

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 11 FEBRUARY 2009**

MEMBERS

* Cllr G J Fielden - Chairman

* Cllr D W May - Vice-Chairman

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

* Denotes attendance

∅ Denotes apologies for absence

Officers in attendance:

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

DC.51/08 MINUTES

The minutes of the meeting of the Committee held on 14 January 2009 were confirmed as a correct record and signed by the Chairman, subject to the following two amendments:-

Firstly, in relation to the resolution for application 34/1838/08 (minute DC49/08(b)(iii) refers), the Committee wished to see the wording amended to read:

'That pending the outcome of the consultation period for the advertisement of the application as a departure from policy, application number 34/1838/08/F be refused.

(For clarity, it was confirmed that this application would be presented back to a future Development Control Committee meeting).

Secondly, with regard to page 7, paragraph 1 of the presented minutes (minute DC.49/08(c)(i) refers), Members wished to delete reference to *'English Nature'* and replace it with the term *'Natural England'*.

DC.52/08 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:-

Cllrs R Rowe and R C Steer declared prejudicial interests in application number 38/2410/08/F (Conversion of barn to dwelling – Manor Farm, North Huish, South Brent TQ10 9NN). Cllr Rowe declared her interest by virtue of the applicant being a family relative and Cllr Steer declared his interest by virtue of the applicant being a neighbouring farmer and fellow parish councillor. Both Members left the meeting during the discussion and vote on this item.

Cllr D W May declared a personal interest in application numbers 07/1758/08/F & 07/1759/08/LB ((i) Conversion of redundant barn to dwelling and associated access, car parking and curtilage provision (ii) Listed Building consent for conversion of redundant barn to dwelling with associated access, car parking and curtilage provision – Coombe Farm, Wembury Road, Staddiscombe, Plymstock) by virtue of a neighbour to the application site being a fellow Rotary Club member. Cllr May remained in the meeting and took part in the discussion and vote thereon.

DC.53/08 PUBLIC PARTICIPATION

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

- 51/2146/08/F – Objector; Mr Hann – Supporter; Mr Hallmark; Retrospective application for swimming pool and glazed balustrading – Sheelan, Overseas Estate, Stoke Fleming, Dartmouth TQ6 0PJ;
- 57/2154/08/F – Supporter; Mr Freer; Retrospective application for the erection of a holiday lodge – Land adjacent to Piles Peek Farm, Ivybridge;
- 07/1758/08/F & 07/1759/08/LB – Supporter; Mrs Clayton;
 - (i) Conversion of redundant barn to dwelling and associated access, car parking and curtilage provision.
 - (ii) Listed Building consent for conversion of redundant barn to dwelling with associated access, car parking and curtilage provision – Coombe Farm, Wembury Road, Staddiscombe, Plymstock;
- 20/2092/08/F – Supporter; Mrs Lawson
Demolition of piggery, erection of garage with hardstanding, raised front boundary wall and installation of gate – Rectory Stables, East Portlemouth, Salcombe TQ8 8PA;

- 38/2410/08/F – Supporter; Mr Lethbridge
Conversion of barn to dwelling – Manor Farm, North Huish, South Brent TQ10 9NN.

DC.54/08 **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.

DC.55/08 **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 number 51/2146/08/F (Retrospective application for swimming pool and glazed balustrading – Sheelan, Overseas Estate, Stoke Fleming, Dartmouth TQ6 0PJ), 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 numbers (i) 41/2287/08/F & (ii) 41/2286/08/LB ((i) Resubmission of 41/1081/08/F for reconstruction of storm damaged jetty for sea defences and boat access and (ii) Listed Building Consent for the reconstruction of storm damage jetty for sea defences and boat access), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That the applications be conditionally approved.’

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

‘That planning permission be refused.’

Reasons

The majority of the Committee felt that the size and massing of the proposed jetty would be so substantial that it would lead to a detrimental visual impact on the landscape setting of the foreshore.

