

MINUTES of the MEETING OF THE DEVELOPMENT MANAGEMENT COMMITTEE held in the COUNCIL CHAMBER, FOLLATON HOUSE, TOTNES, on WEDNESDAY, 15 February 2023

Members in attendance			
* Denotes attendance			
∅ Denotes apologies			
*	Cllr V Abbott	*	Cllr M Long
*	Cllr J Brazil (for 6 (a) (b) and (c) on MS Teams (Minute DM.58/23 refers)	*	Cllr K Pringle
*	Cllr D Brown	*	Cllr H Reeve
*	Cllr R J Foss (Chairman)	*	Cllr R Rowe (Vice Chair)
*	Cllr J M Hodgson	*	Cllr B Taylor
∅	Cllr K Kemp	*	Cllr K Baldry (substituting for Cllr K Kemp) (for 6 (b), (c), (d) and (e) only (Minute DM.58/23 refers)
*	Cllr G Pannell		

Other Members also in attendance and participating:

Cllr J Pearce and Cllr H Bastone

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; Senior Case Manager – Planning Enforcement; Monitoring Officer; IT Specialists and Democratic Services Officer

DM.55/23 MINUTES

The minutes of the meeting of the Committee held on 18 January 2023 were confirmed as a correct record by the Committee.

DM.56/23 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 B Taylor declared an Other Registerable Interest in application 6(a), (b), (c) and (d) (minutes DM.58/23 (a), (b), (c), (d) and (e) below refer because he is a member of South Devon AONB Partnership Committee. The Member remained in the meeting and took part in the debate and vote thereon.

DM.57/23 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.58/23

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) 2363/22/FUL "Sunnydale", Newton Road, Salcombe
Parish: Salcombe Town Council**

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

This application was deferred at the 18 January 2023 meeting for DMC Members to view the application from the river.

Case Officer Update: The Case Officer reported that changes relating to parking had been circulated to Members since the last meeting.

During the debate, Members said it was beneficial to see the setting from the river and the potential impact. Some Members felt that the changes to the parking still presented a challenge with the blocking of the entrance to the property. The footprint dramatically increased with concerns on the materials being used. It was felt that the design was out of context and the view from estuary very harsh.

It was proposed and seconded to refuse the application. The reasons for refusal: Delegated refusal with detailed reasons to be agreed with the Chair, Vice-Chair, Proposer and Seconder. The dwelling does not fit with the vernacular; increase in scale, design being symmetry, linear and out of keeping, materials out of keeping and relevant policies.

A vote was taken to refuse the application. The vote was lost.

It was then moved to approve the application on the basis that some Members agreed with officer's report and recommendation. Before the vote was taken, a request was put forward to include a condition on a construction management plan. This request was accepted.

Recommendation: Conditional Approval

Committee decision: Conditional approval with the inclusion of a construction management plan covering limiting movements during school holidays, tonnage and more detail on the demolition period.

Conditions:

1. Time limit
2. Accord with plans

3. CEMP
4. Materials samples (natural slate)
5. Materials samples (natural stone sample panel)
6. Surface water drainage
7. Air source heat pump
8. Adhere to ecological report

**6b) 4082/22/FUL "Development Site At Sx 677 403",
Weymouth Park, Hope Cove
Parish Council: South Huish**

Development: Erection of single-storey dwelling following grant of permission in principle (Resubmission of 1741/22/FUL)

Case Officer Update: The Case Officer reported that this application has been called to Committee by both Ward Members. Six additional objections received, two duplicates and no new points raised. They summarised the following:

- Principle of development: established through PIP granted.
- Design: scale and form in keeping with character of Weymouth Park, traditional materials proposed.
- Neighbour impact: acceptable subject to recommended conditions.
- Landscape: no harm to AONB given existing residential character of surroundings, conditions recommended.
- Previous reasons for refusal have been addressed.

Speakers were: Objector – David Etherington, Supporter – Steve Carter, Parish Council – Cllr J Hocking, Ward Members – Cllr J Pearce and Cllr M Long.

The Ward Member had no dispute with the officer report but raised objection to the dwelling and proximity to the public foot path and this footpath will become a tunnel. Also this was not a modest dwelling and the scale of the property would have an adverse impact on the AONB. The garage almost like having a separate building and not typical for this part of Weymouth Park. There have been a lot of local objections and I support the Parish Council.

