

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE  
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 3 SEPTEMBER 2008**

**MEMBERS**

\* Cllr G J Fielden - Chairman

\* Cllr D W May - Vice-Chairman

∅ Cllr H D Bastone

\* Cllr J Brazil

∅ Cllr B F Cane

\* Cllr R J Carter

\* Cllr S E Cooper

\* Cllr P Coulson

\* Cllr J D Hawkins

\* Cllr M J Hicks

∅ Cllr P W Hitchins

∅ Cllr I Longrigg

\* Cllr D M O'Callaghan

∅ Cllr J T Pennington

\* Cllr R Rowe

\* Cllr J W Squire

\* Cllr R C Steer

\* Cllr R J Vint

\* Cllr A Ward

∅ Cllr J A Westacott

\* Denotes attendance

∅ Denotes apologies for absence

Officers in attendance for all agenda items:

Head of Planning and Building Control, Area Planning Officer (Eastern Area),  
Planning Assistant, Landscape and Recreation Manager, Solicitor and Senior  
Member Support Officer.

**DC.19/08 MINUTES**

The minutes of the meeting of the Committee held on 30 July 2008 were confirmed as a correct record and signed by the Chairman.

**DC.20/08 DECLARATIONS OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of the meeting. These were recorded as follows:-

Cllr D W May declared a personal interest in planning application 49/1207/08/F (resubmission of 49/0325/08/F for erection of detached dwelling – 47 New Park Road, Lee Mill Bridge, Ivybridge, PL21 9EB) by virtue of his acquaintance with the applicants' architect and remained in the meeting and took part in the discussion and vote on this application.

Whilst not formally declaring his interest to the Committee, the Council's Solicitor, Steven Evans, declared a prejudicial interest in item 8a 'Beacon Lodge, Beacon Lane, Kingswear (Application 2701)' by virtue of work he had undertaken on behalf of the landowner, and therefore left the meeting whilst this item was being considered.

**DC.21/08 PUBLIC PARTICIPATION**

The Chairman announced that the following members of the public had registered their wish to speak at the meeting:-

- 52/0842/08/F – Supporter; Mr Pring  
Resubmission of planning application 52/2349/07/F for erection of garage – Stonecroft, Hillfield, Stoke Gabriel, Totnes, TQ9 6SH;
- 2701 – Objector; Mr Folca – Supporter; Mr Boote  
Application for tree works to be carried out at Beacon Lodge, Beacon Lane, Kingswear; and
- 2707 – Objector; Mr Folca  
Application for tree works to be carried out at Kingswear Wood, The Lane House, Kingswear.

**DC.22/08 SITE INSPECTIONS****(a) Applications deferred at this meeting****RESOLVED**

That a Site Inspection Group comprising the Chairman and four other Members who were present at the meeting be appointed to consider applications deferred at this meeting for that purpose.

**(b) Report of the Site Inspection Group held on 20 August 2008****(i) 04/0420/08/CU – Change of use to parking and routine safety maintenance inspections of coach fleet and staff parking – Unit 1, Hursley Business Park, Blackeven Hill, Roborough, Plymouth, PL6 7AD**

Members were informed that due to the Site Inspection Group being inquorate, the Members who were present were unable to make an informed recommendation to the Committee on this proposal. However, those Members who were present did examine the site and observed that, with the consent of a local Ward Member who was also in attendance, the application would be acceptable if a condition was incorporated which constrained the coaches to a right hand turn only onto the main road. Furthermore, the applicant had agreed to maintain the hedge to ensure clear visibility for traffic.

Prior to taking a vote on this item, a Member raised concern that a formal site inspection had not taken place and therefore **PROPOSED** a further site inspection. However, this was not subsequently **SECONDED**. Members concluded that with the observations of those Members who had visited the site, and confirmation that a local Ward Member supported conditional approval of the application, there was sufficient information to conditionally approve the application. It was therefore:-

### **RESOLVED**

That in respect of planning application 04/0420/08/CU, the application be conditionally approved.

#### Conditions

- 1 – TIM3 (Standard time limit three years)
- 2 – Non Standard  
Access Route to Site

- (ii) **37/0998/08/F – alterations and extension to dwelling to include erection of new garage. Conversion of existing garage to music/play room – 16 Perches Close, Membland, Newton Ferrers, Plymouth, PL8 1HZ**

Members considered a report of the Committee Site Inspection Group in respect of the above planning application, which had included a recommendation that the proposal be conditionally approved. The APO highlighted the boundary wall which, if Members were minded to support the recommendation, would have a condition imposed to ensure that the current unfinished wall would be completed within three months of permission being granted, and for it not to exceed 1 metre in height.

