

## **PLANNING COMMITTEE**

### **22 NOVEMBER 2022**

#### Present:

Councillors Bradford, H Cox, Goodman-Bradbury (Chair), Dewhirst, Haines, J Hook, Jeffery, MacGregor, J Petherick (Vice-Chair) and Connett (Substitute)

#### Members in Attendance:

Councillors Clarence, L Petherick, Taylor, Wrigley

#### Apologies:

Councillors Colclough, Hayes, Kerswell, Nuttall, Nutley, Parker and Peart

#### Officers in Attendance:

Rosalyn Eastman, Business Manager, Strategic Place  
Anna Holloway, Senior Planning Officer  
Sarah Selway, Democratic Services Team Leader & Deputy Monitoring Officer  
Christopher Morgan, Trainee Democratic Services Officer

## **19. MINUTES**

It was proposed by Councillor Goodman-Bradbury and seconded by Councillor Dewhirst that the minutes of the previous meeting be agreed as a correct record and signed by the Chair.

A vote was taken.

Resolved

That the minutes of the previous meeting be agreed as a correct record and signed by the chair.

## **20. 21/02674/MAJ - SECMATON FARM, DAWLISH**

The Senior Planning Officer presented the application to the committee.

Comments from Councillors included:

- Lack of affordable homes
- Link road is positive
- 6m wide link road too small
- Parking concerns
- Traffic safety concerns
- Not enough town medical capacity

## Planning Committee (22.11.2022)

- Lack of dental capacity
- SW water strategic sewer solution
- Affordable housing concern
- Condition description needs adjusting
- Area 5 link
- Allotments are positive but need management
- Hedges need to be well managed
- Roads must ensure they line up
- Postboxes should be suggested to applicant
- Site short distance from Exe estuary
- Environment agency opposed?
- No reasons for refusal
- Good to have bat/bird/hedgehog boxes
- Impact on water voles
- Bungalow concerns
- Age restriction on bungalow permanent?
- What are exceptions that allow lower affordable housing?
- What is affordable housing in area 4
- Is 10 percent biodiversity gain correct?
- Scope for reserved matters to return to planning committee
- Has current biodiversity been measured?
- Audit of biodiversity wanted
- MUGA needed as hundreds of houses being built
- No safe and suitable access
- No real support from highways
- Have points raised in 5.52 been confirmed
- Devon wildlife trust comments
- Surgery to receive £80,000 and can apply for CIL
- Red rock club used for education and youth – £146,000 for it
- NHS club asked for money but funding was not given
- County council briefing on link road – no yellow lines
- Similar link road was 9 meters,
- Little space for buses and lorries
- Altered traffic flow
- What are clubcar vehicles?
- Children with developmental disorders require additional funding which comes from CIL
- Condition 15 includes bat survey
- Bird survey should be undertaken at reasonable time
- Biodiversity net gain has been in other applications, possibly part of act of parliament, road encourages faster traffic,
- Important to not return to low affordable housing
- NHS funding needed
- Devon wildlife trust opinion

The Senior Planning Officer and Business Manager commented on:

- The viability assessment
- 30mph speed limit,

## Planning Committee (22.11.2022)

- Obligation for 400 pounds per dwelling towards local surgery, infrastructure, and wet field drainage.
- No request for funding received from dentists
- Suitable drainage strategy
- Environmental agency withdrew objection
- County bridge application has voles strategy including habitat and agreed by council biodiversity officer
- Disabled bungalows considered affordable
- Independent expert agrees that bungalows are affordable housing mitigation
- Social rent would impact delivery of units
- 10 percent biodiversity gain hasn't been agreed so not reasonable to require
- No net biodiversity loss
- Bat/bird boxes are part of ecological assessment,
- Plentiful green infrastructure
- Mitigation funded through CIL
- S106 agreement received before being agreed at Committee
- Clubcars are shared vehicles
- 6-meter-wide carriageway
- No requirement for yellow lines
- Bats and birds protected by law and the survey would have to be undertaken shortly before construction
- Planning cannot require adoption of roads, only standards  
Biodiversity gain only requested if application is outside local plan, 10 percent net gain is not reasonable to request
- Detailed scheme will be submitted and considered by biodiversity officer

It was proposed by Councillor Dewhirst and seconded by Councillor Haines that permission be granted, as set out in the updated officer recommendation. .  
A roll call vote was taken – see attached.

