

Kingsbridge Town Council

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, QUAY HOUSE, AT 6.30 P.M. ON TUESDAY 4 JANUARY 2022

Present: Cllr Martina Edmonds (Chairman)
Cllr Anne Balkwill
Cllr Philip Cole
Cllr Chris Povey
Cllr Danny Rawstron

In Attendance: District Cllr Denise O'Callaghan
Eleven members of public
Martin Johnson (Town Clerk)

21/86 APOLOGIES FOR ABSENCE

Apologies were received from Cllr Mike Jennings, Cllr Graham Price and District Cllr Susan Jackson.

Public Open Forum

Lorna Yabsley stated that she was a Director of Velarde, the applicant for planning application 4344/21/FUL (proposals for redevelopment of 86 Fore Street), and would be able to answer any questions that Members may have regarding the proposals.

Several members of public made statements regarding planning application 3122/21/VAR (variation of proposals for a housing development off Derby Road). The salient points were:

- Section 73 planning applications were for minor alterations only and the proposals were a misuse of the procedure.
- Provision of affordable homes had reduced during the evolution of the development and had now been deleted to be replaced with a financial contribution in lieu.
- Current Public Footpath No.6 which dissected the site would be replaced with 200 steps and no formal diversion had been agreed.
- No plans had been produced to enable access to the footpath during construction works.
- There was a 25% increase in floor area and hence the density of the development.
- There was a 38% increase in total number of bedrooms with implications for vehicle numbers and on-street car parking.
- Three storey buildings were proposed when previously there were none.
- The housing layout had been completely changed resulting in the loss of central open space.
- The application form reported that the development had not commenced when it had.

- Several key points in the Planning Inspector's report which approved outline permission had been revised.

Cllr Edmonds thanked all local residents for their comments.

21/87 DECLARATIONS OF INTERESTS

Cllrs Cole and Povey declared non-pecuniary interests in agenda item 21/90.5.

The following agenda items were taken early out-of-turn:

21/90 PLANNING APPLICATIONS

The following planning applications were received from South Hams District Council (SHDC) for consideration:

90.6	3122/21/VAR
Case Officer:	Cheryl Stansbury
Applicant:	Blakesley Estates (Kingsbridge) Ltd
Proposal:	Application for variation of condition 7 of outline application 28/1560/15/0 (appeal ref: APP/K1128/W/16/3156062) to allow for revised dwelling design and layout
Site:	Land at Garden Mill, Derby Road, Kingsbridge
KTC:	Recommend Refusal on the following grounds:

- **Section 73 planning** applications are for minor material amendments only. However, the proposals seek to amend access, appearance, layout and scale (28/1560/15/O outline planning approval) and landscaping (0826/20/ARM reserved matters approval). The submission is made up of 43 independent documents including a 56 page Planning Statement, a 40 page Design & Access Statement, a 54 page Ecology Report, a 63 page Economic Viability Report etc. It is totally absurd to suggest that the proposals are a minor amendment and this application represents a flagrant abuse of the Section 73 planning process. For example, overall housing floor space has increased by circa 25%, introduction of 3 storey dwellings and loss of central open space. The proposals are major revisions of dramatic proportions which seek to alter every material aspect of the current approved development. Therefore this should be considered as a totally new planning application and the whole concept for a housing development at Lock's Hill off Derby Road should start over again meaning the Planning Inspector's decision is time lapsed, null and void.
- The **Application Form** dated 9 August 2021 at paragraph 4. Description of Proposal reports that the development has not started. It is understood that Blakesley Estates (Kingsbridge) Ltd pleaded guilty at Poole Magistrates Court on 14 October 2021 that the development had commenced without planning conditions being discharged. Therefore the Application Form requires updating and resubmission as it is inaccurate.

- The **Viability Report** requires interrogation by an independent authority. At outline stage this was actioned by Plymouth City Council's Strategic Planning team which reported upon the previous applicant's earmarked profit at 14.2%. The report suggests a 20% profit on costs is required (including a build costs contingency of 7.5%). It is strongly suggested that the reported profit margin is too high and should be in line with the industry norm of 15% which, on the figures provided, would have the potential to provide circa 6 in number affordable homes.
- Four in number **affordable homes** (3 bedroom properties) were approved at outline stage. A financial contribution in lieu is now proposed however, this will not directly support the current housing crisis in Kingsbridge reported widely by the Roof Kingsbridge group juxtaposed with the District Council's own recent declaration of the same. It is strongly suggested that affordable housing provision is retained on the site.
- The **housing mix** is unacceptable as the following accommodation schedules highlight:

1. Approved at Appeal for 28/1560/15/O:

Bedrooms	Number	Percentage
2 bed	13	41%
3 bed	11	34%
4 bed	8	25%
Note: 4 x 3 beds to be affordable via S106 agreement		

2. Revised proposals for 3122/21/VAR:

Bedrooms	Number		Percentage
2 bed	2		6%
3 bed	11		34%
4 bed	11	19	60%
5 bed	8		
Note: nil affordable housing (replaced by off-site financial contribution)			

Two bedroom homes have been reduced from 41% to 6% and 4 bedroom homes have increased from 25% to 60% (latter percentage including new 5 bedroom homes).

