

SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE



Minutes of a meeting of the South Hams Development Management Committee held on Wednesday, 7th June, 2017 at 11.00 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 Brazil
Cllr Hitchins
Cllr Holway
Cllr Rowe
Cllr Brown

In attendance:

Councillors:

Cllr Baldry
Cllr Hawkins
Cllr Tucker

Cllr Birch
Cllr Huntley

Officers:

Cop Lead DM
Deputy Monitoring Officer
Planning Specialists

1. Minutes

DM.1/17

The minutes of the meeting of the Committee held on 10 May 2017 were confirmed as a correct record and signed by the Chairman.

2. **Declarations of Interest**

DM.2/17

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

Cllr D Brown declared a personal interest in the following planning applications that were sited within the South Devon AONB by virtue of being a Member of the South Devon AONB Partnership Committee and remained in the meeting and took part in the debate and vote thereon:

- 3466/16/FUL: Demolition of existing garage and ancillary living accommodation and erection of a new dwelling – The Cottage, 97D Court Road, Newton Ferrers; and
- 3610/16/FUL: Retention of camping use and partial change of use of land for the siting of 4 no. Safari Tents for tourism purposes – Fountain Violet Farm, Mount Ridley Road, Kingswear.

3. **Public Participation**

DM.3/17

The Chairman announced that a list of members of the public and town and parish council representatives, who had registered their wish to speak at the meeting, had been circulated.

4. **Planning Applications**

DM.4/17

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: Alternative recommendation suggested

Speakers included: Objector – Ms Trudy Turrell; Supporter – Mr Iestyn John; Dartington Parish Council – Cllr Anna Lunk; and local ward Member – Cllr Hodgson

Recommendation: That delegated authority be given to the COP Lead Development Management to grant Conditional Approval subject to satisfactory completion of a Section 106 Agreement

Committee Decision: That delegated authority be given to the COP Lead Development Management, in consultation with the Chairman of the Committee, to grant Conditional Approval of the application, subject to satisfactory completion of a Section 106 legal Agreement.

However, in the event that the Section 106 legal Agreement remains unsigned three months after this resolution, that delegated authority be granted to the COP Lead Development Management, in consultation with the Chairman of the Committee, to refuse the application.

In the debate, the first recommendation that was **PROPOSED** and **SECONDED** was to refuse the planning application for the following reasons:

1. The loss of public open space would be contrary to Policy DP8: 'Open Space, Sport and Recreation';
2. The proposed design would be out of keeping with the character and visual appearance of the rural area; and
3. The loss of protected wildlife habitat species being contrary to Policies DP5 and Core Strategy CS10 (with respect to conserving and enhancing biodiversity).

However, when put to the vote, this recommendation was declared **LOST**.

**3466/16/FUL The Cottage, 97D Court Road, Newton Ferrers
Parish: Newton and Noss**

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

Case Officer Update: Photos from neighbouring property shown and dimensions highlighted following queries raised during the Committee Site Inspection

Speakers included: local Ward Member – Cllr Baldry

Recommendation: Conditional Approval

Committee Decision: **Conditional Approval**

Conditions:

- Time limit;
- Accord with plans;
- Retention of parking for motor vehicles;
- Drainage prior to commencement of development;

- Landscape plan condition;
- Construction Environment Management Plan prior to commencement of development;
- Removal of Permitted Development Rights;
- Landscape scheme prior to commencement of development;
- Unsuspected contamination;
- Prior to installation slate details;
- Prior to installation cladding details; and
- Boundary details to be submitted and approved prior to the commencement of development.

**3610/16/FUL Fountain Violet Farm, Mount Ridley Road,
Kingswear
Parish: Kingswear**

Retention of camping use and partial change of use of land for the siting of 4 no. Safari Tents for tourism purpose

Case Officer Update: None

Speakers included: Supporter – Mr Edward Jones; Parish Council – Cllr Hector Newcombe; and local Ward Members – Cllrs Hawkins and Rowe

Recommendation: Refusal

Committee Decision: **Conditional Approval**

Conditions:

- Time limit;
- Accord with plans;
- No external lighting without consent;
- Drainage prior to commencement of development; and
- Landscape scheme prior to commencement of development.

