

SOUTH HUISH PARISH COUNCIL

Minutes of Parish Council Meeting

Date: 15 th August 2018		Venue & Time: Galmpton Village Hall, 19.00hrs
Present: Cllr Elizabeth Brimmacombe Cllr Simon Coleman Cllr Paul Green Cllr Jo Hocking Cllr Anne Rossiter Cllr Alan Rundle	In Attendance: Kathy Harrod (Clerk & Minute taker) Cllr Simon Wright 46 Parishioners	Apologies: Cllr Bruce Williams Cllr Rufus Gilbert Cllr Judy Pearce PCSO P O'Dwyer

REF 2018/19 MINUTES

MEETING FOCUS: Planning

145.18 DECLARATIONS OF INTEREST: Declarations of interest were received from Cllr Coleman in respect of planning for Lantern Lodge/Tamarisks, Cllr Rossiter declared an interest in respect of Lantern Lodge. The councillors withdrew from these discussions.

146.18 PLANNING –

List of applications

Prior to commencement of this element of the meeting a reminder was made to all attendees that those wishing to speak should stand and, once asked to talk, they address the Chairman with their comments. Respect must be given to all attendees, everyone would have the opportunity to talk but will have to wait their turn. Attendees focusing on non-material considerations would be advised accordingly and those comments will not be incorporated into the minutes. The chairman reserved the right to ask those not respecting these protocols to leave the meeting and/or have their comments struck from the record. Due to time constraints people wishing to speak may be restricted to one representation each.

The following examples of Material Considerations were provided to those in attendance:

Material Considerations	Non-Material Considerations
Loss of light or overshadowing	Perceived loss of property value
Overlooking/loss of privacy/overbearing	Private disputes between neighbours
Visual amenity	Loss of private view
Access, Traffic, Highway safety	Restrictive covenants
Economic impact	Ownership disputes and land ownership
Effect on listed building and/or conservation area, World Heritage Site	Inconvenience caused by building works
Design, siting, appearance and materials	The fact development has already started
Planning history/related decisions	The applicant and personal circumstances (unless in exceptional circumstances)
Noise, smell, pollution	Private rights (access)
Ecology and landscape	Competition

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Crime (or fear of)	"Moral" issues
Flood Risk	Number of objections received

(A) 2066/18/FUL Lantern Lodge Hotel, Grand View Road, Hope Cove, TQ7 3HE

Demolition of hotel (14 guest bedrooms, 4 staff bedrooms, indoor swimming pool, lounge/bar/dining areas etc) and construction of a mixed-use development of 9 serviced short-term holiday let apartments (providing total of 16 bedrooms), 1 unit of owner's/manager's accommodation and 5 residential apartments.

Attendees were asked to present their comments:

- Question made to agent by Mr Allies – I understand from your website that Devon Halo is especially skilled in complex and contentious planning issues so this application is right up your street.

I note from your LinkedIn pages that you have a Planning Degree and were Planning officer for South Hams Council from 2002 to 2004 and a Senior Planning Officer from 2004 to 2014 and Planning Team Leader from 2014 to 2015.

As Agent for Lantern Lodge Hotels Ltd which I assume you know is listed by Companies House as a Company undertaking the development of building projects rather than running a hotel you are responsible for this application and signed a declaration that states:

'I confirm that, to the best of my knowledge any facts stated are true and accurate.'

I am sure any Planning Consultant would be aware of a statement The Parliamentary Under-Secretary of State for Communities and Government's made in response to a question from Priti Patel and I quote.

'The planning application process relies on people acting in good faith. There is an expectation that Applicants and those representing them provide decision makers with true and accurate information upon which to base their decisions.'

and

'If a local planning authority feels that an application does not accurately or fully describe the proposed development, or that it is in any way misleading, it is entitled to ask the application to amend it or rectify any omissions before it agrees to process the application.'

and

'If any party considers that the application includes deliberately misleading information, or lacks important information that would be material to the decision, they should report this to the relevant local authority who will decide what action is appropriate'

There are a number of errors in your Application Form and what is described by you as the Planning Design and Access Statement and associated documents.

