

# **SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE**



**Minutes** of a meeting of the **South Hams Development Management Committee** held on **Wednesday, 7th February, 2018** at **2.00 pm** at the **Council Chamber - Follaton House**

Present: **Councillors:**

**Chairman** Cllr Steer  
**Vice Chairman** Cllr Foss

Cllr Bramble  
Cllr Brown  
Cllr Hitchins  
Cllr Holway  
Cllr Rowe

Cllr Brazil  
Cllr Cuthbert  
Cllr Hodgson  
Cllr Pearce  
Cllr Vint

**In attendance:**

Councillors:

Cllr Smerdon  
Cllr Wright

Cllr Tucker

Officers:

COP Lead Development Management  
Planning Specialists  
Deputy Monitoring Officer

42.

**Minutes**

DM.42/17

The minutes of the meeting of the Committee held on 10 January 2018 were confirmed as a correct record and signed by the Chairman.

43.

**Declarations of Interest**

DM.43/17

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:

- **3787/17/HHO:** Demolition of existing house to rebuild new dwelling – Skerries, South Milton

44. **Public Participation**

DM.44/17

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.

45. **Planning Applications**

DM.45/17

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:

**3230/17/FUL Skerries, South Milton  
Parish: South Milton**

**Demolition of existing house to rebuild new dwelling**

Case Officer Update: South Milton has an emerging Neighbourhood Plan; this is a material consideration and as such must be given weight

Speakers included: Supporter – Mr Nick Stafford: Parish Council representative – Cllr Paul Davies; local Ward Members – Cllrs Pearce and Wright

**Recommendation:** Conditional Approval

During discussion, one Member was concerned that a full ecology report had not been submitted, particularly in light of issues raised regarding birds and bats and the position of the property on their flightpaths. A number of Members raised concerns over the design of the proposal and stated that it was in the wrong place as it did not fit with the more traditional style of neighbouring properties. Members also supported the parish council view that the proposal should be set down in a similar way to a house further along the road that was currently under construction. Other Members praised the contemporary design and drew comparisons with a nearby property that was similar in design, although even in praising the design, some Members were concerned at the impact of the proposal on the SSSI.

**Committee Decision:** Refusal

Reasons:

1. The development, by reason of its massing and design, including the level of glazing, represents an incongruous and inharmonious addition to the street scene which fails to conserve the character and scenic beauty of the AONB and undeveloped coast nor conform adequately to local distinctiveness. The proposal is therefore in conflict with policies DP1 and DP2 of the South Hams Development Policies DPD, policies CS7 and CS9 of the South Hams Core Strategy DPD, policies DEV1 and DEV2 of the emerging Joint Local Plan, policy Environment & Coastal Management 1: Landscape Policy and policy H4 of the emerging South Milton Neighbourhood Plan, and the relevant paragraphs of the National Planning Policy Framework

2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposed development would not cause material harm to the local bird population that utilise the South Milton Ley SSSI. The scheme is therefore in conflict with policy DP5 of the South Hams Development Policies DPD, policy CS10 of the South Hams Core Strategy DPD and the relevant paragraphs of the National Planning Policy Framework.

**2267/17/VAR     Farleigh Meadows, Diptford, Totnes  
Parish: Diptford**

**Variation of condition 3 of planning consent 17/1854/11/F to  
allow stables to be used for an equine business**

Case Officer Update: None

Speakers included: Objector – Mr John Foster:     Supporter – Mr Barry James:     Parish Council representative – Cllr Sue Franklin:     local Ward Members – Cllrs Smerdon and Steer

**Recommendation:** Conditional Approval

Members were advised of the previous application on this site, and that in view of the support from the agricultural consultant, the only issue for consideration was highways impact. The Highways Authority had not objected to this application. The speakers raised a number of points that were not material planning considerations and these were not taken into account by the Committee. Members did however question the effectiveness of the proposal put forward by the applicant to monitor vehicle traffic to the site. Some Members wanted to support rural business, and in line with there being no objection from the Highways Authority, it was **PROPOSED, SECONDED** and on being to the vote declared **LOST** that the application be approved.

**Committee Decision:**     Refusal

Reasons:

1. The roads giving access to the site are by reason of their inadequate width, poor horizontal alignment and junction are unsuitable to accommodate the increase in traffic likely to be generated by the business use and the development would, therefore be contrary to paragraph 32 of the National Planning Policy Framework
2. The proposed development would be likely to result in an increase in the volume of traffic entering and leaving the County Road through an access which does not provide adequate visibility from and of emerging vehicles, contrary to paragraph 32 of the National Planning Policy Framework.
3. It has not been demonstrated that there is adequate land available for the number of horses to be kept on the land proposed to support this business, contrary to Policy DP18 of the South Hams Local Development Framework Development Policies, 2010.
4. The Section 106 Unilateral Undertaking submitted in support of this application would not deliver the level of traffic control as proposed by the applicant, in particular it makes no provision for the use of CCTV cameras to record vehicle registration numbers that visit the site. In the absence of a suitable Section 106 Obligation the means of traffic control proposed by the applicant could not be enforced, to the detriment of highway safety.

**2012/17/FUL      Farleigh Meadows, Diptford, Totnes  
Parish: Diptford**

**Use of land for siting a timber chalet as accommodation for a key worker in support of an equine breeding business for an initial period of 3 years (Resubmission of withdrawn application 0355/17/FUL)**

Case Officer Update: In view of the previous application being refused, the officer recommendation for this application was that the application should be refused.

