

# **MINUTES FOR THE PLANNING COMMITTEE**

# **MONDAY 19TH JUNE 2023 IN THE GUILDHALL**

Present: Councillors T Bennett (Chair), G Allen, L Auletta, S Collinson, J Cummings and J Hodgson (from 1840).

Apologies: Cllrs Cooper and Smallridge.

In Attendance: One member of the public, Cllr Beavis, S Halliday (Governance and Projects Manager).

### **1. WELCOME AND APOLOGIES FOR ABSENCE**

**To receive apologies and to confirm that any absence has the approval of the Council.**

Cllr Bennett read out a statement about how the meeting would be conducted and recorded.

The apologies were received and accepted.

*The Committee will adjourn Standing Orders for the following items:*

### **PUBLIC QUESTION TIME**

The member of the public raised concerns about the use of Kingsbridge Hill as a cut through and wished to register their concerns with the Planning Committee about the impact that the additional housing proposed at Baltic Wharf will have on this existing problem.

*The Committee reconvened Standing Orders.*

### **2. CONFIRMATION OF** **MINUTES**

**To approve the minutes of 23rd May 2023 and update on any matters arising.**

The minutes were approved as an accurate record of proceedings. Matters arising:

Item 7a – The request for a site visit could not be fulfilled. In reviewing the application again, the Committee neither supports nor objects to the application but does have concerns about the number of trees to be felled and would welcome sight of the South Hams District Council (SHDC) tree officer’s report.

Item 9 – Neighbourhood Plan. Resolved by Full Council.

### **3. TREE WORKS APPLICATIONS**

**To make recommendations on the following tree works applications:**

3a. 1696/23/TCA – G1: Lawson Cypress – reduce in height by 30% to improve natural light into garden. 5 Atherton Lane, Totnes, TQ9 5RT.

Support, subject to the SHDC tree officer’s review as 30% is a large reduction to the tree.

3b. 1638/23/TCA – T1: Apple - Crown height reduction by 2M & Lateral reduction by 2M to stop encroaching on neighbour's property and on the roof of the cabin on my property. 7 Mount View Terrace, Totnes, TQ9 5EB.

Support.

### **4. PLANNING APPLICATIONS**

**To make recommendations on the following planning applications:**

*Note: Cllrs Allen and Hodgson observes and do not vote on any applications which would potentially be discussed at a Development Management Committee meeting at SHDC.*

4a. 1271/23/OPA - Outline application with some matters reserved for mixed use re- development site comprising circa 80 Residential Units, circa 1100sqm Commercial space, demolition of existing structures excluding Brunel building & chimney, provision of open space & surface water attenuation, parking & associated infrastructure. Full Permission for the Change of Use of the Brunel Building (Resubmission of 3136/22/OPA). Former Dairy Crest Site, Station Road, Totnes.

As Totnes Town Council we recognise the community aspirations for this important strategic site, which we also recognise in our draft Neighbourhood Plan text (as suggested in the Examiner’s modifications) and the strength of concern and level of objections from the community about this hybrid application. Fastglobe has not engaged with the community and this plan does not meet the needs of the community nor aspire to the demands of climate change or biodiversity recovery.

Totnes Town Council (TTC) objects to the proposed application on the following grounds:

i. Public Right of Way, NW Boundary - The relocated access point to the public right of way opposite the station entrance as designed worsens an already unsafe provision.

Concerns raised over:

• Lack of pavements

• Unofficial zebra crossing from station entry

• Inadequate information or mapping to assure that this remains a safe off-road route to link with well used public footpath linking the station with the rear of KEVICC and the Public footpath and Cycle route

• Need for a turning circle for station traffic (new access road exacerbates issue as splays over the footpath)

• Potential for 400 cars a day from site leading to pedestrian safety concerns (lack of information regarding pedestrian safety concerns in access statement)

• Above concerns will affect on-site residents, employees, pedestrians (station and visitors)

ii. Internal Pedestrian Path - Details regarding the proposed pedestrian path linking the main site entrance and the river path on the NE boundary are requested as reserved and noted as ‘potential pedestrian links: "Additional pedestrian access should be achieved through the site as part of the future reserved matters application, by providing a more direct and accessible route from the railway station to the River Dart.” ~ Design & Access Statement p.24 (emphasis ours).

