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17 August 2018

## PLANNING COMMITTEE

Dear Councillor

You are invited to a meeting of the above Committee which will take place on **Wednesday, 29th August, 2018** in the Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at **10.00 am**

Yours sincerely

PHIL SHEARS  
Managing Director

Distribution: Councillors Smith (Chairman), Clarence (Vice-Chairman), Austen, Bullivant, Colclough, Dennis, Fusco, Hayes, J Hook (was Brodie), Jones, Keeling, Mayne, Kerswell, Nutley, Orme, Parker, Pilkington, Prowse, Rollason and Winsor

Substitutes: Councillors Connett, Dewhirst, Golder, Haines, Hocking, Russell and Thorne

A link to the agenda on the Council's website is emailed to:

- (1) All other Members of the Council
- (2) Representatives of the Press
- (3) Requesting Town and Parish Councils

**If Councillors have any questions relating to predetermination or interests in items on this Agenda, please contact the Monitoring Officer in advance of the meeting**

## **Public Access Statement**

### **Information for the Public**

**Health and safety during the meeting.** In the event the fire alarm sounds please evacuate the building calmly but quickly using the nearest exit available, do not stop to collect personal or other belongings and do not use the lift. Fire Wardens will assist you to safety and 'safety in case of fire instructions' are prominently displayed in the Council buildings and should be followed. Should an escape route be compromised the nearest alternative escape route should be used. Proceed quickly to the assembly point in the very far overflow car park. Report to the person taking the roll-call at the assembly point if you have evacuated without being accounted for by a member of staff.

There is an opportunity for members of the public to speak on planning applications at this meeting. Full details are available online at [www.teignbridge.gov.uk/planningcommittee](http://www.teignbridge.gov.uk/planningcommittee).

Please email [comsec@teignbridge.gov.uk](mailto:comsec@teignbridge.gov.uk) or phone 01626 215112 to request to speak by **12 Noon** on the **Thursday prior to the Committee meeting**.

This agenda is available online at [www.teignbridge.gov.uk/agendas](http://www.teignbridge.gov.uk/agendas) five working days prior to the meeting. If you would like to receive an e-mail which contains a link to the website for all forthcoming meetings, please e-mail [comsec@teignbridge.gov.uk](mailto:comsec@teignbridge.gov.uk)

General information about Planning Committee, delegated decisions, dates of future committees, public participation in committees as well as links to agendas and minutes are available at [www.teignbridge.gov.uk/planningcommittee](http://www.teignbridge.gov.uk/planningcommittee)

Any representations or information received after the preparation of the reports and by noon on the Friday before the planning committee will be included in the late updates sheet.

All documents relating to planning applications can be viewed online at [www.teignbridge.gov.uk/planningonline](http://www.teignbridge.gov.uk/planningonline). In the case of sensitive applications representations are not placed on the website. All representations are read by the case officer and a summary of the planning matters raised is placed online instead.

## **AGENDA**

### **PART I**

**(Open to the Public)**

1. Minutes (Pages 1 - 12)  
To confirm the minutes of the last meeting.
2. Apologies for absence.
3. Agreement of the Meeting between Parts I and II.

4. Matters of urgency/report especially brought forward with the permission of the Chairman.

5. Declarations of Interest.

6. Public Participation

The Chairman to advise the Committee on any requests received from members of the public to address the Committee.

7. Planning applications for consideration

To consider applications for planning permission as set out below.

a) TEIGNMOUTH - 18/00908/FUL - 137-139 Bitton Park Road, Teignmouth - Change of use from retail (Use Class A1) to hot food takeaway (Use Class A5) with ancillary seating, extraction, ventilation equipment and associated external alterations (Pages 13 - 20)

b) NEWTON ABBOT - 18/01143/FUL - Foxley House, 18 Lonsdale Road - Garage with office above (Pages 21 - 30)

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All documents relating to planning applications can be viewed online at [www.teignbridge.gov.uk/planningonline](http://www.teignbridge.gov.uk/planningonline). In the case of sensitive applications representations are not placed on the website. All representations are read by the case officer and a summary of the planning matters raised is placed online instead.

8. Appeal Decisions (Pages 31 - 32)

To note appeal decisions made by the Planning Inspectorate.

## **PART II (Private)**

Items which may be taken in the absence of the Public and Press on grounds that Exempt Information may be disclosed.

Local Government Act 1972 (Section 100 and Schedule 12A).

NIL

## **Notes for Planning Committee members on determining applications**

Members are reminded of their legal responsibilities when determining planning applications as set out in the planning practice guidance on the government website Gov.UK.

*“Local authority members are involved in planning matters to represent the interests of the whole community and must maintain an open mind when*

*considering planning applications. Where members take decisions on planning applications they must do so in accordance with the development plan unless material considerations indicate otherwise. Members must only take into account material planning considerations, which can include public views where they relate to relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid material planning reasons.”*

S70 (2) of the Town and Country Planning Act 1990 and S38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning decisions must be taken in accordance with the Council’s development plan unless there are material planning considerations that indicate otherwise.

[Article 32 of the Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) provides that, subject to additional publicity requirements, a local planning authority may depart from development plan policy where material considerations indicate that the plan should not be followed.

The development plan consists of the Teignbridge Local Plan and the Neighbourhood Plans.

The National Planning Policy Framework and National Planning Practice Guidance must also be taken into account.

S70 (2) of the Town and Country Planning Act 1990 provides that a local planning authority must have regard to a local finance consideration as far as it is material. A local finance consideration is defined as a grant or other financial assistance that has been, will or could be provided to a relevant authority by a Minister of the Crown Court (such as a New Homes Bonus payments) or sums that a relevant authority has, will or could receive, in payment of the Community Infrastructure Levy. Whether or not a local finance consideration is material to a particular development will depend on whether it could help to make the development acceptable in planning terms.

#### **FURTHER INFORMATION:**

##### **Future meetings of the Committee**

26 September, 23 October, 20 November, 18 December 2018.

##### **Dates of site inspections**

Team 1 – 6 September, 29 November 2018

Chairman, Vice Chairman and Cllrs: Bullivant, Colclough, Fusco, Hayes, Nutley, and Rollason

Team 2 - 4 October 2018,

Chairman, Vice Chairman and Cllrs: J. Hook, Dennis, Jones, Mayne, Orme, Parker

Team 3 – 1 November 2018

Chairman, Vice Chairman and Cllrs: Austen, Kerswell, Keeling, Pilkington, Prowse and Winsor

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**APPENDIX 1**

**THE LOCAL GOVERNMENT ACT 1972**

**(Local Government (Access to Information) Act 1985)**

**List of Background Papers relating to the various items of reports as set out in Part I of the Agenda**

***As relevant or appropriate:***

1. Applications, Forms and Plans.
2. Correspondence/Consultation with interested parties.
3. Structure Plan Documents.
4. Local Plan Documents.
5. Local/Topic Reports.
6. Central Government Legislation.