



AGENDA FOR THE PLANNING COMMITTEE

MONDAY 21ST SEPTEMBER 2026 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 21st September 2026** at **6.30pm** for a maximum of 90 minutes in the Guildhall for the purpose of transacting the following business:

Committee Members: Councillors L Auletta (Chair), T Bennett, S Collinson, T Cooper, J Cummings, J Hodgson, L Smallridge and M Trant.

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. CONFIRMATION OF MINUTES

To approve the minutes of 17th August 2026 and update on any matters arising. Document attached.

3. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

3a. 2369/26/TPO - TPO 1053; T19 – Lawson Cypress – crown lift to 3.8m from ground level, for vehicle clearance. Totnes Police Station, Ashburton Road, Totnes, TQ9 5JY. See <https://southhams.planning-register.co.uk/Planning/Display/2369/26/TPO>

3b. 2442/26/TCA - T1: Silver Birch - Up to 1.5m lateral reduction on all sides and 2m vertical reduction. Similar to the previous work undertaken to maintain the tree at a reasonable size for the small courtyard garden. 20 South Street, Totnes, TQ9 5DZ. See <https://southhams.planning-register.co.uk/Planning/Display/2442/26/TCA>

4. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

- 4a. 2088/26/HHO - Refurbishment and loft extension to existing property. Moonrakers, Totnes Down Hill, Totnes, TQ9 5ES. See <https://southhams.planning-register.co.uk/Planning/Display/2088/26/HHO>
- 4b. 2298/26/HHO and 2299/26/LBC - Retrospective Application for the installation of one replacement window, one additional window in the attic bedroom, and a rooflight in the attic bathroom. 9 Times Mews, Totnes, TQ9 5HF. See <https://southhams.planning-register.co.uk/Planning/Display/2298/26/HHO> and <https://southhams.planning-register.co.uk/Planning/Display/2299/26/LBC>
- 4c. 2261/26/HHO - Erect a sauna building within the rear garden. 6 North Castle Mews, North Street, Totnes, TQ9 5NQ. See <https://southhams.planning-register.co.uk/Planning/Display/2261/26/HHO>
- 4d. 2550/26/VAR - Variation of condition 3 of 1926/25/FUL (Proposed extension to petrol filling station sales building & installation of jet wash facilities). Morrisons Service Station, Station Road, Totnes, TQ9 5JR. See <https://southhams.planning-register.co.uk/Planning/Display/2550/26/VAR>
- 4e. 2374/26/ARC - Application for approval of details reserved by condition 4 (Slates) of planning consent 1636/26/LBC. 4 Leechwell Lane, Totnes, TQ9 5EA. See <https://southhams.planning-register.co.uk/Planning/Display/2374/26/ARC>

5. LICENSING APPLICATION

To consider the Committee's comments on Premises Licence (supply of alcohol and provision of films (indoor) for Centre, 3 Birdwood Court, Totnes, TQ9 5SG. Document attached.

6. HERITAGE AT RISK REGISTER

To consider any buildings/features in Totnes that should be included in the Heritage at Risk Register. Document attached.

7. TORBAY LOCAL PLAN REGULATION 19 CONSULTATION

To consider the Torbay Local Plan 2025-45: Publication Plan (Regulation 19) and any response. Document attached and see <https://torbay.oc2.uk/>

8. TOTNES NEIGHBOURHOOD PLAN UPDATE

To note an update on the Totnes Neighbourhood Plan. Document attached.

9. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Monday 19th October 2026 at 6.30pm in the Guildhall.

S Halliday
Governance and Projects Manager
16th September 2026

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.

ITEM 2 – CONFIRMATION OF MINUTES



DRAFT MINUTES FOR THE PLANNING COMMITTEE MONDAY 17TH AUGUST 2026 IN THE GUILDHALL

Present: Councillors L Auletta (Chair), T Bennett, T Cooper, J Cummings, J Hodgson (from 1837hrs) and Trant.

Apologies: Cllrs Collinson and Smallridge.

In Attendance: Members of the public, Cllr Beavis and 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 Auletta read out a statement about how the meeting would be conducted and recorded. The apologies from Cllrs Collinson and Smallridge were accepted.

PUBLIC QUESTION TIME

The first member of the public raised the possibility that the Share Shed would not be able to park on the Civic Square and requested a letter of support from the Town Council. The Committee asked to be kept updated on developments to be able to offer support as necessary.

