

MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 20 JUNE 2024

Members in attendance * Denotes attendance ∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long (Chairman)
*	Cllr G Allen	*	Cllr C Oram
*	Cllr L Bonham	*	Cllr A Nix
*	Cllr J Carson	∅	Cllr G Pannell
*	Cllr N Dommett	∅	Cllr S Rake
*	Cllr J Hodgson	*	Cllr B Taylor
*	Cllr T Edie (substituting for Cllr Pannell)		

Other Members also in attendance:
Cllr D O’Callaghan and Cllr S Rake on MS Teams

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Principal Planning Officers, Monitoring Officer; Senior Planning Officers, Landscape Officer; DCC Highways Officer; Principal Project Manager; IT Specialists and Senior Democratic Services Officer.

DM.01/24 MINUTES
The minutes of the meeting of the Committee held on 15 May 2024 were confirmed as a correct record by the Committee.

DM.02/24 DECLARATIONS OF INTEREST
Members and officers were invited to declare any interests in the items of business to be considered and none were made, however, the Chair raised that himself and Committee Members received a briefing document from the applicants in relation to 0278/24/ARM - Land at SX 855 508, Violet Drive, Dartmouth. For openness and transparency this briefing document was uploaded to the planning portal.

DM.03/24 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.04/24 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) 0932/24/VAR Development Site, Tumbly Hill,
Kingsbridge
Town: Kingsbridge**

Development: Application for variation of condition 2 (approved plans) & condition 4 (surface water drainage) of planning consent 2876/21/FUL

Case Officer Update: Highlighted the repositioning of the red line due to surveying errors and explained that this was very minor reduction in the extent of the red line and was considered to be within the scope of the application and was uncontentious.

The Case Officer summarised the key issues, namely:

- Principle was established by extant permission.
- Drainage approach agreed and Condition 3 would require compliance.
- External alternations were minimal.
- Development remains within the same development area.

In response to questions raised, it reported that the original red line was due to an error in surveying. Further clarification was sought on the attenuation tanks and it was reported that the 3 tanks would hold water back at a controlled rate using a low maintenance system. Many discussions had taken place, all concerns raised had been alleviated and now have a scheme with the lowest risk.

Having heard from speakers on behalf of the objector, supporter, statement from the Town Council and Ward Member. Members debated the application. During the debate, some Members could not see any issues with the variation put forward and felt that the drainage assessment covered the concerns raised and the most recent climate events. Landscaping was also raised, and it was reported that condition 9 included a Landscape Plan.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Approved Plans – amended.
2. Implementation of Sustainability Measures.
3. Surface water drainage scheme – amended to secure compliance with submitted details including monitoring schedule.
4. CMP.
5. External materials – amended to reflect approval 4006/23/ARC.

- 6. Stone walls – amended to reflect approval 4006/23/ARC.
- 7. Unsuspected land contamination.
- 8. Parking.
- 9. Landscaping – amended to reflect details approved by 0717/23/ARC.
- 10. Trees – amended to reflect details approved by 1426/23/ARC.

**6b) 1368/24/PHH Longcombe Well, Longcombe, TQ9 6PN
Parish: Berry Pomeroy**

Development: Application to determine if prior approval is required for proposed enlargement of existing rear extension

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

- Whether or not the proposal accords with Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and whether or not any potential impacts on neighbour amenity were considered acceptable.

In response to questions raised, it was reported that when looking at the application heating of the rear extension was not considered.

There were no speakers for this application. Members debated the application and supported the officer's recommendation.

Recommendation: Prior Approval Required and Given

Committee decision: Prior Approval Required and Given

Conditions:

1. Accord to Plans.
2. Materials to Match Existing.

**6c) 0278/24/ARM Land at SX 855 508, Violet Drive, Dartmouth
Parish: Stoke Fleming**

Development: READVERTISEMENT (Amended red line, elevational changes to building, revised boundary treatment details, additional landscaping details, updated tree protection plan, additional plans of bin store, cycle store and access ramp, directional highway signage within the site, revised lighting details with replacement of some lighting columns with bollards, and further transport note to address comments on highway access arrangements) Application for approval of reserved matters (layout, appearance, scale and landscaping) following outline approval 0479/21/VAR for Erection of a 3-storey, 105-bedroom hotel with ancillary restaurant and all associated works.

