MINUTES of the **MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE** held in the **COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES,** on **WEDNESDAY, 18 January 2023**

Members in attendance * **Denotes attendance** ø **Denotes apologies**			
*	Cllr V Abbott	*	Cllr M Long
*	Cllr J Brazil (for 6(a), (b), (c) only (Minute DM.52/22 refers)	*	Cllr K Pringle (for 6(a), (b), (c), (d), (e), (f) and (g) only (Minute DM.52/22 refers)
*	Cllr D Brown	*	Cllr H Reeve
*	Cllr R J Foss (Chairman)	*	Cllr R Rowe (Vice Chair)
*	Cllr J M Hodgson	*	Cllr B Taylor (for 6(a) only (Minute DM.52/22 refers)
ø	Cllr K Kemp - apologies	*	Cllr H Reeve
*	Cllr G Pannell (for 6(a) (b), (c), (d), (e), (f) and (g) only (Minute DM.52/22 refers)		

Other Members also in attendance and participating:
Cllr J Pearce, Cllr H Bastone and Cllr K Baldry

Officers in attendance and participating:

Item No:	Application No:	Officers:
All agenda items		Head of Development Management, Senior Specialists, Specialists and Senior Case Manager – Development Management; Monitoring Officer (via MS Teams); IT Specialists; Highways, Devon County Council and Democratic Services Officer

DM.49/22 **MINUTES**

The minutes of the meeting of the Committee held on 14 December 2022 were confirmed as a correct record by the Committee.

DM.50/22 **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:

Cllr Hodgson declared a personal interest in application 6(e) (minutes DM.52/22 (e) below refer) as the applicant's partner is known to the Member.

Cllr Pannell declared a personal interest in application 6(h) (minutes DM.52/22 (h) below refer) as a founder of Ivybridge Rugby Club. Cllr Pannell left the meeting for this application and took no part in the debate nor vote thereon.

Cllr Pringle declared a personal interest in application 6(h) (minutes DM.52/22 (h) below refer) as a voluntary director of Ivybridge Rugby Club. Cllr Pringle left the

meeting for this application and took no part in the debate nor vote thereon.

DM.51/22 **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.52/22 **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:

6a) 1984/22/FUL Higher Coltscombe Farm, Slapton
Parish: Slapton

Development: Siting of two shepherd's huts for holiday accommodation with car port / store / solar pv structure and landscaping (Resubmission of 4366/21/FUL)

This application was Chaired by Cllr Rowe (Vice-Chair).

Case Officer Update: The Case Officer provided an update on the public right of way as requested at the site visit. They identified the key issues as including:

- Tourist accommodation site in an unsuitable location (limited access to services and amenities, heavy reliance on private car);
- No evidence for specific local need for tourism accommodation and how this development specifically responds to farm diversification requirements;
- Would create a dispersed and detached tourism facility that does not respect the scenic quality, tranquillity, remoteness and pastoral rural qualities of the landscape character Type 5a of the area.

In response to questions raised, it was reported that it is unlikely that the development would be widely visible from the public footpath.

Speakers were: Objector – None, Supporter – Tom Sylger Jones, Parish Council – None, Ward Member - Cllr R Foss

In response to questions, the supporter reported:

- A vast majority of the land will be a wildflower meadow;
- The water will be drained through a pipe to a treatment facility and there was flexibility on the siting of the facility;
- A detailed landscape and ecological plan will be provided if application approved;
- Solar panels will largely meet the requirements with a diesel/gas generator as a backup.

The Ward Member said that the Officer has followed the policy, however this application not in AONB or Heritage Site. This site unsuitable for modern day farming and farming needs to diversify. This application is making best use of the land, not visible from the public footpath and inaccessible which makes this attractive to tourists. He concluded by saying that he fully supported this application.