- (c) In respect of application numbers (i) 07/1758/08/F & (ii) 07/1759/08/LB ((i) Conversion of redundant barn to dwelling and associated access, car parking and curtilage provision. (ii) Listed Building consent for conversion of redundant barn to dwelling with associated access, car parking and curtilage provision – Coombe Farm, Wembury Road, Staddiscombe, Plymstock), 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 number 20/2092/08/F (Demolition of piggery, erection of garage with hardstanding, raised front boundary wall and installation of gate – Rectory Stables, East Portlemouth, Salcombe TQ8 8PA), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That the application be conditionally approved.’

Reasons

The Committee took into account that the parish council had raised no objections and the comments of a local neighbour who felt that the proposals would in fact lead to an improvement on the site. On the whole, the majority of Members felt that the scheme had merit and supported it being conditionally approved.

- (e) In respect of application number 38/2410/08/F (Conversion of barn to dwelling – Manor Farm, North Huish, South Brent TQ10 9NN), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That a site inspection be held.’

The following matter was reported and noted by the Committee during consideration of DC.55/08 and Appendix A:-

- (i) 57/2154/08/F (Retrospective application for the erection of a holiday lodge – Land adjacent to Piles Peek Farm, Ivybridge):

The inclusion of an additional condition with regard to the protection and retention of the trees within the application site.

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 4.30 pm).

Chairman

APPENDIX A

51/2146/08/F

Retrospective application for swimming pool and glazed balustrading – Sheelan, Overseas Estate, Stoke Fleming, Dartmouth, TQ6 0PJ – Mr S Harrison

STOKE FLEMING

Parish Council's Views – Objection to impact upon the Area of Outstanding Natural Beauty and Coastal Preservation Area. Negative impact upon both neighbouring properties on each side (Falaise and Briar Cottage). Objection to applicant's statement regarding levels relating to the structure that the pool is contained within. Detrimental impact upon the wildlife and in particular birds. Visual impact in general. Concerns have also been raised regarding an existing rear fence.

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Site Inspection

Conditions:

- 1 - LAN5A (Landscaping Details)
 - 2 - MAT14 (Walls, Render Details)
 - 3 - Non Standard
Glazed Panels
-

57/2154/08/F

Retrospective application for the erection of a holiday lodge on land adjacent to Piles Peek Farm, Ivybridge – Land adjacent to Piles Peek, Bittaford – Mr P Duffy

UGBOROUGH

Parish Council's Views – No comment but consider a contribution by way of a Section 106 Agreement be required for the benefit of the Parish

Officer Update – Requested extra condition on retention of trees and advised that an emergency TPO had been served

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

- 1 - TSM1 (Holiday Use)
 - 2 - RES22A (Exclude GDO)
 - 3 - MAT23 (Amended Timber Windows & Doors)
 - 4 - Tree Protection
-

(i) 41/2287/08/F & (ii) 41/2286/08/LB

Resubmission of 41/1081/08/F for reconstruction of storm damaged jetty for sea defences and boat access, and (ii) Listed Building Consent for the reconstruction of storm damage jetty for sea defences and boat access – Old Vinery, Bennett Road, Salcombe, TQ8 8JJ – Mr J Morris

SALCOMBE

Town Council's Views – To be reported verbally

Officer Update – Town Council's views reported: recommend refusal

Recommendation – Conditional Approval (both applications)

Committee Decision – Refusal

Reasons for Refusal:

(i) 41/2287/08/F:-

The proposed jetty would by reason of its size and appearance have an adverse visual impact on the landscape setting of the foreshore. Such development would be contrary to the objectives of County Structure Plan Policies C03, C05, C06 & C07; South Hams Local Plan Policies SHDC3 & SHDC15 and LDF Core Strategy Policies CS7 & CS9.

(ii) 41/2286/08LB:-

The proposed jetty would by reason of its size and appearance have an adverse visual impact on the landscape setting of the foreshore. Such development would be contrary to the objectives of County Structure Plan Policies C03, C05, C06 & C07; South Hams Local Plan Policies SHDC3 & SHDC15 and LDF Core Strategy Policies CS7 & CS9.

