

Planning Committee – Tuesday 15 February 2022
Late representations/updates

| Item No. | |
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| 7a. | <p>21/02547/HOU - 34 St Marys Road Teignmouth</p> <p>Retention of extension to approved front balcony</p> <p>No Updates Received</p> |
| 7b. | <p>17/02480/MAJ - Land At NGR 293230 74784 Higher Exeter Road</p> <p>Reserved Matters Approval for 255 dwellings (approval sought for layout, scale, appearance and landscaping) pursuant to Outline Planning Permission 14/00447/MAJ (residential development of up to 255 homes and associated infrastructure - approval sought for access)</p> <p>Three additional letters of objection (viewable online) have been received largely reiterating points already summarised within the Committee Report and Update Report and raising the following summarised points:</p> <ul style="list-style-type: none"> - Although outline consent has been granted surely the errors and omissions in the original application and the contravention of many policies can be reconsidered at this stage. - Matters should not be left to condition but resolved now. - Drainage Plan states that “Ground Water Drains may need to be installed at this site to try and keep the ground water down to a level that would maintain the stability of the site ...further investigation required”. Ground water drains will definitely be needed and the word try implies possible failure to control ground water. A condition should be placed on the permission that before construction commences a full ground water assessment and design is submitted and approved, with supporting investigations. - Drainage Plan states “confirmation of arrangements for operation and maintenance in perpetuity”. The only reference to this is that the drainage will be offered to the local water authority for adoption. A condition should be placed on the permission that before construction commences the water company confirms that it will adopt the surface water drainage system including all storage tanks and flow control devices. - Suggest that this application be refused or deferred again until SWW are able to confirm and prove that the existing foul drainage can accommodate an extra 255 properties without causing more capacity problems or increased operation of storm overflows. <p>As set out within the Committee Report, the application is for reserved matters approval only and the outline consent and matters of principle cannot therefore be revisited at this stage. The use of conditions is standard planning practice and therefore refusal of an application when the detail could be appropriately secured by condition would be unlikely to be sustained at appeal.</p> <p>In terms of drainage, the applicant submitted additional information over the course of the application to address the concerns raised by Devon County Council as the Lead Local Flood Authority and they have confirmed (as set out within the Committee Report) that their previous objection has been withdrawn and they have no objections subject to a condition being imposed for no development above slab level until a detailed assessment of the condition and capacity of the existing highway drainage on Higher Exeter Road and evidence that the existing ditches at the site have been cleared, vegetation has been cut back and the channels have been formalised has been submitted and approved. In terms of the adoption of the surface water drainage system, as with the adoption of roads, a condition requiring the adoption would fail to meet the required tests as a condition cannot require the adoption of infrastructure by a third party. With regards to foul drainage, the outline</p> |

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| | <p>planning permission granted consent for the erection of up to 255 dwellings on the site and no objections have been received from South West Water to either the outline or reserved matters submission. The development is expected to connect to the mains sewer as stated on the outline planning application form and it will be a matter between the developer and South West Water in terms of making that connection. It is highly unlikely that a refusal of the current reserved matters submission on foul sewage grounds could be substantiated at appeal.</p> <p>The Officer recommendation remains that reserved matters approval be granted subject to the conditions as set out in the Updated Committee Report.</p> |
| 9 | <p>Tollgate Farm Appeal Reference 21/00021/NONDET</p> <p>Planning application details - Teignbridge District Council</p> <p>Members may have seen the Appeal that was recently Allowed at Tollgate Farm in Chudleigh Knighton for c. 60 new homes outside the Settlement Limit. This will be included in next Month's summary of decisions but is flagged here to help you respond to any questions you may receive.</p> <p>The Inspector in this appeal preferred the Appellant's information regarding our 5 year housing land supply and therefore allowed the appeal.</p> <p>We have since updated and re-presented our 5 year land supply statement and the Inspector expressed, 'doubt that my 5YHLS finding would hold true beyond this appeal should the Council present ... evidence in a comprehensive ... manner in response to a similar challenge (para 25)'. We therefore remain of the view that our housing land supply position is robust.</p> <p>TDC Housing Land Supply 2021 December (teignbridge.gov.uk)</p> <p>This decision does however illustrate the need for Officers and Members to continue to work to ensure we have up to date information and evidence regarding the status of the sites that make up our 5 year housing land supply and similarly to support delivery on all sites once permission has been granted in order that we are in the best possible position to resist applications for less sustainable development beyond our settlement boundaries and away from well serviced settlements.</p> <p>By way of a further reminder of the background, the Housing Delivery Test results were published by Government earlier this year and we scored 86% - down from 98% last year.</p> <p>Housing Delivery Test: 2021 measurement - GOV.UK (www.gov.uk)</p> <p>This means that a housing delivery Action Plan needs to be published over the coming months but there is no increase (from 5% to 20%) for our 5 year supply buffer and no automatic presumption in favour of sustainable development at this stage. There is further government guidance and explanation below.</p> <p>Housing supply and delivery - GOV.UK (www.gov.uk)</p> <p>The current Local Plan was designed to meet a requirement for 620 homes per year, rather than nationally set targets of ~755. This is one key reason why the new Local Plan is required.</p> |