I am not qualified to decide whether or not this is deliberately misleading but I have reported to SHDC that this application lacks important information that I believe would be material to any decision.

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How 16 parking spaces on the submitted plans equate to 20 Parking Spaces as stated in Section 19 of the Application Form?

Why the Applicants clearly show and propose to remove a hedge in the associated document when according Section 15 of the Application Form there are no hedges on the site?

How 1100 square meters of Hotel can exist on a site measuring 244 square metres as described in Section 18 and Section 21 respectively of The Application Form.

And

Why the proposed 1200 square metres of non-residential floorspace is not mentioned in the Application Form?

I also wonder

Why the details of the pre - application Advice given to you by your former colleague is not included in the Application Form

And

Why Devon County Council Highway Authority have objected to the proposal when your Planning Design and Access Statement states that detailed pre-planning discussions have taken place with DCC Highways to ensure that the proposals put forward in this application are acceptable.

Given your experience I would welcome your views on what would constitute appropriate action regarding this application by the relevant local authority.

Response from Ms Crowther of Devon Halo:

- a) Pre-application advice has been received verbally today and a written response has been requested.
 - b) This pre-application advice has been taken both on site and at council offices.
 - c) Re Highways – there has been dialogue with the Devon Highways officer, no parking comments were made re pre-application, we are still in dialogue and in conversation with the relevant officer to revise parking availability.
 - d) Re floor area – this information was received direct from the architect
 - e) Non-residential floor area not answered as not required on form.
 - f) If SHDC requires more information they would be requested to ask.
 - g) If SHDC consider that there are factual errors, they are expected to come back to the applicant.
- Ms Beavis listed concerns as follows –
 - a) The main access road is a cinder track with few passing places. Access is already difficult, especially so during mid/high season. This is particularly problematic for the emergency services; how can an ambulance get through when even small vehicles are affected. The addition of fifteen self-catering facilities will severely exacerbate the situation, they will be serviced by delivery vans, supermarket orders etc which also impacts local businesses as the monies from these purchases do not enter/support the community.
 - b) The application states there are no trees/hedges but also states there will be removal of trees hedges.
 - c) The Lantern Lodge website states the hotel is full to the end of September, how is this considered to be a failing business?

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- d) The curtilage of the hotel is within 16m of a cliff, development/removal of trees and hedges will lead to increased incidence of rock fall/collapse.

Other parishioners raised the following:

- Lantern Lodge Hotels Ltd was formed in July 2017 for this development – it is listed as a business for development of building projects. Proof that owners did not ever intend to run the property as a hotel and only ever purchased it to develop it and sell on.
- Section 12 local plan. 1. Provide 2 years of occupancy. Advertise hotel as going concern at market rate for one year. The current owners have not listed it for sale and it has not been run as a hotel, only as a B&B. The accounts ended 2018 are not representative of a hotel and show distorted figures with closure of the hotel for 5m having only been run for 3m. Virtually nothing has been spent on advertising/marketing – a simple method of distorting success and viability. With the South West Coast Path (SWCP) running outside the door there is without doubt significant potential to increase trade for the existing development. The new proposed plans are a blot on the landscape destroying natural beauty. No one wants to see Hope Cove being turned into a mini Salcombe.
- Mr Hassall –
 - a) The occupancy of Lantern Lodge has typically been adults with few children. This will change significantly if development of self-catering properties and apartments is approved.
 - b) The smell of sewage in Galmpton is a daily occurrence yet South West Water continue to accept any development regardless of size irrespective of the continuous issues with the system capacities. Could an independent survey be undertaken to review this situation?
- Dave Clark Chairman of the Harbour Commission.
 - a) The capacity of the sewage system falls to the pumping station by Shipping House, then to Galmpton and back to the beach. The system is at capacity. Each time there is an issue it becomes clear that there is a fat problem in tanks when South West Water pump them out. Unfortunately, each time there is a problem, South West Water wait until there is a spillage, at which point the Harbour then becomes responsible.
 - b) Grand View Rd is a Cinder track, there is no drainage on the road. Further development will cause the road system to suffer.
 - c) This is a protected Conservation area. Development on that site is likely to affect the landscape and increase the incidence of cliff falls. Visually its design and appearance will affect the AONB, especially the SWCP.
- A previous applicant was refused development permission on the following basis:
 - a) The application proposes the loss of a valued tourist facility in a prime location without any explanation of why an alternative solution cannot be found to maintain a business providing tourist services and some local employment. The loss of such a facility would be harmful to the purposes of the AONB designation and is contrary to policies DP12, DP14 of the South Hams Development Policies DPD and the National Planning Policy Framework.
 - b) The proposed development does not provide affordable housing provision in an area with an exceptional and demonstrable local need. No justification has been provided by way of submission of a suitable viability study that indicates that such provision would compromise the overall viability of the development. As such the proposed development is considered contrary to South Hams Core Strategy Policy CS6 and the provisions of the South Hams Affordable Housing SPD.

