

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE  
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 14 NOVEMBER 2007**

**MEMBERS**

\* Cllr G J Fielden - Chairman

\* Cllr I Longrigg - Vice-Chairman

* Cllr N A Barnes	* Cllr D W May
* Cllr H D Bastone	* Cllr D M O'Callaghan
* Cllr J Brazil	* Cllr J T Pennington
* Cllr B F Cane	* Cllr R Rowe
* Cllr R J Carter	* Cllr J W Squire
* Cllr S E Cooper	* Cllr R C Steer
* Cllr P Coulson	* Cllr R J Vint
* Cllr J D Hawkins	* Cllr A Ward
* Cllr M J Hicks	* Cllr J A Westacott
* Cllr P W Hitchins	

\* Denotes attendance

Officers in attendance:

All Agenda Items: Head of Planning and Building Control; Area Planning Officers (Eastern and Western Areas) and Solicitor.

**DC.30/07 MINUTES**

The minutes of the meeting of the Committee held on 10 October 2007 were confirmed as a correct record and signed by the Chairman.

**DC.31/07 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 J A Westacott declared a personal interest in application 03/1698/07/F (Erection of 3 bedroomed house – 10 Courtfield, Totnes, TQ9 5RQ) and remained in the meeting during the debate and vote on this application.

Cllrs J Brazil, D M O'Callaghan, R J Vint and A Ward all declared a personal interest in application 35/1464/07/F (Conversion and extension of garage to create dwelling – Kingsland, Brownston Street, Modbury, Ivybridge PL21 0RG) by virtue of one of the objectors' son having stood as a Liberal Democrat candidate at the previous District Council election and remained in the meeting during the debate and vote on this application.

Cllr D M O'Callaghan declared a prejudicial interest in application number 28/1727/07/F (Installation of a 3.99 metre high replicated flagpole, provision of 3 small equipment cabinets and various enabling and associated works on the rooftop of the Exchange building) by virtue of her submission of a letter of representation on the application and left the meeting prior to the debate and vote on this application.

Cllrs B F Cane and D W May declared personal interests in application 35/1431/07/F (Resubmission of application 35/1985/06/F erection of agricultural machinery store – Field southwest of Priory Farm at SX646514, Modbury, Ivybridge) by virtue of them knowing the applicant and remained in the meeting during the debate and vote on this application.

Cllr G J Fielden declared a personal interest in application 35/1464/07/F (Conversion and extension of garage to create dwelling – Kingsland, Brownston Street, Modbury, Ivybridge PL21 0RG) by virtue of him knowing a number of the parties who had made representations on this application and remained in the meeting during the debate but abstained from the vote. For this application Cllr G J Fielden stood down as Chairman.

Cllr G J Fielden also declared a personal interest in application 35/1431/07/F (Resubmission of application 35/1985/06/F erection of agricultural machinery store – Field southwest of Priory Farm at SX646514, Modbury, Ivybridge) by virtue of his association with the applicant and remained in the meeting during the debate but abstained from the vote. For this application Cllr G J Fielden also stood down as Chairman.

Cllrs N A Barnes, H D Bastone, B F Cane, R J Carter, P Coulson, G J Fielden, J D Hawkins, M J Hicks, P W Hitchins, I Longrigg, D W May, J T Pennington, R Rowe, J W Squire and R C Steer declared a personal interest in application 28/1882/07/F (Conversion of existing outhouse to ancillary family accommodation and holiday let – Washbrook Farm, Kingsbridge, TQ7 1NN) by virtue of the applicant being a fellow Conservative Group Member on South Hams District Council and remained in the meeting and took part on the debate and vote on this application.

Mr S Munday, Head of Planning and Building Control, declared a prejudicial interest in application 35/1464/07/F (Conversion and extension of garage to create dwelling – Kingsland, Brownston Street, Modbury, Ivybridge PL21 0RG) by virtue of him knowing of the applicants and left the meeting prior to the debate and vote on this item.

