

28 March 2024

## **OVERVIEW AND SCRUTINY COMMITTEE 2**

Overview and scrutiny of:  
Corporate Resources  
Planning  
Estates, Assets Economic Development and Parking  
Open Spaces, Leisure, Sport, Resorts and Tourism

A meeting of the **Overview and Scrutiny Committee 2** will be held on **Tuesday, 9th April, 2024 at 10.00 am** in the **Council Chamber, Forde House Offices, Newton Abbot, TQ12 4XX**

PHIL SHEARS  
Managing Director

### **Membership:**

Councillors Sanders (Chair), Buscombe (Vice-Chair), Bullivant, Foden, Hall, Hayes, Henderson, C Parker, P Parker, Parrott, Peart, Purser and Rollason

**Please Note:** The public can view the live streaming of the meeting at [Teignbridge District Council Webcasting](#) (public-i.tv) with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

## **AGENDA**

1. **Apologies**
2. **Minutes** (Pages 7 - 10)  
To approve the Minutes of the meeting held on 6 February 2024
3. **Declaration of Interest**
4. **Public Questions (if any)**  
Members of the public may ask questions of the Chair. A maximum period of 15 minutes will be allowed with a maximum period of three minutes per questioner. The deadline for questions is no later than three working days before the date of the

meeting i.e. should the meeting be on a Thursday the deadline would be the Friday before at 5pm.

**5. Councillor Questions (if any)**

Members of the Council may ask questions of the Chair of the Committee subject to procedural rules. The deadline for questions is no later than three clear working days before the meeting.

**6. Executive Forward Plan**

To note forthcoming issues anticipated to be considered by the Executive over the next 12 months. The Executive Forward Plan can be found [here](#).

**7. Work Programme**

(Pages 11 - 16)

To review the Committee's work programme

**8. Executive Member biannual update**

To receive a biannual update from the Executive Member for Open Spaces, Leisure, Sport, Resorts and Tourism

**9. Council Strategy Q3 performance monitoring report**

(Pages 17 - 36)

To consider the attached report

**10. Referral from the Procedures Committee- Notice of Motion - loss of section 106 contributions**

The Procedures Committee on 31 January 2024 referred the following NOM (presented at Council on 17 October 2023 by Cllr J Taylor) to this Committee with a recommendation that a task and finish group be set up with Cllr J Taylor being a member of the group.

The Minutes and agenda for the Procedures Committee on 31 January 2024 can be found at the link below

[Agenda for Procedures Committee on Tuesday, 30th January, 2024, 10.00 am - Teignbridge District Council](#)

*"I would like your support for the following motion, which I believe will improve transparency within the planning process and give councillors more decision making in regards to planning applications and amendments of major developments. It is particularly important that all decisions relating to the loss of agreed 106 affordable units, are made by the Planning Committee.*

*Planning is a process tied up in legislation, including the committee decision making element. Councillors are, when an application comes to committee, presented with recommendations, accompanied by detailed reports and are expected to adopt an open mind when deciding on the merits of that application. Often, the officer presenting the report has anticipated where concerns might lie and along with technical aspects listed conditions that will apply should the application be passed.*

*On large sites, those conditions might relate to aspects such as the number of affordable homes, children's play areas and green landscaping. Thus, typically, the committee members make a decision based on what is in front of them but in reality the ends product looks nothing like the approved application.*

*That application may then change beyond recognition by a process of amendments, submitted by the applicant and approved by delegated authority. It may never come back to the Planning Committee.*

*This is a well-established practice by Developers which enables the Plans to be passed and then amended so that the maximum profit can be achieved. It is called value engineering. I call it disingenuous and it's time it stopped.*

*The council are well aware of this process but choose to engage with it for fear of the monetary consequences of non-compliance. It is no secret that this council, along with many others, has an unhealthy dependency on the money provided by major house builders.*

*It is time to draw the line and take the first steps to breaking the cycle and distancing ourselves from this unhealthy relationship, by developing a transparent process and sending a clear signal to Developers. We will not be bartering to build houses. Submit, approve, build. We will no longer be engaging in planning ping pong.*

*The motion calls for additional transparency by ensuring that on all major developments (over 20 homes,) where variations to conditions are applied for, must be brought to the planning committee.*

*This is to apply to all 106 changes and any visible amendments, eg. change of materials, removal of garages, landscaping, etc.*

*All amendments on the grounds of viability, must come to the Planning Committee. (However, it should be an exception rather than the rule. Viability should be covered at the initial planning application stage. If a development is not viable then it should be withdrawn)."*

**11. Referral from the Procedures Committee - Notice of Motion - green improvements in conservation areas**

The Procedures Committee on 31 January 2024 referred the following NOM (presented at Council on 28 November 2023 by Cllr Mullone) to this Committee with a recommendation that it be referred to the task and finish group referred to at agenda item 10 above.

