

AGENDA FOR THE PLANNING COMMITTEE

MONDAY 12TH DECEMBER 2022 IN THE GUILDHALL

There are stairs to the Council Chamber but if any member of the public has mobility issues the Council can relocate to the lower Guildhall.

You are hereby **SUMMONED** to attend the **Planning Committee** on **Monday 12th December 2022** at **6.30pm** for a maximum of 90 minutes in the Guildhall for the purpose of transacting the following business:

Committee Members: Councillors G Allen (Chair), T Bennett, S Collinson, J Cummings, J Hodgson and P Paine.

1. WELCOME AND APOLOGIES FOR ABSENCE

The Chair will read out the following statement:

Welcome to everyone attending and observing the meeting.

A reminder that open proceedings of this meeting will be video recorded. If members of the public make presentations, they will be deemed to have consented to being recorded. By entering the Council Chamber attendees are also consenting to being recorded.

This meeting is limited to 90 minutes and therefore members are asked to raise their points succinctly and not repeat the same view expressed by colleagues if it does not add to the debate.

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

The Committee will adjourn for the following items:

PUBLIC QUESTION TIME

A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes.

The Committee will convene to consider the following items:

2. ACORN UPDATE ON BALTIC WHARF PHASE 2

To update on the latest proposals for the Baltic Wharf site from the developers TQ9 and Acorn. Verbal update [no more than 20/30 minutes].

3. CONFIRMATION OF MINUTES

To approve the minutes of 21st November 2022 and update on any matters arising.
Document attached.

4. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

4a. 3679/22/FUL - Change of use from shop to residential of part of the ground floor & entire first & second floors comprising two dwellings & second floor roof conversion/extension. 92 High Street, Totnes, TQ9 5SW. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/223679>

4b. 3597/22/FUL - Regularisation of application 0332/19/FUL for the construction of a new two storey Passive House on a brownfield site currently occupied by three garages (retrospective). Garages 7, 9 & 11 Christina Park, Totnes. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/223597>

4c. 3539/22/HHO – Householder application for proposed single storey extension. 9 North Street, Totnes, TQ9 5NZ. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/223539>

4d. 4156/22/LBC - Listed building consent for proposed upgrading of existing roof, new decked surface and replacement of balustrade. 53a Fore Street, Totnes, TQ9 5NJ. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/224156>

4e. 3142/22/LBC – Listed building consent to remove existing slates & battens on south facade, remove windows, inspect, restore & repaint windows, re-hang slates on new battens & reinstate windows, all Lead details to Lead Sheet Association details. 44 Birdwood House, High Street, Totnes, TQ9 5SQ. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/223142>

and to note:

4f. 3932/22/LBC - Listed Building consent to create a backstage toilet facility. 44 Birdwood House, High Street, Totnes, TQ9 5NSQ. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/223932>

5. NEIGHBOURHOOD PLAN

To consider an update on the Neighbourhood Plan regarding policy C12 – Former Dairy Crest Site and make a recommendation to Full Council on (document attached):

- a. Whether the Council withdraws the policy from the Neighbourhood Plan or asks the Examiner to delete it as part of her report;
- b. Whether the Council would support working with SHDC to draw up a programme of engagement with Fastglobe about the Dairy Crest Site with a view to amending the Neighbourhood Plan post-referendum and to consider forming a non-decision making Task and Finish Group of Councillors to take forward this engagement (reporting to the Planning Committee); and
- c. To consider adding wording to the body of text of the Neighbourhood Plan from policy C12.

6. S106 FROM FORMER DAIRY CREST SITE ALLOCATION

To consider how any schemes or measures that would benefit from S106 contributions could be utilised on or in the vicinity of the former Dairy Crest Site. Document attached.

7. PAVEMENT LICENCE APPLICATION

To make recommendations on a pavement licence application for Zappa's, 11 High Street, Totnes, TQ9 5NN for 2 x tables and 6 x chairs. Document attached.

8. TRAFFIC AND TRANSPORT FORUM

To consider any recommendations from the Traffic and Transport Forum held on 30th November 2022. Document to follow.

