

MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 7 June 2023

Members in attendance * Denotes attendance ∅ Denotes apologies			
*	Cllr V Abbott	∅	Cllr J McKay
*	Cllr G Allen	*	Cllr A Nix
∅	Cllr L Bonham	*	Cllr D O'Callaghan
*	Cllr J Carson	*	Cllr G Pannell
*	Cllr J Hodgson	*	Cllr S Rake
*	Cllr M Long (Chairman)	*	Cllr B Taylor (Vice Chair)

Other Members also in attendance:

Cllrs Thomas and Brazil and Cllr Hopwood (on MS Teams)

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Development Management; Senior Planning Officers; Monitoring Officer; IT Specialists and Senior Democratic Services Officer

DM.1/23

MINUTES

The minutes of the meeting of the Committee held on 5 April 2023 were confirmed as a correct record by the Committee.

DM.2/23

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 D O'Callaghan declared a Personal Interest in application 6(d) (minute DM.4/23 (d)) below refers) because they are known to the applicant. The Member remained in the meeting and took part in the debate and vote thereon.

Cllr S Rake declared a Personal Interest in application 6(d) (minutes DM.4/23 (d)) below refers because they are known to the applicant. The Member left the meeting for this item and took no part in the debate or the vote.

By virtue of being a local Ward Member, Cllr M Long advised that he would be relinquishing the Chair for application 6(a) (minute DM.4/23(a) below refers). As a result, the Vice-Chairman chaired the meeting during consideration of this application.

DM.3/23

PUBLIC PARTICIPATION

The Chairman noted the list of members of the public, Town and Parish

Council representatives, and Ward Members who had registered their wish to speak at the meeting.

DM.4/23

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) 3273/22/FUL "Sheerwater", Devon Road, Salcombe
Town: Salcombe**

Development: Demolition of existing dwelling and construction of new replacement dwelling including existing garage renovation and associated landscaping.

As highlighted above (Minute DM.2/23 refers), this application was Chaired by Cllr Taylor (Vice-Chair).

Case Officer Update: The Case Officer summarised the key issues. Namely that:

- The application was submitted prior to 1 December 2022 and the enhanced requirements relating to the carbon implications of the demolition phase did not apply;
- The proposal did not seek to increase the number of dwellings or the number of bedrooms;
- The contemporary design had generated both criticism and praise;
- While the decision was finely balanced, Officers did not consider that the proposal would result in significant harm so as to warrant a refusal and the application was therefore recommended for conditional approval.

In response to questions, the Officer reported that:

- the lobby entrance would be partly open;
- the Salcombe Neighbourhood Plan had been in place for some time;
- changes and improvements were being made to the parking area and would be a little bit lower in the proposed application;
- The ridge height was slightly higher and width similar in size.
- The applicant had removed some of the existing trees which had opened up the view of the estuary.

Speakers were: Objector – Chris Watkins, Supporter – Mark Evans, Parish Council – Statement read out by the Clerk, Ward Member – Cllr M Long.

In response to questions raised, the supporter reported that:

- there would be a mix of glazing and stone and it would be possible to be able to see partly through the upper area;
- the design was a linear contemporary form;
- the building would be stepped into the site following the contours similar to the current building and would retain existing wall and render that was typical for Salcombe;
- the driveway levels did drop but not significantly;
- they were undertaking a landscaping scheme for Officers to approve.

The Ward Member thanked Members for their attendance at the site visit earlier in the week. This application impacted on the area and, if approved, would change the town scape and urban setting. The Member asked that the Committee seriously look at the design, scale and massing as well as the accumulative impact on the town setting.

During the debate, some Members felt that it was hard to see whether there would be any change in public view and felt that those views would largely remain. On viewing the application from the estuary, some Members also felt that the building did not look particularly large and was similar to other dwellings in the vicinity. Another Member felt that the application was extraordinarily large and looked more like a hotel. In viewing from the water, the sheer over massing, scale and glazing would impact on the ecology in the area. The scale of the development took away the habitat with a loss for foraging. Another Member felt it was important to take on the views of the Town Council with their concerns on the massing and this would change the character of Salcombe. Another Member felt this was a change in style and moving away from local vernacular into something more linear and block like and feared this added to the changes seen in the townscape and landscape. The dwelling could be blended better into the hillside and the size and massing was detrimental to the site and a Member did not want to see this trend continue especially since it was felt to contradict the adopted Neighbourhood Plan.