**DC.32/07 PUBLIC PARTICIPATION**

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

- 35/1464/07/F – Supporter – Mrs Blower  
Conversions and extension of garage to create dwelling – Kingsland, Brownston Street, Modbury, Ivybridge, PL21 0RQ;
- 35/1431/07/F – Objector – Mr Barnes; Supporter – Ms Burden  
Resubmission of application 35/1985/06/F erection of agricultural machinery store – Field southwest of Priory Farm at SX646514, Modbury, Ivybridge;
- 10/1842/07/F – Supporter – Ms Burden  
Erection of building for agricultural use and retrospective permission for polytunnel - Garland Vale (SX791388), South Allington, Kingsbridge TQ7 2ND;
- 15/1606/07/F – Supporter – Mr Ball  
Erection of new double garage and new passing place – 144 Above Town, Dartmouth, TQ6 9RH;
- 03/1698/07/F – Objector – Ms Coulson  
Erection of 3 bedroomed house – 10 Courtfield, Totnes, TQ9 5RQ;
- 09/1713/07/F – Objector – Mr Giles  
Resubmission of application 09/2127/06/F (revision of balcony shape and ground floor doors to west elevation, amendments to window sizes and addition of velux windows to south elevation) – Herondyke, Curlew Drive, West Charleton, Kingsbridge, TQ7 2AA;

**DC.33/07 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) **Reports of Site Inspection Group held on 22 October 2007**
- (i) **37/1464/07/F – erection of house and terracing of garden at variation to approved plans (37/0031/03/F) – 47 Yealm Road, Newton Ferrers, Plymouth, PL8 1BJ**

Members considered a report of the committee site inspection group in respect of the above planning application, which had included a recommendation that planning approval be conditionally approved.

As an update, the Area Planning Officer (West), informed the Committee that a further letter of objection had been received following publication of the site inspection report in respect of the application from a neighbouring resident. Highlighted from the letter were the changes in site level from the original application and the perceived loss of privacy this had on neighbouring properties.

Those Members who were in attendance at the site inspection commented that the application was deemed acceptable and in terms of landscaping of the garden, it was felt that although it was currently an exposed site, it would mature to produce further screening to neighbouring properties.

However, Members did raise concerns that this was a retrospective planning application and wished for it to be noted that the decision to support it was not taken lightly.

It was then:-

### **RESOLVED**

That in respect of planning application 37/1464/07/07, the application be conditionally approved

#### Conditions

- 1 – Non Standard  
Retention of Boundary Hedge to at least 2.5m
- 2 – Non Standard  
Landscaping
- 3 – Non Standard  
Exc. GDO
- 4 – Non Standard  
Windows
- 5 – Non Standard  
Parking
- 6 – Ancillary Use

DC.34/07 **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 planning application 10/1842/07/F (Garland Vale (SX791388), South Allington, Kingsbridge), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote declared **LOST**:-

'That planning permission be conditionally approved.'

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

'That planning permission be refused'.

Reason

In the absence of any proven overriding agricultural need, the development would be detrimental to the Area of Outstanding Natural Beauty and, based on the information submitted, Members were not satisfied that there was a proven agricultural need for the size of development to serve the existing agricultural holding.

- (b) In respect of planning application 15/1606/07/F (erection of new double garage and new passing place – 144 Above Town, Dartmouth, TQ6 9RH), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote declared **LOST**:-

'That planning permission be conditionally approved.'

- (c) In respect of application 03/1698/07/F (Erection of 3 bedroomed house – 10 Courtfield, Totnes, TQ9 5RQ), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

'That a Site Inspection be held.'

(d) In respect of application 09/1713/07/F (Resubmission of application 09/2127/06/F (revision of balcony shape and ground floor doors to west elevation, amendments to window sizes and addition of velux windows to south elevation) – Herondyke, Curlew Drive, West Charleton, Kingsbridge, TQ7 2AA), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED:-**

‘That planning permission be refused’

Reason

Members strongly felt that this retrospective application was un-neighbourly due to the increased size of the balconies and side windows and the insertion of a roof light, which were a deviation from the originally approved planning application. Due to the refusal of this retrospective planning application, the following motion was subsequently **PROPOSED** and **SECONDED** and on being put to the vote declared **CARRIED:-**

‘That enforcement action be taken’

**RESOLVED**

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

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

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Chairman

**DEVELOPMENT CONTROL COMMITTEE – 14 NOVEMBER 2007**

The following matters were reported to and noted by the Committee during consideration of DC.28/07 and Appendix A:-

