

PLANNING COMMITTEE

16 MARCH 2021

Present:

Councillors Haines (Chair), Goodman-Bradbury (Vice-Chair), Bradford, Bullivant, Clarence, Colclough, Hayes, J Hook, Jeffery, MacGregor, Nuttall, Nutley, Patch, Parker and Hocking (Substitute)

Members in Attendance:

Councillors Connett

Apologies:

Councillors H Cox, Kerswell and Eden

Officers in Attendance:

Rosalyn Eastman, Business Manager, Strategic Place
Trish Corns, Democratic Services Officer
Paul Woodhead, Solicitor & Deputy Monitoring Officer
Steven Hobbs, Senior Planning Enforcement Officer
Christopher Morgan, Trainee Democratic Services Officer

34. MINUTES

The minutes of the previous meeting were signed as a correct record by the Chair.

35. DECLARATIONS OF INTEREST.

Councillor Patch declared an interest in application 20/00375/MAJ as he stood against the applicant in the last district council election. He did not speak or vote on this item.

a) **20/00375/MAJ Higher Mead Farm, Ashburton**

It was proposed by Councillor Haines and seconded by Councillor Nutley that permission be granted as set out in the report.

A vote was taken and was unanimous.

Resolved.

That permission be granted subject to the following conditions:

1. The development shall be retained in accordance with the approved plans
2. Within 3 months of this decision notice, a Landscape and Ecological

Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority;

3. No external lighting shall be installed on, or in association with, the storage area, except for low-intensity, PIR motion-activated lights on a short timer (bats or other wildlife);
4. Storage shall be of caravans, boats and motor homes/vehicles and for no other purpose including any other use falling in Use Class B8.

b) **Enforcement - The Orangery**

The Business Manager introduced the item and put forward the amended recommendation. The Senior Enforcement Officer presented the report

Comments from Councillors include:

- The site is being used as a business as seen on the website
- Involvement of Heritage England
- Increased traffic to site
- Local Plan supports requesting a Planning Application
- A resident has commented that they view the site as a business
- Ensure that there is no material impact
- Lack of car parking for the site
- Planning application request will not be forced upon the site operators
- Negative impact on the drive of the neighbouring property
- Concerns about the impact on wildlife

It was proposed by Councillor J Hook and seconded by Councillor Haines that the committee agree the revised recommendation, set out below.

A vote was taken and was unanimous.

Resolved

That the Enforcement Officer will not take any further action at this time but as it is clear from the Company's website that there is to be an increase in the level of activities when the current lockdown comes to an end a planning application should be requested. This should help control the frequency and scale of the activities occurring.

If no application is received within 4 months then a Planning Contravention Notice should be served to ascertain the actual activity levels at that time. Then depending on the outcome of the investigations a further decision on whether or not enforcement action should be taken would be made within 6 months.

36. CONSIDERATION OF PAS "MINI PEER CHALLENGE" RECOMMENDATIONS

The Chair read through each of the PAS recommendations. The first recommendation was to downsize the Committee.

Planning Committee (16.3.2021)

Comments from Councillors include

- A larger committee ensures more voices are heard
- There should be more information in the comparison
- The last update to the size of the Committee was too recent to update again
- Non-committee members can give their views by asking the chair to speak at Planning Committee
- Ward members need to be able to take part in discussions

The second recommendation was to ensure Site Inspections are well attended and members are informed to make decisions following.

Comments from Councillors include:

- Non-attendance of site inspections shouldn't exclude members from voting
- There should be little time between a site inspection and the application coming to Committee
- Site inspections should remain infrequent
- Decisions should be made by people who sufficiently understand the application
- The current rules for site inspection work well

The third recommendation was to ensure that members of public had sufficient opportunity to speak.

Comments from Councillors include:

- There are multiple opportunities to give views before Committee
- Ensure that there is sufficient time to give views
- Remove all limits to public speaking
- Names of speakers should be made public on the front of the agenda
- Town and Parish Councils should be included as an extra speaker
- How does the current speaker system work?
- Public speakers could be asked questions at Committee
- Ensure that public speakers are not limited
- Public speakers should be further identified before Committee.

The fourth recommendation was to provide joint training to members and officers to help develop understanding between them.

Comments from Councillors include:

- The training would help explain complexities in the consideration of planning applications
- Provide training to Town and Parishes as well
- Disagreements between Officer and Councillors doesn't require training
- More pre-committee contact between members and officers would also help
- Training could be provided in the style of a planning café.

Votes were taken on the proposed implementations of each of the PAS recommendations. All four were unanimous.

Resolved

That the Planning Committee supports the following as a result of the PAS report:

1. The membership of Planning Committee remains at 17 members
2. All members are invited to attend Site Inspections, and there is a time limit following a Site Inspection to bring the application before the Committee
3. The criteria for speaking at Committee be updated to ensure public speakers can be effectively identified, and that an exclusive slot be added to ensure that representatives from Town and Parish Councils can speak in addition to the public speakers.
4. The Business Manager to organise joint member/officer training with input from the Chair and Vice-Chair.

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

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

In response to a comment from a Councillor, the Business Manager explained that there had been more non-determinations as a result of staff turnover and the impact of Covid-19.

The meeting started at 10.00 am and finished at 12.17 pm.

Chair
Cllr Mike Haines