It was then put to the vote that the application be conditionally approved (in line with the Officer recommendation). When put to the vote, the proposal was lost.

The vote was then taken to refuse the application, with the exact wording of the reasons for refusal being delegated to the Head of Development Management, in consultation with the Committee Vice-Chairman and the proposer (Cllr Long) and seconder (Cllr Hodgson) of the motion, with the reasons being summarised as:

1. Design, massing and scale, siting, contrary to policies ENV1 and ENV7 DEV21, DEV23 and DEV25.
2. Landscaping.
3. Impact on ecology.

Recommendation: Conditional Approval

Committee decision: Refusal

**6b) 2202/22/FUL "Churchstow Lodge", Churchstow
Parish: Churchstow**

Development: Erection of new dwelling & associated new vehicular access

Case Officer Update: The Case Officer summarised the key issues:

- The dwelling was designed in a contemporary style, mirroring the main design themes of Churchstow Lodge;
- The proposal included low carbon measures, such as solar panels, EV charging point and a heat pump;
- The existing boundary hedge would be retained but realigned as part of the proposal to minimise the visual impact of the scheme and to safeguard the setting of nearby Listed Buildings;
- Concerns regarding highways safety were noted, however, the DCC Highways Engineer had not objected and Officers were not able to substantiate a refusal on highways safety grounds;
- The proposal recommendation was for conditional approval.

Speakers were: Objector – None, Supporter – Anthony Puncher, Parish Council – None, Ward Member – statement from Cllr Bonham was read out by the Clerk.

In response to questions raised, the supporter reported that:

- No other alternative access to the property had been considered;
- The existing hedge would be cut but would grow back.

The following statement was read out on behalf of the local Ward Member:

'I hope that the following comments on application 2202/22/FUL Churchstow Lodge Churchstow, in my ward, can be considered at the DM Committee on 7 June. I have a number of concerns.

Firstly I note that the site is inside the AONB and in a village not listed as a sustainable village in the TTV section of the JLP (see page 242). The JLP makes clear that DEV25 applies in this case, as noted by the officer's report. DEV25 requires 'substantial weight' will be given to 'natural beauty' and 'conservation of wildlife and cultural heritage'. Unfortunately, this development requires the removal of part of the hedge and Devon bank in the centre of Churchstow along the side of the A379. This seems to me to be an element of natural beauty, a cultural asset in the village and a wildlife asset. I am concerned at it proposed removal.

Secondly, the Kingsbridge, West Alvington and Churchstow Neighbourhood plan notes the protected view CV6 from the green space in Churchstow along the A379 westward, which includes the said Devon bank and hedgerow. The Policy KWAC Env4 in this document says that the “quality of these views within the settlements ... should be safeguarded.” Removal of the hedge would contravene that, I believe.

Thirdly, the officer’s report notes that DEV25 requires developments to ‘conserve and enhance’ natural beauty. The report accepts that the application does NOT offer any enhancement. Therefore it seems to me that the policy DEV25 is not met.

Fourthly, I feel that DEV23 and DEV28 of the JLP should be taken into account. DEV23 requires developments to ‘conserve and enhance valued attributes...such as hedgerows... that contribute to the character and quality of the area. DEV28 also states that hedgerows should be protected, unless there is mitigation, and I do not see any mitigation in this case.

Overall, the proposal seems to contravene a number of the JLP and Neighbourhood plan policies.’

During the debate, some Members understood the concerns regarding highway safety, however DCC had raised no concerns and the VAS sign was known to have a positive impact on reducing speeds. The application was within the envelope of a settlement and new development should be allowed to take place. Other Members felt that it would be difficult to defend an appeal if they went against this application on highways grounds. The hedge would be reduced slightly however this was not too detrimental and the new dwelling would not have a significant impact on the two listed buildings with the hedges for protection.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

