

**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
11 SEPTEMBER 2019**

| Members in attendance * Denotes attendance ∅ Denotes apologies | | | |
|---|------------------------------------|---|----------------|
| * | Cllr V Abbott | * | Cllr K Kemp |
| * | Cllr J Brazil (Chairman (pm only)) | * | Cllr M Long |
| ∅ | Cllr D Brown | * | Cllr G Pannell |
| * | Cllr R J Foss (Chairman (am only)) | * | Cllr K Pringle |
| * | Cllr J M Hodgson | * | Cllr R Rowe |
| * | Cllr T R Holway | * | Cllr B Taylor |

Other Members also in attendance and participating:

Cllr J A Pearce

Officers in attendance and participating:

| Item No: | Application No: | Officers: |
|------------------|-----------------------------------|---|
| All agenda items | | Planning Senior Specialists; Planning Specialists; Deputy Monitoring Officer; and Senior Specialist – Democratic Services |
| | 3193/18/ARM | Devon County Council (DCC) Drainage Officers and Specialist Place Making |
| | 0062/19/FUL and 3398/18/FUL | Devon County Council (DCC) Highways Officer |

DM.23/19

MINUTES

The minutes of the meeting of the Committee held on 14 August 2019 were confirmed as a correct record and signed by the Chairman.

DM.24/19

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:

Cllrs R Rowe and B Taylor declared a personal interest in the following planning applications that were sited within the South Devon AONB by virtue of being Members of the South Devon AONB Partnership Committee and they remained in the meeting and took part in the debate and vote thereon:

0842/17/FUL: READVERTISEMENT (Revised Plans and Application Form) Construction of new build dwelling with associated landscaping within the curtilage of a Grade II Listed Building – ‘Ashleigh House’, Fore Street, Kingswear; and

1744/19/NMM: Application for a non-material amendment following grant of planning permission 1780/18/ARM (additional bedrooms within roof space on plots 30, 38, 44 & 45 and provision of conservatories on plots 35, 36, 39 & 42) – Land at SX711 394, Adjacent to Malborough Park, Malborough.

DM.25/19 **PUBLIC PARTICIPATION**

The Chairman announced that a list of members of the public and town and parish council representatives, who had registered their wish to speak at the meeting, had been circulated.

DM.26/19 **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:

a) 3193/18/ARM Land to the rear of Green Park Way, Chillington

Parish: Stokenham

Reserved Matters application for the development of 64 no. dwellings (including market, affordable and retirement housing), landscaping and associated works following grant of Outline consent 0771/16/0PA)

Case Officer Update: Since agenda published – 9 further letters of representation received raising new issues including:

- A request for more details of the proposed sub-station and swales;
- Impact of increased population on the SSSI (Site of Special Scientific Interest) and pollution;
- Continued concerns over the proposed Drainage Strategy;
- A detailed response from the objector who had registered to speak in response to the Devon County Council Briefing Note on the proposed Drainage Strategy.

Speakers included: Objector – Dr Bennett; Supporter – Mr Lewis:
Ward Member – Cllr Brazil

Recommendation: Conditional Approval

Notwithstanding the advice of the Devon County Council (DCC) Drainage Officers, a number of Members during the debate stated their grave concerns over the proposed drainage scheme and the comments made by the objector had only served to exacerbate these concerns further. In addition, some Members were of the view that the proposed drainage scheme would have a detrimental impact on the landscaping scheme and would be overbearing on those dwellings sited at the lower right hand side of the site.

Committee Decision: Refusal

Reasons:

The proposed layout and landscaping of the scheme would not be able to support a satisfactory drainage scheme and is contrary to Joint Local Plan Policy DEV 35.

b) 0842/17/FUL “Ashleigh House”, Fore Street, Kingswear

Parish: Kingswear

READVERTISEMENT (Revised Plans and Application Form) Construction of new build dwelling with associated landscaping within the curtilage of a Grade II Listed Building.

Case Officer Update: Corrections to published case officer report:
 - Onerous reference to a ‘garage’; and
 - Incorrect reference to the dwelling being a 4 bed property; and
 One further letter of representation but no new issues raised.

Speakers included: Objector – Mr Boyt; Supporter – Mr Evans; and local Ward Member: Cllr Rowe (NB. Cllr Bastone had declared an interest in this application).