The parishioner further noted the following points:

- a) There have been no obvious efforts by the new owners to make the hotel work.
- b) A 15ft width is not adequate for a two-bed property plus corridor.

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- c) No bat report is available.
- d) There is nothing to prevent the owners from selling all properties as residential.
- Mr Hart – The holiday home ratio is currently a minimum of 75% and growing by at least 2% per year. The Neighbourhood Plan Survey has many comments about second homes etc. These second home figures are damaging to the community, a community that will not be sustainable if this type of development continues.
- If NDP had been in place would this development be avoided?
- Mrs Hibbert –
 - a) We have already seen several sewage spills on Donkey Path, rainwater goes into sewage system and ultimately ends up with sewage on Mouthwell beach, the sewage system must be fit for purpose prior to further development in the parish.
 - b) Even small developments in the village cause chaos, access is affected, highway safety reduces while traffic increases – often with no adequate parking provision. A development of this size at the end of a cinder path that already has access issues will be dangerous.
- Grand View Rd Resident with 3 young children: There is a huge impact on the safety of local families if these plans proceed. Increased traffic and deliveries along a narrow road along with increased double parking on Grand View Road will lead to a health and safety issue, particularly the safety of the young/less able and elderly in the area.
- Mr Clayburn resident. The National Planning Policy with reference to Development in Coastal Villages states that in these locations it is important to strike a balance and to maintain/improve viability while being of appropriate scale AND meeting the needs of LOCAL people. If developers can truly prove that Lantern Lodge is not viable and can then give an option to make changes that comply to the letter of this document, parishioners may feel differently. However, currently there is not adequate parking provision, the building is significantly larger and there are numerous queries as to why the property is not/or could not be made viable. Further noted that the application has a significant number of material errors which must be corrected prior to further consideration.
- A policy was introduced some year ago in respect of protection against the loss of hotel rooms. Owen Masters specifically added Hope Cove to that list and as far as SHPC are concerned, it is still in existence, local policy and relevant to this parish.
- A query was raised re the number of B&Bs in Hope Cove. It was felt that those providing value for money were viable, this was confirmed by the owners of Paxhaven.
- Mr Allies – experience in this field shows that costings for the new development are too low. Vehicle movements are also incorrect. There is currently signage in place stating, 'Unstable Cliff Stay Away', the proposed removal of the hedge will affect root structure and there are no plans for fencing at the cliff edge. The applicant is looking to encourage families, presumably who will play by the cliff. This is clearly a very significant Health & Safety issues as well as detrimental to the AONB and geology of the area.
- **The owner advised that the Lantern Lodge Hotel is neither making nor losing money.** The new scheme is to create a modern building with some residential and some self-catering accommodation. There has been little if any investment from the previous owner, the new owner had not purchased it as a hotel and was not prepared to spend £700k to bring up to standard, however they would spend the required monies to create properties as per the planning application. The owner further advised they are currently working on wording/clauses for sale/Self Caterine.
- The turnover of this established B&B could be relatively easily developed further by increasing the food/beverage offering to provide lunches, dinners and a fully licensed bar area. There is a large

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lawn and significant passing trade to allow for increased seating with an outstanding view during fine weather. The current turnover is minimal in comparison to properly run hotel – and a direct comparison would always be shown as detrimental to viability.

