

**MINUTES OF THE MEETING OF THE DEVELOPMENT MANAGEMENT
COMMITTEE HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY,
14 APRIL 2010**

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 MBE

* Denotes attendance

∅ Denotes apologies for absence

In attendance and participating:

Cllr R J Tucker (for application numbers 18/0269/10/F and 18/2214/09/F)

Also in attendance and not participating:

Cllr M Hannaford and Cllr M J Howarth

Officers in attendance:

All Agenda Items: Head of Planning and Building Control, Senior Planning Officer, Planning Officer, Solicitor and Senior Member Support Officer; Application Number 56/2036/09/LB & 56/2037/09/F Senior Planning Officer.

DC.63/09 **MINUTES**

The minutes of the meeting of the Committee held on 10 March 2010 were confirmed as a correct record and signed by the Chairman.

DC.64/09 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 and the following were made:

Cllr Bastone declared a personal interest in planning application number 15/0547/09/F and 15/1320/09/CA (Resubmission of 15/2039/08/F for a replacement dwelling; and Conservation Area consent for demolition of existing dwelling – 23B, South Town Dartmouth, TQ6 9BX) by virtue of him being well known to everyone involved with the application.

Subsequently, he remained in the meeting during consideration of this application and took part in the discussion and vote thereon.

DC.65/09 PUBLIC PARTICIPATION

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

- 15/0547/09/F & 15/1320/09/CA: Objector – Mr Richard Bass: Resubmission of 15/2039/08/F for a replacement dwelling and Conservation Area consent for demolition of existing dwelling – 23B South Town, Dartmouth TQ6 9BX;
- 37/0142/10/F & 37/0143/10/CA: Supporter – Mr Rob Cox: Resubmission of planning application (37/2065/O) for demolition of existing dwelling and replacement house to incorporate disabled flat for relatives. Resubmission of application of Conservation Area Consent (37/0143/10/CA) to demolish the dwelling. Conservation Area Consent for demolition of existing bungalow and replacement to incorporate disabled flat for relatives – St Louis, Riverside Road West, Newton Ferrers, Plymouth PL8 1AD;
- 43/0079/10/F: Objector – Mr Roy Clarke: Installation of concrete base, with stock proof fence and gate, for bridge access to landing pontoon – Pontoon site at SX 772 424, West Pool Farm, Frogmore, Kingsbridge;
- 18/0269/10/F: Supporter – Mr Neal Jillings: Change of use from workshop and store to private dwelling. Remove double doors at entrance and replace with single door and window with vertical T&G board below – The Platt, The Lane, Dittisham, Devon TQ6 0HB;
- 18/2214/09/F: Supporter – Mr Paul Riley: Demolition of existing workshop and erection of staff accommodation and studio workshop – resubmission of 18/1084/09/F – Coombe Farm Studios, Dittisham, Devon TQ6 0JA;
- 15/0138/10/F: Supporter – Mr Walter Fleet: Re-establishment of collapsed section of existing path to the platform swimming area – Footpath at SX 8866 5024, Castle Cove, Castle Estate, Dartmouth.

DC.66/09 **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) **Report of the Site Inspection Group held on 10 February 2010**(i) **(56/2036/09/LB & 56/2037/09/F) Retrospective Listed Building Consent for alterations and extension to dwelling – resubmission of 56/1166/09/LB & retrospective application for alterations and extension to dwelling – resubmission of 56/1165/09/F) – 4 Plymouth Road, Totnes TQ9 5PH**

The Senior Planning Officer reminded Members of the details of the application, and the request from Members that the application be deferred in order that the applicant amend the details of the scheme (minute DC.59/09 (b) (i) refers). Those amendments had now been made, in line with amendments requested from some of the neighbours. Consultation had taken place and the occupiers of Nos. 2 and 3 Plymouth Road, along with the Town Council, had no objection. The Senior Planning Officer then read out a letter to the Committee from Mr Byrom which explained his objections to the latest set of plans. A Ward Member spoke on behalf of a neighbour who still had concerns and objected to the scheme. Whilst the material used for the screen may not reduce the amount of light he received, there was a concern about noise. However, it was considered by the Committee that overall, the applicant had done everything necessary to allay concerns and the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:

‘That in respect of application number 56/2036/09/LB & 56/2037/09/F the application be conditionally approved’.