- Conditions:**
1. Standard time limit
 2. Accord with plans
 3. Construction Management Plan
 4. Visibility splays
 5. Unexpected contamination
 6. Surface water drainage
 7. Natural slate
 8. Solar panels
 9. Air source heat pump
 10. DEV32 measures
 11. Accord with arboricultural report
 12. Accord with ecological mitigation
 13. Details of external lighting
 14. First floor window in east elevation –

obscure glazed and fixed shut
15. Permitted Development rights removed

**6c) 0596/23/HHO 15 Heybrook Drive, Heybrook Bay, PL9 0BN
Parish: Wembury**

Development: Householder application for side porch and bedroom extension

Case Officer Update: The Case Officer summarised the key issues:

- The proposed extension single storey, set back from the principal elevation and subservient to the existing dwelling;
- The localised impact on the AONB was acceptable within an existing residential context;
- The impact upon neighbouring amenity and adjoining property, no. 14 Heybrook Drive was acceptable
- The proposal includes an EV charging point within the existing garage;
- The proposal was recommended for conditional approval.

The Officer reported that following the site visit that access to the property would be built within building regulations.

Speakers were: Objector – None, Supporter – David Sims, Parish Council – None, Ward Councillor – None.

During the debate, Members felt that the site visit had been very helpful and building up to the boundary was acceptable. The improvement to energy performance was supported.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Standard time limit
2. Adherence to plans
3. Adherence to construction management plan

**6d) 0049/23/HHO 8 Derby Road, Kingsbridge
Town: Kingsbridge**

Development: Householder application for two storey side extension plus first-floor extension over part of existing ground floor, to include pitched roof to match existing

The Case Officer: The Case Officer summarised the key issues:

- The proposed extensions represented a cohesive design solution which did not dominate the existing dwelling house;

- The localised impact on AONB was acceptable within an existing residential context;
- The impact upon neighbouring amenity and adjoining properties, no. 7 and 9 Derby Road was acceptable;
- The proposal included solar panels on the south elevation roof;
- Re-consultation was being undertaken upon amendments to red outline of application site;
- The proposal was recommended for conditional approval.

The Officer reported that there would be no adverse impact to the neighbour's vegetable plot.

Speakers were: Objector – None, Supporter – None, Town Council – statement read out by the Clerk, Ward Member – Cllr O'Callaghan.

The Ward Member unfortunately was unable to attend the site visit and felt that the proposals were reasonable.

During the debate, Members who had attended the site visit were able to view the neighbouring property's vegetable patch which was already in shadow.

Recommendation: Delegated approval to the Head of Development Management subject to no further representations being received within the reconsultation period (date TBC) that raise any new issues not considered in the Officer Report.

Committee decision: Delegated approval to the Head of Development Management subject to no further representations being received within the reconsultation period (date TBC) that raise any new issues not considered in the Officer Report.

Conditions:

1. Standard time limit
2. Adherence to plans
3. Adherence to drainage details
4. Materials to match
5. Adherence to ecological mitigation and enhancement

DM.5/23 **PLANNING APPEALS UPDATE**
Members noted the list of appeals as outlined in the presented agenda report.

DM.5/23 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**
Members noted the update on undetermined major applications as

outlined in the presented agenda report.

(Meeting commenced at 9.30 am with a break at 10.50 am. Meeting concluded at 12:40pm.)

Chairman

Voting Analysis for Planning Applications – DM Committee 7 June 2023

<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>
3273/22/FUL	"Sheerwater", Devon Road, Salcombe	Refused	Cllrs, Allen, Carson, Hodgson, Long, Nix, O'Callaghan and Taylor (7)	Cllrs Abbott and Pannell (2)		Cllrs Bonham, McKay and Rake (3)
2202/22/FUL	"Churchstow Lodge", Churchstow	Approved	Cllrs Abbott, Allen, Carson, Hodgson, Long, Nix, O'Callaghan, Pannell, Rake and Taylor (10)			Cllrs Bonham and McKay (2)
0596/23/HHO	15 Heybrook Drive, Heybrook Bay, PL9 0BN	Approved	Cllrs Abbott, Allen, Carson, Hodgson, Long, Nix, O'Callaghan, Pannell, Rake and Taylor (10)			Cllrs Bonham and McKay (2)
0049/23/HHO	8 Derby Road, Kingsbridge	Approved	Cllrs Abbott, Allen, Carson, Hodgson, Long, Nix, O'Callaghan, Pannell, Rake and Taylor (10)			Cllrs Bonham and McKay (2)