

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the **South Hams Development Management Committee** held on **Wednesday, 10th May, 2017 at 10.00 am** at the **Council Chamber - Follaton House**

Present: **Councillors:**

Chairman Cllr Steer
Vice Chairman Cllr Foss

Cllr Bramble
Cllr Cuthbert
Cllr Hodgson
Cllr Pearce
Cllr Vint

Cllr Cane
Cllr Hitchins
Cllr Holway
Cllr Rowe

In attendance:

Councillors:
Cllr Bastone
Cllr Brown
Cllr Wright

Cllr Birch
Cllr Tucker

Officers:
Becky Fowlds
Patrick Whymer

COP Lead DM

Planning Specialists

74. **Minutes**

DM.74/16

The minutes of the meeting of the Committee held on 12 April 2017 were confirmed as a correct record and signed by the Chairman.

75. **Declarations of Interest**

DM.75/16

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 applications 1825/16/OPA: Outline application (with some matters reserved) for the erection of circa 29 dwellings and means of access – Land at SX 550 522, North of Canes Orchard, Brixton, and 2481/16/OPA: Full application for the erection of a Scout Hut. Outline application for the demolition of Brixton Scout Hut and erection of two dwellings (access to be considered) – Brixton Scout Hut and Brixton Football Pitch, Brixton, by virtue of being the land owner and the nearest neighbouring landowner respectively. He left the meeting for the duration of these two items;

Cllr R C Steer declared a disclosable pecuniary interest in application 0908/17/ARM: Application for approval of reserved matters following outline approval 02/0385/15/O – Oak Tree Farm, Modbury by virtue of being the father and father in law of the applicants. He left the meeting for the duration of this item;

Cllr R C Steer declared a personal interest on behalf of the Committee Members in application 1825/16/OPA: Outline application (with some matters reserved) for the erection of circa 29 dwellings and means of access – Land at SX 550 522, North of Canes Orchard, Brixton, by virtue of the landowner being a fellow Committee Member. The Members remained in the meeting and took part in the debate and vote thereon;

Cllr R C Steer declared a personal interest on behalf of the Conservative Group Members who served on the Committee in application 0502/17/FUL: Replacement of rotten wooden and chain link wire fencing with 2.4m high angle section galvanised steel fence and gates between Boat Storage Compound and Steamer Quay Road – Totnes Boating Association, Steamer Quay Road, Totnes by virtue of the premises being used for Conservative Group meetings. The Members remained in the meeting and took part in the debate and vote thereon;

Cllr R Rowe declared a personal interest in application 0908/17/ARM: Application for approval of reserved matters following outline approval 02/0385/15/O – Oak Tree Farm, Modbury, by virtue of being related to the applicants. She left the meeting for the duration of this item;

Cllr R J Foss declared a personal interest on behalf of the Conservative Group Members of the Committee in application 0908/17/ARM: Application for approval of reserved matters following outline approval 02/0385/15/O – Oak Tree Farm, Modbury, by virtue of the applicants being closely related to the Chairman. The Members remained in the meeting and took part in the debate and vote thereon.

76.

Public Participation

DM.76/16

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

77.

Planning Applications

DM.77/16

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:

14/0142/15/F Brimhay Bungalows, Development site at SX 7863 6192 Forder Lane, Dartington

Parish: Dartington

Redevelopment of existing Brimhay Bungalows to provide 32 new dwellings and associated highway (12no. 1 bed apartments, 12 no. market houses and 8 flats)

Case Officer Update: N/A

Speakers included: N/A

Recommendation: That delegated authority be given to the COP Lead Development Management to grant Conditional Approval subject to satisfactory completion of a s106 Agreement

Committee Decision: Site Inspection

0011/16/OPA Land at Four Cross, Paignton Road, Stoke Gabriel

Parish: Stoke Gabriel

Outline planning permission with some matters reserved; scheme includes residential development of up to 9 dwellings, utilising the existing access point

Case Officer Update: None

Speakers included: Supporter – Ms Katie Machin; Parish Council – Cllr Peter Fenwick; Ward Members – Cllrs Rowe and Bastone

Recommendation: Refusal

Committee Decision: Refusal

1825/16/OPA Land at SX 550 522, North of Canes Orchard, Brixton

Parish: Brixton

Outline application (with some matters reserved) for the erection of circa 29 dwellings and means of access

Case Officer Update:

1. Recommendation refers to Section 106 – a signed Unilateral Undertaking has now been submitted
2. Condition 13 amended to read as follows:

'Prior to construction of any of the dwellings above slab level (or alternatively in accordance with a previously agreed timetable for the submission of the details set out below), details of how at least 10% of the energy supply of the development shall be secured from a decentralised renewable or low-carbon energy supply, including an implementation programme, and/or details of how the energy supply of the development shall be reduced through the use of energy efficiency measures secured through a 'fabric first' approach shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approved details and retained in operation thereafter. Prior to the occupation of each dwelling the 'as built' SAP rating for each dwelling shall be submitted to the LPA in writing and shall show that the SAP rating is at least 10% above a standard pass rating.'

