

# **SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE**



## **Minutes of a meeting of the South Hams Development Management Committee held on Wednesday, 5th July, 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 Holway  
Cllr Rowe  
Cllr Brown

Cllr Brazil  
Cllr Hodgson  
Cllr Pearce  
Cllr Vint

### **In attendance:**

Councillors:

Cllr Baldry  
Cllr Green

Cllr Birch  
Cllr Huntley

Officers:

Becky Fowlds  
Patrick Whymer

COP Lead DM

Specialists – Planning  
DCC Highways Officer

### **7. Minutes**

DM.7/17

The minutes of the meeting of the Committee held on 7 June 2017 were confirmed as a correct record and signed by the Chairman.

## 8. **Declarations of Interest**

DM.8/17

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

Cllr R J Vint declared a personal interest in application **0894/16/FUL**: Development of three residential units – Private car park and garages rear of 27-45 Fore Street, Totnes, by virtue of attending meetings of the Totnes Transport Forum who had submitted an objection to the application. He remained in the meeting and took part in the debate and vote thereon;

Cllr R Rowe declared a personal interest in application **0894/16/FUL**: Development of three residential units – Private car park and garages rear of 27-45 Fore Street, Totnes, by virtue of recently receiving a car parking fine at that car park. She remained in the meeting and took part in the debate and vote thereon;

Cllr T R Holway declared a personal interest in application **0607/17/FUL**: Conversion and change of use of former hotel to 6 residential apartments; conversion and change of use of hotel annex apartments to 4 residential apartments; new build block of 4 residential apartments and new build single residential house; with associated landscaping, access and vehicle parking works – Yealm Hotel, 104 Yealm Road, Newton Ferrers by virtue of being a member of the River Yealm Harbour Authority on behalf of the Council. He remained in the meeting and took part in the debate and vote thereon;

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:

- **4097/16/OPA**: Outline application with some matters reserved for residential development of circa 8 dwellings, open space and associated infrastructure with all matters reserved except for means of access (and associated off-site highway works) – Proposed development site at SX 663 471, St Anns Chapel, Bigbury; and
- **0607/17/FUL**: Conversion and change of use of former hotel to 6 residential apartments; conversion and change of use of hotel annex apartments to 4 residential apartments; new build block of 4 residential apartments and new build single residential house; with associated landscaping, access and vehicle parking works – Yealm Hotel, 104 Yealm Road, Newton Ferrers.

## 9. **Public Participation**

DM.9/17

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.

## Planning Applications

DM.10/17

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:

**4097/16/OPA      Proposed development site at SX 663 471, St Anns Chapel, Bigbury  
Parish: Bigbury**

**Outline application with some matters reserved for residential development of circa 8 dwellings, open space and associated infrastructure with all matters reserved except for means of access (and associated off-site highway works)**

Case Officer Update: Typographical errors within the report were corrected. An additional condition was proposed that details of Highway signage be agreed by the local planning authority prior to installation, and a second drainage condition was proposed. The Case Officer updated the Committee on late letters of representation, including a further letter from Bigbury Parish Council which was reported in detail.

Speakers included: Objector – Mrs Valerie Scott; Supporter – Mr Alex Graves; Bigbury Parish Council – Cllr Bryan Carson; and local ward Member – Cllr Huntley

Recommendation: Delegated authority be given to the COP Lead Development Management, in consultation with the Chairman of Development Management Committee, to grant conditional approval subject to satisfactory completion of a section 106 agreement

Committee Decision: **Refusal**

During discussion, Members noted that whilst access to the site was part of this application, the location of how the road tracked through the proposal site was not fixed as it formed part of the layout which was indicative. Members also noted that the offer of affordable housing that had been included as part of the previous application was no longer being offered. Officers advised that since the previous application had been determined, a Council resolution had been passed that set out the circumstances within which an affordable housing contribution would be requested. The Parish Council representative and the Ward Member both advised the Committee that the community had selected an alternative site for development as part of their Neighbourhood Plan process. Members generally felt that the proposed scheme did not overcome the issues of highway safety as set out by the Planning Inspector, and also felt that viability of the scheme had not been thoroughly assessed.

Finally, Members also noted that the application site was an unallocated site within the AONB and a number of Members had made reference to the loss of Devon bank that would arise from the proposal.

Reasons:

1. The proposed development is likely to generate an increase in pedestrian traffic on highways lacking adequate footways and also lacking adequate visibility at the junction of the C252 and the B3392 with consequent additional danger to all users of the road contrary to paragraph 32 of the National Planning Policy Framework, Policy DP7 of the South Hams Local Development Framework and Policy DEV 31 of the emerging Plymouth and South West Devon Joint Local Plan.
2. Having regard to the new road access points, the provision of a new relocated and wider highway and the resulting loss of Devon Hedgebanks, the proposal will fail to conserve the landscape and scenic beauty in this part of the South Devon Area of Outstanding Natural Beauty contrary to paragraph 115 of the NPPF, Policies CS9 and DP2 of the South Hams Local Development Framework and Policies SPT11, DEV24 and DEV27 of the emerging Plymouth and South West Devon Joint Local Plan.

**0607/17/FUL      Yealm Hotel, 104 Yealm Road, Newton Ferrers  
Parish: Newton and Noss**

**Conversion and change of use of former hotel to 6 residential apartments; conversion and change of use of hotel annex apartments to 4 residential apartments; new build block of 4 residential apartments and new build single residential house; with associated landscaping, access and vehicle parking works**

Case Officer Update:      N/A

Speakers included: Objector – Mr Peter Pritchard; Supporter – Mr Simon Friend; Newton and Noss Parish Council – Cllr Alison Ansell; local Ward Member – Cllr Baldry, (statement read from Cllr Blackler).