9. EVENTS ON SOUTH HAMS DISTRICT COUNCIL LAND

To note the following events taking place on South Hams District Council land (no document):

- a. Head of the Dart SUP [Stand Up Paddleboard] Challenge, Saturday 29th April 0630-1800hrs, Longmarsh Green Space and Car Park.

10. DATE OF NEXT MEETING

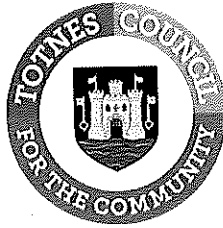
To note the date of the next meeting of the Planning Committee – Monday 23rd January 2023 at 6.30pm in the Guildhall.

S Halliday
Governance and Project Manager
7th December 2022

USE OF SOUND RECORDINGS AT COUNCIL & COMMITTEE MEETINGS

The open proceedings of this Meeting will be video recorded. If members of the public make a presentation, they will be deemed to have consented to being recorded. By entering the Council Chamber or Zoom meeting, attendees are also consenting to being recorded.

Televised, vision and sound recordings or live broadcastings by members of the press or public at Councillor Committee debates are permitted and anyone wishing to do so is asked to inform the Chair of the respective Committee of their intention to record proceedings.



DRAFT MINUTES FOR THE PLANNING COMMITTEE

MONDAY 21ST NOVEMBER 2022 IN THE GUILDHALL

Present: Councillors G Allen (Chair), S Collinson (from 18.45), J Cummings, J Hodgson (from 18.40) and P Paine.

Apologies: Cllr Bennett.

In Attendance: Cllr Hendriksen, representatives from Livewest and South Hams District Council officers for item 2, 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 Allen 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

There were no members of the public present.

2. LIVEWEST UPDATE ON PARKERS WAY

To update on the proposals and public consultation on the housing association properties and land in Parkers Way from Livewest.

Livewest presented the latest designs and plans for the replacement social housing in Parkers Way which has prioritised generous internal space, light, energy efficiency, bike storage and community spaces in the design. It is hoped that the planning application will be submitted in early 2023. The current proposals include:

- Creation of between 36-40 dwellings (the same number as current) with a mix of 1-2 bed apartments and 2-3 bed houses.
- Each dwelling to have a private outside terrace/garden and triple aspect from inside the building.
- Communal forest garden and edible planting.
- Approximately one parking space allocated to each unit.
- Bins and bike stores.
- Solar panels on the roof, ground source heat pumps, underfloor heating.

The Committee thanked Livewest for their presentation.

The Committee reconvened Standing Orders.

3. CONFIRMATION OF MINUTES

To approve the minutes of 24th October 2022 and update on any matters arising.

Planning Committee, 21st November 2022

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

Item 5 – Baltic Wharf. Resolved by Full Council.

Item 6 – Overnight Parking at Longmarsh. Resolved by Full Council. South Hams District Council were emailed on 9th November 2022 with the Town Council's feedback.

Item 7 – Torbay Local Plan Housing Site Options Consultation. Resolved by Full Council. Torbay Council were emailed on 9th November 2022 with the Town Council's comments.

Item 8 – Traffic and Transport Forum. Resolved by Full Council. The Sustainability Officer will take these points forward.

Item 9 – Broadband Fibre Installation. South Hams District Council officer was emailed on 10th November 2022 with the Town Council comment.

Item 10 – Impact on Planning from the Mini Budget. Resolved by Full Council. Cllr Cummings to provide a draft letter for the Clerk to send.

4. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

4a. 3564/22/TCA – T1: Apple Tree – dismantle, leave stump at approximately 1m above ground level, tree has poor structural integrity on the main stem & decay is significant. Chy Vean, Priory Avenue, Totnes, TQ9 5HR
Support.

4b. 3662/22/TCA - T1: Laurel - Reduce in height by approximately 3-4m. Formative prune canopy by 1-2 metres in a South western direction. No cuts should exceed a diameter of 25mm in branch diameter. Crown lift branches that have grown in a south eastern direction over road to achieve a height of 3m clearance from ground level. Tip weight reduction and tertiary branches to be removed/reduced. Prune young growth that grows on a secondary branch, away from the Lounge window, tree has reached its full growing capacity for its space a formative prune with some height removed from the canopy will achieve a better shape for the tree and give it a higher aesthetic look.
Support.

