

MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in THE REPTON ROOM, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 28 JULY 2021

Members in attendance * Denotes attendance ∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long
*	Cllr J Brazil (Chairman)	*	Cllr G Pannell
*	Cllr D Brown	*	Cllr P Smerdon (substituting for Cllr K Pringle)
*	Cllr R J Foss (Deputy Chair)	*	Cllr H Reeve
*	Cllr J M Hodgson	*	Cllr R Rowe
*	Cllr K Kemp	*	Cllr B Taylor

Other Members also in attendance and participating:
Cllrs L Austen and J Pearce

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Senior Specialist – Development Management; Legal Officer; Planning Specialists; IT Specialist; and Democratic Services Officer

DM.13/21 **MINUTES**
The minutes of the meeting of the Committee held on 23rd June 2021 were confirmed as a correct record by the Committee.

DM.14/21 **DECLARATIONS OF INTEREST**
Members and officers were invited to declare any interests in the items of business to be considered and the following were made:

Cllr B Taylor declared a personal interest in applications 2555/21/VAR, 0549/21/HHO, and 3018/20/FUL (Minutes DM.16/21(a), (b) and (c) below refer) as he was a Member of the South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon;

DM.15/21 **PUBLIC PARTICIPATION**
The Chairman noted the list of members of the public, and town and parish council representatives who had registered their wish to speak at the meeting.

DM.16/21 **PLANNING APPLICATIONS**
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:

6a) 1944/19/FUL Land between 19 & 21 Clayman's Path, Ivybridge, PL21 9UZ

Town: Ivybridge

Development: Construction of new dwelling with associated groundworks and landscaping.

Case Officer Update: The Case Officer confirmed that this application had been presented to the last Committee meeting held on 23 June 2021. A further two letters of representation had been received, with the applicant's response set out in the published agenda report. The Committee had received photographs prior to this meeting, submitted by a member of the public, which contained images of the Devon County Council (DCC) wall on the nearby Persimmon estate. Members of the Committee were reminded that this was not within the scope of this application.

It was clarified that the drainage specialist quoted at the last Committee meeting had been an in-house officer rather than employed by DCC. Following modelling of the scheme, it had been determined that DCC's bund wall would only overtop if the culvert were to block. As the flood elevation scheme was a matter for DCC, the Officer recommended secondary flood mitigation measures should be put in place and therefore conditioned. The Environment Agency had not objected and South West Water had confirmed there was sufficient capacity in the main sewer to accommodate the extra foul water should the application be built.

Speakers included: Supporter – Ms G Baker; Ward Member – Cllr Lance Austen;

Recommendation: Conditional approval

Committee decision: Conditional approval

Conditions:

- Time Limit (3 years);
- Adherence to plans;
- Compliance with Sustainability Statement in Design & Access Statement;
- Vehicle Parking spaces to be provided as shown prior to first occupation of dwelling and retained thereafter;
- Refuse and recycling receptacle provision prior to first occupation of dwelling and retained thereafter;
- Permitted Development Removal for extensions and outbuildings;
- Surface water drainage details;
- On-site flood mitigation features plan for agreement;
- No alteration to garden layout with regard to position and height of dwarf walls

and level details acknowledged in the on-site flood mitigation features plan to be submitted;

- No extensions or outbuildings to be erected within 2m of the DCC Flood Mitigation Wall shown on the onsite flood mitigation plan that shall be submitted; and
- Prior to occupation, an 'as constructed survey' is to be submitted to ensure that the finished floor level and dwarf walls have been constructed in the correct position, level and at the gradients identified in the onsite flood mitigation plan.

6b) 2555/21/VAR

Car Park Creek, Gould Road, Salcombe

Town: Salcombe

Development: Variation of condition 2 (approved plans) of planning permission 1505/19/FUL

Case Officer Update: The Case Officer highlighted the changes to the application and confirmed there were no changes to roof height.

Speakers included: Ward Members – Cllrs M Long and J Pearce

Recommendation: Delegate to Head of Development Management to conditionally approve, subject to no material planning objections being received prior to the close of the consultation publicity end date of 29/7/21.

Committee decision: Delegate to Head of Development Management to conditionally approve, subject to no material planning objections being received prior to the close of the consultation publicity end date of 29/7/21.

Conditions:

1. Time as per original permission
2. Accord with plans
3. Hard/Soft Landscaping
4. Materials to be agreed
5. Parking to be provided and retained
6. Unexpected contaminated land
7. Vegetation Removal
8. Use- Light Industrial (Class E) Industrial (B2) and Storage and Distribution (B8)
9. Oil Interceptor
10. Drainage - PTC
11. Chemical Storage
12. LEMP
13. Approved Drainage Details
14. Foul Drainage
15. Accord with flood management details

- 16. Construction Management Plan (Highways)- PTC
- 17. Tree Protection Plan- PTC
- 18. Resiting of recycling bins- PTC

6c) 0594/21/HHO 2 Devon Villas, Devon Road, Salcombe, TQ8 8HD

Town: Salcombe

Development: Householder application for proposed single garage with stone façade and garden roof terrace

Case Officer Update: The application was outlined and would be part retrospective. The original application had been refused and, in the opinion of the Case Officer, the new application was insufficiently different to warrant approval.