During the debate Members made arguments that farmers now have to diversify and felt that this application supported tourism. In terms of sustainability this is off-grid, not imposing on the network with a low carbon impact. Concerns were raised on the generator, drainage and ecology plans. Members wanted to ensure the biodiversity net gain and potential to increase for maximum benefit. Some Members raised that there was a danger of going against polices on sustainability in the countryside and this could lead to an influx of similar applications.

The Head of Development supported the Officer recommendation to refuse on the basis that carbon emissions in rural areas were not reducing.

Recommendation: Refusal

Committee decision: Delegated to the Head of Development Management for approval subject to conditions being agreed in consultation with Cllrs Hodgson and Brazil to include the following:

- water supply and foul drainage;
- solar panels;
- landscape and ecology plans;
- operated by farm owners;
- removed if ceased to be used.

6b) 3253/22/FUL "Court House", 40 Buckley Street, Salcombe
Town Council: Salcombe

Development: Revised access to upper roof terrace & replacement kitchen roof (resubmission of 2380/21/FUL)

Case Officer Update: The Case Officer reported that the key issue concerned the reconfiguration of the access to the balcony and includes a privacy screen, as well as replacing the kitchen roof, metal railings and widening the doors to the main house and the impact on neighbouring properties. The Case Officer said that while Officers were mindful of the strength of feeling locally it was considered that the proposal would not significantly worsen existing levels of overlooking.

Members raised concerns over the dwelling being in a Conservation Area and changes were permitted to an historical building and whether Article 4 should be made in Salcombe.

Speakers were: Objector – David McCarthy, Supporter – Steve King, Parish Council - Cllr M Fice, Ward Members - Cllrs Pearce and Long

In response to questions from Members the Case Officer reported that there was no indication that the canopy would be removed.

The Ward Member said that they were happy for this application to be approved. They explained that:

- the windows can be changed under permitted development
- the terrace exists and some noise is to be expected when living in the centre of town
- the overlooking complies with SPD rules and
- noise can be dealt with by Environmental Health. These are minor changes and should not be refused.

The Ward Member added that they have to accept the existence of the current terrace and consider the points raised by the neighbours and Town Council. The impact on neighbours and privacy, within a Conservation Area, and regretted that bi-fold doors are permitted development. Overall they said that in their view the changes do impact negatively on the neighbourhood amenity.

During the debate Members felt that noise and disturbance was a consequence of living in an urban area and Salcombe gets incredibly busy and noisy in the summer. It was also felt that the changes to the property would not make much difference to the neighbourhood amenity. Members were pleased that the home would be used more by the family. One Member was concerned with the increased use of the terrace area and impact on the neighbours, with the bi-fold doors increasing indoor space to outside. There was still the opportunity to be used by holiday makers and impact on neighbours. Reiterated the importance of Article 4 to prevent detrimental impact in a conservation area.

Recommendation: Conditional Approval

Committee decision: Delegated to the Head of Development Management for approval subject to conditions and subject to receipt of plans that show the canopy area.

Conditions:

1. Time limit
2. Accord with plans
3. Privacy screens
4. Materials as per details
5. Adhere to ecological report

6c) 2363/22/FUL "Sunnydale", Newton Road, Salcombe
Town Council: Salcombe

Development: Demolition of existing dwelling & construction of new detached house with associated landscaping

Case Officer Update: The Case Officer reported that the key issue was

design.

In response to questions raised, it was reported that:

- Members were shown different images to show the comparison in size of existing and replacement dwelling;
- The current dwelling is of its time and of no particular architectural merit and there is sufficient separation between the application site and listed buildings for the proposal to be seen as a contemporary building;
- SHDC does not have a policy to test the percentage increase in glazing;
- 4 parking spaces with the end space slightly reduced in size. The parking arrangement similar to what was proposed previously and highways raised no objections.

Speakers were: Objector – Sarah Fairbairn, Supporter – Mark Evans, Parish Council – Cllr M Fice, Ward Councillors – Cllrs Pearce and Long.