(i) 07/1758/08/F and (ii) 07/1759/08/LB

(i) Conversion of redundant barn to dwelling and associated access, car parking and curtilage provision, and (ii) Listed Building Consent for conversion of redundant barn to dwelling with associated access, car parking and curtilage provision – Coombe Farm, Wembury Road, Staddiscombe, Plymstock, Plymouth, PL9 0DE – Mr Williams

BRIXTON

Parish Council's Views – Support, providing that advice contained in the wildlife survey is adhered to.

Officer Update – None

Recommendation – Refusal (both applications)

Committee Decision – Site Inspection

20/2092/08/F

Demolition of piggery, erection of garage with hardstanding, raised front boundary wall and installation of gate – Rectory Stables, East Portlemouth, Salcombe, TQ8 8PA – Mr & Mrs R Lawson

EAST PORTLEMOUTH

Parish Council's Views – Views Awaited

Officer Update – None

Recommendation – Refusal

Committee Decision – Conditional Approval

Conditions:

- 1 - TIM3 (Standard three year time limit)
 - 2 - MAT16 (Stone Facing)
 - 3 - MAT8 (Natural Slate Sample)
 - 4 - MAT23 (Timber Window/Doors)
 - 5 - Non Standard
(Storage Only)
-

(i) 41/2282/08/LB and (ii) 41/2283/08/F

(i) Listed Building Consent for the consolidation of existing walls to reconstruct tower; and (ii) Resubmission of 41/1080/08/F for consolidation of the existing walls to reconstruct tower – Old Vinery, Bennett Road, Salcombe, TQ8 8JJ – Mr J Morris

SALCOMBE

Town Council's Views – No comments received

Officer Update – Town Council's views reported

Recommendation – Conditional Approval (both applications)

Committee Decision – Conditional Approval

Conditions:

(i) 41/2282/08/LB:-

1 - TIM4 (Listed Building standard three year time limit)

2 - LBC14 (Protection of Features)

3 - Non Standard

Historic Building Record

4 - Non Standard

New Stonework to be agreed

5 - Non Standard

Wearing course to be random Rubble Granite unless other agreed

(ii) 42/2283//08/F:-

1 - TIM3 (Standard three year time limit)

2 - IND8 (External Storage)

3 - MAT1 (Matching Materials)

4 - Non Standard

New Stonework to be agreed

5 - MAT20 (Stone Mortar Colour and Texture)

6 - MAT3 (Materials No Departure)

7 - MAT4 (Accord with Details Materials)

8 - MAT16 (Local Stone)

9 - Non Standard

Wearing Course to be random Rubble Granite unless otherwise agreed

10 - Non Standard

Building Works to be carried out in accordance with Construction Management Plan

11 - Non Standard

Detail and Location of Pontoon to be submitted to and approved

12 - Non Standard

Development to accord with Environment Agency PPG5 October 2007 Pollution Prevention

13 - Non Standard

Historic Building Record

38/2410/08/F

Conversion of barn to dwelling – Manor Farm, North Huish, South Brent, TQ10 9NN
– Mr D Hunt

NORTH HUISH

Parish Council's Views – Support

Officer Update – None

Recommendation – Refusal

Committee Decision – Refusal

Reasons for Refusal

1. The application proposes an unjustified residential conversion, on a site which is in the countryside outside of a settlement boundary in a location which is considered unsustainable for residential development. The proposal is therefore considered to conflict with national planning guidance and the following Development Plan policies: Devon County Structure Plan ST1, ST5; South Hams Local Plan SHDC3 and SHDC4; and Adopted LDF Core Strategy - December 2006 CS1.
 2. The proposed development, by reason of the significant amount of new building that is proposed would conflict with South Hams Local Plan Policy SHDC4 and Supplementary Planning Guidance 'Traditional Farm Buildings in the South Hams: their Adaptation and Re-use' which require buildings to be capable of being converted without major or inappropriate alteration and rebuilding.
 3. The proposed development, by of reason of its visual impact resulting from the significant new build and alterations to the landscape, would, adversely effect this part of the South Devon Area of Outstanding Natural Beauty. The proposed development is therefore contrary to Devon County Structure Plan Policies CO3, CO5 and CO6; South Hams Local Plan Policies SHDC3, with associated planning principles and SHDC15; and Local Development Framework Core Strategy Policies CS7 and CS9.
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