It was then:-

RESOLVED

That in respect of application number 56/2036/09/LB & 56/2037/09/F, the applications be conditionally approved.

Conditions – 56/2036/09/LB

- 1 - Non Standard (Reinstatement of lath and plaster wall)
 - 2 - Non Standard (Implementation six months)
 - 3 - NH05 (Accord with PlansNH5)
 - 4- MAT22 (Joinery Details)
 - 5 - MAT7 (Natural Slate Sample)
 - 6 – Non Standard
- Provide & Retain Privacy Screen

Conditions – 56/2037/09/F

- 1 - Non Standard (Reinstatement of lath and plaster wall)
 - 2 - Non Standard (Implementation six months)
 - 3 - NH05 (Accord with PlansNH5)
 - 4- MAT22 (Joinery Details)
 - 5 - MAT7 (Natural Slate Sample)
 - 6 – Non Standard
 - 7 – CONTAM3 (Contamination – added Jan 2010)
- Provide & Retain Privacy Screen

- (c) **Report of the Site Inspection Group held on 10 March 2010**
- (i) **(37/2040/09/F) Retrospective householder application for amendments to planning consent 37/0410/08/F for alterations to landscaping to rear garden – Westfield, Riverside Road West, Newton Ferrers, Plymouth PL8 1AD**

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. The Head of Development Management presented photographs which had been submitted by the objector. A Member of the Site Inspection Group then advised Members that it was a developed landscape and he was happy with the amendments that had been made to the original planning consent. Another Member of the Group stated that the property did not stand out enough to justify refusal of the application. The Ward Member reiterated her concerns over the lack of landscaping. It was then **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:

‘That in respect of application number 37/2040/09/F the application be conditionally approved’.

It was then:-

RESOLVED

That in respect of application number 37/2040/09/F, the application be conditionally approved.

Conditions

- 1 - TIM3 (Standard 3 year time limit)
- 2 - MAT1 (Matching Materials)
- 3 - Non Standard Retaining walls of hardstanding
- 4 - Non Standard Railings
- 5 - Non Standard Planting Details
- 6 - Non Standard Highways
- 7 - NH05 (Accord with Plans)
- 8 – Prevention of increasing terrace levels from their current depth.

DC.67/09

PLANNING APPLICATIONS

The Head of Development Management submitted details of planning applications as indicated in Appendix A to these minutes.

During discussion of these planning applications, the following motion (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 37/0142/10/F and 37/0143/10/CA – Resubmission of planning application (37/2065/O) for demolition of existing dwelling and replacement house to incorporate disabled flat for relatives. Resubmission of application of Conservation Area Consent (37/0143/10/CA) to demolish the dwelling. Conservation Area Consent for demolition of existing bungalow and replacement to incorporate disabled flat for relatives – St Louis, Riverside Road West, Newton Ferrers, Devon PL8 1AD, the Head of Development Management explained that, unlike neighbouring properties, this property had been set back from the road. He outlined the proposal to demolish the bungalow and replace it with a four bedroom, two storey house over a 2 bedroom basement apartment for disabled relatives. A number of plans and photographs were shown which gave Members a visual impression of the proposed property.

During discussion, the following points were raised:

- Members would need to decide how the proposal fitted into the existing landscape, and whether the proposed property, in the arts and crafts style, amounted to a successful transition or whether, in view of the Conservation Area, the property should be more in keeping with neighbouring properties;
- The applicant advised Members of support from some neighbours and asked the Committee to consider that this would be a family home which was lived in all year around;

- The Local Ward Member felt that the proposed property was out of proportion and not in keeping with the area. There was also concern over the impact on the character of the Conservation Area;
- The Head of Development Management advised that modifications had been made to the proposed building in terms of significant changes to the appearance and some scaling back.

It was then **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That a site inspection be held.’

A Member then asked for presentation of a photograph showing Newton Ferrers, with the proposed property superimposed. He felt that the photograph clearly showed that the proposed property was too big and would constitute overdevelopment.

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

‘That the application be refused’.