4c. 3638/20/TPO - T1: Ash – Section down to ground due to Ash die back. 7 The Copse, Totnes, TQ9 5FL.
Support.

5. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

5a. 3048/21/FUL - READVERTISEMENT (amended plans) Provision of single dwelling house (resubmission of 1668/20/FUL). Montgo, Maudlin Road, Totnes, TQ9 5TG.
Support. The Committee notes the objections that have been raised expressing concern about parking and would request that a double yellow line is painted across the vehicle access area to the property to avoid vehicle parking and protrusions into the road.

5b. 3770/22/HHO - Householder application for proposed single storey rear extension, enlargement of existing bay window, alterations & recovering of roof including installation of PV panels and installation of rear roof window, alterations to & replacement of windows, side porch canopy, & associated external works. Conemur, Maudlin Road, Totnes, TQ9 5TG.
Support.

5c. 3008/22/FUL – READVERTISEMENT (Amended description for clarity) Relocation of condensing unit, addition of 2 condensing units & erection of fence compound. Catherine House Surgery, New Walk, Totnes, TQ9 5HA.
Support. The Committee would request that as part of the relocation acoustic covers are included on the exterior of the condensing units.

5d. 3297/22/LBC - Listed building consent for removal of recent ineffective insulation and plasterboard from top front bedroom roof slopes; internal insulation and solar radiant barrier to top front bedroom roof slopes including vent in/outlets at eave and ridge. Two Velux rooflights, extract vent, VP and relocated flue; adjustment/reinstatement of existing slating. Demolish recent Landing cupboards; new partitions to create Passage and Shower room including plumbing etc, with arch and secret door. Timber secondary glazing to attic window. Existing combi relocated; gas insert- fires to two fireplaces; wood burning stove to one fireplace. Castle House, Plymouth Road, Totnes, TQ9 5PQ.
Support.

5e. 3332/22/HHO - Householder application for conversion of internal garage space into Snug/Study for home Working & associated works. 3 Sparkhays Drive, Totnes, TQ9 5LD.
Support.

5f. 2893/22/HHO - Householder application for extension to front porch and first floor side extension. 9 Walnut Close, Totnes, TQ9 5GF.
Support.

5g. 3580/22/HHO - Householder application for replacement porch, new pergola, widened drive & parking, improved access & associated external works. Lyndene, Station Road, Totnes, TQ9 5HW.
Cllrs Allen and Hodgson declared a personal interest.
Support.

5h. 3196/22/LBC - Listed Building Consent to replace existing UPVC and modern timber windows with new quality traditional casement windows & various draught proof/energy efficient installations throughout the property. 12 Victoria Street, Totnes, TQ9 5EF.
Support.

5i. 3842/22/ARC – Application for the approval of details reserved by condition 5 (Paint Finishes) of planning consent 1354/22/LBC. 43 High Street, Totnes, TQ9 5NP.
Support.

and to note:

5j. 3270/22/POD - Application to determine if prior approval is required for a proposed change of use of the ground floor of the building from Commercial, Business and Service (Class E) to

dwellinghouse (Class C3) comprising installation of bedroom & upgraded bathroom & 3No. light/sun tunnels to illuminate the ground floor (Resubmission of 0899/22/POD). 1B Castle Street, Totnes, TQ9 5NU.
Noted.

6. TRAFFIC AND TRANSPORT FORUM

To consider any recommendations from the Traffic and Transport Forum held on 26th October 2022.

Noted. Cllr Hodgson gave an update from the Devon County Council Highways Officer about the road closure for the proposed gas pipe replacement by Wales and West Utilities. It was **AGREED** to request a site meeting with the Highways Officer, South Hams District Council Car Parking and the Chamber of Commerce to discuss the practicality of access routes, delivery vehicle turning and other aspects of the closure.

7. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Monday 12th December 2022 at 6.30pm in the Guildhall.

Noted.

