

MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 13 September 2023

Members in attendance * Denotes attendance ∅ Denotes apologies			
*	Cllr V Abbott	∅	Cllr McKay
*	Cllr G Allen	*	Cllr A Nix
∅	Cllr L Bonham	∅	Cllr D O'Callaghan
∅	Cllr J Carson	*	Cllr G Pannell (for 6(b),(c),(d),(e) and (f) only (Minute DM.22/23 refers)
*	Cllr J M Hodgson	*	Cllr S Rake
*	Cllr M Long (Chairman)	*	Cllr B Taylor (Vice Chairman)

Other Members also in attendance:

Cllr D Thomas, Cllr L Bonham (on MS Teams), Cllr Tom Edie (on MS Teams), Cllr Brazil, Cllr Lawford and Cllr Dennis

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Principal Planning Officers; relevant Officers; Monitoring Officer; IT Specialists and Senior Democratic Services Officer; landscape specialist, DCC Highways Officers

DM.19/23

MINUTES

The minutes of the meeting of the Committee held on 26 July 2023 were confirmed as a correct record by the Committee.

DM.20/23

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:

By virtue of being a local Ward Member, Cllr M Long advised that he would be relinquishing the Chair for application 6(a) and (b) (minute DM.22/23(a) and (b) below refers). As a result, the Vice-Chairman chaired the meeting during consideration of these applications.

DM.21/23

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.22/23

PLANNING APPLICATIONS

The Committee considered the details of the planning applications prepared by the relevant Case Officers as presented in the agenda papers, and considered the comments of Town and Parish Councils,

together with other representations received, which were listed within the presented agenda reports, and **RESOLVED** that:

6a) 0915/22/FUL "Land off Bantham Beach Road", Bantham Parish: Thurlestone

Development: READVERTISEMENT (revised plans & documents) Erection of replacement beach shower/toilet block, replacement village sewage treatment plant, new residents/mooring holders car park and new parking, and ANPR system on the beach road and car park.

Case Officer Update: The Case Officer summarised the key issues, namely that:

Principle/justification for the development in the AONB, Undeveloped and Heritage Coast and outside the settlement boundary identified in the Neighbourhood Plan (NP):

- TTV26, DEV24, DEV25 of the JLP. TP2 of the NP.
- Section 1.0 of the Officers Report considers the principle of development and concludes that Officers consider such to be acceptable.

Landscape character and appearance within the Undeveloped Coast and South Devon AONB:

- DEV20, DEV23, DEV24, DEV25 of the JLP and TP1 and TP22 of the NP.
- Following revisions to the proposals to ensure that the development provides both landscape mitigation and enhancement measures, no objections were raised from the Landscape Officer, subject to conditions to secure full landscape details and levels. It was considered that the proposed development would conserve and enhance the character and appearance of the area.
- AONB Unit agree with comments from the Landscape Officer.

Heritage Impacts – including impacts on the setting of heritage assets, including Listed Buildings and areas of archaeological interest, including Bantham Ham Scheduled Ancient Monument:

- DEV 21 of the JLP and TP21 of the NP.
- Historic England raised no objections.
- DCC Historic Environment Officer and SHDC Heritage Officer raised no objections, subject to conditions being imposed.

Following matters were also considered as set out in the officer's reports. It was considered that the impacts of the proposed development were acceptable in relation to such matters subject to conditions being imposed:

- Neighbour amenity
- Highways impacts
- Drainage
- Ecology/Trees
- Low Carbon Development

In response to questions, the Officer reported that:

- The sewage treatment plant would serve the village, the estate office and the Sloop Inn;
- The car park includes 42 spaces and privately owned;
- The Committee could consider a light reduction condition on the toilet block;
- The landscaping scheme included trees and hedges that would be retained;
- The car park was currently used by local residents, mooring holders and estate office;
- It was difficult to calculate the number of informal parking spaces along the verge.

Speakers were: Objector – None, Supporter – Mr Philip Frithz, Parish Council – Cllr Lewis, Ward Members – Cllrs M Long and S Dennis.

In response to questions raised, the supporter reported that:

- Cycle racks could be considered;
- The car park was for use by the residents, mooring holders and the estate office but was unsure on how many permits had been issued;
- The toilet block would be locked on closure and lighting turned off;
- The pay stations would be well distributed across the entirety of the car park;
- They would ensure all previous conditions would be addressed;
- They were unable to respond to whether a management strategy would cover the loss of verge parking that was currently used by members of the public;
- The car park would be for residents only and not for use by members of the public;
- The removal of the verge side parking mitigated the increase in car parking spaces.

