

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 16 APRIL 2008**

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

∅ Denotes apologies for absence

Officers in attendance:

Head of Planning and Building Control, Area Planning Officers (Eastern and Western Area), Solicitor and Senior Member Support Officer

Also in attendance and participating:

Cllrs F J Hawke and C W Jones

DC.60/07 MINUTES

The minutes of the meeting of the Committee held on 19 March 2008 were confirmed as a correct record and signed by the Chairman.

DC.61/07 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:-

Cllrs B F Cane and D W May declared a personal interest in application 39/2605/07/F (construction of buildings and facilities for the storage, transfer and processing of deadstock/livestock (use as a knacker yard) – Channer Head Plantation, Webland Lane, South Brent) and remained in the meeting and took part in the vote and debate on this application.

Cllr I Longrigg declared a prejudicial interest 44/1582/07/F (Provision of sewage treatment plant – Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd), 44/2443/07/F (Resubmission of application 44/1583/07/F for replacement of games room with log cabin for holiday use and details of access road and car parking – Log Cabin Site, Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd) and 44/0041/08/F (Amendments to planning approval 44/2074/03/F for the retention of Plot 6, Log Cabin Site, Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd) and left the meeting during the debate and vote on these applications.

DC.62/07 **PUBLIC PARTICIPATION**

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

- 15/0405/08/F – Supporter – Mr Swallow
Erection of dwelling – Old Mill Kennels, Old Mill Lane, Dartmouth;
- 41/0039/08/F – Objector – Mr Moore; Supporter – Mr Warner
Removal of structurally unsound cottage and erection of new dwelling – Cable Cottage, Cliff Road, Salcombe. TQ8 8LD;
- 23/0141/08/F – Supporter – Mr Claydon
Extension to dwelling – Hayes Barn, Harberton, Totnes, TQ9 7SP.

DC.63/07 **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.

DC.64/07 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 application 15/2492/07/F (Resubmission of planning application 15/0455/07/F for demolition of existing buildings and erection of 6 no. flats and associated parking – St Johns Ambulance, College Way, Dartmouth TQ6 9NN – Hayne Ltd), the Area Planning Officer (APO) advised that following the publication of the Development Control Committee agenda for this meeting, the agents for this application had submitted amended proposals. These amendments were submitted in an attempt to address Members' concerns raised at the previous meeting (minute DC.57/07 refers) with regard to the vehicular access to the car parking facilities and its associated dangers to the public. The revised plans incorporated an extended vehicular access with curved edges to increase visibility and the removal of the electronic gates to ensure vehicles could enter the parking facilities without waiting. The APO therefore advised that due to late receipt of these revised plans, they had yet to be consulted upon. Therefore, if Members were minded to approve the application, it was suggested that delegated authority be given to grant this approval once the statutory consultation period had expired.

Members then proceeded to debate the application and, following a lengthy discussion, a Member **PROPOSED** that the application be deferred so that once the statutory consultation period had expired, the revised application could be presented back to the Committee for further discussion. Although vehicular access concerns were still highlighted by Members, a number of Members also noted concerns over the design element of the proposed development and its detrimental impact to the residential amenities of neighbouring properties and therefore felt that they could not support approval of the application. In comparison, a Member felt that the applicants had addressed the vehicular access concern which Members had previously raised, and therefore felt that there was no justification in planning terms for refusing the application.

The motion for deferral was subsequently **SECONDED** and on being put to the vote declared **CARRIED**, it was therefore:-

RESOLVED

That in respect of planning application 15/2492/07/F, the application be deferred to allow for the revised plans to be considered in accordance with the statutory period for consultation following which the application be re-considered by the Development Control Committee.

- (b) In respect of application 15/0405/08/F (Erection of dwelling – Old Mill Kennels, Old Mill Lane, Dartmouth) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST:-**

RESOLVED

That in respect of planning application 15/0405/08/F, the application be conditionally approved.

During discussion on this application, some Members felt that the proposals would 'tidy up' the site. Moreover, it was felt that a residential property would decrease the amount of traffic on such a narrow access lane, in comparison to the traffic which was potentially generated from the property being used as a kennels, as the current permission allowed. However, in contrast, the majority of Members' felt that as this application went against a number of planning policies it would be detrimental to approve it as it could set an unwanted precedent.

- (c) In respect of application 27/0253/08/F (Erection of porch and first floor extension over existing garage – 10 Carter Road, Ivybridge PL21 0RX) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

RESOLVED

That in respect of planning application 27/0253/08/F, a site inspection be held.