Recommendation: Conditional Approval

In discussion, some Members highlighted the statement in Joint Local Plan Policy DEV 25 whereby any development within the Area of Outstanding Natural Beauty (AONB) should ‘conserve and enhance’ the AONB. These Members were strongly of the view that this application would not comply with this requirement and was therefore contrary to JLP Policy DEV 25. Some Members also commented that it would result in a loss of green space between dwellings. Furthermore, some Members felt that a new three-bed dwelling would not meet a local need for housing and considered that the proposals were therefore contrary to JLP Policy DEV 8. The Case Officer clarified local housing stock data and JLP targets for housing mix in the South Hams and Members accepted that this could not be justified as a specific reason for refusal.

Committee Decision: Refusal

Reason:

The proposals were contrary to JLP Policy DEV 25.

c) 1744/19/NMM Land at SX711 394, Adjacent to Malborough Park, Malborough

Parish: Malborough

Application for a non-material amendment following grant of planning permission 1780/18/ARM (additional bedrooms within roof space on Plots 30, 38, 44 & 45 and provision of conservatories on Plots 35, 36, 39 & 42).

Case Officer Update: None

Speakers included: Supporter – Mr Hutton; Parish Council – Cllr Yeoman; and Ward Members – Cllrs Long and Pearce

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions:

1. Accords with plans.

d) 0356/18/FUL Land at SX76840, West of Netherton Barns, Netherton, Kingsbridge TQ9 7RQ

Parish: Frogmore & Sherford

Change of use of land to accommodate two omni pods for self-catering holidays

Case Officer Update: Agent content to agree the detail of a foul waste drainage solution by condition thereby removing proposed refusal reason 3.

Speakers included: Supporter – Mrs Burden: Ward Member – Cllr Foss

Recommendation: Refusal

Committee Decision: Refusal

Reasons for Refusal:

1. The proposal would result in development in the countryside in a remote location that does not relate well to existing buildings or settlements.

In the absence of a compelling case for an exception to the policy requirements for development in the countryside, the proposal would result in unessential, unsustainable development in the countryside, inaccessible from local services, and to the detriment of local landscape character and therefore is contrary to policies SPT1, SPT2, TTV1, TTV2, TTV26, DEV15 and DEV23 of the Plymouth and South West Devon Joint Local Plan; and

2. The proposed development, together with upgrading of the vehicle access, proposed paths, parking, bin storage and use of the surrounding ground for outdoor recreation areas, by reason of the design, siting and separation from the nearby existing buildings, would fail to conserve or enhance the sensitive landscape character of the area contrary to policies SPT1, TTV1, TTV26, DEV20 and DEV23 of the Plymouth and South West Devon Joint Local Plan.

e) 1295/19/ARM Beacon Park, Dartington TQ9 6DX

Parish: Dartington

Application for approval of Reserved Matters following outline approval 3631/17/OPA for erection of a mix of B1, B2 & B8 employment buildings.

Case Officer Update: An application had been received to discharge a number of the pre-commencement conditions.

Speakers included: Supporter – Mr Swallow; and Ward Member – Cllr Hodgson

Recommendation: Conditional Approval

Committee Decision: Conditional Approval

Conditions

1. Accord with plans;
2. Development to accord with Arboricultural Impact Assessment and Tree Protection Plan; and
3. Low Carbon Development.

f) 0062/19/FUL Marquis Devon, Lee Mill, Ivybridge PL21 9EE

Parish: Newton & Yealmpton

Demolition of existing workshop/office building. Erection of office and workshop buildings, extension to vehicle display area and alteration to existing access.

Case Officer Update: Applicants have offered to contribute 15% towards the £28,000 requested by Devon County Council (DCC) as part of a Section 106 Agreement. DCC is of the view that this is insufficient.

Speakers included: Supporter: Mr Brand; and Ward Member – Cllr Baldry (statement supplied)

Recommendation: Refusal

In the debate, Members were torn between their wish to support an expanding business whilst recognising that the applicants offer fell well short of the £28,000 requested by DCC. In conclusion, the Committee felt that this application should be deferred to enable for further negotiations to be carried out.

Committee Decision: Deferral to enable for further negotiations to be carried out.

g) 3398/18/FUL The Display Works, East Way, Lee Mill PL21 9GE

Parish: Ermington & Ugborough

Construction of side and rear extension to existing Warehouse

Case Officer Update: None

Speakers included: Supporter: Mr Oldroyd (statement read); and Ward Member: Cllr Holway

Recommendation: Refusal

In discussion, Members repeated a number of the issues that had been raised during consideration of the previous planning application (point (f) above refers) and, in light of these similarities, felt that a deferral to enable for further negotiations would also be appropriate in this instance.