3. The Joint Local Plan (JLP) evidence base Strategic Housing Market Assessment Part 2 provides thresholds for the number of owner-occupied accommodation required by bedroom for the South Hams. A 32 unit development should provide the following:

Bedrooms	Number		Percentage	
1	4	15	13%	49%
2	11		36%	
3	11		33%	
4 or more	6		18%	

The South Hams & West Devon Housing Strategy 2021-2026, adopted in April 2021, reports: The most recent census data shows that the mix of homes in South Hams and West Devon is distinctly different from the national average. Both areas have far fewer one and two bed homes (34%) than the national average for England (40%). The same is true at the other end of the spectrum, with both South Hams and West Devon having many more four and five bed homes (27%) compared to the national average (19%). This may not be as big a problem if it was not for the inflated house prices, meaning that bigger houses cost even more than they would elsewhere, which makes them more attractive for developers to build than the small homes that are needed.

JLP Policy Dev8 reports: The most particular needs in the policy area are:

- i. Homes that redress an imbalance within the existing housing stock.
- ii. Housing suitable for households with specific need.
- iii. Dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.

The Supplementary Planning Document (SPD) Policy Dev8.1 reports: A step-change in the delivery of smaller homes will enable greater churn within the existing housing stock as it will facilitate down-sizing for older people, as well as providing a first-step towards independent living for young people and young families. Housing stock that comprises a relative over-provision of large houses makes it increasingly difficult to rebalance the demographic profile and increase home ownership because the current housing stock is inherently unaffordable. Large dwellings, particularly those in coastal settlements, are not suited to smaller households or households that are earning close or similar to the national wage. When seeking to ensure a diversity of size, the number of bedrooms will be used as the key metric (as the number of bedrooms in a dwelling has a significant impact on how affordable it is), with the Strategic Housing Market Assessment Part 2 providing thresholds for the number of dwellings required by bedroom. In order to ensure that homes are not built with a surplus of rooms that can be used as bedrooms, the LPAs will carefully examine floor plans. The SHMNA Part 2 provides a breakdown of housing mix required to meet the needs of projected household formation throughout the plan period. The housing mix prescribed for each housing tenure type within the SHMNA Part 2 should be considered as the requirement for all schemes of over 5 units.

The emerging Kingsbridge, West Alvington and Churchstow Neighbourhood Plan (NPlan), Regulation 15 version submitted to South Hams District Council in December 2021, policy KWAC H2 Market Housing reports: The housing should respond to local housing needs in terms of type, size, special needs, and tenure.

Given the above SHMNA, Housing Strategy, JLP, SPD, and NPlan evidence it is strongly suggested that the housing mix proposals are totally inappropriate for Kingsbridge and will not meet the needs of local people.

- The proposed number of **car parking spaces** is woefully inadequate. SPD DEV29.3 Parking provision (residential) identifies the following car parking spaces for new residential developments: 2 beds = 2 spaces, 3 beds = 2 spaces and 4 beds = 3 spaces. Therefore the proposed bedroom sizes for a 32 unit development should provide 83 car parking spaces in total and the SPD further reports “in the South Hams a higher number of parking spaces may be necessary due to greater reliance of residents and visitors on private cars”. The proposals identify a total of 64 parking spaces i.e. circa 30% less than the requirement. Proposals for 3 garages could potentially raise this figure to 67 parking spaces however, the SPD reports “garages to be considered on a case-by-case basis as in many situations they are not used for the parking of cars”. The SPD policy is supported by the Neighbourhood Plan policy KWAC T3 Car Parking.
- Insufficient information has been provided regarding the **internal road layout** as already highlighted by Devon County Council regarding accessibility for refuse lorries.
- The proposals will require the re-routing of **Public Footpath No.6** which crosses the site however, a formal application for its diversion has not been made.

90.5	4344/21/FUL
Case Officer:	Bryony Hanlon
Applicant:	Velarde
Proposal:	Refurbishment, demolitions, alterations and extensions to create an improved retail area, garden and workshop/studio at ground floor level, and 2 No. residential units on the upper floors.
Site:	86 Fore Street, Kingsbridge, TQ7 1PP
KTC:	Recommend Approval

It was **RESOLVED** to forward the findings of the above planning consultations (agenda items 90.6 and 90.5) to SHDC Development Management.