In response to questions raised, it was reported that the fence alongside the footpath had made the path not very inviting and will impact the ANOB. A discussion then took place on whether the fence could be replaced with a natural hedge and it was reported that wasn't an option because of the design and the size of the bungalow.

The Ward Member raised the accumulative impact of the garage and whether the scale of the property was appropriate. The PIP was approved by the Planning Inspector, however the dwelling needs to reflect the local distinctiveness of the area.

The Head of Development reiterated that this is a standalone application and doesn't have to follow the PIP. The existing fence and can be erected under permitted development and not adjacent to the highway and lawful construction.

During the debate: Some Members felt this was a finally balanced decision but would support a condition on the fence as not to restrict the passage and appearance of the footpath. Other Members felt that too much was being squeezed onto the site and that there was an opportunity to develop that site more sympathetically. The design will have a negative impact on the street scene and footpath. This site deserves more creative thinking and to lessen the impact. This is not the right development for this site.

A vote was taken to approve the application. The vote was lost.

Recommendation: Conditional Approval

Committee decision: Refused. Delegated refusal with detailed reasons to be agreed with the Chair, Vice-Chair, Proposer and Seconder.

Reason for Refusal:

The scale of the development, incongruous materials, impact on the AONB.

The garage increases the mass on the site, unneighbourly and impact on the street scene and on adjacent buildings.

Policy SH E3 – design proposals doesn't integrate with the built surrounding.

Impact on the footpath.

DEV20 – doesn't improve the environment, inappropriate roof materials.

6c) 4454/22/HHO "The Willows", Bolberry Road, Hope Cove Parish Council: South Huish

Development: Householder application for extension to approved car port, re-align steps, add window and enclose to form garage

Case Officer Update: The Case Officer reported this is an employee application and Parish Council have submitted objections. In summary:

- Design: scale and mass acceptable, not overdevelopment, set back from building line, matching materials proposed.
- Use: garage shall only be used for the accommodation of private motor vehicle, and shall not be used, let, leased or otherwise disposed of for any other purpose.

Clarification was sought on the size of garage and confirmed slightly smaller than SPD requirements.

Speakers were: Objector – None, Supporter – Rachel Jefferson, Parish Council – Cllr J Hocking, Ward Councillors - Cllrs J Pearce and M Long.

The Ward Member wanted to highlight the concerns expressed by the Parish Council and whether further development can be controlled.

The Ward Member had sympathy with the Parish Council but difficult to go against this application.

During the debate Members agreed with the officer's recommendation.

Recommendation: Conditional Approval

Committee decision: Conditional Approval

Conditions:

1. Time limit
2. Accord with plans
3. Materials to match existing
4. Garage to remain incidental
5. Surface water drainage

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 Case Officer: The Case Officer reported that the Dartmouth NDP now made and reasons for refusal amended accordingly. The key issues raised:

- Heritage: form and scale of the outbuilding results in a 'statement building' which detracts from the house and gardens – fails to preserve or enhance LB or Conservation Area.
- Landscape: key waterside location. Gardens acts as a setting for the house, and development of the scale proposed would be intrusive and harm the landscape setting.
- Scale: principle of single-storey boat store could be supported.
- Relationship with dwelling: detached from main house, no justification for home office on the waterfront so far from dwelling.

Speakers were: Objector – None, Supporter – Nichola Burley, Parish Council – None, Ward Members: Cllrs H Bastone and Cllr R Rowe.

The Ward Member shared a photo taken from Kingswear and highlighted that the boathouse would be hidden amongst the greenery. Another photo showing other developments close to the Paradise Point. Many properties along the river have boat houses with mass construction on that side and unfair not to approve this application. This building does comply with planning and use of the building not a separate residential building and asked the Committee to approve this application.

The Ward Member raised that there are landing steps already in place to access the proposed building and will be an extension to the main dwelling. No objections from Dartmouth Town Council, no impact on neighbouring properties and will not be used as a separate building.

During the debate: Some Members felt that this was a lovely green area when viewed from the river and will be quite discreet.

A vote was taken to approve the application. The vote was lost.

However, some Members found the boat ride very informative and the argument that other developments taking place close to this application didn't make it right for further development. What is proposed will add to the bigger development in a lovely area of conservation and wildlife. Some Members supported the officer's recommendation of refusal.

