

PLANNING COMMITTEE

18 NOVEMBER 2024

Present:

Councillors Atkins, Bradford, Bullivant, Buscombe, Goodman-Bradbury, Hall, Hook, Nutley, Nuttall, Palethorpe, C Parker (Chair), Parrott, Sanders, J Taylor and P Parker (Substitute)

Members in Attendance:

Councillors Daws, Farrand-Rogers and G Taylor

Apologies:

Councillors MacGregor

Absent:

Councillor Cox (Vice Chair)

Officers in Attendance:

Paul Woodhead, Head of Legal & Democratic Services and Monitoring Officer

Ian Perry, Interim Head of Development Management

Dave Kenyon, Area Team Leader

Christopher Morgan, Trainee Democratic Services Officer

Artur Gugula, Planning Officer

Patrick James, Principal Planning Officer

68. MINUTES

It was proposed by Councillor C Parker and seconded by Councillor Sanders that the minutes of the previous meeting were agreed but with amendments to add in the omitted names of Councillors from minute items 61, 65a and 65b.

A vote was taken – the result was 9 in favour, 2 against and 2 abstentions.

Resolved

That the minutes of the previous meeting were agreed but with amendments to add in the omitted names of Councillors from minute items 61, 65a and 65b.

69. DECLARATIONS OF INTEREST.

Councillor Bradford declared an interest in agenda item 6a. She considered herself predisposed but not predetermined as she had been part of the Newton Says No protest group. She spoke and voted on this item.

Councillor Bullivant declared an interest in agenda item 6a as he ___. He left the room during consideration of this item and so did not speak or vote on it.

70. PLANNING APPLICATIONS FOR CONSIDERATION - TO CONSIDER APPLICATIONS FOR PLANNING PERMISSION AS SET OUT BELOW.

a) 24/00694/MAJ - Wolborough Barton, Newton Abbot

Councillor P Parker proposed, and Councillor J Taylor seconded, a vote of no confidence in the Chair as he had denied Cllr Daws' request to speak on the application. It was stated that Cllr Daws was not the ward member but represented the adjoining ward, and he had not advised the Chair beforehand but had advised the Vice-Chair.

The result of this vote was 4 in favour, 8 against, and 2 abstentions and so the vote is lost.

The Principal Planning Officer introduced the item to the Committee. He provided updates on the following:

- In accordance with the Devon Flood Officer's own consultation response of 10th June, the detail of the drainage infrastructure has already been approved on 11th June, under reference 17/01542/COND14. Members were advised to read paragraph 6.16 on page 40 with this in mind.
- In an email received on the preceding Friday, the Police Liaison Officer re-stated his earlier response that he has no objection to the scheme. Officers responded to other aspects of the email by noting that
 - The location is consistent with the Masterplan and Design Code
 - It is considered that the play area would be overlooked from the approved bar, restaurant and hotel in the west; the shops and facilities to the south west, community hall immediately to the south; and the primary school in the south east.
 - The play area is not situated at a one-way dead end; in contrast, in addition to the main path through the site running to the east, access is also intended to be provided to the hotel and restaurant complex to the west; and to the community hall, the school and the local centre to the south – so footfall levels in the vicinity can be anticipated to be high.
 - Officers considered the there are many successful examples of play areas set within existing parkland open space areas – it is not considered essential from an urban design view that all new play areas should be surrounded by housing.
- In accordance with the late response from the Highways Officer, the Pumping Station Access plan has been revised. Plan SK 57A is superseded and replaced with plan SK 58C. This included pages 28 and

41 in the report.

Public Speaker, Supporter – Spoke on:

- Benefits for wildlife
- Biodiversity enhancements
- Green spaces provides health benefits to local residents
- The application accords with all relevant documents such as the Masterplan
- No objections from statutory consultees
- Local planning authority will have powers in place to protect the fen.
- 50 percent of the dwellings on site are to be inhabited before construction begins for this application.

Comments from Councillors during the debate included:

- The proposed play park should have more surveillance.
- Magazine lane is pedestrian only.
- High amount of traffic along coach road.
- Preservation of the trees and hedges on site is to be commended.
- The proposed cycle path will be connected to the wider cycle path grid which will provide improved transport options.
- Coach road needs a pavement for pedestrians into Newton Abbot town.
- Magazine lane is particularly steep which would affect disabled residents.
- Attractive open space area.
- Concerns around impact on the fen.
- Natural England still have concerns about impact on the fen.
- Condition 6J requires the definition of the Wolborough catchment area to take place.
- Condition 6J requires use of infiltration SUDS.
- Condition 10 is focused on surface water rather than wider ecological considerations.
- There is not enough detail to define SUDS area, resultingly there is not enough information to make a decision.
- Percolation tests were carried out a considerable time ago.
- Where can the results of the percolation test be found?
- Why were Natural England not consulted before discharge of condition 10?
- Concerns around discharges of conditions 6J, 10, and 20.
- Need for understanding of groundwater catchment, not enough information on the suds.

In response to comments, Officers responded that:

- The choice to walk along Coach Road was up to members and they were wearing high-vis vests.
- East Street eastbound road is closed, hence the increased traffic levels along Coach Road.
- TDC is not the highways authority, Devon County Council is.
- Consultees express concerns but these are not objections – in this case NE want the best quality for condition 20.

- Local Flood Authority always seeks infiltration SUDS.
- All sites that have come forward have been impermeable in regards to putting in infiltration SUDS.
- Drainage is not a reserved matter but layout is.
- Design code masterplan includes the suggestions of Natural England
- Natural England's comments in full are available online.
- Concerns around the discharge of condition 20 have been passed on to the applicant
- Natural England raised no objections to the design code
- The documentation on the granting of the outline permission can be found under the relevant application number online.
- Drainage is not a reserved matter

It was proposed by Councillor Hook and seconded by Councillor P Parker that decision be deferred pending the following:

- Officers to provide the percolation tests including when and where these tests took place.
- Satisfaction of condition 6J which requires precise information on how the study of the Wolborough fen SSSI is being carried out.
- Satisfaction of condition 10 which requires further groundwater information and consultation with Natural England and other relevant bodies.

A roll vote was taken. The result is listed below:

For: Cllrs Atkins, Bradford, Goodman-Bradbury, Hall, Hook, Nutley, Nuttall, Parrott, Sanders, J Taylor, and P Parker (11)

Against: Cllrs Buscombe and Palethorpe (2)

Abstained: Cllr C Parker (1)

Resolved

That decision be deferred pending the following:

- Officers to provide the percolation tests including when and where these tests took place.
- Satisfaction of condition 6J which requires precise information on how the study of the Wolborough fen SSSI is being carried out.
- Satisfaction of condition 10 which requires further groundwater information and consultation with Natural England and other relevant bodies.

71. E2.01.164 - LAND NEXT TO 30 MOORSEND, NEWTON ABBOT

This item was withdrawn by officers before the start of the meeting.

72. APPEAL DECISIONS - TO NOTE APPEAL DECISIONS MADE BY THE PLANNING INSPECTORATE.

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

73. S73 MAJOR DECISIONS SUMMARY

The Committee noted the Major Decisions Summary Sheet.

The meeting started at 10.00 am and finished at 12.25 pm.

Chair
Cllr C Parker