28/1727/07/F	Letters circulated	14 of objection 6 of comment 1 of concern
35/1464/07/F	Letters circulated	4 of objection 8 of comment 4 of concern 3 of support
35/1431/07/F	Letters circulated	6 of objection 3 of comment 2 of support
10/1842/07/F	Letters circulated	4 of objection 3 of concern
15/1606/07/F	Letters circulated	3 of support
03/1698/07/F	Letters circulated	3 of objection 1 of comment 1 of support
09/1713/07/F	Letters circulated	2 of objection 1 of comment

**APPENDIX A**

**28/1727/07/F**

Installation of a 3.99 metre high replicated flagpole, provision of 3 small equipment cabinets and various enabling and associated works on the rooftop of the Exchange building – The Telephone Exchange, Fore Street, Kingsbridge – T-Mobile UK Ltd

**KINGSBRIDGE**

Town Council's Views – Kingsbridge Town Council make the following observations:  
Refusal – having regard to the genuine and deeply felt concern of many residents of Kingsbridge, particularly parents with young children, it is considered that the siting of the proposed mobile phone mast is not acceptable and therefore council opposes the proposal.

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Approval**

**Conditions**

- 1 - TIM3 (Standard three year time limit)
  - 2 - Non Standard
- Colour finish to be grey

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**35/1464/07/F**

Conversion and extension of garage to create dwelling – Kingsland, Brownston Street, Modbury, Ivybridge, PL21 0RQ – Mr & Mrs G Blower

**MODBURY**

Parish Council's Views – Modbury Parish Council make the following comments on the revised drawings:

Approval is still recommended as per the original comments on 23 July.

- Councillors feel that a site visit is necessary in view of the degree of concern from parishioners.
- The scale of the drawings are incorrect and need to be addressed.
- The wall on the southern elevation is still of concern with the possibility of underground springs further threatening stability.

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Approval**

**Conditions**

- 1 - TIM3 (Standard three year time limit)
- 2 - RES22 (Exclusion of GPDO)
- 3 - MAT8 (Natural Slate)
- 4 - Non Standard

**Parking**

- 5 - Non Standard  
Structural Engineer's Report
  - 6 - Non Standard  
Boundary Treatment
  - 7 - MAT30 (Full Details, Ducts, Pipes, Vents, etc)
  - 8 - Non Standard  
Landscaping
- 

**35/1431/07/F**

Resubmission of application 35/1985/06/Ferection of agricultural machinery store – Field south west of priory Farm at SX646514; Modbury, Ivybridge – Mr M Stallard.

**MODBURY**

- Parish Councils' Views – Approval
- Officer Update – Letter of representation reported
- Recommendation – Conditional Approval

**Committee Decision – Approval**

**Conditions**

- 1 - TIM3 (Standard three year time limit)
  - 2 - Non Standard  
Storage Use Only
  - 3 - Non Standard  
Exc GPDO Rights/Use
  - 4 - Non Standard  
External Lighting
  - 5 - Non Standard  
No Power Washing
  - 6 - MAT13 (Materials)
  - 7 - MAT15 (Timber Finish)
  - 8 - IND6 (Extension/Alterations)
  - 10 - Non Standard  
Landscaping
  - 11 – Non Standard  
Restoration ex. Storage Area
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**10/1842/07**

Erection of building for agricultural use and retrospective permission for polytunnel – Garland Vale (SX791388), South Allington, Kingsbridge TQ7 2ND – R Pratt & W Lee

**CHIVELSTONE**

Parish Council's Views – Objection – materials used. If the buildings were clad in wood it would blend into the landscape whereas steel cladding remains shiny. The proposed building is too large and in an Area of Outstanding Natural Beauty and Coastal Preservation Area.

Officer Update – Agricultural consultants comments summarised  
1 late letter of support reported

Recommendation – Conditional Approval

**Committee Decision – Refuse** – Visual amenity and no agricultural support for size of development

**Refusal Reasons**

In the absence of any proven overriding agricultural need, the proposed size and height of the development will have a detrimental impact on the character and appearance of the area, which is within an Area of Outstanding Natural Beauty, thus contrary to adopted Development Plan Policies C03 & SHDC3; Local Plan Review Policies DS4, DEV23 & ENV2 and adopted LDF Core Strategy Policies CS1, CS9 and relevant Central Government guidance.