Reasons for Refusal

Over development
Out of character
Out of scale
Impact on the character of the Conservation Area

- b) In respect of application 18/0269/10/F – Change of use from workshop and store to private dwelling. Remove double doors at entrance and replace with single door and window with vertical T&G board below – The Platt, The Lane, Dittisham, Devon TQ6 0HB, the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be held.’

- c) In respect of application 18/2214/09/F (Demolition of existing workshop and erection of staff accommodation and studio workshop – resubmission of 18/1084/09/F – Coombe Farm Studios, Dittisham, Devon TQ6 0JA), the Senior Planning Officer explained that the proposed application had been recommended for refusal as there was a fundamental settlement policy objection to the creation of a new dwelling outside of any development boundary for a town or village. He proceeded to present plans and photographs which gave a visual impression of the proposal.

The applicant addressed the Committee, and explained that the business had been run successfully for 30 years. It was now time for he and his wife to retire, and the accommodation was needed for an on site manager to look after the visiting students.

The local ward Member spoke in favour of the application and reiterated the need for on site assistance for students. He also reminded Members that the Council's Economic Development Officer supported the application. This application cut across housing and jobs, and if it were to be refused there would be a real danger of the business closing, with the loss of a number of jobs.

During discussion, a number of Members expressed understanding with the officer view that the application be refused, however, in this particular case, it was felt that, as maintaining employment was the second corporate priority of this Council, weight should be given to the business need. In the event that the Committee supported the application, a Member asked that the proposal include a condition that would restrict the use of the proposed building so that it was an ancillary part of the complex. A further condition was requested requiring the submission for approval of a tree report. The Head of Development Management added that, if the application were to be approved, then other conditions would need to be delegated to the Head of Development Management. With the assurance that the additional conditions be attached to the application, the following motion was then **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

'That the application be conditionally approved.'

Reasons for approval

To support the Council's Corporate Priority 2: 'Good Jobs'.

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 5.00 pm).

Chairman

APPENDIX A

(i) 15/0547/09/F & (ii) 15/1320/09/CA

(i) Resubmission of 15/2039/08/F for a replacement dwelling; and (ii) Conservation Area Consent for demolition of existing dwelling – 23B South Town, Dartmouth, Devon, TQ6 9BX – Mr King

DARTMOUTH

Town Council's Views - Recommend refusal on the grounds of overdevelopment, that the proposal would be detrimental to the amenity of neighbouring properties and would result in increased traffic flow

Officer Update – None

Recommendation – Conditional Approval (both applications)

Committee Decision – Conditional Approval

Conditions

(i) 15/0547/09/F

- 1 -TIM3 (Standard time limit 3 years)
- 2 - NH05 (Accord with Plans)
- 3 - Non Standard
- Excavation Details
- 4 - RES42 (Parking)
- 5 - RES22A (Exc. of G.D.O. (new October 2008))
- 6 - CONTAM1 (Contamination condition)
- 7 - MAT12 (Eaves and Verge Details)
- 8 - MAT14 (Walls, Render, Details)
- 9 - MAT16 (Local Stone)
- 10 - MAT22 (Joinery Details)
- 11 - MAT23 (Timber Doors and Windows Reserved Details Vents)
- 12 - MAT26 (Rooflights Conservation Type)
- 13 - MAT8 (Roofing Natural Slate)
- 14 - RES29A (Obscure Glazing – exclude from GDO)
- 15 - Non Standard
- Work in accordance with Bat Survey
- 16 - RES24 (Retaining Walls)
- 17 - Non Standard
- Drainage Details

(ii) 15/1320/09/CA

- 1 – TIM4 (Standard time limit 3 years)
- 2 – NH05 (Accord with Plans)

(i) 37/0142/10/F and (ii) 37/0143/10/CA

(i) Resubmission of planning application 37/2065/O for demolition of existing dwelling and replacement house to incorporate disabled flat for relatives. Resubmission of application of Conservation Area Consent (37/0143/10/CA) to demolish the dwelling, and (ii) Conservation Area Consent for demolition of existing bungalow and replacement to incorporate disabled flat for relatives – St. Louis, Riverside Road West, Newton Ferrers, Devon, PL8 1AD – Mr R Cox