Highways reported that there were parking restrictions in place on the road leading to the private land.

In response to questions, the Parish Council reported that:

- The verge side has been used for parking for 50 years;
- They support the need for a refurbished toilet block but questioned whether internal showers were required and the increase in size of 66%.

The Ward Member asked Members to give serious consideration to the policies in place, Neighbourhood Plan and comments received and the potential impact to the area and the village.

During the debate, Member raised concerns on parking in particular the loss of verge parking for members of the public and the impact this would have on village and local businesses. Another Member felt that because

this was a private estate would go with the officer's recommendation. Another Member saw the need for improvements to the toilet block, however the Parish Council raised concerns on size and the need for internal showers, they also felt dissatisfied with the 4 applications bundled together and car parking a major issue and went against policies such as Better Lives for All.

Recommendation: Conditional Approval

Committee decision: Delegated to the Head of Development Management to agree the reasons for refusal with the Chair, Vice-Chairman, Cllr Long (Proposer) and Cllr Hodgson (Seconder), contrary to DEV25, does not protect the landscape and DEV15, potential impact to local businesses, surfers and visitors.

**6b) 2227/23/HHO 16 Meadcombe Road, Thurlestone
Parish: Thurlestone**

Development: Householder application for removal of part first floor balcony & replace with proposed first floor master bedroom extension & reinstate existing integral garage (resubmission of 1608/23/HHO)

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Potential overbearing,
- Neighbour amenity,
- Loss of visual gap within the streetscene.

A further letter of representation was received but did not raise any new material considerations.

In response to questions raised, the Officer reported that:

- the objections from neighbours related to overbearing and dominance;
- the report included comparisons with the previous schemes.

Speakers were: Objector – Mr M Hodges, Supporter – Mr P Thomas, Parish Council – Cllr G Stone, Ward Member – Cllr M Long.

The Ward Member brought this to Committee following objections from the neighbours and Parish Council. They did not have anything further to add and asked the Committee to ascertain whether this was acceptable.

During the debate, Members were mindful of the comments from the Parish Council and neighbours, however the officer made valid points regarding the extension and balcony. Another Member felt this would be overbearing.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Standard time limit
2. Adherence to plans
3. Materials to match existing
4. Adherence to ecological mitigation
5. EV charger to be installed prior to usage of garage
6. Obscure glazing to balcony
7. No additional windows to west elevation
8. Landscaping condition (prior agreement with applicant obtained)
9. Flat roof not to be used as a terrace
10. Removal of PD rights for garage conversions

**6c) 1933/23/HHO "Sea Haven", Ringmore Drive, Bigbury On Sea
Parish: Bigbury**

Development: Householder application for proposed renovations & extensions to dwelling, construction of a replacement garage & a new games room (resubmission of 0104/23/HHO)

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Scale of garage;
- Front planting scheme;
- Inadequate parking/turning;
- Scale/overlooking of/from games room;
- Overlooking from dormers/balcony;
- Raising ridge height (views/over dominance);
- Increase in footprint.

The Officer reported that:

- The image of the garage was not to scale however, the measurements met the requirements for a double garage;
- The Games Room would have an on-suite shower room to be used for incidental use and no overnight accommodation;
- Removal of any asbestos would be covered by building regulations;
- The replacement of lost planting in the front garden could be dealt with by a landscape condition;
- The distance between road and boundary road was 2 meters.

Speakers were: Objector – None, Supporter – Mr R Baird, Parish Council – Cllr V Scott, Ward Councillor – Cllr B Taylor.

The Ward Member brought this to Committee following concerns from neighbours on the utility and scale of the garage.

During the debate, some Members were happy to support this application as this was modernisation of an old property. Other Members had concerns on the impact and size of the garage and closeness to the road. Another Member felt that the garage did appear large but having viewed from the northern property could view from a low level the Pilchard Inn.

Recommendation: Conditional Approval

Committee decision: Delegated to the Head of Development Management to include a revised plan showing EV charging points.