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**15/1606/07/F**

Erection of new double garage and new passing place – 144 Above Town, Dartmouth, TQ6 9RH – Mr & Mrs Ball

**DARTMOUTH**

Town Council's Views – No comments received at the time of writing this report.

Officer Update – 1 late letter of support

Recommendation - Refusal

**Committee Decision – Refusal**

**Reasons for Refusal**

- 1 The proposal would increase the number of vehicles requiring access to Above Town and would set a precedent for development along a road which by reason of its width and alignment is unsuitable to accommodate the additional traffic likely to be generated, thus contrary to Structure Plan Policy TR10, Development Plan Policies DP5, T19, SHDC1; emerging Local Plan Policies DS3, DEV19; Adopted Core Strategy Policy CS1 and relevant Central Government guidance.
  
- 2 The site is situated within the South Devon Area of Outstanding Natural Beauty. The proposed development would be detrimental to the character and appearance of this area, where the conservation and enhancement of the natural beauty of the area will be given priority over other considerations and where new development will only be provided for where it would support the area's conservation or enhancement or where it would foster the area's social and economic well-being, provided that such development is compatible with its conservation, neither of which criteria are applicable in this case. The development is contrary to the provisions of Adopted Structure and Local Plan Policies CO1, C03, CO7, SHDC1, SHDC15; SHDC18, DP5, Local Plan Policies DS3, DEV2, ENV2; Adopted Core Strategy Policies CS1, CS7, CS9 and relevant Central Government guidance.
  
- 3 The proposed demolition of part of the high stone boundary wall and widening of the road would adversely affect the appearance and character of the area which is located in close proximity to the Dartmouth Conservation Area Boundary. Such action, if permitted, would not be in the interests of conservation and therefore contrary to Development Plan Policies CO3, CO7, SHDC1, SHDC15, SHDC18, ENV10, ENV11, DT1; Adopted Core Strategy Policies CS1, CS7, CS9 and relevant Central Government guidance

**03/1698/07/F**

Erection of 3 bedroomed house – 10 Courtfield, Totnes, TQ9 5RQ – Mr &amp; Mrs G Allen

**BERRY POMEROY**

Parish Council's Views – Objection – Height and Access

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Site inspection**

**09/1713/07/F**

Resubmission of application 09/2127/06/F (revision of balcony shape and ground floor doors to west elevation, amendments to window sizes and addition of velux windows to south elevation) – Herondyke, Curlew Drive, West Charleton, Kingsbridge, TQ7 2AA – Mr P Brownett.

**CHARLETON**

Parish Council's Views – No objections

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Refuse – Unneighbourly**

**Refusal Reasons**

The increased sizes of balconies and side windows and new rooflights will result in an unacceptable increase in overlooking of, and loss of privacy to, the owners/occupiers of adjoining property, thus contrary to adopted Local Plan Policy SHDC3 & associated planning principles; Local Plan Review Policies DS4 & DEV2; and adopted LDF Core Strategy Policy CS7.

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**28/1882/07/F**

Conversion of existing outhouse to ancillary family accommodation and holiday let – Washbrook Farm, Kingsbridge, TQ7 1NN – Mr R Gilbert

**KINGSBRIDGE**

Town Council's Views – No Comment

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Approval**

**Conditions**

- 1 - TIM3 (Standard three year time limit)
- 2 - Non Standard Ancillary Family Accommodation/Holiday Use
- 3 - RES22 (Exclusion of GDO)
- 4 - MAT8 (Natural Slate)
- 5 – MAT23 Windows/Doors
- 6 - MAT27

Rooflights Patent Glazing Details  
7 - MAT30  
Full Details (ducts, flues, vents, etc)  
8 - Non Standard  
Stonework  
9 - Non Standard  
Bat/Swallow Access  
10 - Non Standard  
Bat Roost  
11 - Non Standard  
Presence of Bats

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**04/1940/07/F**

Erection of stables and tackroom – Filed south of Wheal Lopes Leat at SX530639, Shaugh Prior, Plymouth – Mrs C Northey

**BICKLEIGH**

Parish Council's Views – No objection subject to temporary use to applicant and no commercial use

Officer Update – Withdrawn on Committee day 14.11.07.

**Committee Decision** – Withdrawn

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