Resolved

That permission be granted subject to the following conditions:

(A) The Applicant entering into a Section 106 Agreement to secure:

1. 27 Affordable Housing units including 18 affordable rent, 8 shared ownership and 2 affordable rent disabled bungalows compliant with Part M4(3) (equating to 13.4% affordable).
2. Retirement properties.
3. GI, POS, allotments and community orchard including delivery, retention, public access and details of ongoing management and maintenance responsibilities. Delivery of allotments prior to 50% of dwellings. Delivery of GI, POS and community orchard in accordance with a schedule to be submitted and agreed prior to commencement of development.
4. Combined LEAP and NEAP delivery to include formal play areas for 0-6 years (min. 100sqm), 6-12 years (min. 300sqm) and 12-16 years (min. 300sqm); natural play space activity area of 1000sqm (min.); and formal

equipped sports zone activity area of 300sqm (min.). Delivery of play area prior to occupation of 50% of dwellings. Details of Management and Maintenance responsibilities.

5. Shutterton Brook bridge land including landing to be transferred (at nil cost) to the highway authority (DCC) on commencement of development (or earlier through agreement)
6. Link Road Bridge contribution – £1,163 per dwelling (index linked to date and until payment received) as a financial contribution towards the provision of a Link Bridge in the event that the bridge is not delivered by HIF funding.
7. Link road delivery by 50th dwelling.
8. Delivery of foot, cycle and vehicle access to eastern boundary of Area 3 (with Area 5) prior to occupation of 100th dwelling.
9. Bus stops including bus shelter and short section of raised pavement to allow level bus boarding; one bus stop in each direction.
10. Exe Estuary SPA and Ramsar Site and Dawlish Warren SAC Joint Approach contribution of £973 per dwelling (index linked to date and until payment received) to be paid prior to commencement of the development, other than Phase Zero.
11. Cirl bunting contribution – £74,193 (index linked to date and until payment received)
12. Biodiversity Off-setting Mechanism.
13. Community facilities contributions:
  - Health – £400 per dwelling (index linked to date and until payment received) towards the provision of health facilities at the Barton Surgery Dawlish.
  - Library – £59 per dwelling index linked to date and until payment received) towards Dawlish Library.
  - Red Rock – £727 per dwelling (index linked to date and until payment received) as a financial contribution towards the provision of additional and improved facilities at the Red Rock Centre Dawlish.
14. Shutterton Brook Drainage Contribution – £1000 per dwelling (index linked to date and until payment received)
15. Public Art Provisions – provision of public art within the Site up to a maximum cost to the Owner of £25,000.

(B) The completion concurrently with the completion of the s106 agreement of the Highway Agreement to secure the delivery of the Link Road by Devon County Council.

(C) The completion of the s106 Agreement and Highway Agreement before the end

of January 2023 to ensure compliance with the HIF funding timetable for the delivery of the bridge and road, subject to any extension to this date being agreed with the Executive Member for Planning.

D) Conditions covering the following matters, the precise number and formation of the conditions to be delegated to the Business Manager – Strategic Place:

1. Duration of Permission
2. List of approved plans and documents
3. Phasing Plan showing Link Road carriageway as Phase Zero.
4. Details of link road carriageway connections with the Bridge and Area 2 to be submitted and approved prior to construction of the link road.