The Minutes and agenda for the Procedures Committee on 31 January 2024 can be found at the link below

[Agenda for Procedures Committee on Tuesday, 30th January, 2024, 10.00 am - Teignbridge District Council](#)

*“Large parts of residential Teignbridge are designated Conservation Areas. The rules for a conservation area come under Article 4 Directions that, unlike listed status for an individual building which are nationally codified, may be set and amended by a district council.*

*The rules for Conservation Areas in Teignbridge have not been re-examined for a long time. They do not take into account the sweeping changes in technologies, materials or group aesthetics. Neither do they account for the Climate Emergency that has been declared by many councils including this one.*

*Amendment to these rules is seriously overdue, most urgently in regard to windows and solar panelling. The rules on windows were drafted to stem the tide of shiny white plastic PVC windows being installed without thought in Georgian and Victorian houses that began to detract from areas of architectural heritage in the 1980s. These insist on like-for-like replacement of timber frame louver windows. Today windows are being made from airtight, scientifically advanced materials that are, to any observer, entirely in keeping with older houses and which would bring them up to environmental standards with no loss of area aesthetics.*

*Solar panels, meanwhile, may need a change in our culture. We have decided as a society that wind turbines do not ruin a landscape; in fact most of us are pleased to see them. We might adjust our sensibilities to accommodate solar panels on the roofs of older, architecturally attractive dwellings. None of them, after all, have the original roof anymore so it seems somewhat contrarian to object to solar panels being installed on them.*

*We need to permit sensible ecological adjustment in Conservation Areas, as blanket bans make no sense, run contrary to our declared Climate Emergency and the rules are currently being applied with no consistency at all. At the Forde Park Conservation Area in College Ward we have residents being persecuted for high quality modern upgrades next to houses full of PVC that have got away with it for years, seemingly because they weren't 'dobb'd in' by a neighbour within the required time.*

*I therefore propose that:*

*A task and finish group be put together to look at reassessing the limits of remodelling in the area's Conservation Zones with an eye to allowing green improvements.”*

**12. Referral from Procedures Committee -Notice of Motion - speaking at Planning Committee**

The Procedures Committee on 31 January 2024 referred the following NOM (presented at Council on 28 November 2023 by Cllr P Parker) to this Committee with a recommendation that it be referred to the task and finish group referred to at agenda items 10 and 11 above, and in the meantime the current process continues.

The Minutes and agenda for the Procedures Committee on 31 January 2024 can be found at the link below

[Agenda for Procedures Committee on Tuesday, 30th January, 2024, 10.00 am - Teignbridge District Council](#)

*“In light of recent presentations by supporters and objectors at recent planning committee meetings it is apparent that the quality and clarity of presentations can vary.*

*There are instances where councillors would benefit from being able to request clarification for a point made during a presentation enabling a better decision to be reached.*

*For this reason I request that standing orders for planning committee meetings are altered to allow, through the chair, questions requesting clarification of a point made during the presentation to be put to an applicant/objector and answered by them.”*

13. **Feedback on Task and Finish Groups** (Pages 37 - 64)

To receive a verbal update from the Medium Term Financial Plan Group

To receive a report from the Chair of the Car Parking Review Group

14. **Exclusion of the press and public**

It is considered that the Committee would be unlikely to exclude the press and public during consideration of the items on this agenda, but if it should wish to do so, the following resolution should be passed:-

**RECOMMENDED** that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting of the particular item(s) on the grounds that it involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A of the Act.

If you would like this information in another format, please telephone 01626 361101 or e-mail [info@teignbridge.gov.uk](mailto:info@teignbridge.gov.uk)