Speakers included: Objector – Mr Michael Peddar; Supporter – Mr Alex Graves; Parish Council – Cllr Michael Wills; Ward Member – Cllr Brown

Recommendation: That authority be delegated to the COP Lead Development Management to grant conditional approval subject to satisfactory completion of a s106

Committee Decision: That authority be delegated to the COP Lead Development Management to grant conditional approval subject to satisfactory completion of a s106

Conditions:

1. Time (commencement and submission of reserved matters)
2. Details of reserved matters of landscaping, appearance, layout and scale to be submitted and agreed and implemented.
3. Accords with plans
4. CEMP
5. Highway infrastructure details to be agreed with LPA and to be provided in accordance with the approved details.
6. Phasing of delivery of highway infrastructure to be agreed
7. Universal condition for development in land affected by contamination

8. Verification report
9. Unsuspected contamination
10. Details of a permanent surface water drainage management plan to be agreed with the LPA, details to accord with Flood Risk Assessment dated 25/10/2016.
11. Details for adoption and maintenance of sites entire surface water drainage system to be agreed with LPA.
12. Details of construction phase drainage scheme to be agreed with LPA
13. Tree and hedgerow protection to be agreed and implemented
14. Prior to commencement submission of a Landscape and Ecological Management Plan (to detail habitat creation, management and maintenance and protected species mitigation, compensation and enhancement measures, covering construction and post-construction phases)
15. External lighting to be agreed with LPA
16. Provision of barn owl nesting spaces within the development in accordance with details to be agreed
17. Details of play area within the public open space to be provided within Reserved Matters applications.
18. Renewable energy/energy efficiency (details pre-commencement)
19. Removal of PD rights
20. Car parking/garaging to be retained for parking of vehicles
21. Retention of trees/hedges
22. Development in accordance with ecology report
23. Hours of construction
24. No Saturday working (to be controlled by condition)
25. Additional condition regarding foul drainage to be agreed

**2481/16/OPA Brixton Scout Hut and Brixton Football Pitch,
Brixton**

Parish: Brixton

Full application for the erection of a Scout Hut. Outline application for the demolition of Brixton Scout Hut and erection of two dwellings (access to be considered)

Case Officer Update: None

Speakers included: Supporter – Mr Richard Nankivel; Parish Council – Cllr Michael Wills; Ward Member – Cllr Brown

Recommendation: Conditional Approval

Committee Decision: Conditional Approval, subject to satisfactory condition or legal agreement to ensure that the new Scout Hut will be constructed.

Conditions:

Conditions relating to both applications:

1. Approved plans
2. Size, layout and siting details to be submitted

3. Accord with Ecology Survey
4. Tree Protection measures
5. Landscaping works details
6. Arboriculture Impact Assessment does not form part of this permission

Conditions relating to outline proposal for dwellings:

1. Time limit for submission of reserved matters
2. Details to be submitted with the reserved matters application
3. Parking arrangements
4. Lighting strategy to be agreed
5. Removal of Permitted Development rights
6. Woodland Management Plan to be agreed

Conditions relating to full application for Scout Hut:

1. Time limit
2. Slate and cladding materials to be agreed
3. Landscaping details to be agreed
4. Foul and surface water drainage to be agreed
5. Drainage scheme to be agreed
6. Details of external lighting to be agreed
7. Use restriction to assembly and leisure purposes only (D2)

0096/17/HHO The Boathouse, South Town, Dartmouth

Parish: Dartmouth

Householder application for construction of external access lift, associated bridge link and other external works

Case Officer Update: Objection of the Conservation Officer updated

Speakers included: Objector – Mr John Langridge; Supporter – Mr Nick Royle; Parish Council – Cllr Anthony Fyson; Ward Members – Cllrs Rowe and Bastone

Recommendation: Refusal

Committee Decision: Refusal

3466/16/FUL The Cottage, 97D Court Road, Newton Ferrers

Parish: Newton Ferrers

Demolition of existing garage and ancillary living accommodation and erection of a new dwelling

Case Officer Update: Landscape Officer's comments added

Speakers included: Objector – Mr Duncan Macpherson; Parish Council – Cllr Alan Cooper; Ward Members – Cllr Baldry (statement read on behalf of)