It was then:-

### **RESOLVED**

That in respect of application number 37/0998/08/F, the application be conditionally approved.

#### Conditions

- 1 – TIM3 (Time limit standard three years)
- 2 – MAT1 (Matching Materials)
- 3 – RES30 (Windows)
- 4 – USE 2 (Use)
- 5 – Non Standard  
(Boundary Walls)
- 6 – Non Standard  
(Levels, Retaining Walls & Construction Material Details)

DC.23/08 **PLANNING APPLICATIONS**

The Head of Planning and Building Control submitted details of planning applications as indicated in Appendix A to these minutes.

During discussion of these planning applications, the following motions (which were in contradiction to the planning officer recommendations in the published agenda report or were determined by a Chairman's casting vote) were **PROPOSED** and **SECONDED** and on being put to the vote were either **CARRIED** or **LOST**:-

- (a) In respect of application 52/0872/08/F (resubmission of planning application 52/2349/07/F for erection of garage – Stonecroft, Hillfield, Stoke Gabriel, Totnes, TQ9 6SH) the local Ward Member noted that due to the objections received in relation to the perceived increase of traffic flow on the private lane the proposal could create, Members should visit the site. In response, it was noted that the garage would be for private use only and that a condition could be attached to any consent to prevent any business or commercial use of the proposed garage. However, the following motion was **PROPOSED** but subsequently not **SECONDED** and therefore was not voted upon:-

‘That in respect of application 52/0872/08/F a site inspection be held.’

- (b) In respect of application 41/0838/08/F (demolition and replacement of dwelling in general accordance with application 41/2328/06/F – Moulton Lodge, Cliff Road, Salcombe, TQ8 8LB) a local Ward Member raised concern that the proposal would change the character with this Area of Outstanding Natural Beauty. It was also felt that the additional windows would create light pollution and, moreover, there was concern over the site being under Cliff Road and therefore a Structural Assurance Survey was sought. In contrast, Members felt that due to the proposed new build being on the same foot print, of the same bulk and design and materials being reused, there was no material planning reason to refuse this application. However, the Ward Member **PROPOSED** the following motion, but as it was not subsequently **SECONDED**, it was not voted upon:-

That in respect of application 41/0838/08/F,  
planning permission be refused on the grounds of  
its detrimental impact on the surrounding area.

- (c) In respect of application 49/1207/08/F (resubmission of application 49/0325/08/F for erection of detached dwelling – 47 New Park Road, Lee Mill, Ivybridge, PL21 9EB), on behalf of the Local Ward Member, a Member **PROPOSED** a Site Inspection due to neighbour concerns on access. This motion was subsequently **SECONDED** but on being put to the vote declared **LOST**.

It was then:-

### **RESOLVED**

That the planning applications considered at this meeting be determined as indicated in Appendix A to these minutes.

## DC.24/08 **TREE PRESERVATION ORDERS**

### (a) **Beacon Lodge, Beacon Lane, Kingswear (Application 2701)**

Members considered a report regarding the above site where an application had been submitted for works to be carried out on a belt of Sycamore trees including retaining two end groups of the belt to form coppice clusters, with thinning to remove rubbing stems, coppicing of central groups of Sycamore, with the retention of Oaks, Bays and Holly within the tree belt. The report included a recommendation that the works be carried out subject to conditions (as presented in the circulated report).

In presenting the report, the Landscape and Recreation Manager advised Members that in respect of such applications, it was within the Council's authority to issue a split decision and therefore only grant work on certain trees within the application. Furthermore, Members were also advised that Kingswear Parish Council had requested that the decision be deferred subject to them carrying out an independent survey on the cluster of trees on this site.

During discussion, the following points were raised:-

- i. Members were informed that a number of the trees were experiencing decay at the base of the trunk which made the stems vulnerable;
- ii. Concerns of the Parish Tree Warden were noted, who although in support of Woodland Management, felt the proposed works were excessive and that the remaining trees would be unnecessarily exposed to wind and damage. In response to these concerns, a Local Ward Member **PROPOSED** that a Site Inspection be carried out for Members to observe the cluster of trees and its canopy, in relation to the overall street scene and its exposure to the elements. This was subsequently **SECONDED** but on being put to the vote declared **LOST**;
- iii. Following the Parish Council's request to undertake an independent survey on the cluster, a Member **PROPOSED** deferral of the application subject to receipt of such a report. This was subsequently **SECONDED** but on being put to the vote declared **LOST**. Members felt that the officer's report and presentation was sufficient information for Members to make an informed decision.

Therefore, the following motion was **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED:-**

**RESOLVED**

That in respect of application 2701, works be conditionally approved.

Conditions

- 1 – stems to be marked and agreed prior to works commencing;
- 2 – works to BS 3998.

