

Kingsbridge Town Council

MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD IN THE COUNCIL CHAMBER, QUAY HOUSE, AT 7.00 P.M. ON TUESDAY 5 JULY 2022

Present: Cllr Martina Edmonds (Chairman)
Cllr Anne Balkwill
Cllr Philip Cole
Cllr Mike Jennings
Cllr Graham Price
Cllr Danny Rawstron
Cllr Mel Rollinson

In Attendance: Five Members of Public
Tom Biddle, Baker Estates Ltd
Mark Edwards, Baker Estates Ltd
Five Members of Public
Martin Johnson (Secretary)

22/16 APOLOGIES FOR ABSENCE

Apologies were received from Cllr Chris Povey.

Public Open Forum

Members of public made the statements at Annex A.

22/17 DECLARATIONS OF INTERESTS

Cllrs Edmonds, Price and Rawstron declared non-pecuniary interests in agenda item 20.2.

Cllr Cole declared a non-pecuniary interest in agenda item 20.3.

22/18 PLANNING DECISIONS, CORRESPONDENCE & REPORTS

DECISIONS

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

18.1	1840/22/VAR
Decision:	Declined to Determine
Decision date:	17 June 2022
Case Officer:	Not recorded
Applicant:	Blakesley Estates (Kingsbridge) Ltd
Proposal:	Application for variation of condition 7 of outline application 28/1560/15/O (appeal ref: APP/K1128/W/16/3156062) to allow

for revised dwelling design and layout and variation of condition 1 of reserved matters application 0826/20/ARM to allow for revised landscaping (Resubmission of 3122/21/VAR)
Site: Land at Garden Mill, Derby Road, Kingsbridge, TQ7 1SA
KTC: **Nil consultation**

18.2 1186/22/HHO

Decision: Withdrawn

Case Officer: Liz Payne

Applicant: Mr S Coetzee

Proposal: Householder application for proposed side extension, erection of new greenhouse & associated landscaping works.

Site: 4 Leigham Terrace, Kingsbridge, TQ7 1BB

Members received the Planning Committee minutes dated 7 June 2022 and the findings of a site visit on 14 June 2022 when Members visited the site location and neighbouring properties.

KTC: Recommend Refusal on the following grounds:

- **The layout and density of the proposals will be overdevelopment of the site leading to a loss of amenity value currently enjoyed by neighbouring properties.**
- **The proposals appear to counter policies for residential extensions in the Supplementary Planning Document (July 2020) at 13.11 (roofing materials), 13.20 (overlooking), 13.36 (extension forward of existing house) and 13.37 (overdominance of side extension).**

18.3 1305/22/VAR

Decision: Conditional Approval

Decision date: 15 June 2022

Case Officer: Bryony Hanlon

Applicant: Mr & Mrs Ishkans

Proposal: Application for variation of condition 2 (approved plans) of planning consent 3861/21/HHO

Site: 24 Embankment Road, Kingsbridge, TQ7 1LA

KTC: Recommend Approval

18.4 1755/22/ARC

Decision: Condition Discharged

Decision date: 21 June 2022

Case Officer: Richard Nicholson

Applicant: Imke Wood

Proposal: Application for approval of details reserved by condition 11 (Construction Management Plan) of planning consent 4019/21/VAR

Site: Dennings Paddock, Wallingford Road, Kingsbridge

KTC: Not Considered

18.5	0431/22/HHO
Decision:	Conditional Approval
Decision date:	24 June 2022
Case Officer:	Chloe Allen
Applicant:	Paul Ridley
Proposal:	Householder application for conversion and extension to existing garage into habitable space, existing flat roof to be raised and pitched with a glazed gabled roof end. Loft conversion with a dormer to be added at the rear.
Site:	37 Highfield Drive Kingsbridge TQ7 1JR
KTC:	Recommended Approval
18.6	1904/22/AGR
Decision:	Prior Approval not required
Decision date:	24 June 2022
Case Officer:	Sarah Carroll
Applicant:	Mr & Mrs G Patey
Proposal:	Application to determine if prior approval is required for a new agricultural building for storage of fodder measuring 20m x 12m x 6.1 height to ridge.
Site:	Willow Farm Higher Century Kingsbridge TQ7 2HF
KTC:	Recommended Approval
18.7	0958/22/HHO
Decision:	Withdrawn
Decision date:	22 June 2022
Case Officer:	Liz Payne
Applicant:	Mr A Hamilton
Proposal:	Householder application for a two storey side extension replacing existing garage.
Site:	21 Kingsway Park Kingsbridge TQ7 1HJ
KTC:	Recommended Approval
18.8	1493/22/ARC
Decision:	Discharge of condition Approved
Decision date:	28 June 2022
Case Officer:	Richard Nicholson
Applicant:	Mr & Mrs R Hall
Proposal:	Application for approval of details reserved by conditions 4, 5 and 6 of planning consent 0159/19/FUL
Site:	14a Buckwell Road Kingsbridge TQ7 1NQ
KTC:	Noted

