

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE  
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 7 OCTOBER 2009**

**MEMBERS**

\* Cllr G J Fielden - Chairman

\* Cllr D W May - Vice-Chairman

\* Cllr H D Bastone

\* 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 MBE

\* Denotes attendance

∅ Denotes apologies for absence

Also in attendance and participating: for application number 49/1162/08/F:  
Cllr J I G Blackler

Also in attendance but not participating:  
Cllr M J Howarth

Officers in attendance:

All Agenda Items: Head of Planning and Building Control, Area Planning Officer (Western Area), Senior Planning Officer (Eastern Area), Solicitor and Senior Member Support Officer.

**DC.28/09 MINUTES**

The minutes of the meeting of the Committee held on 2 September 2009 were confirmed as a correct record and signed by the Chairman, subject to the inclusion of the following amendment:

In relation to planning application number 15/0905/09/F (minute DC.27/09 (c) refers), a third reason for refusal be included in relation to poor access.

**DC.29/09 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 Cane declared a prejudicial interest in planning application number 49/1162/08/F (erection of 65 dwellings, provision of site for future village hall and car park, open space, access, servicing and landscaping – Harris Way Development Site West, Lee Mill, Ivybridge) by virtue of him being related to the landowners and he left the meeting during consideration of this application.

Cllr May declared a personal interest in planning application number 49/1162/08/F (erection of 65 dwellings, provision of site for future village hall and car park, open space, access, servicing and landscaping – Harris Way Development Site West, Lee Mill, Ivybridge) by virtue of him knowing the landowners, and remained in the meeting during the discussion, but did not take part in the vote thereon.

**DC.30/09 PUBLIC PARTICIPATION**

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

- 30/1175/09/LB and 30/1176/09/F; Objector – Mr Travarrow;  
Supporter Mr Johnson;  
Listed Building consent for resubmission of 30/0411/09/LB for amendment to 30/0973/09/F for conversion of workshop building into ancillary accommodation, and Householder application for resubmission of 30/0412/09/F for amendment to 30/0974/04/F for conversion of workshop building into ancillary accommodation – Kittery Court, Priory Street, Kingswear TQ6 0AB;
- 49/1162/08/F; Supporter – Mr Dunlop;  
Erection of 65 dwellings, provision of site for future village and car park, open space, access servicing and landscaping – Harris Way Development Site West, Lee Mill, Ivybridge;
- 21/1277/09/F; Objector – Mrs Deacon; Supporter Mrs Burden;  
Conversion of former Shop-Post Office to additional accommodation for Prospect House – Prospect House, The Square, Ermington PL21 9LP.

DC.31/09 **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 the Site Inspection Group held on 14 September 2009**

**(Note: Since the Chairman was not in attendance at the previous Committee meeting on 2 September 2009, the Vice Chairman proceeded to Chair the following two items (minutes DC.31/09 (b)(i) and (ii) refer))**

**(i) 41/0999/09/F – Householder application for resubmission of 41/0434/09/F for conversion of existing garage to accommodation and erection of a new double garage – 16 Beadon Road, Salcombe TQ8 8LX**

A report was presented of the Committee Site Inspection Group in respect of the above planning application, which contained a recommendation that the application be conditionally approved.

As an update, the Area Planning Officer stated that a further letter of objection had been received from the residents of Beadon Farmhouse. Each Member of the Site Inspection Group reiterated their individual reasons for agreeing or not with the original case officer recommendation (as detailed in the presented Site Inspection Report). The following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:

‘That in respect of application number 41/0999/09/F the application be conditionally approved’.

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

‘That in respect of application number 41/0999/09/F the application be refused’.

It was then:-

## **RESOLVED**

That in respect of application number 41/0999/09/F, the application be refused.

### Reason

In echoing the recommendations of the case officer, several Members raised concerns over the visual impact of the proposed development and its detrimental affect on the existing streetscene.

### **(ii) 01/0991/09/F – Resubmission of 0327/09 for erection of dwelling – I Dunstone Cottages, Ashprington TQ9 7UW**

Prior to the Site Inspection report being considered, a Member clarified that point (f) of the comments raised by the local Ward Member should have stated 'whilst not in the Conservation Area', this site was immediately adjoining.

A report was presented of the Committee Site Inspection Group in respect of the above planning application, which contained a recommendation that the application be refused.

The Head of Planning and Building Control proceeded to state that this application had now been referred for appeal on the basis of non-determination. However it would still be of benefit for Members to vote on the application as this would assist officers during the appeal.

