condition of granted planning application 44/1852/13/F. To replace drawings SN:11:52A & 53B and SN:55,56,57

Case Officer Update:N/A

Speakers included: Supporter – Mr Phil Pawsey; Parish Council Representative – Cllr Graham Burton: Ward Member – Cllr Foss

Recommendation: Delegation to Community of Practice Lead in consultation with the Chairman and Vice Chairman of DM Committee to grant Conditional Approval subject to the signing of a Deed of Variation to the Section 106 Agreement

Committee Decision:Delegation to Community of Practice Lead in consultation with the Chairman and Vice Chairman of DM Committee to grant Conditional Approval subject to the signing of a Deed of Variation to the Section 106 Agreement

Conditions:

1. Time
2. Accords with plans
3. Timescale for laying out private and public open space
4. Landscaping scheme to be implemented
5. Landscaping to be maintained
6. Materials to be agreed
7. Landscaping and Biodiversity Management and Maintenance Plan, including a detailed tree protection plan and arboricultural method statement to be approved and implemented.

8. Means of enclosure, including details of proposed pedestrian gate to Carr Lane and future maintenance
9. Details of drainage to be agreed pre-commencement
10. Agreed drainage to be implemented and completed prior to construction of house above slab level

1648/16/FUL Beachhouse Café, South Milton Sands, South Milton

Parish: South Milton

Application for a small extension to existing beach café building to provide storage and toilet facilities for staff

Case Officer Update: N/A

Speakers included: Supporter – Mr Richard Snow; Ward Members – Cllrs Pearce and Wright

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Foul drainage
4. Surface water drainage
5. Removal of structures within yard

3542/16/VAR Ferris Builders Yard (Plot 1), Bay View Estate, Stoke Fleming

Parish: Stoke Fleming

Application variation of condition numbers 2, 3 and 4 following grant of planning permission 51/2045/03/F to allow changes to approved plans

Case Officer Update: N/A

Speakers included: Objector – Mrs Jill Wallis; Supporter – Mr Douglas Ferris; Ward Member – Cllr Hicks (statement read out)

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Floor levels and roof ridges to accord with approved details

3. Parking to be provided for each dwelling prior to occupation
4. Removal of PD rights
5. Hardsurfacing and means of enclosure to be provided prior to occupation
6. Unsuspected contamination

52. **Planning Appeals Update**

DM.52/16

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.

53. **Planning Performance Indicators**

DM.53/16

The COP Lead Development Management introduced the latest set of performance indicators related to the Development Management service.

It was then:

RESOLVED

That the latest set of performance indicators be noted.

The Meeting concluded at 6.15 pm

Signed by:

Chairman

Voting Analysis for Planning Applications – DM Committee 18 January 2017

<i>Application No:</i>	<i>Site Address</i>	<i>Vote</i>	<i>Councillors who Voted Yes</i>	<i>Councillors who Voted No</i>	<i>Councillors who Voted Abstain</i>	<i>Absent</i>
1879/16/HHO	Kynance, Higher Broad Park, Dartmouth	Conditional Approval	Cllrs Holway, Cane, Rowe, Steer, Foss (5)	Cllrs Hodgson, Bramble (2)	Cllrs Cuthbert, Pearce and Vint (not being present for the Officer presentation) (3)	Cllrs Brazil, Hitchins (2)
1623/16/FUL	Garages 1-3 adjacent to 1A Christina Park, Totnes	Refusal	Cllrs Hodgson, Rowe and Vint (3)	Cllrs Steer, Foss, Cane, Cuthbert, Holway, Pearce, Bramble (7)	(0)	Cllrs Brazil, Hitchins (2)
1623/16/FUL	Garages 1-3 adjacent to 1A Christina Park, Totnes	Conditional Approval	Cllrs Steer, Foss, Cane, Cuthbert, Holway, Pearce, Bramble (7)	Cllrs Hodgson, Rowe and Vint (3)	(0)	Cllrs Brazil, Hitchins (2)
245/16/FUL	Land at Westerland, Totnes Road, Marldon	Conditional Approval	Cllrs Foss, Steer, Hitchins, Bramble, Holway (5)	Cllrs Cane, Rowe, Hodgson (3)	Cllrs Cuthbert, Pearce and Vint (not being present for the Officer presentation) (3)	Cllr Brazil (1)
3230/16/COU	5 – 9 Victoria Road, Dartmouth	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane, Pearce (9)	Cllrs Hodgson, Brazil, Vint (3)	(0)	(0)
3204/16/FUL	5 – 9 Victoria Road, Dartmouth	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane, Pearce (9)	Cllrs Hodgson, Brazil, Vint (3)	(0)	(0)
3205/16/ADV	5 – 9 Victoria Road, Dartmouth	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane, Pearce, Vint (10)	Cllr Brazil (1)	Cllr Hodgson (1)	(0)

1372/16/FUL	Land at The Fairway, Newton Ferrers	Conditional Approval	Cllrs Steer, Foss, Hitchins, Bramble, Holway, Rowe, Cuthbert, Cane (8)	Cllrs Hodgson, Vint, Brazil, Pearce (4)	(0)	(0)
2992/16/FUL	The Rough, Devon Road, Salcombe	Conditional Approval	Cllrs Steer, Bramble, Rowe, Holway, Cuthbert (5)	Cllrs Pearce, Hodgson (2)	Cllrs Brazil, Cane, Foss, Vint (4)	Cllr Hitchins (1)
3599/16/VAR	Combe Cottage, Slapton, Kingsbridge	Refusal	Cllrs Foss, Hodgson, Brazil, Vint, Pearce (5)	Cllrs Steer, Bramble, Rowe, Cuthbert, Holway, Cane (6)	(0)	Cllr Hitchins (1)
3599/16/VAR	Combe Cottage, Slapton, Kingsbridge	Conditional Approval	Cllrs Steer, Bramble, Rowe, Cuthbert, Holway, Cane (6)	Cllrs Foss, Hodgson, Brazil, Vint, Pearce (5)	(0)	Cllr Hitchins (1)
3548/16/FUL	Beachhouse Café, South Milton Sands, South Milton	Conditional Approval	Cllrs Steer, Bramble, Rowe, Cuthbert, Holway, Cane, Foss, Hodgson, Brazil (9)	Cllr Bramble (1)	Cllr Pearce (1)	Cllr Hitchins (1)
3542/16/VAR	Ferris Builders Yard (Plot 1), Bay View Estate, Stoke Fleming	Conditional Approval	Cllrs Hodgson, Vint, Rowe, Cane, Holway, Cuthbert, Steer (7)	Cllrs Pearce, Bramble, Brazil, Foss (4)		Cllr Hitchins (1)