Recommendation: That delegated authority be given to the COP Lead Development Management, in consultation with the Chairman of Development Management Committee, 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 Development Management Committee, to grant conditional approval subject to satisfactory completion of a section 106 agreement

Conditions:

- Time
- Accords with plans

- Materials to be agreed
- Landscaping and woodland management plan to be agreed and implemented
- Pre-commencement - Detail of works to seek to secure retention of beech tree to be agreed and implemented
- Pre-commencement - Tree protection plan to be agreed and implemented
- Parking to be provided and maintained prior to occupation
- Pre-commencement\* – further ground investigation of slope stability in relation to proposed soakaways to be agreed with LPA and DCC
- Pre-commencement\* – detailed design of permanent surface water management system to be agreed.
- Pre-commencement\* – full details of adoption and maintenance of surface water management to be agreed.
- Pre-commencement\* – details of exceedance pathways and overland flow routes to be agreed.
- Universal condition for development on land affected by contamination
- Verification Report (contamination)
- Unsuspected contamination
- Pre-commencement - Construction Environmental Management Plan including pollution control measures.
- No mud, stones, water or debris to be deposited on public highway
- No works to 'Room 4' (as per the Ecological Appraisal Report room numbering) should be undertaken until the LPA has been provided with a copy of the licence issued by Natural England.
- Development in accordance with Ecology Strategy
- Details of alternative bat perch to be agreed, implemented and retained
- No part of the new apartment block or new dwelling is to be occupied until a minimum of three of the apartments within the converted hotel building have been completed to the satisfaction of the local planning authority and made available for use.
- The new dwelling shall not be occupied or brought into use until all 6 of the apartments within the converted hotel building have been completed to the satisfaction of the Local Planning Authority and made available for use.
- Full details of doors and windows to be used in the converted hotel building to be agreed
- External lighting to be agreed
- Foul drainage to be agreed
- Boundary treatments to be agreed

(Pre-commencement conditions with \* allow for the extended access way to be provided before these details are agreed to provide access for site investigations as required by other conditions)

**0894/16/FUL      Private car park and garages rear of 27- 45 Fore Street, Totnes, Devon**  
**Parish: Totnes**

**Development of three residential units**

Case Officer Update: None

Speakers included: Objector – Mrs Francis Gillmore; Supporter – Mr David Tall; and local Ward Members – Cllrs Birch, Green and Vint

Recommendation: Conditional Approval

Committee Decision: **Conditional Approval**

Conditions:

- Time limit
- Accord with plans
- Details of levels to be submitted prior to commencement
- Samples of materials to be agreed
- Removal of PD rights
- Landscaping scheme
- No removal of boundary walls without prior consent of the LPA
- Highway conditions
- 3 x contaminated land conditions
- Programme of archaeological recording
- The traditional walls which surround the application site shall be retained and maintained in accordance with a scheme to be submitted and approved by the Local Planning Authority within 3 months of the date of this planning consent

**1637/17/HHO      6 Waltham Way, Ivybridge**  
**Parish: Ivybridge**  
**Householder application for replacement of an existing extension**

Case Officer Update: None

Speakers included: None

Recommendation: Conditional Approval

Committee Decision: **Conditional Approval**

Conditions:

- Standard time limit
- Adherence to plans
- Materials to match

**11. Planning Appeals Update (and Appeal Hearing Update)**

DM.11/17

Members noted the list of appeals as outlined in the presented agenda report and the COP Lead Development Management responded to questions and provided further information, including plans to assist in

identifying the sites in question.

The Committee discussed the appeal decision on Application 28/1560/15/O: Proposed development site at Sx 7392 4386, Allocated site K4, Garden Mill Kingsbridge in more detail and Members felt the decision did not reflect the debate at the inquiry.

## 12. **Planning Performance Indicators**

DM.12/17

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 5.15 pm

**Signed by:**

**Chairman**

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### Voting Analysis for Planning Applications – DM Committee 5 July 2017

<b>Application No:</b>	<b>Site Address</b>	<b>Vote</b>	<b>Councillors who Voted Yes</b>	<b>Councillors who Voted No</b>	<b>Councillors who Voted Abstain</b>	<b>Absent</b>
4097/16/OPA	Proposed development site at Sx 663 471, St Anns Chapel, Bigbury	Refusal	Cllrs Brazil, Vint, Bramble, Brown, Cuthbert, Holway (6)	Cllrs Foss, Steer (2)	Cllrs Pearce, Rowe (2)	Cllrs Hitchins, Hodgson (2)
0607/17/FUL	Yealm Hotel, 104 Yealm Road, Newton Ferrers	Conditional Approval, subject to the prior satisfactory completion of a S106 Agreement	Cllrs Foss, Steer, Brazil, Bramble, Rowe, Cuthbert, Holway (7)	Cllrs Hodgson, Vint (2)	Cllrs Pearce, Brown (2)	Cllr Hitchins (1)
0994/16/FUL	Private car park and garages rear of 27-45 Fore Street, Totnes	Conditional Approval	Cllrs Holway, Cuthbert, Brown, Pearce, Bramble, Foss, Steer (7)	Cllr Brazil, Hodgson, Vint (3)	Cllr Rowe (1)	Cllr Hitchins (1)
1637/17/HHO	6 Waltham Way, Ivybridge	Conditional Approval	Cllrs Cuthbert, Bramble, Brown, Hodgson, Holway, Pearce, Brazil, Foss, Steer, Rowe and Vint (11)	(0)	(0)	Cllr Hitchins (1)

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