

Outline of relevant events

2 March 2017	Request for pre-application advice in respect of delivering a mixed use development proposal on land at Plymouth Road.
30 March 2017	Without prejudice response to application for pre-application advice identifies a deficit of forecast primary school places in Tavistock. Development of 280 houses would generate 69 primary pupil places. Contribution of £1,105,300 would be requested. Contributions of £24,261 and £70,000 for special educational needs and early years' provision respectively were also requested.
9 May 2018	Proposals for an outline planning application for up to 250 houses and B1 employment development discussed by planning agent and officers.
31 October 2018	Linden Homes South West submit outline planning application for the development of land at Plymouth Road Tavistock for 250 dwellings and 2.0 hectares of B1 commercial use (Planning Ref: 3614/18/OPA).
12 December 2018	Further information requested from Applicant.
19 December 2018	<p>Application registered as complete and valid, although no obvious red-line plan although the Constraints & Opportunities Plan 0661-1009 appears to have been accepted for such purposes.</p> <p>On registration the Application was plotted and the Council's planning software, APP, collected the relevant data which was then pulled through by W360, the Council's process management software. Limitations in W360 resulted in the Application being registered as being in the Tavistock South West Ward despite APP having identified the Application as crossing the ward boundary and therefore being in Dartmoor Ward too. The W360 failing affected all template reports.</p> <p>E-mail notifications sent to Cllrs Jeff Moody (Tavistock North Ward) and Annabel Roberts (Dartmoor Ward).</p>
2 January 2019	Application is published in the weekly list of applications under Tavistock South West, but not Dartmoor Ward.
27 December 2018 - 24 January 2019	Public consultation period. 79 letters of objection received (including one from CPRE). No requests for referral received from any members.
15 January 2019	Presentation to the Town Council's Development Management and Licensing Committee at request the Town Councillors to allow them to question Cllr Parker and officers about the pressure that the housing development was going to bring to Tavistock's infrastructure. The presentation was held at the start of the meeting prior to the Committee considering the Application.
17 January 2019	Tavistock Town Council holding response. Objection confirmed at meeting of Town Council on 22 January 2019.
24 January 2019	Plasterdown Parish Council objects.
17 February 2019	Cllr Graham Parker e-mailed the JLP Team copying in the Planning Officer requesting their help in understanding the draft JLP in respect of two issues relating to the employment use on the Site.
18 February 2019	<p>Strategic Planning Manager (Joint Local Plan) replied to Cllr Parker.</p> <p>Cllr Parker raised a number of concerns regarding the impact of the proposed development on education provision and in particular the</p>

	response from the Education Department of Devon County Council, with Cllr Phillip Sanders, a fellow Borough Councillor, but also Devon County Councillor.
19 February 2019	Cllr Parker and Cllr Jess Evans send detailed comments on the Application to Planning Officer copied to Linden Homes' agent. The comments raised a number of concerns and issues including the deliverability of the employment land and about the section 106 obligations, particularly education and public transport. The representation did not appear on the Council's website.
26 March 2019	Joint Local Plan is adopted by West Devon Borough Council
2 May 2019	Borough Council elections. Cllrs Mandy Ewings and Adam Bridgewater replace Cllrs Parker and Evans who stood down at the election for Tavistock South West Ward. Cllr Mark Renders elected for Dartmoor Ward.
3 July 2019	Joint Local Plan Specialist advises the Planning Officer that the Application broadly meets the requirements of the Joint Local Plan.
7 July 2019	<p>Planning Case Officer sent Officer Report to Cllrs Ewings and Bridgewater requesting delegated powers to approve the application.</p> <p>Officer report recommends approval subject to conditions and completion of section 106 agreement. Heads of terms of section 106 agreement identified as:</p> <ul style="list-style-type: none"> • LEMP and POS ongoing management and maintenance • SuDs Management and maintenance • 30% Affordable Housing • Local Area of Play including a minimum of 3 pieces of equipment suitable for children up to the age of 6 to be delivered in Phase 1. • Neighbourhood Area of Play including a minimum of 8 pieces of equipment suitable for children up to the age of 14 to be delivered in Phase 2. • £344,560 towards 'Off site sports provision including (but not restricted to) playing pitches, courts and changing facilities within a distance of 5km of the Development and within the parish of Tavistock and at the site of the Tavistock Cricket Club • Education monies as per consultation response dated 18 January 2019. • Financial contribution towards the railway reinstatement £587.32/house • Highway works – right hand turn lanes off Plymouth Road • 2ha of employment land and in the region of 18600sqm of B1 floorspace together with options for securing delivery employment floorspace.
13 July 2019	Planning Case Officer sent an e-mail to Cllrs Ewings and Bridgewater saying that as time for responding had lapsed would now proceed to issue the approval under delegated powers.
	Cllr Ewings spoke subsequently with the Planning Case Officer and agreed to the approval of the application under delegated powers.
24 July 2019	Instructions given to Council's Legal Services in relation to the preparation of a section 106 agreement.
3 January 2020	Bovis Homes Group plc acquires Linden Homes and the newly formed Vistry Partnerships Limited. Vistry Group plc is formed.
4 February 2020	First draft of section 106 agreement received from Applicant's solicitors.

	Devon County Council adopts revised Developer Contributions to Education
5 June 2020	Draft section 106 is substantially agreed.
8 June 2020	Council is advised that one of the landowners [REDACTED] will be unable to complete the section 106 agreement. Proposal for a "suspensive condition or clause" enabling development on part of the Site, but not that owned by the landowner unable to sign the section 106 agreement. Objections to such a course raised.
9 June 2020	[REDACTED] Subject to South Hams District Council and Plymouth City Council agreeing likewise, the Council adopted the Plymouth and South West Devon Supplementary Planning Document. South Hams was the final Council to adopt the Supplementary Planning Document doing so on 16 July 2020.
9 June -16 June 2020	Correspondence between Council and Landowner's solicitors seeking to confirm details of the land arrangements that were in place and to establish whether exceptional circumstances existed.
16 June 2020	Agreement reached between solicitors for the various parties as to the wording of the condition.
17 June 2020	E-mail to Cllrs Bridgewater and Ewings (but not Cllr Renders) advising of a change in the terms on which they had previously agreed to delegated approval and requesting their agreement to a condition requiring the completion of a section 106 agreement in the form of the draft that would be annexed to the outline planning permission.
18 June 2020	Cllr Bridgewater agrees to delegated approval provided that the section 106 agreement does not change. Cllr Ewings agrees to delegated approval "in these exceptional circumstances."
	Outline planning permission with some matters reserved for development of 250 dwellings and 2.0 hectares of B1 commercial use (Planning Ref: 3614/18/OPA) granted. The description of development does not include a reference to access which was for determination and, unusually, the Permission does not incorporate a condition defining the reserved matters. Condition 2 requires that the development shall be carried out in accordance with detailed drawings which shall previously have been submitted to and approved by the Council, and that these drawings shall show details that include matters relating to appearance, landscaping, layout and scale (which are the reserved matters) but the condition also refers to several other matters (including access) that are not reserved. Erroneously refers to landscape Buffer shown on Constraints & Opportunities Plan 0661-1009. Is shown on the Landscape Plan to which Linden gave the same drawing number.
15 July 2020	E-mail from Mr Parker to Cllr Neil Jory. Raised a number of questions concerning: <ul style="list-style-type: none"> • interpretation of the scheme of delegation;

	<ul style="list-style-type: none">• the role of the Development Management and Licensing Committee in agreeing the terms of section 106 agreements;• amendment of the draft Section 106 Agreement; and• contributions for public transport and education.
--	---