Speakers included:      Objector – Mr John Foster:      Supporter – Mr Barry James:      Parish Council representative – Cllr Sue Franklin:      local Ward Members – Cllrs Smerdon and Steer

**Recommendation:**      Refusal

**Committee Decision:** Refusal

Reasons:

The development would represent unsustainable development due to the remote location of the site from the services and facilities of a settlement. As such it would be contrary to Policies CS1 and DP15 of the South Hams Local Development Framework, Policy TTV31 of the

Plymouth and South West Devon Joint Local Plan and the objectives of the National Planning Policy Framework.

**4325/17/PAT Highways land adjacent car park, Huxhams Cross to Shidders Bridge, Dartington  
Parish: Dartington**

**Application for prior notification of proposed development by telecommunications code systems operators for a 10 metre replica telegraph pole and 2 no. equipment cabinets**

Case Officer Update: Three further letters of objection received not raising any new issues but one of the letters was from Dartington Primary School. One further letter of support received.

Speakers included: Objector – Mr Chris Edwards: local Ward Member – Cllr Hodgson

During discussion, some Members raised concerns over the siting of the pole in proximity to three schools. Whilst the applicant had included 21 alternative sites considered within their submission, the local Ward Member asked that the application be refused in its current proposed location and that the local parish council would be keen to negotiate with the applicant to locate a more suitable site. It was **PROPOSED, SECONDED** and on being put to the vote declared **LOST** that the application be refused. Other Members accepted that the location was acceptable, and in view of the applicant having had a previous application refused on grounds of height, felt that measures had been taken to address previous concerns and make this application acceptable.

**Recommendation:** Prior Approval Not Required

**Committee Decision:** Prior Approval Not Required

**3342/17/TPO The Gothic House, 4 Bank Lane, Totnes  
Parish: Woodleigh**

**Proposed works: T1 – Silver Birch - FELL**

Case Officer Update: None

Speakers included: Local Ward Members – Cllr Green (statement read), and Cllr Vint

Members discussed this application in great detail and views were mixed. Whilst some Members wanted to retain the tree, others could see the benefit of felling the tree to better show off the Gothic House and appreciated that it would be replaced with a garden design more in

keeping with the original plans for the property. It was initially **PROPOSED, SECONDED** and on being put to the vote declared **LOST** by Chairman's casting vote that permission to fell the tree be refused.

**Recommendation:** Conditional Approval

**Committee Decision:** Conditional Approval

46.

**Planning Appeals Update**

DM.46/17

Members noted the list of appeals as outlined in the presented agenda report. The COP Lead Development Management presented further detail on specific cases. Members asked that the officer who had presented the case for the Council in respect of the appeal for Bay View Café, Bigbury on Sea, should be congratulated on his hard work and the successful outcome of the appeal.

The Meeting concluded at 5.45 pm

**Signed by:**

**Chairman**

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## Voting Analysis for Planning Applications – DM Committee 7 February 2018

<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>
3230/17/FUL	Skerries, South Milton	Refusal	Cllrs Holway, Brown, Rowe, Vint, Hitchins, Pearce, Hodgson, Bramble (8)	Cllr Steer (1)	Cllrs Cuthbert, Brazil, Foss (3)	(0)
2267/17/VAR	Farleigh Meadows, Diptford, Totnes	Conditional Approval	Cllrs Cuthbert, Bramble, Foss (3)	Cllrs Rowe, Holway, Brown, Pearce, Vint, Hitchins, Hodgson, Steer (8)	Cllr Brazil (1)	(0)
2267/17/VAR	Farleigh Meadows, Diptford, Totnes	Refusal	Cllrs Rowe, Holway, Brown, Pearce, Vint, Hitchins, Hodgson, Steer (8)	Cllrs Cuthbert, Bramble, Foss (3)	Cllr Brazil (1)	(0)
2267/17/FUL	Farleigh Meadows, Diptford, Totnes	Refusal	Cllrs Holway, Brown, Rowe, Vint, Hitchins, Pearce, Hodgson, Bramble, Steer, Foss (10)	(0)	Cllrs Brazil, Cuthbert (2)	(0)
4325/17/PAT	Highways land adjacent car park, Huxhams Cross to Shinnars Bridge, Dartington	Refusal of Prior Approval	Cllrs Hodgson, Brazil, Vint (3)	Cllrs Steer, Foss, Holway, Pearce, Hitchins, Bramble, Cuthbert, Rowe (8)	Cllr Brown (1)	(0)
4325/17/PAT	Highways land adjacent car park, Huxhams Cross to Shinnars Bridge, Dartington	Prior Approval Not Needed	Cllrs Steer, Foss, Holway, Pearce, Hitchins, Bramble, Cuthbert, Rowe (8)	Cllrs Hodgson, Brazil, Vint (3)	Cllr Brown (1)	(0)
3342/17/TPO	Gothic House, 4 Bank Lane, Totnes	Refusal	Cllrs Bramble, Vint, Brazil, Hodgson (4)	Cllrs Steer, Holway, Pearce, Brown (4) Refusal lost on Chairman's casting vote	Cllrs Foss, Cuthbert, Hitchins, Rowe (4)	(0)
3342/17/TPO	Gothic House, 4 Bank Lane, Totnes	Approval	Cllrs Steer, Holway, Pearce, Brown (4) Application approved on Chairman's casting vote	Cllrs Bramble, Vint, Brazil, Hodgson (4)	Cllrs Foss, Cuthbert, Hitchins, Rowe (4)	(0)

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