21/88 PLANNING DECISIONS, CORRESPONDENCE & REPORTS

DECISIONS

The following planning decisions were received from South Hams District Council (SHDC):

88.1 Agenda item unallocated.

88.2	2857/21/HHO
Decision:	Conditional Approval
Decision date:	8 December 2021
Case officer:	Bryony Hanlon
Applicant:	Mr & Mrs B Sutton
Proposal:	(Revised plans) Householder application for roof lights
Site:	1 Trevanna Road, Kingsbridge, TQ7 1ET
KTC:	Recommended Refusal on the grounds that the external wall cladding would be out-of-keeping and the finishing materials inappropriate within a street scene of period properties
88.3	4164/21/ARC
Decision:	Discharge of condition Approved
Decision date:	6 December 2021
Case officer:	Adelle Barry
Applicant:	Mr C Dyer
Site:	Moo View, 14 Ilton Way, Kingsbridge, TQ7 1DT
Proposal:	Application for Approval of Details reserved by Condition 3 of planning permission 1483/21/HHO
KTC:	No Comments
88.4	0900/21/HHO
Decision:	Conditional Approval
Decision date:	22 December 2021
Case officer:	Bryony Hanlon
Applicant:	Mr & Mrs D White
Proposal:	Readvertisement (Revised plans received) Householder application for proposed internal and external alterations.
Site:	12 Linhey Close, Kingsbridge, TQ7 1LL
KTC:	Recommend Refusal on the following grounds: <ul style="list-style-type: none"> • overlooking and loss of privacy for neighbouring residential properties to the detriment of their amenity • over development of the site
88.5	2895/21/FUL
Decision:	Conditional Approval
Decision date:	29 October 2021
Case Officer:	David Jeffery
Applicant:	Mrs M Roberts
Proposal:	Readvertisement (Revised plans and description) replacement of aluminium patio doors in white finish
Site:	10 The Salt Quay Moorings, Embankment Road, Kingsbridge, TQ7 1LN
KTC:	No Comments

88.6 **3285/21/HH0**
Decision: **Conditional Approval**
Decision date: 20 December 2021
Case Officer: Rebecca Dickson
Applicant: Ms C Hilder
Proposal: Householder application for proposed refurbishment, alterations and extension including removal of garage
Site: 8 Buckwell Close, Kingsbridge, TQ7 1NP
KTC: **Recommend Approval**

88.7 **3861/21/HHO**
Decision: **Conditional Approval**
Decision date: 1 December 2021
Case Officer: Bryony Hanlon
Applicant: Mr & Mrs M Ishkhans
Proposal: Householder application for proposed extension and alterations to existing dwelling, to include landscaping works and enlargement of single storey extension and relocation of entrance porch and inclusion of works previously approved under 3652/18/HHO
Site: 24 Embankment Road, Kingsbridge, TQ7 1LA
KTC: **Recommend Approval**

88.8 **4015/21/CLP**
Decision: **Certificate of Lawfulness proposed use granted**
Decision date: 22 December 2021
Case Officer: Rachel Head
Applicant: Miss Chloe Potterton
Proposal: Certificate of lawfulness for proposed car parking in front garden
Site: 10 Kenwith Drive, Kingsbridge, TQ7 1DU
KTC: **Noted**

88.9 **3181/21/ARC**
Decision: **Split Decision**
Conditions 9 and 10 Discharged
Conditions 11 and 13 Not Discharged
Decision date: 20 December 2021
Case Officer: Richard Nicholson
Applicant: Blakely Estates (Kingsbridge) Ltd
Proposal: Application for approval of details reserved by conditions 9, 10, 11 and 13 of planning permission 28/1560/15/O (APP/K1128/W/16/3156062)
Site: Land at Garden Mill, Derby Road, Kingsbridge, TQ7 1SA
KTC: **Recommend Refusal on the following grounds:**

- **The proposals will require the re-routing of Public Footpath No.6 however, it is not apparent that a formal application for its diversion has been made.**

- The Contractor Parking Area (Appendix B) is inaccurate and inaccessible.
- The management of construction traffic to the development site via Derby Road as identified is insufficient. Banksman will be required above and below HGVs for this type of movement to control other road traffic plus additional banksman to guide lorries down Derby Road itself i.e. a minimum of 4 persons. The CMP identifies a single Banksman only.
- Highway survey photos at Appendix D do not identify the current condition of the small bridge immediately adjacent to the site.
- It should be explicit that construction traffic and workforce hours will be limited to 1300 completion on Saturdays without exception.
- Environmental control, given the close proximity of residential homes, should also consider vibration and air quality matters. Moreover, no radios should be allowed on the open site and water misting of actual construction materials should be actioned.
- Contact details of the on-site manager should be provided by way of email and mobile phone.