In response to questions raised, the Case Officer agreed that a condition to include anti-glare on glazing can be included if Members minded to approve and if required.

The Ward Member raised the Town Council's concerns that this is contrary to the neighbourhood plan. The increase in size, concerns expressed by neighbours and Town Council on parking, materials used, whether adequate or good design and whether appropriate to have a redevelopment in that position. The Town Council raised concerns on the construction management plan if this was approved.

The Ward Member acknowledged that the Town Council have objected. This is a large plot and unfortunately the neighbourhood plan contains no restriction on volume and increase in floor space. The cowl design will reduce the glare from the windows and materials proposed will stand out less than the present is building. The roof will be of similar design to others in the area. Newton Road fairly busy and a Construction Management Plan must be in place if approved pre-commencement.

A discussion took place on the Construction Management Plan and whether it should include the size and number of lorries and operation period with a banksman to control the traffic on Newton Road.

During the debate, some Members felt that the site visit was informative and shared the concerns on this will be constructed, but this was not grounds to refuse. Concerns raised on the materials palette being used not being in keeping with the area and sheer volume of glass. Views will be affected along Newton Road and impact for the local people. The Town Council also highlighted this conflicted with the Neighbourhood Plan. This will not improve the area and so many things wrongs with this dwelling. Salcombe deserves better. Do not feel this is the appropriate design and would refuse because not in keeping with the area and increases the density with loss of local view. Other Members felt strongly that a clear view of the property from across the estuary was required for a proper panoramic view for visual aspect before making a

decision.

Recommendation: Conditional Approval

Committee decision: Deferred for a further site visit

6d) 2260/22/HHO "Paradise Point", Ravensbury Drive, Warfleet, Dartmouth
Town Council: Dartmouth

Development: Householder application for construction of two storey garden building with no internal link between floors, ground floor for use as a garden and water equipment store with changing facilities including shower & WC and first floor for use as home office with WC (Resubmission of 3983/21/HHO)

The Head of Development Management was made aware that the Ward Councillor would like the committee to consider a site visit to aid in determining the application.

Recommendation: Refusal

Committee decision: Deferred to allow Members to undertake a site visit to aid in the determination of the application.

6e) 3563/22/VAR "Parklands", Bay View Estate, Stoke Fleming
Parish Council: Stoke Fleming

Development: Application for variation of condition 1 (approved drawings) of planning consent 3542/16/VAR

Case Officer Update: The Case Officer reported that the key issues include whether the proposed amendments were considered to be significantly different from the approved scheme that they would render the development unacceptable. The Case Officer then took Members through the amendments and commented as follows:

- Re-arrangement of fenestration – no impact subject to conditions;
- Removal of chimney – no impact;
- Relocation of garage – no impact;
- Additional height – remains in keeping with street pattern, impact on neighbours not considered harmful.

Members questioned the how the height of the dwelling is measured and it was reported that measurements were taken from the plinth

Speakers were: Objector – Jill Wallis, Supporter – None, Parish Council – Cllr Struan Coupar, Ward Member – Cllr H Reeve.

The Ward Member said there was a long history to the site and had therefore asked to bring to committee. The small amendments different to what was approved in 2016. The dwelling is overwhelming and roof too high.

During the debate, Members felt strongly about the height of the roof and the imposing nature of the property on the neighbourhood. It was felt it unreasonable for applicant to go against what has been approved. Members said that the site visit was useful for the visual impact on neighbouring properties. Some Members raised that you do not have a right to a view but do have a right to amenity and light. The scale of the property there is a noticeable increase and concerned if refuse how this would stand at appeal.

Recommendation: Conditional Approval

Committee decision: Refused: The proposed amendment by virtue on the height of the dwelling would have harmful impact on the amenity DEV1 of the JLP and Neighbourhood Plan.