Sara Halliday
Governance and Projects Manager

ITEM 5 – NEIGHBOURHOOD PLAN

The Examiner for the Totnes Neighbourhood Plan held a meeting with Cllrs Allen and Hodgson along with officers from the Town Council and South Hams District Council (SHDC) on Friday 2nd December. Following the hearing conducted in September and the submission of the modified policy C12 – Former Dairy Crest Site the Examiner made the following points:

- Sees no way to take the plan forward with the modified policy in it. The modified policy goes some way to addressing concerns but it doesn't meet basic conditions or address the viability test. The Examiner could look to amend it but it wouldn't say much more than the Joint Local Plan and therefore provide no further protection.
- Including the policy C12 as it is would leave the entire plan open to challenge as per the legal positions of SHDC and Fastglobe - as set out at the hearing.
- Advises that a pragmatic approach is adopted – either that the Town Council withdraws the policy, or as part of the Examiner's report she deletes the policy from it.
- Advises that the narrative/text of the plan can include the points identified in the modified policy C12 but would not be enforceable in the way a policy would.
- Suggests that with the withdrawal of the policy, the plan should be able to move to referendum; and in parallel that the Neighbourhood Plan group engages with Fastglobe to draft a policy which could be used to modify the made plan post-referendum.

The Planning Committee is asked to make recommendations to Full Council on:

- Whether the Council withdraws the policy from the Neighbourhood Plan or asks the Examiner to delete it as part of her report;
- Whether the Council would support working with SHDC to draw up a programme of engagement with Fastglobe about the Dairy Crest Site with a view to amending the Neighbourhood Plan post-referendum.
- The setting up of a Councillor-led Task and Finish Group to take on the engagement with Fastglobe. This Group would be non-decision making, meaning that it would report to the Planning Committee and/or Full Council to make a Council decision/position on any matters, and would not have officer support.
- Whether to include the wording of the modified policy in the main body of the Neighbourhood Plan text (the Examiner and SHDC are supportive of this approach).

ITEM 6 – S106 FROM FORMER DAIRY CREST SITE ALLOCATION

The Sustainability Officer has been contacted by a Devon County Council Highways officer regarding the Dairy Crest planning application. A summary of the conversation is below.

He is in negotiations with PCL re the Dairy Crest site, and s.106 money. He is meeting with them next week, possibly on the 13th Dec.

He has objected to the planning application based on two main things:

- lack of provision for parking (they assume people will come by train), quoting significant parking issues in town
- no space for turning of large vehicles

He has also made the point that there is a known capacity problems in town, particularly around peak times, and we need to be considering air quality and congestion issues.

s.106 - He has requested £1600 per dwelling towards sustainable measures for town

- they have objected to this, asking how this will meet the 3 tests of 106 money (below)
- they have also said that the site has previously gone through referendum where this money was not requested (I am unsure what exactly this is in reference to). He thinks this may be the main 'killer' of getting the money but will still try to get it

He has asked for something that he can use in this meeting to get the 106 money.

- What schemes / measures do we want or think are needed that he can use to justify the inclusion of the s.106?
- They must directly link with the proposed development (i.e., if we are proposing something across town, it must directly link with site somehow)

The Council has objected to this application. However, the Planning Committee is asked to consider the request for any input into appropriate S106 ideas to should include key points plus costings if possible, which need to be compliant with the 3 tests of s106:

A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;*
- (b) directly related to the development; and*
- (c) fairly and reasonably related in scale and kind to the development.*

Initial thoughts from the Sustainability Officer include:

- extension of the e-bike trial scheme (either in duration or number of bikes, ideally the latter as this ups the chances of it being successful)
- improving traffic situation around station bridge/traffic lights
 - part of Air Quality Management Area and considerable issues currently with congestion, access, etc.
 - however, I imagine it would require quite a chunk of money to improve
- linked to above, ensuring proper accessible and safe walking/wheeling links to NCN and town centre (I'm unsure of the provision in the application, it's not entirely clear)

- any request for officer post funding would likely need to come with caveat of hours being spent specifically on projects directly linked with development?
- Significant and long-lasting repair to the River path – Cllrs have raised concerns about erosion in some areas.

- affordable housing (isn't mentioned in application)
 - I see SHDC have noted this, requesting it provides 8 affordable units, 5 of which for social rent and 3 shared ownership
- Waste management pressures - DCC have requested an updated waste audit statement
 - I'm not sure what we could ask for that would be directly linked

ITEM 7



No 11
Zappal's

HIGH STREET.