The second member of the public spoke about item 4d, and their objection to a certificate of lawfulness being granted for an outbuilding being used as a dwelling which has been used as an AirBnB property.

Cllr Beavis raised the volume of debris on the decked area of Steamer Quay and requested that it is cleared before the EAT festival this weekend.

2. CONFIRMATION OF MINUTES

To approve the minutes of 20th July 2026 and update on any matters arising.

The minutes were approved as an accurate record of proceedings.

Item 5. Dart Harbour Port Masterplan Consultation - It was **RESOLVED** unanimously to respond to the Dart Harbour Port Masterplan Consultation as drafted.

3. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

3a. 1999/26/TPO - TPO 401 T2: Beech – all over reduction of up to 2.5m, to reduce encroachment on properties. Tanyards, Rowsells Lane, Totnes, TQ9 5AG.
Support.

3b. 2113/26/TPO – T1: Douglas Fir – fell, in decline. King Edward VI College, Ashburton Road, Totnes, TQ9 5JX.

Support. The Committee would request that: the tree is felled to a safe height and lengths of the trunk left at the base of the tree for wildlife benefits; and a suitable replacement tree is planted.

3c. 2114/26/TCA - T1: Cedar – height reduction by 2m, lateral reduction on all sides of 0.5-1m, balance shape and reduce overgrowth. T2: Cherry – lateral reduction by up to 1.5m between building and boundary of church, to provide clearance. Greystones, Weston Road, Totnes, TQ9 5AH. Support.

3d. 2116/26/TCA - T1: Copper Beech – crown reduction of up to 2.5m. T2: Magnolia – crown reduction of up to 1.5m. T3: Cotoneaster – fell. T4: Irish Yew - crown reduction of up to 1.5m. G1: Pittosporum, Laurel, Bay, Thuja Plicata, Lawsons Cypress - fell, stump grind and replace with fruiting trees. Chy Vean Priory Avenue Totnes TQ9 5HR.

Comment – there is insufficient information (no arboricultural report or photographs) to form a view. The Committee requests that the SHDC tree officer visits the site and will support their professional view on the suitability of the proposed works.

4. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

Note: Cllr Hodgson observes and does not vote on any applications which would potentially be discussed at a Development Management Committee meeting at South Hams District Council (SHDC).

4a. 1753/26/HHO – Proposed rear extension and other alterations. 17 Higher Westonfields, Totnes, TQ9 5RA.

Support. However, the Committee notes that the refrigerant used in the proposed Air Source Heat Pump is being phased out and would like to bring this to the attention of the applicant.

4b. 1511/26/VAR - Variation of condition 1 (approved plans) & Discharge of condition 7 (external materials) & 8 (lighting) of 2001/25/VAR. Land Adjacent Foxgloves, Sharpham Drive, Totnes.

Comment – The Committee has the following comments:

- Most of the application would appear to be retrospective in relation to the revised drawings and what has already been built.
- Object to the proposed material palette changes, which are much darker than those in the original application and less in keeping with the dwelling's rural setting which with a large dwelling will be more visible from across the river.
- Lighting – the Committee appreciates the PIR and downlighting proposed. However, it has concerns about the number of external lights proposed in a dark area and their proximity to the boundary line. The Committee would request that a condition is included that states that external light cannot be left on permanently.
- Would request that the Planning Officer checks that the built heights are in accordance with the approved drawings.

4c. 2100/26/HHO – Convert existing garage space into insulated ground floor studio. 33 Follaton Rise, Totnes, TQ9 5FX.

Support.

4d. 2000/26/CLE - Certificate of Lawfulness for existing use of outbuilding as a dwellinghouse (Use Class C3). Parkside, 21 Borough Park Road, Totnes, TQ9 5XW.

Cllr Trant declared a personal interest.

The Town Council has no evidence of this building being used as a dwelling. The only evidence relates to consideration of application 2825/15/HHO for retrospective permission for the construction of a shed and fence, noting that the application did not contain details of any utilities connections (electricity or water).

The Committee received a representation from a member of the public during the public session refuting the claims made and objecting to the application.

5. LICENSING APPLICATION

To consider the following application: Premises Licence (supply of alcohol and provision of films (indoor) for Centre, 3 Birdwood Court, Totnes, TQ9 5SG.