6f) 2856/22/HHO "10 Fernbank Avenue", Ivybridge
Town Council: Ivybridge

Development: Householder application for proposed single storey front extension

Case Officer Update: The Case Officer reported that the key issues include:

- Scale: sizeable and prominent addition to the property which would dilute the simplicity of the front elevation and harm the symmetry of the row of terrace properties;
- Design: roof form would compromise a flat to hipped roof; not present amongst the other properties within the street;
- Neighbour Amenity: consideration of potential loss of light to number 8, however, not substantial reason for refusal.

Speakers were: None

During the debate Members felt that this extension will impact on the streetscape and extending the building at the front of the property should not be supported.

Recommendation: Refusal

Committee decision: Refusal for reasons as set out in the report.

6g) 2556/22/HHO 18 New Park Road, Lee Mill Bridge
Parish Council: Sparkwell

Development: Householder application for proposed rear garden store

Case Officer Update: The Case Officer reported that the key issues include:

- Parking: the proposal would occupy one parking place which can be offset by the creation of a new parking space to the front and conditioned as such. Objections in regards to blocking existing access to number 20 are not considered to be reasons for refusal;
- Design: the scale and design is considered appropriate and typical of this type of development;
- Neighbour Amenity: the shed would be visible over the neighbour's fence for a short section at the far end of the garden and the impact is considered acceptable;
- Drainage: SWW has confirmed discharge to a combined sewer (if required) would be acceptable.

.

Speakers were: Objector - None, Supporter – Daniel Langdon, Parish Council – Cllr Serpell Denman, Ward Member – Cllr K Baldry

The Ward Member thanked members for attending the site visit and asked the members refuse on drainage concerns. There are parking issues in New Park Road and cannot afford to lose more spaces.

During the debate, Members found the site visit useful to view the location of the shed and parking arrangements. Members felt that drainage issues were being addressed by SW Water.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:
Standard time limit
Adherence to plans
Surface water discharge to an existing sewer within the application site
Not to be implemented until parking space approved by 2555/22/HHO is provided
Removal of Class E PD rights

6h) 2084/22/OPA "Land at SX 648 561", Rutt Lane, Ivybridge
Parish Council: Ivybridge

Development: Outline application (all matters reserved) for the provision of a Special School including new two storey teaching block with associated hard & soft landscaping

Case Officer Update: The Case Officer reported that the key issues include:

- The use proposed is an employment generating community facility and is not seen as a significant change from the currently approved land use from a planning viewpoint;
- Planning conditions can effectively mitigate any potential issues for those residents in closest proximity to the site at the reserved matter stage;

- The site is a sustainable location with a variety of transport options;
- There is already a cycle link between the site and the heart of Ivybridge and further works already secured through existing s106 agreements for nearby developments in the other direction

Speakers were: Objector - None, Supporter – Neil Pateman, Parish Council – Cllr Sara Hladkij, Ward Member – Cllr Abbott

In response to questions, the Supporter reported it will cost £10 – 15 million to construct and development being delivered by the Department of Education;

The Ward Member reported that Ivybridge Ivybridge has developed over the last few decades, many houses built around the centre with no overarching plan, entrapped by the railway line and A38. The Government's latest proposal, Active Travel England responsible for making walking and cycling a priority by 2023, if we do not build appropriately now will not reach this aim. The cycle routes are not complete in the area and DCC offered this scheme £20k towards transport improvements. By my calculation this figure should be in the region of £880k. I am asking for small improvements and ask for 4 conditions:

- DCC support Government and Active Travel England to provide suitable infrastructure at this point in build to ensure compliance by 2030;
- DCC and SH agree with the local travel support group PL21, a masterplan of all traffic free routes for the local area;
- DCC contribute providing suitable crossings to access to the school and on B213 into the new estate at Saxon Gate;
- DCC to provide £400k to support the improvement of routes for Active Travel.

The Highways Officer from DCC reported that the applicant requested a transport statement on traffic flow on previous approval on that site and there was not a requirement for a crossing. £20k for the crossing on the B road to best serve the residents and school and cycle link approved through Wain Home. It was felt that the crossing is in the right place this has been strategically thought out by the DCC.