5. Pre-commencement condition for archaeological WSI for Phase Zero (link road carriageway)
6. Pre-commencement condition for archaeological WSI for any Phase other than Phase Zero.
7. Pre-commencement submission and approval of CEMP for Link Road (Phase Zero). Construction traffic to access site from the north.
8. Pre-commencement of any other phase, submission and approval of CEMP. Construction traffic to access site from the north.
9. Details of link road footpath and cycleway connection with the Bridge and Area 2, notwithstanding the submitted plans, to be submitted and approved prior to the commencement of any phase other than Phase Zero.
10. Footpath and cycle route from Shutterton Brook Bridge through to Development Area 2 to be provided and publicly accessible.
11. Prior to commencement of relevant phase, revised drawings for the NW corner of the site to provide appropriate separation with the bat flyway along Shutterton Brook as set out in Section 16 of the AA.
12. Details of boundary treatments with garden boundaries backing onto GI to be 2m tall and opaque.
13. Works to be carried out in strict accordance with the precautions, measures and enhancements described in the submitted Environmental Statement and Ecological Impact Assessment.
14. Pre-commencement of any phase other than Phase Zero, submission of a LEMP and Ecological Monitoring and Remedial Measures Plan.
15. Surveying of trees and buildings for roosting bats and nesting birds prior to works.
16. Submission and approval of a Lighting Mitigation Scheme.
17. Restriction on additional lighting.
18. Restrictions on construction working hours and lighting during active season for bats.
19. Submission and approval of a Badger Protection Plan.
20. Bat boxes, swift boxes and bee bricks shall be provided at a minimum rate of 1 bat box, 1 swift box and 1 bee brick per dwelling (with clustering of provision as appropriate) as well as provision for hedgehog holes.
21. Detailed design of the following matters as requested by the EA: the location and design of any SUDS features in the flood risk area; the new road culvert design; the culvert removal; and the minor watercourse corridor and functional floodplain.
22. Surface Water Drainage Condition as requested by the LLFA.
23. Ground contamination remediation scheme implementation.
24. Submission and approval of a Travel Plan.
25. Car parking and cycle storage to be provided prior to initial occupation of the relevant dwelling.
26. Development to be carried out in accordance with the submitted tree protection measures.
27. Submission and approval of tree pit details.
28. Details of underground service locations to ensure no conflict between new tree planting and services.
29. Tree planting to comply with British Standard; Trees: from nursery to independence in the landscape.

30. Compliance with carbon reduction measures, submission of sample SAP calculations and submission of a solar PV masterplan as requested by the Climate Change Officer.
31. EV charging infrastructure to be installed, at a minimum of one per each dwelling with off-street parking.
32. Revised drawings for affordable housing units to ensure compliance with NDSS if required by the Registered Provider.
33. Submission and approval of external materials and architectural features.
34. Submission and approval of public realm details including surfacing and any public realm furniture / structures.
35. Full details of the proposed public art project / installation including an implementation timetable.
36. Full details of formal and informal play space including equipment, surfacing, and fencing as well as additional footpath provision within the POS.
37. Full details of levels.
38. Removal of PD rights for upward extensions to Affordable and Retirement bungalows.
39. Waste Audit Statement.
40. Link road to Area 5

**21. MAJOR DECISIONS SUMMARY**

The Committee noted the major decisions summary sheet.

**22. APPEAL DECISIONS - TO NOTE APPEAL DECISIONS MADE BY THE PLANNING INSPECTORATE.**

The Committee noted the appeal decisions made by the Planning Inspectorate.

The meeting started at 10.00 am and finished at 11.30 am.

Chair  
Cllr Linda Goodman-Bradbury

**Planning Recorded Vote Roll Call Minute Item 20**

<b>COUNCILLORS</b>	<b>FOR</b>	<b>AGAINST</b>	<b>ABSTAIN</b>
CLLR JANET BRADFORD		<b>X</b>	
CLLR ALAN CONNETT	<b>X</b>		
CLLR HUW COX			<b>X</b>
CLLR ALISTAIR DEWHIRST	<b>X</b>		
CLLR MIKE HAINES	<b>X</b>		
CLLR JACKIE HOOK	<b>X</b>		
CLLR MIKE JEFFERY			<b>X</b>
CLLR ANDREW MACGREGOR			<b>X</b>
CLLR GOODMAN BRADBURY	<b>X</b>		
CLLR JOHN PETHERICK			<b>X</b>
<b>TOTAL</b>	<b>5</b>	<b>1</b>	<b>4</b>

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