The Committee objects to the premises licence for later hours on the following grounds:

- Public Safety – there is not enough evidence that accessibility issues have been addressed to be able to safely evacuate a disabled person in an emergency from a building with a capacity for 200 people and where alcohol is being served/consumed. No safe refuge is mentioned.
- Prevention of Public Nuisance – what is the policy for drinking in the external area, for example those leaving Centre to smoke/vape? There is also no information provided on where the designated smoking area is for the venue, which the Committee would welcome clarification on. Anecdotal evidence suggests that the fire door beyond the stage and external steps/staircase is being used, which is the only point of access for these commercial and residential units.

6. LOCAL PLAN SCOPING CONSULTATION

To consider the South Hams District Council Local Plan Scoping Consultation and make any recommendation to Full Council.

It was **AGREED** to set up a Local Plan Task and Finish Group to discuss the consultation documents in two meetings – general discussion and economy – open to all Councillors and District Councillors to make are recommendation to Full Council in September 2026.

7. TRAFFIC AND TRANSPORT FORUM

To note the minutes from the Traffic and Transport meetings on 22nd July 2026 (documents attached):

- a. Forum;** Noted.
- b. Steering Group.** Noted.

8. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Monday 21st September 2026 at 6.00pm in the Guildhall.

Noted.

The meeting closed at 8.00pm.

Sara Halliday
Governance and Projects Manager
August 2026

ITEM 5 - LICENSING APPLICATION

South Hams District Council have issued a notice of the following hearing, details and extract from emails below:

Licensing Sub-Committee Meeting to consider the New Premises Licence for Centre, Birdwood Court, Totnes, TQ9 5SG

Please find attached your Notice of Hearing for the above premises licence application.

The meeting will be taking place on **Thursday 24th September 2026** in the Council Chamber at Follaton House, Plymouth Road, Totnes, TQ9 5NE. The meeting is due to commence promptly at **10:00**.

The TTC Officer has received various emails from SHDC following the Committee's objection and comments to the licencing application considered on 17th August, and is asked "If the Town Council is satisfied that this condition adequately mitigates its concerns, it may wish to consider whether it wishes to maintain its representation."

The TTC comments submitted were:

The Committee objects to the premises licence for later hours on the following grounds:

- Public Safety – there is not enough evidence that accessibility issues have been addressed to be able to safely evacuate a disabled person in an emergency from a building with a capacity for 200 people and where alcohol is being served/consumed. No safe refuge is mentioned.
- Prevention of Public Nuisance – what is the policy for drinking in the external area, for example those leaving Centre to smoke/vape? There is also no information provided on where the designated smoking area is for the venue, which the Committee would welcome clarification on. Anecdotal evidence suggests that the fire door beyond the stage and external steps/staircase is being used, which is the only point of access for these commercial and residential units.

SHDC Licencing emails below:

9th September 2026 - By way of context, yours [TTC] is the only representation received in objection to the application and, as previously discussed, only a limited part of the representation relates to matters that can be considered under the licensing regime. The licensing authority has also received 49 representations in support of the application.

As the Town Council has submitted an objection, the application will need to be determined by the Licensing Committee unless the remaining concerns can be resolved beforehand.

In an effort to address those concerns, the applicant has confirmed that they would be willing to accept the following condition on the licence:

"Staff and customers shall not be permitted to smoke or vape on the external landing area of Birdwood Court."

Given the nature of the concerns raised, this is the type of condition that the Licensing Committee may consider appropriate should the matter proceed to a hearing. As such, I hope this offers reassurance that the issue has been recognised and steps are being proposed to address it.

If the Town Council is satisfied that this condition adequately mitigates its concerns, it may wish to consider whether it wishes to maintain its representation

28th August 2026 - To date, we have received one representation commenting on concerns relating to the application. In addition, 20 representations have been submitted in support of the application.

I am unable to accept both points as relevant, and my reasons are as follows:-

- Public Safety – there is not enough evidence that accessibility issues have been addressed to be able to safely evacuate a disabled person in an emergency from a building with a capacity for 200 people and where alcohol is being served/consumed. No safe refuge is mentioned.

