

# **SOUTH HAMS DEVELOPMENT MANAGEMENT COMMITTEE**



## **Minutes of a meeting of the South Hams Development Management Committee held on Wednesday, 3rd February, 2021 at 10.00 am Via Teams**

Present: **Councillors:**

**Chairman** Cllr Brazil  
**Vice Chairman** Cllr Foss

Cllr Brown  
Cllr Holway  
Cllr Abbott  
Cllr Long  
Cllr Taylor

Cllr Hodgson  
Cllr Rowe  
Cllr Kemp  
Cllr Pringle  
Cllr O'Callaghan

### **In attendance:**

Councillors:

Cllr Pearce

Officers:

Head of Planning  
Specialist Place Making  
Legal Officer  
Democratic Services Manager  
Specialist – Democratic Services

38. **Minutes**  
DM.48/20  
The minutes of the meeting of the Committee held on 6<sup>th</sup> January 2021 were confirmed as a correct record by the Chairman.
39. **Declarations of Interest**  
DM.49/20  
Members and officers were invited to declare any interests in the items of business to be considered and the following was made:
- Cllrs R Rowe and B Taylor both declared a personal interest in application TPO/1018/T1 (Land adjacent to 4 Malborough Park,

Malborough) as they were Members of the South Devon AONB Partnership Committee. Both Members remained in the meeting and took part in the debate and vote thereon;

40. **Public Participation**

DM.50/20

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.

41. **Planning Applications**

DM.51/20

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) TPO/1018/T1 Land adjacent to 4 Malborough Park, Malborough, TQ7 3SR  
Parish: Marlborough**

**Development: Delegated authority request to confirm Tree Preservation Order (TPO: 1018 open space at Malborough Park, Marlborough)**

Case Officer Update: Officer confirmed inspections had taken place and that the Council had discharged its duty regarding reasonable removal of cones and dead branches.

Speakers included: Objector – Mrs Hurrell; Parish Council – Cllr Yeoman; Ward Members – Cllr J Pearce and Cllr M Long;

Following a question from a Member, the officer confirmed the tree inspection dates as June 2020 and September 2020, resulting in removal of cones and dead branches.

During the debate, it was clarified that removing the TPO would not result in the felling of the tree but would allow the neighbours to remove any overhanging limbs under common law.

**Recommendation:** TPO 1018 is confirmed as served.

**Committee decision:** Refusal

Reasons for Refusal: The Planning Committee determined that the TPO was not to be confirmed as it was considered that a combination of its size, relationship to the property, potential for future claims when balanced against the ability for the tree to potentially be felled and replaced by a

smaller native tree and/ or hedge would continue wildlife and visual benefits.

42. **Planning Appeals Update**

DM.52/20

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

The Head of Development Management (DM) provided further details on specific recent appeal decisions.

Following a query from one Member, the Head of DM was to check the Ward listing for appeal reference: 0482/17/FUL.

43. **Planning Performance Indicators**

DM.53/20

Members reviewed the performance indicators as outlined in the presented agenda report.

In discussion, particular reference was made to:

- (a) The total number of all applications received into Development Management in 2019 had been 2,518, while the total number received in 2020 had been 2,802; an 11% increase.
- (b) Above target on apps on time, including extensions. Non majors without time extensions illustrated a gradual improvement in numbers completed.
- (c) Fees were significantly down on the previous financial year predominantly due to the reduction in the number of speculative large major apps following the adoption of the Joint Local Plan.
- (d) An increase in the number of pre-applications being received was noted.
- (e) Enforcement case numbers were seen to have increased in Quarter 2 and Quarter 3, but the on hand case load numbers were still gradually reducing.
- (f) Legal would explore the potential use of drones for difficult to access sites in Enforcement cases.

44. **Update on Undetermined Major Applications**

DM.54/20

Members noted the list of undetermined major applications.

The Head of DM requested that, if possible, any questions were to be submitted before the meeting.

45. **Kathy Trant**

DM.55/20

The Committee recognised that Kathy Trant had now left the employ of the Council and Members gave their thanks for her contributions and excellent service, and wished her well for the future.

The Meeting concluded at 12.23 pm

**Signed by:**

**Chairman**

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Voting Analysis for Planning Applications – DM Committee 3<sup>rd</sup> February 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>
TPO/1018/T1	Land adjacent to 4 Malborough Park, Malborough, TQ7 3SR	Refusal to confirm TPO	Cllrs Abbott, Brown, Foss, Holway, Long, Pringle, Rowe, Taylor (8)	Cllrs Brazil, Hodgson, Kemp, O'Callaghan (4)	(0)	(0)
			Cllrs Abbott, Brazil, Brown, Foss, Hodgson, Holway, Kemp, Long, O'Callaghan, Pringle, Rowe, Taylor (12)			

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