The Case Officer provided an update:

- Members were sent a briefing note from the applicant and this has been uploaded onto the planning website.
- Blackawton Parish Council submitted a representation in support of the application but would prefer an adaptation of architectural design to create a building and site more in keeping with the historic and natural beauty of Dartmouth.

The Case Officer summarised the key issues, namely:

- Compliance with outline consent, layout, scale, appearance and landscaping.

In response to questions raised, it was reported that:

- Different roof options were discussed and a flat roof inappropriate because it would not respect the character of the area and the plant and machinery would be exposed.
- If the Premier Inn and 3 storey apartments on Violet Drive were on the same level, then the Premier Inn would be a taller building, but as it would be built on lower ground and the ridge height would be 0.35 metres lower.
- Policy TTV4 relates to the whole development.
- The wider accessibility of the site was dealt with by the outline consent.
- Pedestrian and cycle routes throughout the wider development site with a local bus stop and park and ride close by.
- Green space and outdoor space immediately in front of the entrance/restaurant for amenity use.
- The restaurant would be 50 metres from the residential properties to the east.
- The cladding would be more of a ceramic type cladding with a timber effect and other timber effect claddings had been approved on this site.
- There would be significant tree planting around the site and include large extra heavy standard, feathered trees. Hedgerow planting would be of native mix.
- Further hedgerow had to be removed to accommodate utility services.

Having heard from speakers on behalf of the objector, supporter and Ward Member. Members debated the application. During the debate, one Member raised that we need to decide whether to approve on the layout, scale, appearance, knowing full well that something similar could be built on that site. The impact on the residents and the applicants have been working with the council to address issues raised and now need to make decision on whether this was right.

Another Member felt a hotel in that site was probably a sensible idea but did have concerns with the inadequate parking spaces at the hotel which

could lead to local roads being overloaded with cars. Also had concerns with the overall scale of the building and the visual impact when first driving into Dartmouth and whether this applied to Policy TTV4.

Another Member raised that when this was given outline planning permission the ground level was not that high but had now changed fundamentally coupled with the loss the hedgerow. They now felt that what was before us was not what was intended.

A proposal was put forward to refuse the application because not in keeping with the vision of the outline permission and the overscale of the size of the site, did not conform with the outline permission, destruction of the hedgerow and the lack of biodiversity offer. Adverse impact on residents with traffic and parking.

The Principal Planning Officer clarified that the biodiversity net gain was relevant to new applications, however, the 10% mandatory net gain was not relevant because this was reserved matters and the outline granted before this came into place and ecology matters would be addressed by conditions on the outline permission.

The Planning Officer clarified that the ground levels of the site. The interior road and main road indicate the original ground levels and spoil had been put on the site making this a metre higher and it was proposed to cut the hotel into the site. The removal of the original hedgerows was to facilitate the new access road and this was undertaken in accordance with the approved plans. There was a proposal to remove further hedgerow in order to put in an environ mesh bank and then build the new hedgerow on top. This land has always been higher than the road and whatever goes on that site would be higher than the road.

The Highways Officer reported that they did not envisage any traffic safety implications because of the proposals. They did have concerns when the hotel would be near capacity which could lead to a potential for spillage of parking onto the road network. The applicant based the parking on examples across the country and that was the prescribed way of demonstrating parking demand and must consider the evidence provided. However, it was said that only 20% of occupants choose to eat in the evening which then allows several external people to book into the restaurant, therefore if the hotel was full, Members have not heard how many could end up parked on the road network.

Cllr Hodgson proposed and Cllr Bonham seconded that the application should be refused with the reasons for refusal being delegated to the Head of Planning in consultation with the Chair, Vice-Chair, Cllr Hodgson (Proposer) and Cllr Bonham (Secunder). Policy TTV4 – scale design and overly prominent when viewed from the surrounding countryside and does not provide a positive frontage onto the adjoining road network. DEV20 place shaping and quality of the build environment and does not contribute positively because it does not enhance the appearance of a gateway

location and route into Dartmouth. Insufficient information to demonstrate the level of parking at peak times could lead to spillage out onto the public highway and could cause a highway safety issue. DEV23 landscape character policy.

Another Member having heard the debate raised that their previous comments were wrong regarding the ground levels.

Another Member was pleased to see someone invest in the local area and provide local jobs. They did have concerns on the impact on parking when the hotel was at full capacity, however, this was a Premier Inn with many across the country. They have hotels in a similar locations with a good understanding of parking requirements and therefore would want their business to thrive and felt confident that the parking they have provided would be sufficient all year round.