We are unable to accept this as a relevant representation. You have mentioned the 'lack of evidence' provided. This does not provide facts showing why evacuation arrangements are inadequate and why the operation of the premises is likely to undermine the public safety objective. From a licensing perspective we would not specifically require a condition that duplicates other statutory regimes as they can be addressed through the relevant enforcing authority. Fire safety is regulated through the Regulatory Reform (Fire Safety) Order 2005. Means of escape and evacuation procedures are matters for the Responsible Person and Fire Authority and we would not repeat matters on a license condition.

- Prevention of Public Nuisance – what is the policy for drinking in the external area, for example those leaving Centre to smoke/vape? There is also no information provided on where the designated smoking area is for the venue, which the Committee would welcome clarification on. Anecdotal evidence suggests that the fire door beyond the stage and external steps/staircase is being used, which is the only point of access for these commercial and residential units.

There is no licensing requirement for a premises to provide a smoking shelter or designated smoking area, and this part of your representation is not deemed to be relevant. If the concern is obstruction of access, means of escape, or fire safety, it will fall more naturally within other regulatory regimes.

However, the applicant has informed us that the fire door leads out onto a landing which serves two commercial units, one of which is their office. The dentist is closed in the evenings. The landing leads straight down to the ground floor. The fire door would only be used by customers in the event of an emergency, and the area is always kept clear, and it is only used by people employed by Centre.

You have asked for further information regarding drinking in the external area to prevent public nuisance for example those leaving Centre to smoke/vape and this part I can accept as relevant.

Just to clarify, patrons will not be permitted to leave the building with alcoholic drinks or glass as the application is for on sales only and taking alcoholic drinks outside would be in breach of the terms of the licence.

The applicant has informed us that the staff are trained to keep an eye on both exits to make sure there is no congregation of people around them. They shall also ensure this with appropriate signage.

If you feel that the above satisfies your concerns in relation to Public Nuisance, please let us know.

ITEM 6 – HERITAGE AT RISK REGISTER

The Heritage Officer at SHDC has been in contact with the following email:

“I am pleased to share that our Heritage At Risk survey form is live.

The Heritage At Risk Register is about identifying and collating Listed Buildings that are at risk due to their condition or vacancy. As we do not own the buildings nor have any additional funding to undertake activity, this is about directing focus. You are welcome to check out [our previous South Hams register](#) for an idea of what we are updating.

[South Hams Heritage At Risk Survey 2026 – Fill in form](#) On the first page of the form is this guidance: Submit a building for a Heritage at Risk survey and we will consider whether to add it to the Heritage at Risk Register. This register seeks to identify vulnerable listed buildings that are in need of attention to engage in discussions with the building owner and try to encourage repairs to go ahead. Please note, as the local authority does not own these buildings or have funding to offer, its abilities to achieve success is based on building positive relations with building owners, with the threat of enforcement action where relevant.

You can confirm if a building is listed using the [Historic England website](#).

Please note we are inviting contributions specifically from town and parish councils, amenity societies, ward members, and relevant heritage groups.

Please do retain a note of any non-listed buildings, in due course we will be welcoming contributions for a local list of non-designated heritage assets.”

The only entry in the current plan for Totnes is for 39 High Street [now the Knitt shop], see details below:

Type: Domestic. Grade: II* Risk Category: C (Slow decay; no solution agreed). Conservation Area: N. Summary: 39 High Street is a 3 storey, 17th Century, “deux corps de batiments” Merchants House. The interior has good examples of decorated plaster ceilings. The upper two-storeys are currently uninhabitable with a large amount of historic fabric lost due to neglect. The Conservation Department are in discussions with the owner to put a repair scheme in place, no way forward yet agreed.

ITEM 7 – TORBAY LOCAL PLAN REGULATION 19 CONSULTATION

The following email has been received from Torbay Council (as Totnes Town Council has previously comments on the Torbay Local Plan):

“We are pleased to advise that consultation on the Torbay Local Plan 2025-45: Publication Plan (Regulation 19) is now live. Consultation runs from 13th August 2026 and closes at 23.59 on Thursday 24th September 2026. Comments should be submitted by this deadline.

The Local Plan can be viewed and comments made on it [here](#).

Background information about planning policies and evidence documents is available at: [Planning policies - Torbay Council](#) .

This consultation differs from earlier engagement exercises. At the Regulation 19 stage, comments should focus on the plan's soundness and legal compliance rather than suggesting new policies or detailed amendments.

Comments received on the Local Plan will be carefully considered prior to submission of the Local Plan to the Secretary of State, expected to be in December 2026.