There needs to be certainty on this; a commitment to provide these links as an absolute minimum.

iii. Brunel Building - The proposed additional two storey opening in the north west elevation is considered unsympathetic for the following reasons:

• As this is a full planning application it should be accompanied by a Listed Building application

• It is over-scaled, being a direct copy of the proposed newly opened up access to the former Engine House.

• It is also located asymmetrically to the apex of the roof which is discordant with original design intention.

• Whilst this element could be considered under a subsequent Listed Building application we note that the drawings showing the proposal are included in the current planning application for Change of Use. The status of these drawings should be made clear – the illustrative drawings should not be accepted in principle or quoted in any decision notice for these reasons.

• The application is not explicit in terms of Community Use of the listed Brunel building. It simply states “Change of Use”. Key deliverable in TTV22(5). Planning statement commentary states that “the future community management will be agreed through the S106 agreement”. Community use should be captured in the description of the development alongside a suitable mechanism for delivery.

• The Historic England report recommends a Heritage assessment by SHDC, this is not yet available, but is essential to assess the PCL Heritage statement; the latter is inadequate in setting out exactly how the building will be restored. A proper SHDC Heritage officer statement is required prior to DM Committee presentation

• The F2 proposed change of use – Public Performance is not the most needed public use for what has been sought to be general community use; this should be changed

• There should be better public realm around the listed Brunel Building to reflect it historic status and provide adequate setting – in line with PPF

iv. Flood risk – Inadequate information to ensure flood risk regarding areas of the town downstream: ref. PCL Flood risk assessment the most recent IPCC data set (April 2022) is not fully quoted as required to ensure full compliance with this assessment. The built footprint creates an over developed area of impenetrable surface which is likely to increase flood risk

v. Drainage: Inadequate information – ref. SWW has raised concerns and have requested further information regarding surface water drainage and unexplained non-compliance with usual practice which need to be addressed before the plans come before SHDC DM committee

vi. Failure to address Climate change compliance - ref: inadequate response to required SHDC Climate compliance statement and Carbon Compliance statement provides little or no elements to support renewable energy on site or reduced energy use or reduction of carbon footprint as required at SHDC or comply with TTC declaration of a Climate Emergency. TTC would hope for an explicit commitment to green energy and transport to address the climate emergency.

vii. Lack of affordable Housing to meet SHDC declaration of a Housing Crisis - While this is a brownfield site, this is also one of the most sustainable sites in the town and therefore would benefit those most in need of affordable housing. Ref: PCL Planning statement - The Vacant Building Credit referred to should not be used to allow any slippage on policy to deliver 30% of housing on this site as affordable and that commitment needs to be assured at this outline planning stage.

viii. Imbalance of commercial against residential development - There is overdevelopment of allocated residential footprint at the expense of commercial opportunity being realised on the site. This site is more suited to densely sited housing, e.g. terraced and flats with less parking but more commercial space in line with the SHDC JLP policy for this site.

ix. Support the Devon Wildlife Trust objection - and the points made therein, including adverse impact on wildlife, removal of trees and failure to provide 20% biodiversity net gain. Also the HRA for this application was incorrectly completed and Parts A (vi), (vii) and (viii) should respond yes as this site development will impact on a watercourse, will remove trees and will impact on a woodland.

x. Impact on air quality on AQMA/A385: this site should have a reduced parking in keeping with its position in direct proximity to a sustainable transport hub with the railway and bus services and access to cycle paths. More cars will have a direct impact on the AQMA and should be prevented by fewer private cars being provided for and there should be a Green Travel Plan for this application that includes provision of a car club facility. Developments that do not actively engender the use of green travel and promote car usage are considered contrary to DEV29.

xi. Layout - The Indicative layout is congested and does not allow for adequate public realm and open green space for the high volume of residents and commercial use.

xii. Lack of Construction Plan - Given the position and scale of this development and site a construction plan needs to be provided as part of the documentation for this OPA decision.

xiii. Housing Mix

* No justification for ratios.
* 29x 1 bed units in a single block is not a good mix.
* The application is unclear on the unit sizes.

xiv. Underuse of Site

• Allocation of commercial space and conversion of Brunel building suggests a significant reduction of employment/training opportunities on the site compared to the 160 Dairy Crest jobs.