CORRESPONDENCE & REPORTS

The following correspondence and reports were received from SHDC:

18.9 **1708/22/ARC**

Case Officer: Richard Nicholson
Applicant: Mrs N Povey
Proposal: Application for details reserved by conditions 3 (boundary treatment) and 6 (turning space) of planning consent 1791/19/FUL

Site: 9 Highfield Drive, Kingsbridge, TQ7 1JW

SHDC reported that there was no statutory requirement on the above application; the information had been sent for information only

KTC: **Noted**

18.10 **1926/22/COM**

Case Officer: Liz Payne
Applicant: Mr Archie Roberts, Pegasus Group on behalf of Cellnex
Proposal: Notification of intention to install electronic rooftop digital communications apparatus

Site: Kingsbridge Telephone Exchange, Fore Street, Kingsbridge

SHDC reported that there was no statutory requirement on the above application; the information had been sent for information only

KTC: **Noted**

It was **RESOLVED** to note the above planning decisions and correspondence.

22/19 **TREE WORK DECISIONS, CORRESPONDENCE & APPLICATIONS**

None.

22/20 **PLANNING APPLICATIONS**

The following planning applications were received from SHDC for consideration:

20.1 **1629/22/ARM**

Case Officer: Jacqueline Houslander
Applicant: Mr D Whittington – Dick Whittington Developments Ltd
Proposal: Application for approval of reserved matters following outline approval 2574/16/OPA (Outline application with all matters reserved for 14 new dwellings) relating to access, appearance, landscaping, layout and scale and discharge of outline planning conditions

Site: Dennings, Wallingford Road, Kingsbridge, TQ7 1NF

Members noted this was a major application and a Recommendation should be made to the full council meeting on 12 July 2022 for consideration

KTC: **Recommend Refusal for the following reasons:**

a. **Bedrooms.** The accommodation schedule is reported as:

- 4 bed x 4 units = 16 bedrooms (units 1-4)
- 3 bed x 4 units = 12 bedrooms (units 5-7 & 14)

- 2 bed x 4 units = 8 bedrooms and 1 bed x 2 units = 2 bedrooms (units 8-10 & 11-13)
- Total 14 homes and 38 bedrooms

However, units 5-7 identify an office, next to a designated bedroom, and it is considered that there is potential for this space to also be used as a bedroom i.e. said 3 units are likely to be perceived as 4 bed homes.

b. **Car parking.** The development, as reported, should provide 26 car spaces and it does provide said 26 spaces. However, the development is split into 2 parts separated by the present Dennings farmhouse. Units 1-4 to the north (with double garages) provides 11 external spaces but it should provide 12 spaces in accordance with the Supplementary Planning Document DEV 29.3 which reports that garages are not used as such. Should units 5-7 be utilised as 4 bed homes then there is a lack of overall parking spaces provided.

c. **Floor space.** Apartments 8-10 and 11-13 are:

- Ground floor 1 bed (potential 2 persons) 45sq.m.
- First floor 2 bed (potential 4 persons) 73sq.m.
- Second floor 2 bed (potential 4 persons) 66sq.m.