In support of the recommendation to refuse the application, some Members made reference to the potential breaches in policy of approving this application and reiterated just how large the tents were proposed to be. In addition, these Members echoed the case officer recommendation in light of the weight that was applied in the National Planning Policy Framework to protection of the Area of Outstanding Natural Beauty.

However, the majority of Members did not share this view and expressed their support for the proposals and a recommendation was therefore **PROPOSED** and **SECONDED** to conditionally approve the planning application for the following reasons:

- The harm to the landscape character of the AONB was not considered to be so significant to warrant refusal of the application;
- The application will result in economic benefits in both agricultural diversification and tourism; and

- The site location was considered to be sustainable and, with sufficient planting, the Tents would be adequately camouflaged.

0266/16/FUL 5 Christina Parade, Totnes
Parish: Totnes

Erection of 3 bed terrace house with garden and relocation of garages

Case Officer Update: None

Speakers included: Parish Council – Cllr Ray Hendricks; and local ward Members – Cllr Birch and Vint

Recommendation: Conditional Approval

Committee Decision: **Deferral**

A number of outstanding issues were identified during the debate that, in the view of the Committee, necessitated a deferral of the planning application at this meeting. These issues included:

- Whether or not the proposals went beyond the current hardstanding;
- The proposed garage widths and door pivoting arrangements; and
- Clarification over the public right of way and land ownership.

5. Planning Appeals Update

DM.5/17

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.

6. Planning Performance Indicators

DM.6/17

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

In discussion, the following points were raised:-

- (a) Members welcomed inclusion of the quarterly information relating to enforcement cases and action. With regard to receiving progress updates on cases, local Ward Member(s) were encouraged to meet with enforcement officer(s). Furthermore, in light of the perception remaining amongst local town and parish councils that little enforcement action was being undertaken by the Council, regular updates were therefore felt to be essential for local Members and

Clerks;

- (b) The Committee recognised that the volume of work and capacity within the enforcement service remained an issue and reference was made to the Overview and Scrutiny Panel request to consider a review of the Planning Enforcement Service at its meeting on 27 July 2017.

It was then:

RESOLVED

That the latest set of performance indicators be noted.

The Meeting concluded at 3.55 pm

Signed by:

Chairman

Voting Analysis for Planning Applications – DM Committee 7 June 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	Refusal	Cllrs Brazil, Hodgson and Vint (3)	Cllrs Bramble, Brown, Cuthbert, Foss, Hitchins, Holway, Pearce, Rowe and Steer (9)		
14/0142/15/F	Brimhay Bungalows, Forder Lane, Dartington	Conditional Approval, subject to the prior satisfactory completion of a S106 Agreement	Cllrs Bramble, Brown, Cuthbert, Foss, Hitchins, Holway, Pearce, Rowe and Steer (9)	Cllrs Brazil, Hodgson and Vint (3)		
Page 1 3466/16/FUL	The Cottage, 97D Court Road, Newton Ferrers	Conditional Approval	Cllrs Bramble, Brown, Cuthbert, Foss, Holway, Pearce, Rowe and Steer (8)	Cllr Hodgson (1)	Cllrs Hitchins and Vint (2) (Cllr Hitchins by virtue of not being in attendance at the previous Committee meeting)	Cllr Brazil (1)
3610/16/FUL	Fountain Violet Farm, Kingswear	Conditional Approval	Cllrs Bramble, Brown, Hitchins, Hodgson, Holway, Rowe and Vint (7)	Cllrs Cuthbert and Pearce (2)	Cllrs Foss and Steer (2)	Cllr Brazil (1)
0266/16/FUL	5 Christina Parade, Totnes	Deferral	Cllrs Bramble, Brown, Cuthbert, Foss, Hitchins, Hodgson, Holway, Pearce, Rowe, Steer and Vint (11)			Cllr Brazil (1)

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