Conditions:

1. Standard time limit
2. Adherence to plans
3. Prior to Commencement: Construction Management Plan
4. Materials to match
5. Adherence to ecological mitigation
6. Games room be used incidental to main house
7. Garage to be retained for parking of motor vehicles
8. Landscaping strategy to be agreed with LPA prior to construction of garage
9. Boundary Planting to be retained
10. Adherence to surface water drainage plan
11. No additional openings to games room
12. No additional openings to garage
13. No external lighting
14. Natural Slate

**6d) 3993/22/FUL "Briar Hill Farm", Court Road, Newton Ferrers
Parish: Newton and Noss**

Development: Extension to existing holiday park comprising construction of ten holiday lodges and associated drive access, parking and landscaping (including new native tree and shrub planting, creation of new extensive wildflower meadow and related biodiversity enhancements) together with provision of two new publicly accessible electric vehicle fast charging points, addition of solar panels to existing outbuilding and re-siting of gas tanks

Case Officer Update: The Case Officer summarised the key issues, namely that:

- Principle/justification for the development;
- Landscape character and appearance with the Undeveloped Coast and South Devon AONB;
- Demand vs need;
- Policies require proposal to meet an “essential local need” in “exceptional circumstances”;
- Viability of existing business;
- No landscape objection on the basis the proposal meets the above policy tests.

The officer read out a statement from the agent, however this did not change the overall view.

In response to questions, the officer reported that:

- It was quite common for the landowner to sell the lodges and the council could not prevent this;
- The water drainage scheme would be delegated to the officer to seek to resolve matters;

Speakers were: Objector – Mr R Forrester, Supporter – Mr M Evans, Parish Council – Cllr P Hinchliffe, Ward Councillor – Cllr D Thomas.

In response to questions, the supporter reported that:

- The lodges would not necessarily be sold off and letting was more financially viable;
- The waste on the site if permission granted would be used in a sustainable way for the new lodges;
- They were not aware of a construction management plan being in place;
- The lodges would be located behind the dark green hedges.

In response to questions, the Parish Council reported that:

- They would be reviewing the neighbourhood plan and review the settlement boundary;
- They were aware of the need to support local businesses but were mindful of the boundary position;
- The Parish Council undecided on this application.

The Ward Member reported this was unique and looking at 2 things: supporting local businesses versus the settlement boundary. Already exists outside the settlement boundary and needs further support to make more viable. The Parish Council were reviewing their Neighbourhood Plan and asked the Committee to make a determination.

During the debate, Members referred to what was seen as exceptional and refers to whether they have seen a good demonstration of building meeting sustainable needs and could not see that this was adding anything beneficial.

Recommendation: Refusal

Committee Decision: Refusal

**6e) 2215/23/FUL "Western Barn", Manorick Farm, Hooe Lane, Staddiscombe
Town: Wembury**

Development: Conversion of barn to dwelling including rebuild of stone wall (part retrospective)

The Case Officer: The Case Officer summarised the key issues, namely that:

- Previous application 3490/18/FUL was no longer extant;
- Historical value has been lost and no historical justification for new building on site;
- Location was contrary to strategic policies of JLP – has poor accessibility and occupiers would be reliant on a car;
- Contrary to policies SPT1, SPT2, TTV1, TTV2, DEV24 and TTV26;
- Drainage Officers have objected to the scheme due to insufficient information, contrary to DEV 35.

In response to questions, the officer reported that:

- A structural survey were submitted as part of previous work undertaken, however there were complications on site during the conversion;
- The service water and drainage information not discharged and new strategy would be submitted as part of this scheme.

Speakers were: Objector – None, Supporter – Miss W Veale, Parish Council – statement read by the Clerk, Ward Member – Cllr A Nix.

The Ward Member reported on the inconsistencies between the previous approval and this report which now states this building being isolated. Wembury Parish Council do not have a local plan but do support whole heartedly the bringing back of this building for local people to live in the local area. The building was well known landmark and a heritage asset. This was a historical asset to the area and ecology concerns would be addressed and was a sustainable development that met local housing need.

During the debate, one Member had concerns for people wanting to preserve historical building and risks involved. Other Members felt that it was important to support builds like this.

Recommendation: Refusal

Committee decision: Delegated approval to the Head of Development Management on the basis principle of development in this location, the

development does not cause material harm and unilateral undertaking, Tamar Estuaries contribution and subject of receipt drainage scheme and conditions agreed with Chairman and Vice-chairman.