• The Neighbourhood Plan allocates 6x the sqm for commercial space.

xv. Biodiversity & Wildlife

• No baseline data for the site submitted other than tree survey; as detailed in the Joint Local Plan the biodiversity of this site is to be enhanced. We would expect baseline data to be gathered before site clearance or any works begin.

• Further bat surveys need to be completed to fully assess the impact of demolition.

• No assessment of impact of site lighting on the wildlife habitat and bat flight corridor.

4b. 4026/22/HHO & 4027/22/LBC – Householder application and Listed Building Consent for to replace conservatory with new extension, and installation of air source heat pump and associated pipework. 12 Victoria Street, Totnes, TQ9 5EF.

Support. However, the Committee would ask that SHDC Environmental Health comment on the suitability of the proposed Air Source Heat Pump to ensure that its audible output is sufficiently low to avoid causing disturbance to neighbouring properties.

4c. 1583/23/FUL – Conversion of two cottages to one dwelling house. 1 Twin Cottages Gerston, TQ9 7HS.

Support.

4d. 1731/23/LBC – Listed Building Consent for replacement of windows for flat no’s 2, 19, 39, 40 & 41. Seymour Court, Totnes.

To maximise the retention of the historic fabric of the building, the Committee supports the replacement of the window in drawing B and would wish to see the repair (rather than replacement) of the windows in drawings A and C with the suggestion of the installation of secondary glazing to improve thermal efficiency.

4e. 1953/23/PHH – Application to determine if prior approval is required for proposed larger home extension, extending 4.16 metres beyond rear wall, maximum height of 2.58 metres and 2.41 metres height at eaves. 5 Priory Terrace, Totnes, TQ9 5QE.

Support.

And

4f. 1427/23/CLE - Certificate for lawfulness for existing conservatory extension to front of house. 23 Elmhirst Drive, Totnes, TQ9 5UX. The Council is asked to provide factual evidence only to either support or refute the claim that the conservatory/building has been in situ for in excess of the last four years.

Cllr Bennett declared a personal interest.

Anecdotal evidence from Councillors that this conservatory has been in place for at least 4.5 years.

### **5. PENINSULA TRANSPORT ROAD INVESTMENT STRATEGY**

**To consider the Road Investment Strategy 2025-2030 consultation and any comments for a recommendation to Full Council (consultation closes 13th July 2023).**

The Committee discussed the opportunity to comment on this strategy in relation to the developments that have been approved for Paignton and the impact this will have on the A385 through Totnes. It was **AGREED** to hold a short meeting prior to Full Council on 5th July to formulate a response to the consultation.

### **6. TRAFFIC AND TRANSPORT FORUM**

**To consider any recommendations from the Traffic and Transport Forum Steering Group held on 30th May 2023.**

Noted.

### **7. S106 REQUEST**

### **To note a request from Devon County Council Highways for S106 ideas for upcoming developments in Totnes.**

Noted.

The Committee voted to extend the meeting by 15 minutes.

### **8. PENSINSULA TRANSPORT CARBON TRANISITON STRATEGY**

### **To note the Carbon Transition Strategy published by Peninsula Transport and Western Gateway Sub-national Transport Bodies.**

Noted.

### **9. LOCAL FLOOD RISK MANAGEMENT STRATEGY NEWSLETTER**

**To note the Devon County Council Summer 2023 newsletter on Devon Local Flood Risk Management Strategy.**

Noted.

### **10. EVENTS ON SOUTH HAMS DISTRICT COUNCIL LAND**

### **To note the following event taking place on South Hams District Council land:**

### **a. Dart 10K Swim, Friday 1st September 1000hrs – Sunday 3rd September 1600hrs, Longmarsh.**

Noted.

### **11. DATE OF NEXT MEETINGS**

**To:**

**a. confirm either the date of the August Committee on Monday 15th or 21st, or alternatively seek Full Council consent for the Clerk to be given delegated authority to respond to planning applications (informed by Councillor comment) in August; and**

To **RECOMMEND** to Full Council that delegated authority is given to the Clerk for August to respond to planning applications based on comments from members of the Planning Committee. However, should a significant planning application be received the Committee will meet (date confirmed at the July meeting).

**b. note the date of the next meeting of the Planning Committee – Monday 17th July 2023 at 6.30pm in the Guildhall.**

Noted.

Sara Halliday

Governance and Projects Manager

June 2023