During discussion some Members reiterated their views that, whilst not objecting to the site being developed, this proposed design was not in keeping with the character of the village and neighbouring properties. The design did not reflect the appearance of a cottage, as shown by photographs of other properties in the village. There was a further concern raised regarding mass in that the proposed dwelling was felt to be too dominant for this site. The Vice Chairman also confirmed the benefit of the Site Inspection for this application in that being on site demonstrated that the proposed development did not 'fit'.

In disagreement, another Member felt that whilst the design could have been better, she did not believe that this was a justifiable reason to refuse this application.

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

That in respect of application number 01/0991/09/F, the application be refused.

Reason

The application was refused due to the design of the proposed development, overdevelopment, the impact on the adjacent Conservation Area and the overlooking onto neighbouring properties.

DC.32/09 **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 applications 30/1175/09/LB and 30/1176/09/F (Listed Building Consent for resubmission of 30/0411/09/LB for amendment to 30/0973/04/F for conversion of workshop building into ancillary accommodation, and Householder application for resubmission of 30/0412/09/F for amendment to 30/0974/04/F for conversion of workshop building into ancillary accommodation – Kittery Court, Priory Street, Kingswear TQ6 0AB):

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

'That a site inspection be held.'

- (b) In respect of application 49/1162/08/F (erection of 65 dwellings, provision of site for future village hall and car park, open space, access, servicing and landscaping – Harris Way Development Site West, Lee Mill, Ivybridge) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

'That the application be deferred.'

### Reason

During discussion, many Members stated their disappointment at the reduction in the number of affordable homes to be provided; possibly as low as four if no grant monies were available. The figure could be as high as 25% for affordable housing if Homes and Communities Agency (HCA) grant money was forthcoming, but an officer confirmed that this was unlikely to be the case. Although the development would provide a community hall, something that Lee Mill desperately needed, Members felt that this was not enough to compensate for the lack of affordable housing.

Other concerns were raised by officers regarding the maintenance of areas not within private curtilage, which preferably would form part of a legal agreement. Finally, whilst the design was acceptable and it was recognised that Lee Mill would not support expensive housing, there were concerns over the quality of some elements of the development. Overall, Members felt that these areas, particularly the level of affordable housing provision, could be renegotiated with the developer before the application was determined. In addition officers were asked to negotiate with the HCA over the level of grant available for this site and to send a strongly worded letter to the Minister for Housing to express the concerns of Members that the government commitment to support local housing for local people was not happening.

It was then:-

### **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 4.10 pm).

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Chairman

## APPENDIX A

### **30/1175/09/LB & 30/1176/09/F**

Listed Building Consent for resubmission of 30/0411/09/LB for amendment to 30/0973/04/F for conversion of workshop building into ancillary accommodation; and Householder application for resubmission of 30/0412/09/F for amendment to 30/0974/04/F for conversion of workshop building into ancillary accommodation – Kittery Court, Priory Street, Kingswear, Devon TQ6 0AB – Mr A Brownsword

### **KINGSWEAR**

Parish Council's Views – Kingswear Parish Council make the following observations:

Objection – because of the following reasons:

- Highways – a further building will increase additional traffic in an already narrow lane.
- Design – it is felt inappropriate to have a two-storey building in this position and is viewed as overdevelopment.
- There are no plans to show how the chimney in Kittery Quay is to be combined with the proposed building (if this is not clearly defined and was not enforced it would cause major down draughts).
- Unneighbourly – the two-storey building would cause lack of light and privacy for adjoining property.
- Area of Outstanding Natural Beauty – with reference to County Structure Plan CO3 the proposed building does no support or enhance the AONB.

Officer Update – None

Recommendation – Conditional Approval (both applications)

### **Committee Decision – Site Inspection**

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### **49/1162/08/F**

Erection of 65 dwellings (33 being affordable housing), provision of site for future village hall and car park, open space, access, servicing and landscaping – Harris Way Development Site West, Lee Mill, Ivybridge – Cavanna Homes (south West) Ltd

### **SPARKWELL**

Town Council's Views – Views to be reported

Officer Update – Reported Parish Council Views

Recommendation – Refusal

**Committee Decision – Deferred**

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**21/1277/09/F**

Conversion of former Shop/Post Office to additional accommodation for Prospect House – Prospect House, The Square, Ermington, Devon PL21 9LP – Mrs L Hargreaves

**ERMINGTON**

Parish Council's Views – Support

Officer Update – Reported third party views and agents letters

Recommendation – Conditional Approval

**Committee Decision – Approval**

**Conditions**

1 - TIM3 (Standard time limit 3 years)

2 - Non Standard

Window Design

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