NEWTON & NOSS

Parish Council's Views – No objection, subject to the points raised in Mr Munday's letter of 8 January being met to his satisfaction

Officer Update – None

Recommendation – Conditional Approval (both applications)

Committee Decision – Refused on the grounds of overdevelopment and impact on character and appearance of Conservation Area

Reasons for Refusal

The new dwelling would have the appearance of being an overdevelopment by virtue of its overall height and bulk. The proposal would as a consequence have a harmful impact on the character and appearance of this area of Newton Ferrers and specifically on the Conservation Area and thereby be contrary to Local Plan Policies SHDC1, SHDC15 & SHDC18 and Devon County Structure Plan Policies C06 & C07; and LDF Core Strategy Policies CS7 & CS9; presenting a building that would be out of proportion with neighbouring properties along Riverside Road West.

43/0079/10/F

Installation of concrete base with stock proof fence and gate for bridge access to landing pontoon – Pontoon site at SX772 424, West Pool Farm, Frogmore, Kingsbridge – Mr I Gibson

SHERFORD/FROGMORE

Parish Council's Views – Support

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

- 1 – TIM3 (Standard 3 year time limit)
- 2 – NH05 (Accord with Plans)
- 3 – Non Standard Access & Parking Restriction
- 4 – Non Standard Colour Finish of Bridge
- 5 – Non Standard Colour Finish of Fence & Gate
- 6 – Non Standard Hardsurfacing Materials

18/0269/10/F

Change of use from workshop and store to private dwelling. Remove double door at entrance and replace with single door and window with vertical T & G board below – The Platt, The Lane, Dittisham, Devon, TQ6 0HB – Mr A Rendle

WOODLEIGH

Parish Council's Views – Support

Officer Update – None

Recommendation – Refusal

Committee Decision – Site Inspection

18/2214/09/F

Demolition of existing workshop and erection of staff accommodation and studio workshop – resubmission of 18/1084/09/F – Coombe Farm Studios, Dittisham, Devon, TQ6 0JQ – Mr P A Riley

DITTISHAM

Parish Council's Views – No objection

Officer Update – None

Recommendation – Refusal

Committee Decision – Conditional Approval

Conditions

- 1 – TIM3 (Standard Time Limit 3 years)
 - 2 – NH05 (Accord with Plans)
 - 3 – MAT7 (Natural Slate Sample)
 - 4 – MATT11 (Eaves, Verges, Hips and Flue Details)
 - 5 – MAT15 (Walls, Weatherboard, Colour Finish)
 - 6 – MATT22 (Joinery Details)
 - 7 – RESS22A (Exc. of G.D.O. (new October 2008))
 - 8 – Non Standard Staff Accommodation Only
 - 9 – TRE1 (Tree Protection Details : Outline)
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15/0138/10/F

Re-establishment of collapsed section of existing path to the platform swimming area – Footpath at SX8866 5024, Castle Cove, Castle Estate, Dartmouth – Mr W Fleet

DARTMOUTH

Town Council's Views – Approve

Officer Update –

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

1 – TIM3 (Standard three year time limit)

2 – Non Standard

(Structural Calculations/Method of Attachment to Cliff Face)

3 – Non Standard

(Materials/Colour Finish)

04/0274/10/F

Installation of 4 plain black, 5 metre high lighting columns along pedestrian path at Woolwell Green – Land adjacent Woolwell Community & Resource Centre, Woolwell, Plymouth, PL6 7TR – Mr T Pollard

BICKLEIGH

Parish Council's Views – Awaited

Officer Update – Support from Parish Council

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

1 – TIM3 (Standard Time Limit 3 years)

2 – NH05 (Accord with Plans)

28/0281/10/F

Erection of a 6 metre high wind-down camera with 'swan neck' extension of 0.5 metre (6.5m total), plus adjacent 'bicycle stand' – Quay Car Park, Kingsbridge, Devon, TQ7 1HH – Mr M Johnson

KINGSBRIDGE

Town Council's Views – Kingsbridge Town Council is the applicant therefore can not comment on this application

Officer Update - None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

1 – TIM3 (Standard time limit 3 years)

2 – NH05 (Accord with Plans)