ITEM 8

Draft Steering Group meeting notes

30.11.22

Guildhall, 18:30 - 20:00

Present:

J [REDACTED] S [REDACTED] - Chair

Cllr Hodgson

L [REDACTED] A [REDACTED] - resident rep, Moorashes

M [REDACTED] C [REDACTED] - Chamber of Commerce

S [REDACTED] G [REDACTED] - Bob the Bus

Cllr Cummings

Cllr Bennett

Maiken Hutchings - Sustainability Officer (SO - notes)

Apologies received from: G [REDACTED] B [REDACTED], Cllr Jo Sweett, V [REDACTED] C [REDACTED]

1. Welcome and who is here

2. Recap on process so far (SO)

- June 2020 – discussions with DCC on traffic calming on High St
- January 2022 – DCC proposal for narrowings/humps
 - Public consultation Jan-March, mixed response, no general support
- DCC request that TTC organise a stakeholder meeting with facilitators independent of the Council
- Meeting held 13 September 2022 – facilitators sent back report in October
- Attendees of stakeholder session invited to comment on report
- Today's meeting is to agree on any red lines (as requested by DCC and not covered in the stakeholder meeting) and comments for DCC to consider.

SO reiterated that this is "the start" of the conversation (that has been going on for decades) and no decisions have been made. We need a steer from DCC on what next steps are.

3. Red lines

- SO invited attendees to comment on what they perceive their group's red lines to be, if any.
- There was general discussion around how to define red lines and what these might be
 - Red lines: key thing(s) that your group wouldn't find acceptable

- CoC highlighted that they wouldn't support any form of road closures at any time of day (*this has since been amended by the CoC Exec to: "While the majority of retailers in the town centre are seriously adversely affected by road closures, the Chamber would not support them occurring. Whilst always being ready to consider them, after consultation, for special one-off events"*)
- LA asked the CoC whether any research has been done on shopping and travel habits
 - CoC commissioned research during the 2013-2016 road reversal ETO, however, much has changed since then and so it would be worthwhile having new research
 - Question raised whether this could be an ask from DCC as a next step
- CoC outlined some of the other measures that they think should be addressed before bigger infrastructure schemes are trialled
 - Signage issue needs resolving or at least trying
 - Lobbying for better public transport
 - School buses
 - Safe walking and cycling routes for kids to school
 - Bridgetown Bridge highlighted by attendees as particularly dangerous for walkers and wheelers
 - Park and Ride
 - SG commented that so far P&Rs haven't been financially viable and any future P&Rs need to include fully detailed and complex planning
 - There are issues with frequency – and long bedding in times
- Would it be better to frame things around green lines – what we would like – rather than red lines, what we don't want?
- Need for a holistic vision rather than piecemeal work
 - Congestion is an issue across town, not just on the High St
 - Agreement that there needs to be a wider conversation around through traffic in the whole town and any changes should not displace traffic onto smaller roads
- Any proposals should be amenable to public transport and active travel
- Signage improvements should be explored
- What should next steps be?
 - It was suggested that we could benefit from research into shopping habits, travel habits, what makes an attractive and vibrant town centre – to get a better idea if its viable to make any changes to traffic flows

- It would be good to get a sit-down meeting with DCC
 - To ask what they see as the next steps and to get a steer from them on what we can get on with
- It would also be good to have a meeting with SHDC, Gemma Bristow (Active Travel Lead – in charge of LCWIP creation) prior to a DCC meeting

Totnes & District Traffic and Transport Steering Group comments for report overleaf:

1) Holistic view

- a. There are serious traffic problems beyond just the High St and Fore St. Congestion is a town-wide problem that needs serious consideration – Totnes is a pinch-point for traffic going to Torbay/Kingsbridge/Dartmouth and hugely affected by developments outside of the town.
 - i. This seems to have been one area of consensus at the stakeholder meeting
- b. Need for a wider plan for the town

2) CoC view: "While the majority of retailers in the town centre are seriously adversely affected by road closures, the Chamber would not support them occurring. Whilst always being ready to consider them, after consultation, for special one-off events "

3) New measures should promote active travel, and not result in displaced traffic onto other roads in town

4) Totnes would like a steer from DCC on next steps

- a. It was agreed that a meeting with DCC would be beneficial to open dialogue and find out what some viable short-term and longer-term next steps could be

End of meeting 20:05