- Additional concerns re construction of new premises, damage to infrastructure, subsoil on move, cliff shrinking and damage to the road.
- Ms Hibbert stated that more affordable accommodation is required for locals, holiday accommodation is not a requirement. Further noted that there have been two cliff falls this winter already, any building project in this area will impact the AONB, landscape and potentially the geology of the area.

A Vote for/against the application was taken, with the Applicant and Ms Crowther for the proposal and the other forty-four attendees being against the proposal. Councillors refrained from voting.

(B) 2269/18/FUL Tamarisks, Hope Cove, TQ7 3HH

Extensions and modifications to existing main detached house, first floor extension to side annexe and creation of one new apartment above garages

- Destruction of a Devon Bank, a dominant natural feature teeming with flowers and wildlife in an AONB by the SWCP.
- Harbour Commissioner. Development falls slightly outside the boundary but will affect the harbour if there is any erosion. There will be massive erosion in a few years. Subterranean drilling/digging into bank will cause further issues with cliff falls.
- Effluent – pipe connecting runs directly in front of the location, and, if damaged, the pipe will have to be re-routed causing major disruption.
- Mr Bowden, Bayside, adjacent to Tamarisks: The road leading up from Sun Bay is part of SWCP, the road is already narrow, further impacted by cars on it and pedestrian traffic, this is already a dire parking situation. Highways will notably worsen if Tamarisks obtains permission
- Owner of Tamarisks advised that the property was purchased as retirement home. The stairs leading up into the house are safety issue. He has been guided by architects, Richard Atkinson who advised that all works would be better dealt with at one time.
- Parking – noted when people park on the left, the proposed garage would not be accessible.
- There are issues with privacy, light and access.
- Was any consideration given to Seahorses (house behind)? The owner did not have the answer.
- A local geologist advised he would not invest in that property. Cllr Wright stated that the geology of the property and any potential effects caused by works would be taken into consideration by SHDC when making a decision.
- A drainage assessment is required.

A vote for/against the application was taken with two votes for the application and twelve votes against the application.

Cllr Wright has provided the following list of policy documents that parishioners need to help compile comments for support/objections to SHDC.

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment
CS12 Tourism

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Development Policies DPD

DP1 High quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP5 Conservation and Wildlife
DP6 Historic Environment
DP7 Transport, access and Parking
DP12 Tourism and Leisure
DP14 Protection of Employment Land

South Hams Local Plan

SHDC 1 Development Boundaries

Emerging Joint Local Plan

National Planning Policy Framework

(C) 2433/18/HHO Waverley, Grand View Road, Hope Cove, TQ7 3HF – decision delayed until September meeting.

143.18 FINANCE & GOVERNANCE –

- a. **Receipts & Payments** – Month 5
- b. **Accounts to pay** – Clerks Salary, HMRC & Expenses £292.78, Proposed Cllr Coleman, seconded Cllr Rossiter
NB. The advertised strimmer service receipt not received, payment delayed until September.
Proposed Cllr Rossiter, seconded, Cllr Green,

At 20.10 hrs the Chairman declared the meeting closed

Next Meeting Date **5th September, Galmpton Village Hall, 7.30pm**

Signed as a true record: _____

Print Name & Date: _____

Agenda Items and Updates; where possible please submit to the Clerk by the first Wednesday in the month to ensure time for inclusion, circulation and study. If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to the Clerk for distribution) together with their apologies.

Distribution List

Cllrs Brimmacombe, Coleman, Green, Hocking, Rossiter, Rundle & Williams **For Information to:** County Cllr R Gilbert, Dist. Cllr Judy Pearce, Cllr Simon Wright, WPC Pengilly, PCSO O'Dwyer, South Huish Parish Council Notice Boards, National Trust, Richard Pollard, Dave Illingworth