Extract of the summary of the consultation from the Torbay Council website:

We are inviting you to have your say on the next stage of Torbay Local Plan. The Regulation 19 consultation runs from 13 August until 24 September at 11.59pm and asks whether the plan is ready to move forward to independent examination.

The Local Plan is an important document that will guide development across Torbay up to 2045. Once adopted, it will become the legal starting point for determining planning applications and will help shape how Torbay grows while supporting sustainable communities, economic prosperity and environmental protection.

The consultation follows the Regulation 18 stage, which took place between November 2025 and January 2026. During that consultation, residents, businesses and stakeholders were asked for their views on the draft Local Plan. Feedback received during that stage, alongside updated evidence and technical assessments completed during 2026, has helped shape the Regulation 19 Publication Version Local Plan to be published for consultation.

This Regulation 19 consultation is different from the previous stage. At this point, the council are seeking views on whether the plan:

- Is the right plan for Torbay
- Is based on the right evidence
- Is in line with national planning policy and legislation
- Is ready to be examined by a Planning Inspector appointed by the Government

The council will review comments received on these matters before preparing the final draft of the Torbay Local Plan. This will be reported to full Council in December 2026 to seek approval to submit it to the Secretary of State in December 2026. Following submission, the plan will be independently examined before its anticipated adoption in 2027/28.

ITEM 8 – TOTNES NEIGHBOURHOOD PLAN UPDATE

Email circulated by the Town Clerk on 25th August 2026:

Back in June Council agreed to request an update of the Totnes Neighbourhood Plan (TNP) based on the health check carried out earlier this year by IPE. We also received a favourable response from South Hams District Council (SHDC) who agreed that the proposed modifications fell into the 'non-material' description. The process would be that *"SHDC officers would create a formal report highlighting the changes and giving their recommendation (that the changes are non-material and the reviewed plan should be adopted) which then goes to the Executive Committee. The Exec Committee then discuss as part of their monthly meeting and either agree or disagree with my recommendation. Once their agreement has been achieved the plan can be formally Made by the Council, with no need for any consultation or external examination. Since there is no Exec in August, we would be aiming for the Committee scheduled for Thursday 17th September."*

TTC provided an updated TNP and annex setting out the proposed changes to SHDC on 18th August. However, yesterday we received an email setting out that the Government's launch of the new National Planning Policy Framework (NPPF) on 17th August – much earlier than anyone had anticipated – means that the proposed process for update to incorporate the suggested minor modifications is no longer possible.

Extracts from the SHDC Officer's advice is below, but in summary the only way ahead to incorporate the modification at this point would be a substantial rewrite of the TNP to conform with the new policies, including housing numbers:

"Since this [the NPPF] will have implications for the Totnes NP I would advise you taking this to the Town Council to discuss further prior to my taking your amendments before Exec Committee, since the changes will effectively make your amended plan out of date before it is even adopted. We were not expecting this updated plan [NPPF] until later in the year since Parliament are currently on summer recess – unfortunately they released it early."

The new policies contained within the NPPF now supersede those policies in the neighbourhood plan and joint local plan which are not compliant. So only some of your policies will now bear weight – ditto the joint local plan until we get a new one adopted which deals with the uplift in housing numbers and is compliant with the new NPPF policies. Previous NPPF updates have made fairly minor changes – the August 2026 NPPF is a complete re-write."

The TNP is still 'in date' for another two years as less than 5 years old. Any review would be examined against the new NPPF, which will mean checking that it complies with the new policies (new presumption in favour of development inside settlements etc.) in order to pass Examination. The Local Authority is also required to give housing numbers to all designated neighbourhood plan areas under HO2, and Neighbourhood Plans will need to allocate for this number to be fully covered under policy S6.1(b)."

Members should therefore be aware that, whilst the Neighbourhood Plan continues to form part of the statutory development plan and retains value in shaping local outcomes, its effectiveness may be diminished where national policy requirements supersede local policies. A complete rewrite is going to be next to impossible at the moment without time for those with expertise to read and understand the new NPPF, and the Local Plan and Housing figures updates. The 'simple'

amendments were very time consuming to complete, so I have capacity concerns as well about how we would even attempt it at this time.

IPE (who carried out the Totnes Neighbourhood Plan health check) has been asked for their views on the NPPF and how it affects neighbourhood plans and they concur with the advice and position of SHDC.