During the debate, one Member raised that they were being asked to consider to grant outline consent for a specialist school guided by officers and this was perfectly reasonable and should be approved. Some Members felt that more crossings were required and whether the speed limit should be reduced to 20 mph.

The Ward Member asked the proposer to include the 4 conditions as outlined in his speech, this request was declined.

Recommendation: Conditional Approval

Committee decision: Conditional Approved

Conditions:
1. Reserved Matters time limit
2. Reserved Matters details to be submitted

3. Accord with plans
4. Pre commencement Construction Management
5. Road Surfacing
6. School Travel Plan
7. Waste Audit Statement
8. Designing out crime
9. Landscaping including along frontage
10. Tree retention
11. Detailed Drainage Strategy
12. Foul Drainage
13. Noise Mitigation
14. Ecology Survey recommendations
15. Biodiversity Net Gain
16. Carbon Reduction Measures
17. Local employment & skills
18. External Lighting
19. Archaeology
20. Contamination
21. Restrict external lighting

DM.47/22 **PLANNING APPEALS UPDATE**

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

DM.48/22 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

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

(Meeting commenced at 9:45 am. Meeting concluded at 4:39 pm, with a break at 11:09 am and 3:30 pm and lunch at 12.37 pm. Meeting adjourned at 12:17 pm)

_____

Chairman

Voting Analysis for Planning Applications – DM Committee 18 January 2023

Application No:	*Site Address*	*Vote*	*Councillors who Voted Yes*	*Councillors who Voted No*	*Councillors who Voted Abstain*	*Absent*
1984/22/FUL	Higher Coltscombe Farm, Slapton	Approved	Cllrs Abbott, Brazil, Brown, Hodgson, Pringle, Reeve and Rowe (7)	Cllrs Long and Pannell (2)	Cllr Foss (1)	Cllrs Kemp and Taylor (2)
3253/22/FUL	"Court House", 40 Buckley Street, Salcombe	Approved	Cllrs Abbott, Brazil, Brown, Foss, Pannell, Reeve, Rowe and Taylor (8)	Cllrs Hodgson, Long and Pringle (3)		Cllr Kemp (1)
2363/22/FUL	"Sunnydale", Newton Road, Salcombe	Deferred	Cllrs Abbott, Brazil, Hodgson, Long, Pannell, Reeve and Taylor (7)	Cllrs Rowe and Brown (2)	Cllrs Foss and Pringle (2)	Cllr Kemp (1)
2260/22/HHO	"Paradise Point", Ravensbury Drive, Warfleet, Dartmouth	Deferred	Cllrs Abbott, Brown, Foss, Hodgson, Long, Pannell, Pringle, Reeve, Rowe and Taylor (10)			Cllrs Brazil and Kemp (2)
3563/22/VAR	"Parklands", Bay View Estate, Stoke Fleming	Refused	Cllrs Abbott, Brown, Hodgson, Long, Pringle, Reeve, Rowe and Taylor (8)		Cllrs Foss and Pannell (2)	Cllrs Brazil and Kemp (2)
2856/22/HHO	"10 Fernbank Avenue", Ivybridge	Refused	Cllrs Abbott, Brown, Foss, Hodgson, Long, Pannell, Pringle, Reeve, Rowe and Taylor (10)			Cllrs Brazil and Kemp (2)
2556/22/HHO	18 New Park Road, Lee Mill Bridge	Approved	Cllrs Abbott, Brown, Foss, Hodgson, Long, Pannell, Pringle, Reeve, Rowe and Taylor (10)			Cllrs Brazil and Kemp (2)
2084/22/OPA	"Land at SX 648 561", Rutt Lane, Ivybridge	Approved	Cllrs Abbott, Brown, Foss, Hodgson, Long, Reeve, Rowe and Taylor (8)			Cllrs Brazil, Kemp, Pannell and Pringle (4)