The minimum floor space standards for a 1 bed/2 person flat is 50sq.m. and a 2 bed/4 person flat is 70sq.m. therefore the ground floor and second floor apartments are considered to be too small and inadequate.

d. **Overlooking, loss of privacy and light pollution.** The buildings are very tall/3 storey and will tower above homes on the opposite side of the road. The units all have full glass balconies alongside top floor living space which will inevitably lead to overlooking/loss of privacy and with large glass windows will cause light pollution.

e. **Traffic generation and loss of outlook.** Houses opposite have windows facing due east at the proposed development. For example, Brookland House and Brookland Cottage windows will directly overlook a car park of 12 parking spaces with vehicles coming and going all day generated by units 5-14.

f. **Overshadowing.** The sun rises in the east and will cast shadow until midday onwards on to the highway and houses opposite.

g. **OSSR contribution.** There is no agreed S.106 OSSR contribution which is curious because 3830/20/FUL for 6 units on the same site (dismissed by the Planning Inspectorate in March 2022) agreed a circa £25k contribution. Whereas the proposals have 14 dwellings with 38 bedrooms agreed at £zero. A contribution is mentioned in the Design & Access Statement at paragraphs 15.1 and 15.2 but there is nothing conclusive. It is strongly considered for the agreed S106 at Outline stage to be revisited and for a contribution to be made towards Open Space, Sport and Recreation.

h. **Footways.** There is no footway proposed from units 1-4 in front of the current Dennings farmhouse to join up with a new footway for units 5-14 and subsequently

there is no footway leading south until pedestrians meet the junction of Wallingford Road/Allotment Gardens on the west side of the highway.

i. **Visual appearance.** The units are proposed to have cladding, metal roofs and large areas of glass either side of the present Dennings farmhouse opposite older style houses and a converted barn in a rural backwater of town which will be strongly out-of-keeping within the locale.

j. **Drainage.** The Planning Inspectorate's dismissal of the Appeal on the same site for 3830/20/FUL for 6 homes was largely based on drainage matters. The new proposals are for 14 homes with 38 bedrooms. Therefore, the drainage proposals require full interrogation.

Moreover, the Design & Access Statement at paragraph 10.8 reports the potential for foul drainage to be diverted to the Dodbrooke Stream. Devon County Council has commenced a formal investigation under Section 19 of the Flood & Water Management Act 2010 following the flood incident in Kingsbridge on 4 June 2022. This development will increase the occurrence of such flooding incidents.

k. **Garden space.** The Design & Access Statement at paragraph 5.1 reports each unit has its own private garden. However, it appears that the apartments, units 8-10 and 11-13 share a garden i.e. 2 garden spaces between 6 units.

l. **Design & Access Statement errors.** The Design & Access Statement at paragraph 3.4 is factually incorrect. SHDC specialists for arboriculture and landscape both raised objections, the applicant appears to have dismissed the requirement that KTC is a statutory consultee which objected, and SHDC per se in its Statement of Case dated December 2021 urged the Planning Inspector to Refuse the planning permission.

m. **Affordable housing.** The proposals do not appear to identify which units will be designated as the 3 affordable homes agreed in the S106 at outline approval for this development. It is not mentioned in the Design & Assess or Planning Statements. However, it is strongly suggested (if SHDC is minded to approve this application) for the affordable element to be a mix of 1 x 4 bed, 1x 3 bed and 1 x 1 or 2 bed units.

20.2	1695/22/FUL
Case Officer:	Chloe Allen
Applicant:	Mr T Lethbridge
Proposal:	Construction of new dwelling
Site:	Land at Leigham Terrace, Kingsbridge, TQ7 1AH
KTC:	Recommend Refusal for the following reasons:

a. The visual appearance and finishing materials will be out of keeping within the Conservation Area.

b. The emerging Kingsbridge, West Alvington and Churchstow Neighbourhood Plan, Appendix 4, Locally Important Views, KV15 highlights the attractiveness of Leigham Terrace in its foreground with the currently undeveloped garden space immediately to the south.

c. The proposed development would be overbearing and lead to a loss of amenity value currently enjoyed by residential properties within the locale.

d. The Design and Access Statement at 1.3.3 “Impact on Conservation Area” has quoted the Planning Inspector’s paragraphs 7. to 9. from a previous Appeal report dated 27 November 2003 but has failed to include the concluding remarks at paragraphs 10. to 11. which still appear to be relevant.

e. It will be difficult to deliver building materials to the site.