CORRESPONDENCE & REPORTS

The following correspondence and reports were received from SHDC:

88.10 From SHDC a listing of outstanding planning enforcement cases in Kingsbridge dated 1 December 2021. The information was confidential and was not for dissemination to the public or outside bodies.

88.11 Cllrs Cole, Edmonds and Rollinson, alongside District Cllr O'Callaghan and SHDC officers, had met with Middlemarch representatives to discuss the operation of Community Land Trusts (CLT) and in particular relating to the potential development of the SHDC owned brownfield site in Ropewalk. Notes from KTC and SHDC had already been circulated and the salient points were:

- It was essential to establish a CLT by legal definition; it could then be retained for further projects to benefit the Kingsbridge community.
- A CLT is a not-for-profit organisation led by its Members and anyone in the community may join for nominal fee e.g. join for £1, get a share and get a vote!
- CLTs cannot sell assets for a profit but is able to own assets and this is not exclusive to housing.
- CLTs can raise funding.
- A board should be set-up of about 5 to 7 people.
- CLTs can be established quickly once they have a legal entity; set-up cost are £550.

- Housing development timescales may be up to 6 years from start-up to completion however, much less if the land is available (as in Kingsbridge's case) possibly reducing to circa 3 to 4 years.
- The CLT would require a 'development partner' with access to finance which could be SHDC.
- CLT positives: clearly defined; negatives: more demand for housing than a CLT can deliver and it will take much time/effort.
- Right to Buy is complex particularly given an allocated site within the development boundary i.e. statutory RTB, right to acquire for housing association tenants, voluntary RTB for housing association tenants and right to share ownership for tenants on such a basis.
- If the CLT owns the freehold to the land this creates exemptions on RTB except for local authority tenants.
- SHDC had recently created a housing company which could arrange mortgage facilities.
- Joint co-operation was suggested and there were good examples of such collaboration.
- Middlemarch had around 80 schemes in the pipeline in the south west.
- Housing is often controversial in areas with special qualities such as AONB.
- Positive input from local residents can bring the community together rather than having 'something done to them'.
- Middlemarch was currently working with Salcombe, Ivybridge Community Energy, Newton & Noss and a Chagford project had just completed.
- Middlemarch's fee is £3k per home developed.

It was **RESOLVED** to note the above planning decisions, correspondence and report and to arrange a further meeting with SHDC officers to discuss a Kingsbridge CLT/potential Ropewalk brownfield development site.

21/89 TREE WORK DECISIONS, CORRESPONDENCE & APPLICATIONS

None.

21/90 PLANNING APPLICATIONS

The following planning applications were received from SHDC for consideration:

90.1	3997/21/HHO
Case Officer:	Rachel Head
Applicant:	Mr J Buckley
Proposal:	Householder application for erection of garden room to replace summer house and shed
Site:	16 Southville Gardens, Kingsbridge, TQ7 1LE
KTC:	Recommend Approval

90.2 **4019/21/VAR**
Case Officer: Charlotte Howrihane
Applicant: Imke Wood
Proposal: Application for variation of condition 2 (approved drawings) of planning consent 2710/19/FUL

Site: Dennings Paddock, Wallingford Road, Kingsbridge
KTC: **Recommend Refusal** on the following grounds:

- The application drawings include a new tool shed, poly-tunnel and 3 in number yurts. However, there are no details supplied and, in particular, no information regarding whether the yurts are to be permanent fixtures nor their usage e.g. accommodation and/or commercial use.

90.3 **4232/21/HHO**
Case Officer: Richard Gage
Applicant: Mr & Mrs K Zheng
Proposal: Replacement rear single storey extension including external staircase to first floor accommodation

Site: 28 Fore Street, Kingsbridge, TQ7 1NY
KTC: **Recommend Approval**

90.4 **4233/21/LBC**
Case Officer: Richard Gage
Applicant: Mr & Mrs K Zheng
Proposal: Replacement rear single storey extension including external staircase to first floor accommodation

Site: 28 Fore Street, Kingsbridge, TQ7 1NY
KTC: **Recommend Approval**

It was **RESOLVED** to forward the findings of the above planning consultations (agenda items 90.1-90.4) to SHDC Development Management.

21/91 ANY FURTHER CURRENT PLANNING MATTERS

None.

21/92 DATE OF NEXT MEETING

7.00 p.m. on Tuesday 18 January 2022.

The meeting closed at 8.00 p.m.