The proposal to refuse was then put to the vote and was declared lost.

It was then proposed that that the application should be approved in accordance with the Officer's report.

Recommendation: Grant Reserved Matters

Committee decision: Grant Reserved Matters

Conditions (list not full):

1. Approved plans and details
2. Sample panel for walls and roof
3. Landscaping implementation
4. Noise levels from any plant restricted at boundary of nearest noise sensitive dwelling
5. Compliance with DEV32 requirements

6d) 3732/23/FUL Land at SX 805 583, Ashprington
3733/23/FUL Parish: Ashprington
3734/23/FUL
3735/23/FUL

Development:

Provision of an agricultural livestock building & engineering works to create a level yard area (application 1 of 4)

Provision of an agricultural livestock building & engineering works to create a level yard area (application 2 of 4)

Provision of a storage building & engineering works to create a level yard area (application 3 of 4)

Provision of a storage building & engineering works to create a level yard area (application 4 of 4)

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

- Principle – agricultural buildings in countryside accepted.

- Landscape – mitigation could be conditioned.
- Trees – protection could be conditioned.
- Heritage – no adverse impacts.
- Ecology – mitigation could be conditioned.
- Other conditions as requested could address technical issues.
- Highways Objection – unacceptable impact on highways safety at Ashprington Cross due to poor visibility at junction.

The Highways Officer raised that his concerns came from the design and access statement which stated that Sharpham Barn was no longer fit for purpose for the farmer in that location despite having access to the same fields and therefore wanted to vacate this site and move further along the road. From a highway safety point, the junction affords 22 metres visibility, and the national guidelines indicates 56 metres visibility and therefore have a 50% plus shortfall in visibility at that junction and any increase in use would be detrimental to road safety, however, there have been no accidents recorded in the last three years at that junction.

The Planning Officer reported that this proposal would provide for substantial agricultural activity at that site which then raised concerns that this could lead to an increase in traffic through this junction. Other parts of the application were fine, and this was an opportunity for the Committee to hear the concerns from the Highways Officer.

In response to a question regarding pedestrians and cyclists on this road, the Highways Officer added that there was more than adequate forward visibility for drivers of any type of vehicle to gauge pedestrians or cyclists in the road running past the site and therefore had no concerns.

Having heard from speakers on behalf of the supporter and statement from the Ward Member. Members debated the application. During the debate, some Members felt that this application had a proven agricultural need and to support farmers in the local community. Having heard from the applicant's agent that the junction was already used felt this application should be supported.

Recommendation: Refusal for all 4 applications

Committee decision: Delegated approval to the Head of Development Management in consultation with the Chair, Cllr Taylor (Proposer) and Cllr Oram (Seconder) to agree the conditions and the increase in traffic would not be detrimental to highway safety and no other adverse impacts. Drafting of conditions to be delegated to officers subject to agreement of Chair, Proposer and Seconder

presented agenda report.

DM.06/24

UPDATE ON UNDETERMINED MAJOR APPLICATIONS

Members noted the update on undetermined major applications as outlined in the presented agenda report.

(Meeting commenced at 11.00 am and lunch at 12.37 pm. Meeting concluded at 17.15 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 20 June 2024

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
0932/24/VAR	Development Site, Tumbly Hill, Kingsbridge	Conditional Approval	Cllrs Abbott, Allen, Bonham, Carson, Edie, Hodgson, Long, Nix, Oram and Taylor (10)		Cllr Dommett (1)	Cllrs Pannell and Rake (2)
1368/24/PHH	Longcombe Well, Longcombe, TQ9 6PN	Prior Approval Required and Given	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)
0278/24/ARM	Land at SX 855 508, Violet Drive, Dartmouth	Grant Reserve Matters	Cllrs Abbott, Dommett, Edie, Long, Nix, Oram and Taylor (7)	Cllrs Allen, Bonham, Carson and Hodgson (4)		Cllrs Pannell and Rake (2)
3732/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (10)		Cllr Bonham (1)	Cllrs Pannell and Rake (2)
3733/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)
3734/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)
3735/23/FUL	Land at SX 05 583, Ashprington	Approved	Cllrs Abbott, Allen, Bonham, Carson, Dommett, Edie, Hodgson, Long, Nix, Oram and Taylor (11)			Cllrs Pannell and Rake (2)