Committee Decision: Deferral to enable for further negotiations to be carried out.

h) 2519/19/DCC Ivybridge Council Depot, Ermington Road, Ivybridge PL21 9ES

Parish: Ivybridge

County Matters application for change of use from vehicle depot (B8) to waste transfer station (Sui Generis). Including land previously used as householder waste recycling centre. Building works to include demolition of existing storage building and construction of waste transfer station building and associated litter netting.

Case Officer Update: None

Speakers included: Ward Members: Cllrs Abbott and Pringle

Committee Views: The Council declares its interest in the site as the landowner and that it has a contractual agreement with the Applicant (FCC) for the delivery of waste services and that this application is directly related to the Council's own waste strategy.

In its role as statutory consultee to this application process, the Council raises no objection subject to Devon County Council (as the Waste Planning Authority) ensuring adequate measures are put in place to manage and mitigate highway and environmental impacts including a recommendation for a green travel plan condition, consideration of the adequacy of the proposed car parking provision and resolution of the objection from DCC as Lead Local Flood Authority.

DM.27/19 **PLANNING APPEALS UPDATE**

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

The Planning Senior Specialist provided further details on specific recent appeal decisions.

(Meeting commenced at 11.00am and concluded at 5.10pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 11 September 2019

| Application No: | Site Address | Vote | Councillors who Voted Yes | Councillors who Voted No | Councillors who Voted Abstain | Absent |
|------------------------|--|----------------------|---|--|--------------------------------------|----------------|
| 3193/18/ARM | Land to rear of Green Park Way, Chillington | Refusal | Cllrs Brazil, Hodgson, Holway, Kemp, Long, Pannell and Taylor (7) | Cllrs Abbott and Pringle (2) | Cllrs Foss and Pringle (2) | Cllr Brown (1) |
| 0842/17/FUL | 'Ashleigh House', Fore Street, Kingswear | Refusal | Cllrs Brazil, Hodgson, Holway, Kemp, Long, Rowe and Taylor (7) | Cllrs Abbott and Pannell (2) | Cllrs Foss and Pringle (2) | Cllr Brown (1) |
| 1744/19/NMM | Land adjacent to Malborough Park, Malborough | Refusal | Cllrs Hodgson, Long and Pannell (3) | Cllrs Abbott, Brazil, Foss, Holway, Kemp, Pringle, Rowe and Taylor (8) | (0) | Cllr Brown (1) |
| 1744/19/NMM | Land adjacent to Malborough Park, Malborough | Conditional Approval | Cllrs Abbott, Brazil, Foss, Holway, Kemp, Pringle, Rowe and Taylor (8) | Cllrs Hodgson, Long and Pannell (3) | (0) | Cllr Brown (1) |
| 0356/18/FUL | Land West of Netherton Barns, Netherton, Kingsbridge | Refusal | Cllrs Brazil, Foss, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (9) | Cllrs Abbott and Hodgson (2) | (0) | Cllr Brown (1) |
| 1295/19/ARM | Beacon Park, Dartington | Conditional Approval | Cllrs Abbott, Brazil, Foss, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (10) | Cllr Hodgson (1) | (0) | Cllr Brown (1) |
| 0062/19/FUL | 'Marquis Devon', Lee Mill, Ivybridge | Deferral | Cllrs Abbott, Brazil, Foss, Hodgson, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (11) | (0) | (0) | Cllr Brown (1) |
| 3398/18/FUL | 'The Display Works', East Way, Lee Mill | Deferral | Cllrs Abbott, Brazil, Foss, Hodgson, Holway, Kemp, Long, Pannell, Pringle, Rowe and Taylor (11) | (0) | (0) | Cllr Brown (1) |

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|-------------|---|---|---|-----|-----|---|
| 2519/19/DCC | 'Ivybridge Council Depot', Ermington Road, Ivybridge | Agree the proposed consultation response | Cllrs Abbott, Brazil, Foss, Hodgson, Holway, Long, Pannell, Pringle and Taylor (9) | (0) | (0) | Cllrs Brown, Kemp and Rowe (3) |
|-------------|---|---|---|-----|-----|---|