20.3	1358/22/HHO
Case Officer:	Harriet Fuller
Applicant:	Ms S Oatley
Proposal:	Householder application for proposed conservatory and canopy roof
Site:	16 Trebblepark Walk, Kingsbridge, TQ7 1QR
KTC:	Recommend Approval

It was **RESOLVED** to forward the findings of the above planning consultation at 20.1 and 20.2 to SHDC Development Management and for the next full council meeting to consider the draft recommendation at 20.3

22/21 ANY FURTHER CURRENT PLANNING MATTERS

Enforcement Cases. SHDC’s listing of outstanding planning enforcement cases dated 5 July 2022 was distributed to Members. The information was confidential and could not be disseminated to the public or outside bodies.

22/22 DATE OF NEXT MEETING

7.00 p.m. on Tuesday 19 July 2022.

Annex:

A. Public Open Forum.

The meeting closed at 9.15 p.m.

Public Open Forum

1. Tom Biddle and Mark Edwards, Baker Estates Limited, provided an update on the K5 housing development off West Alvington Hill and answered Members' questions. The salient points were:

- The company wished to keep KTC in the loop as the development progressed.
- The access to the lower field had been completed in late 2021 and the access to the upper field had commenced.
- The latter had required a formal diversion of Public Footpath No.2 in order that pedestrians did not cross the access road directly adjacent to West Alvington Hill. A challenge had been made to the proposal which had been resolved by the Planning Inspectorate.
- A temporary diversion was in place however, notices providing this information had been taken by unknown person(s). There had also been trespassing issues on the site and graffiti had been sprayed on welfare facilities and plant equipment.
- The actual bell mouth works were anticipated to commence in late July, to be actioned during the school holidays, as directed by Devon County Council (DCC).
- Construction works on the houses were anticipated to commence in September.
- All planning permission conditions had been met e.g. construction management plan and drainage matters.
- Deliveries to the site had been followed and procedures had been checked as correct e.g. phoning ahead and available marshals.
- Options for the commercial land at the rear of the lower site had been discussed with SHDC but had not materialised and the development would be constructed as approved.
- A delay in progress had therefore been due to the above public footpath issues, timeline in accordance with DCC and liaison with SHDC. However, from hereon there would be a continued presence on the development site.
- Baker Estates wished to return to KTC with further updates as the development progressed which was supported by Members.

Cllr Edmonds thanked Tom and Mark for their briefing.

2. Reg McComish, Martin Pope, Chris Lane and Nick Boulter all lived in Wallingford Road and made representations regarding planning, environmental health and anti-social behaviour concerns relating to proposed developments in the locale. The salient points were:

- Ongoing works at Dennings (east Wallingford Road) and Dennings Paddock (west Wallingford Road) had a strong negative impact on residents in the locale.
- Works at the Dennings had exposed footings, walls had been removed, windows enlarged and cladding installed without planning permission.
- Dismantled pallets were being used for timber boarding at Dennings Paddock.

- Noise, bonfires and parties caused environmental and mental health issues.
- The works had resulted in a negative impact on wildlife e.g. glow worms, owls and foxes.
- Works commenced on site from 7.00 a.m. with workers living on site and singing outdoors until midnight.
- Diggers and deliveries regularly blocked the one vehicle width highway.
- Both sites were an absolute mess.
- A revised planning application at Dennings proposed 3 storey buildings towering over the current homes opposite with inherent overlooking and highways' issues.
- Dogs were allowed to roam off leads within the locale.
- A vineyard to the rear of Dennings was alleged to use pesticides which had not been reported to a honeybee business in the locale.
- A previous planning application for Dennings Paddock had not been signposted in the locale.
- At Dennings Paddock steels had been positioned directly into the soil without the installation of foundations.
- A recent planning application to formalise the use of yurts and ancillary buildings at Dennings Paddock had been withdrawn however, said units remained.
- It was alleged that Dennings Paddock would be used for commercial purposes.
- Walls and hedgerows had been removed at Dennings which led to mud and debris being regularly washed on to the highway during heavy rainfall and properties were recently flooded.
- Teenagers regularly drove dumper trucks along the highway.
- Residents were frustrated at the lack of enforcement action by SHDC and the Residents Association had requested assistance from SHDC Ward Members and the local MP.

Cllr Edmonds thanked Wallingford Road residents for their statements and they should maintain evidence i.e. photos and videos.

KTC would query the condition of the approved planning application at Dennings Paddock and would consider a new planning application for Dennings at the meeting.