Recommendation: Conditional Approval

Committee Decision: Site Inspection

0908/17/ARM Oak Tree Farm, Modbury

Parish: Aveton Gifford

Application for approval of reserved matters following outline approval 02/0385/15/O

Case Officer Update: None

Speakers included: Supporter – Mrs Amanda Burden; Ward Member – Cllr Bramble

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accord with plans
2. Samples of the stone and slate and render
3. Protection of existing landscaping
4. Removal of mobile home within one month of the dwelling being occupied

0520/17/FUL Dart Vale Fish Farm, Tuckenhay

Parish: Ashprington

Change of use of existing fish farm to recreational fishing lakes, erection of 2no. accommodation cabins, bin store and WC/shower room

Case Officer Update: None

Speakers included: None

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time
2. Accord with plans
3. Access details- prior to commencement

4. Parking facilities to be provided prior to occupation of cabins
5. Cabins to be used for holiday accommodation only
6. Details of external lighting to be provided prior to occupation

0502/17/FUL Totnes Boating Association, Steamer Quay Road, Totnes

Parish: Totnes

Replacement of rotten wooden and chain link wire fencing with 2.4m high angle section galvanised steel fence and gates between Boat Storage Compound and Steamer Quay Road

Case Officer Update: None

Speakers included: None

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans

78. Planning Appeals Update

DM.78/16

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.

79. Planning Performance Indicators

DM.79/16

The COP Lead Development Management introduced the latest set of performance indicators related to the Development Management service. Members raised a number of questions.

Members again went into detail in respect of planning enforcement matters and raised concerns that the number of outstanding cases was rising and there was not sufficient resource to adequately deal with them. Members requested updates on cases specific to their areas.

It was then:

RESOLVED

That the latest set of performance indicators be noted.

The Meeting concluded at 6.20 pm

Signed by:

Chairman

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Voting Analysis for Planning Applications – DM Committee 10 May 2017

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
14/0142/15/F	Brimhay Bungalows, Forder Lane, Dartington	Site Inspection	Cllrs Hodgson, Vint, Pearce, Cuthbert, Rowe, Bramble, Holway, Cane, Steer, Foss (10)			Cllrs Brazil and Hitchins (2)
0011/16/OPA	Land at Four Cross, Paignton Road, Stoke Gabriel	Refusal	Cllrs Hodgson, Vint, Pearce, Cuthbert, Rowe, Bramble, Holway, Cane, Steer, Foss (10)			Cllrs Brazil and Hitchins (2)
1425/16/OPA	Land at SX 550 522, North of Canes Orchard, Brixton	Conditional Approval	Cllrs Steer, Foss, Pearce, Rowe, Holway (5)	Cllrs Bramble, Cuthbert, Vint, Hodgson (4)		Cllrs Brazil and Hitchins (2) Cllr Cane (by virtue of declaring a DPI)
2481/16/OPA	Brixton Scout Hut and Brixton Football Pitch, Brixton	Conditional Approval	Cllrs Pearce, Cuthbert, Rowe, Bramble, Holway, Steer, Foss (7)	Cllr Hodgson (1)	Cllr Vint (1)	Cllrs Brazil and Hitchins (2) Cllr Cane (by virtue of declaring a DPI) (1)
0096/17/HHO	The Boathouse, South Town, Dartmouth	Refusal	Cllrs Hodgson, Vint, Pearce, Cuthbert, Rowe, Bramble, Cane, Steer, Foss (9)	Cllr Holway (1)		Cllrs Brazil and Hitchins (2)
3466/16/FUL	The Cottage, 97D Court Road, Newton Ferrers	Site Inspection	Cllrs Hodgson, Vint, Pearce, Cuthbert, Rowe, Bramble, Cane (7)	Cllrs Steer, Foss, Holway (3)		Cllrs Brazil and Hitchins (2)
0908/17/ARM	Oak Tree Farm, Modbury	Conditional Approval	Cllrs Hodgson, Vint, Pearce, Cuthbert, Bramble, Holway, Cane, Foss (8)			Cllrs Brazil and Hitchins (2) Cllrs Steer and

						Rowe (by virtue of declaring a DPI) (2)
0520/17/FUL	Dart Vale Fish Farm, Tuckenhay	Conditional Approval	Cllrs Hodgson, Vint, Pearce, Cuthbert, Rowe, Bramble, Holway, Cane, Steer, Foss (10)			Cllrs Brazil and Hitchins (2)
0502/17/FUL	Totnes Boating Association, Steamer Quay Road, Totnes	Conditional Approval	Cllrs Hodgson, Vint, Pearce, Cuthbert, Rowe, Bramble, Holway, Cane, Steer, Foss (10)			Cllrs Brazil and Hitchins (2)