**6f) 1522/23/FUL Land At Sx 776 496 Higher Poole Farm",
East Allington
Parish Council: Allington and Strete**

Development: Erection of agricultural barn to house livestock and farming equipment and other associated equipment (part retrospective) (resubmission of 4021/22/FUL)

The Case Officer: The Case Officer summarised the key issues, namely that:

Agricultural Need:

- 3.65 acres of pastureland – 40 pigs, 42 sheep, 270 chickens;
- Original application reviewed by Council's Agricultural Consultant;
- Accepted building was needed for 'husbandry requirements and welfare management of livestock on site';
- Noted expressed location and potential for extreme weather;
- Supportive of need for the building, noted siting would be better closer to the access.

Visual Impact:

- Building has modern agricultural character;
- Fairly typical structure in agricultural setting;
- Sited alongside boundary hedging to reduce impact;
- Not significantly more elevated than approved location.

Summary:

- Principle of building and agricultural need had been established;
- New location more in keeping with advice from agricultural consultant;
- Design acceptable given use of building;
- Conditions can restrict use and landscape impact;
- S106 ensures only one building would be on site.

In response to a question raised at the site visit, it was reported that public footpaths were quite some distance from the application site.

Speakers were: Objector – None, Supporter – Mrs K Parsons, Parish Council – None, Ward Member – Cllr L Lawford.

In response to questions raised the Supporter reported that the increased rooflights in the barn provided more natural light for the chickens.

The Ward Member reported that the Parish Council had concerns with the application and had opposed the previous application. They raised concerns on the size and the visual impact of the barn on the higher

ground. Sympathetic planting may mitigate this and if Members were to support this application to include conditions to remove the other buildings on site and a Landscape Management Plan.

During the debate, one Member raised that the Agricultural Consultant felt the position of the barn was in a better location and to include conditions on landscaping and the removal of outbuildings. Another Member felt that it was important to make the process easier for future applications.

Recommendation: Conditional approval subject to S106 to prevent current permission being implemented as well as new permission.

Committee decision: Conditional approval subject to S106 to prevent current permission being implemented as well as new permission and to include the submission of a Landscape Plan and confirmation of existing buildings on site.

Conditions:

1. Accord with plans
2. Agricultural use only
3. Remove when no longer required
4. No external lighting
5. Drainage

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

DM.24/23 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**
Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 10.03 am with a break at 13.45 pm and 15.47pm. Meeting concluded at 17.24pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 13 September 2023

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
0915/22/FUL	"Land off Bantham Beach Road", Bantham	Refused	Cllrs Allen, Hodgson, Nix, Pannell, and Taylor (5)	Cllrs Abbott and Rake (2)		Cllrs Bonham, Carson, McKay, O'Callaghan and Pannell (5)
2227/23/HHO	16 Meadcombe Road, Thurlestone	Conditional Approval	Cllrs Abbott, Hodgson, Nix, Pannell, Rake and Taylor (6)	Cllrs Allen and Long (2)		Cllrs Bonham, Carson, McKay and O'Callaghan (4)
1933/23/HHO	"Sea Haven", Ringmore Drive, Bigbury On Sea	Conditional Approval	Cllrs Abbott, Allen, Hodgson, Long, Nix, Pannell and Rake (7)	Cllr Taylor (1)		Cllrs Bonham, Carson, McKay and O'Callaghan (4)
3993/22/FUL	"Briar Hill Farm", Court Road, Newton Ferrers	Refused	Cllrs Hodgson, Long, Pannell and Taylor (4) Chair used casting vote	Cllr Abbott, Allen, Rake and Nix (4)		Cllrs Bonham, Carson, McKay and O'Callaghan (4)
2215/23/FUL	"Western Barn", Manorick Farm, Hooe Lane, Staddiscombe	Approved	Cllrs Abbott, Allen, Hodgson, Long, Nix, Pannell, Rake and Taylor (8)			Cllrs Bonham, Carson, McKay and O'Callaghan (4)
1522/23/FUL	Land At Sx 776 496 Higher Poole Farm", East Allington	Conditional Approval	Cllrs Abbott, Allen, Hodgson, Long, Nix, Pannell, Rake and Taylor (8)			Cllrs Bonham, Carson, McKay and O'Callaghan (4)