Speakers included: Supporter – Mr R Atkinson; Ward Members – Cllrs J Pearce and M Long;

Whilst one Ward Member felt that the application should be refused because of the lack of changes to the original application, and that the impact on the Conservation Area was too severe to approve, the other Ward Member felt that the plans were sufficiently different and constituted a softer design, thereby limiting the impact on the Conservation Area.

Recommendation: Refusal

Committee decision: Delegate authority to the Head of Development Management, in consultation with the Committee Chairman and proposer and seconder of the motion, to conditionally approve.

Conditions:

1. 3 year time limit
2. Accord with plans
3. Landscaping and finishes
4. Incidental use and storage of motor vehicle only

6d) 3018/20/FUL “Land at SX 802 432”, Old Quarry Farm, Stokenham, TQ7 2TA

Parish: Stokenham

Development: Provision of an agricultural storage building

Case Officer Update: Further to the site visit, the Case Officer confirmed the

ridge height and, as requested, included the landscaping scheme.

Speakers included: Supporter – Mr Lethbridge; Ward Member – Cllr J Brazil;

As this application was in the Chair's local Ward, the Vice Chairman took over the chairmanship of the Committee for this application.

During questions, it was clarified that the field already had a serviceable access to the site up the hill; that landscaping would reduce the impact on the area and the site was below skyline; less impact on the village; that building the barn at this site would be outside of the minimum distance to dwellings should the use later be requested to accommodate livestock; and the application had the support of the local Parish Council and neighbours.

During the debate, Members felt that the slight increase in visual impact was outweighed by the mitigation which was greater. The impact of vehicular activity through the village would be significantly increased, especially at particular times of the year, if the barn was located lower down the valley. One Member pointed out the loss of 20 metres of hedgerow and visible scarring of the field to put in access to the barn lower down the field.

Recommendation: Refusal

Committee decision: Delegate authority to the Head of Development Management, in consultation with the Committee Vice-Chairman and proposer and seconder of the motion, to conditionally approve.

Conditions to include, but not limited to, landscaping plan, materials, time limits, accord with plan, written scheme of archeological pre start, drainage, restricted to agricultural, no external lighting, and remove building when no longer required.

Conditions:

1. 3 Year time limit
2. Accord with plans
3. Written Scheme of Investigation
4. Surface water drainage
5. Agricultural storage only
6. Landscaping scheme
7. No external lighting
8. Remove when no longer required for agriculture

6e) 0176/21/FUL

Marlands Farm, Newton Road, Totnes, TQ9 6LS

Parish: Berry Pomeroy

Development: Erection of self-build/custom-build house

Case Officer Update: The position of the request bus stops was clarified.

Speakers included: Supporter – Mr T Morris;

During the debate, some Members felt that the local bus service, combined with the easement granting the occupier a right of way on the private footpaths, plus the requirement to keep the dwelling as an affordable unit for a local person, was sufficient to mitigate the unsustainable objection of the officers to this site and that this application would be re-considered by the Committee if the easement/right of way on the footpaths could not be achieved. It was therefore decided to condition through section (Section 106) for affordable housing set at 20% discount, and for securing a right of way in perpetuity over land to connect to the A381 and also into Totnes via the railway bridge.

Recommendation: Refusal

Committee decision: Conditional approval with the exact wording of the conditions being delegated to the Head of Development Management, in consultation with the Committee Chairman, Proposer and Seconder of the motion and local Ward Member

Conditions:

1. Time as per original permission
2. Accord
3. Details of materials
4. Drainage details
5. Low Carbon development
6. Landscaping (including the protection of existing hedges)
7. Unexpected land contamination
8. No external lighting
9. Removal of permitted development rights

DM.17/21 PLANNING APPEALS UPDATE

Members noted the list of appeals as outlined in the presented agenda report.

The Senior Specialist, Development Management provided further details on specific recent appeal decisions.

DM.18/21 UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the list of undetermined major applications.

(Meeting commenced at 10:00 am and concluded at 1:31 pm, brief interludes at 11:05 am and 12:37 pm.)

Chairman

Voting Analysis for Planning Applications – DM Committee 28th July 2021

<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>
1944/19/FUL	Land between 19 & 21 Clayman's Pathway, Ivybridge, PL21 9UZ	Approval	Cllrs Brazil, Foss, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (8)	Cllrs Abbott, Hodgson, Kemp (3)	Cllr Brown (1)	
2555/21/VAR	Car Park Creek, Gould Road, Salcombe	Approval	Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Kemp, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (12)			
0594/21/HHO	2 Devon Vilas, Devon Road, Salcombe, TQ8 8HD	Refusal	Cllrs Brazil, Brown, Foss, Kemp (4)	Cllrs Abbott, Hodgson, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (8)		
0594/21/HHO	2 Devon Vilas, Devon Road, Salcombe, TQ8 8HD	Approval	Cllrs Abbott, Hodgson, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (8)	Cllrs Brazil, Brown, Foss, Kemp (4)		
3018/20/FUL	"Land at SX 802 432", Old Quarry Farm, Stokenham, TQ7 2TA	Approval	Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Kemp, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (12)			
0176/21/FUL	Marlands Farm, Newton Road, Totnes, TQ9 6LS	Approval	Cllrs Abbott, Brazil, Brown, Hodgson, Kemp, Long, Pannell, Reeve, Rowe, Smerdon, Taylor (11)		Cllr Foss (1)	