Recommendation: Refusal

Committee decision: Refusal

6e) 3504/21/VAR "The Mooring", Newton Hill, Newton Ferrers Parish Council: Newton and Noss

Development: (Revised plans) Application for variation of conditions 1 (approved plans) and 6 (stone faced boundary wall) of planning consent 0068/20/VAR

Case Officer Update: The Case Officer reported that the Parish Council have objected on the basis that the southern boundary wall should be clad in stone. Key issues raised:

- Officers recognise the strength of local objection.
- Plans have been revised to reflect the scheme as built.
- Additional timber fencing and stone capping was sought to safeguard the privacy of Yealm Cottage.
- Conditions have included triggers for implementation; with three months of decision for additional timber fencing/stone coping and 31 March 2024 for implementation of landscaping scheme.
- Officers consider that when taken as a whole, the development accords with the policy framework.

A discussion took place on the wall and it was reported that:

- The wall is in the boundary of the conservation area;
- The wall is rendered rather than stone clad;
- The Enforcement Team have been involved and tested the scheme through the planning process.

Speakers were: Objector – Mr Buckland, Supporter – Beau Sherriff, Parish Council – Cllr C Phillipson (statement read out), Ward Members – Cllrs K Baldry and D Thomas (statement read out).

The Ward Member supported the objections made by the Parish Council.

A statement was provided by the Ward Member and they supported the other Ward Member's position, and would like to see the wall in question stone clad, rather than rendered. This is also the Parish Council's principle concern.

During the debate, Members raised concerns on the rendered wall. This was a significant feature and should be restored back to a stone clad wall to not only protect the heritage of the village but this fall on the edge of the conservation area. It was felt that a white rendered wall was unacceptable and was an incongruous addition with inappropriate materials used in that area. It was strongly felt that the historic stone wall should be stone cladded and not rendered.

Recommendation: Conditional Approval

Committee decision: Refused. Delegated refusal with detailed reasons to be agreed with the Chair, Vice-Chair, Proposer and Seconder.
Reason for Refusal:
Introduction of white wall incongruous in a conservation area and to include the relevant policies.

DM.59/23 **PLANNING APPEALS UPDATE**
Members noted the list of appeals as outlined in the presented agenda report.

DM.60/23 **UPDATE ON UNDETERMINED MAJOR APPLICATIONS**
Members noted the update on undetermined major applications as outlined in the presented agenda report.

DM.61/23 **EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED

“That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business in order to avoid the

likely disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act”.

DM.62/23 **ENFORCEMENT REPORT**

RESOLVED: The Committee agreed with the Officer recommendation as set out in the report.

(Meeting commenced at 10:00 am. Meeting concluded at 4:30 pm, with a break at 11:38 am and 3:35 pm and lunch at 12.29 pm. Meeting adjourned at 4:03 pm)

Chairman

Voting Analysis for Planning Applications – DM Committee 15 February 2023

Application No:	Site Address	Vote	Councillors who Voted Yes	Councillors who Voted No	Councillors who Voted Abstain	Absent
2363/22/FUL	"Sunnydale", Newton Road, Salcombe	Approved	Cllrs Brown, Foss, Pringle, Reeve, Rowe and Taylor (6)	Cllrs Abbott, Hodgson, Long and Pannell (4)		Cllrs Baldry and Brazil (2)
4082/22/FUL	"Development Site At Sx 677 403", Weymouth Park, Hope Cove	Refused	Cllrs Abbott, Brown, Hodgson, Long, Pringle, Reeve and Taylor (7)	Cllrs Baldry, Pannell and Rowe (3)	Cllr Foss (1)	Cllr Brazil (1)
4454/22/HHO	"The Willows", Bolberry Road, Hope Cove	Approved	Cllrs Abbott, Baldry, Brown, Foss, Hodgson, Long, Pannell, Pringle, Reeve, Rowe and Taylor (11)			Cllr Brazil (1)
2260/22/HHO	"Paradise Point", Ravensbury Drive, Warfleet, Dartmouth	Refused	Cllrs Abbott, Brazil, Foss, Hodgson, Long, Pannell, Pringle and Taylor (8)		Cllr Baldry, Brown, Reeve and Rowe (4)	
3504/21/VAR	"The Mooring", Newton Hill, Newton Ferrers	Refused	Cllrs Abbott, Baldry, Brazil, Brown, Foss, Hodgson, Long, Pannell, Pringle, Reeve, Rowe and Taylor (12)			