(b) **Kingswear Wood, The Lane House, Kingswear (Application 2707)**

Members considered a report regarding the above site where an application had been submitted for works to be carried out for the purpose of woodland management. The reports included a recommendation that the works be carried out subject to conditions (as outlined in the presented report).

In presenting the report, the Landscape and Recreation Manager advised that Kingswear Parish Council had requested that, as in the previous application (as outlined above), the decision be deferred subject to them carrying out an independent survey. Furthermore, Members were advised that in the case of this particular application, the recommendation was that of a split decision on the application (as outlined in the presented report).

**RESOLVED**

That in respect of application 2707, works be conditionally approved except for refusal in relation to trees 1685, 1689, 1692, 1694, 9894, 9906, Group 2 and Group 7.

Conditions

- 1 – works to be undertaken to BS 3998: Tree Works;
- 2 – stumps to be retained throughout to allow coppice regeneration.

(Meeting commenced at 2.00 pm and concluded at 4.30 pm).

---

Chairman

## APPENDIX A

### **52/0872/08/F**

Resubmission of planning application 52/2349/07/F for erection of garage – Stonecroft, Hillfield, Stoke Gabriel, Totnes, TQ9 6SH – Mr & Mrs B Baker

#### **STOKE GABRIEL**

Parish Council's Views – Objection on the grounds of over development of the area as there is already a double garage which is not used. To replace the existing single garage with another double garage will prove excessive.

Officer Update – letter of representation reported

Recommendation – Conditional Approval

#### **Committee Decision – Conditional Approval**

##### **Conditions**

- 1 - TIM3 (Standard time limit 3 years)
  - 2 - MAT1 (Matching Materials)
  - 3 - USE2 (Use)
- 

### **41/0838/08/F**

Demolition and replacement of dwelling in general accordance with application 41/2328/06/F – Moulton Lodge, Cliff Road, Salcombe, TQ8 8LD – Mr Webster-Smith

#### **SALCOMBE**

Town Council's Views – Object

Officer Update – None

Recommendation – Conditional Approval

#### **Committee Decision – Conditional Approval**

##### **Conditions**

- 1 - TIM3 (Standard 3 year time limit)
- 2 - Non Standard  
Window/Door Detail
- 3 - Non Standard  
Levels
- 4 - Non Standard  
Demolition
- 5 - Non Standard  
Reclaim Roof Tiles
- 6 - MAT18 (Reclaimed Stone)
- 7 - MAT31 (Rainwater Goods)

- 8 - MAT26 (Rooflights Conservation Type)
  - 9 - MAT14 (Walls Render Details)
  - 10 - MAT28 (Flues, Colour & Height)
  - 11 - MAT11 (Eaves, Verges Hips & Flue Details)
  - 12 - Non Standard
  - Landscaping
  - 13 - RES22 (Exc of GDO)
  - 14 – Non Standard
  - Bat Provision
- 

### **49/1207/08/F**

Resubmission of 49/0325/08/F for erection of detached dwelling – 47 New Park Road, Lee Mill Bridge, Ivybridge, PL21 9EB – Mr & Mrs G Mattacott

### **SPARKWELL**

Parish Council's Views – Object on grounds of overdevelopment of the site with the following additional comments: "We are still very concerned about extra cars parking, as the road is not very wide and extra cars on the south side of the road will cause more problems. The Parish Council will apply for yellow lines on one side of New Park Road if approved".

Officer Update – None

Recommendation – Conditional Approval

### **Committee Decision – Conditional Approval**

#### **Conditions**

- 1 - TIM3 (Standard 3 year time limit)
  - 2 - HWY14 (Retain Parking)
  - 3 - Non Standard
  - Contaminated Land
  - 4 - Non Standard
  - Discovery of Contamination during Construction
- 

### **58/1076/08/F**

Demolition of existing detached dwelling and erection of new detached dwelling – Spartan, Cliff Road, Wembury, Plymouth, PL9 0HW – Mrs C Platt

### **WEMBURY**

Parish Council's Views – Objection concerned about overdevelopment and change of use – why is such a large workshop required – Concerned over long-term usage.

Officer Update – Corrections made to Officer Report on % increase to size of dwelling.

Recommendation – Conditional Approval

## **Committee Decision – Conditional Approval**

### **Conditions**

- 1 - TIM3 (Standard 3 year time limit)
  - 2 - MAT2 (Samples Submitted)
  - 3 - RES22 (Exc of G.D.O.)
  - 4 - RES24 (Retaining Walls)
  - 5 - RES42 (Parking)
  - 6 - Non Standard  
Contaminated Land
  - 7 - Non Standard  
Contaminated Land
  - 8 - Non Standard  
Contaminated Land
-