- (d) In respect of applications 44/1582/07/F (Provision of sewage treatment plant – Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd), 44/2443/07/F (Resubmission of application 44/1583/07/F for replacement of games room with log cabin for holiday use and details of access road and car parking – Log Cabin Site, Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd) and 44/0041/08/F (Amendments to planning approval 44/2074/03/F for the retention of Plot 6, Log Cabin Site, Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST:-**

RESOLVED

That in respect of planning applications 44/1582/07/F, 44/2443/07/F and 44/0041/08/F a site inspection be held.

- (e) In respect of application 41/0039/08/F (Removal of structurally unsound cottage and erection of new dwelling – Cable Cottage, Cliff Road, Salcombe, TQ8 8LD) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST:-**

RESOLVED

That in respect of planning application 41/0039/08/F a site inspection be held.

- (f) In respect of application 23/0141/08/F (Extension to dwelling – Hayes Barn, Harberton, Totnes, TQ9 7SP) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST** (by virtue of the Chairman's casting vote):-

RESOLVED

That in respect of planning application 23/0411/08/F, the application be conditionally approved.

Members voting in favour of refusal of this application felt strongly that the Committee should pay due attention to the Council's guide for Traditional Farm Buildings in the South Hams which stated that alterations which would adversely affect the character and appearance of a barn, should not be permitted.

- (g) In respect of application 46/0421/08/F (Extension and alterations to dwelling – Bolt Bury, Bolberry Road, Hope Cove, Kingsbridge, TQ7 3HT) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST:-**

RESOLVED

That in respect of planning application 46/0421/08/F, planning permission be refused due to over development and being out of keeping with the overall street scene.

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 4.40 pm).

Chairman

APPENDIX A

39/2605/07/F

Construction of buildings & facilities for the storage, transfer & processing of deadstock/livestock (use as a knacker yard) – Channer Head Plantation, Webland Lane, South Brent – Mr A Goatman

RATTERY & SOUTH BRENT PARISH COUNCILS

Parish Councils' Views – Objection

Officer Update – Report on late letters and Parish Council comments

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

- 1 - TIM3 (Standard 3 year time limit)
 - 2 - MAT2 (Samples Submitted)
 - 3 - Non Standard
Access Improvement
 - 4 - Non Standard
Hardsurfacing
 - 5 - Non Standard
Tree Protection Measures
 - 6 - Non Standard
Retention of Trees
 - 7 - Non Standard
Landscaping (Details)
 - 8 - Non Standard
Landscaping (Implementation)
 - 9 - LAN7 (Landscape Maintenance)
 - 10 – LAN8 (Landscape Inspection Completion)
 - 11 – LAN9 (Landscape Inspection (One Year))
 - 12 - Non Standard
Additional Ecological Surveys
 - 13 - Non Standard
Surface Water Disposal Details
 - 14 - Non Standard
Re-use of Clean Surface Water Details
 - 15 - Non Standard
Noise Levels Details (Generators/Compressors/Splitting Saws)
 - 16 - Non Standard
No Incineration & Rendering
 - 17 - IND3 (Parking)
 - 18 - USE4 (Used Applied For)
 - 19 - IND7 (GDO Exc)
 - 20 - IND6 (GDO Exc)
-

15/2492/07/F

Resubmission of planning application 15/0455/07/F for demolition of existing buildings and erection of 6 no. flats and associated parking – St Johns Ambulance Association, College Way, Dartmouth, TQ6 9NN – Hayne Limited

DARTMOUTH

Town Council's Views – Refusal - visual impact, overdevelopment, unneighbourly and out of keeping with neighbouring properties

Officer Update – Report on submission of amended plan and need to consult

Recommendation – Conditional Approval (Subject to Section 106 Agreement)

Committee Decision – Deferred for consultation

15/0405/08/F

Erection of dwelling – Old Mill Kennels, Old Mill Lane, Dartmouth – Mr & Mrs S Sharp

DARTMOUTH

Town Council's Views – Approval

Officer Update – None

Recommendation – Refusal

Committee Decision – Refusal

Reasons for Refusal

- 1 The proposal constitutes an undesirable intensification of sporadic development in the countryside, which in the absence of any overriding agricultural need, is contrary to the provisions of County Structure Plan Policies ST1, ST5, ST16 and South Hams Local Plan Policy SHDC3; LDF Core Strategy Policy CS1; and relevant Central Government guidance.
 - 2 The proposed dwelling is located within the Coastal Preservation Area and would be contrary to the provisions of County Structure Plan Policy CO5.
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27/0253/08/F

Erection of porch and first floor extension over existing garage – 10 Carter Road, Ivybridge, PL21 0RX – Mr & Mrs D Bartlett

IVYBRIDGE

Town Council's Views – No objections

Officer Update – None

Recommendation – Refusal

Committee Decision – Site Inspection

44/1582/07/F

Provision of Sewage Treatment Plant – Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd

SLAPTON

Parish Council's Views – No objections

Officer Update – 1 late letter of objection reported

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

1 – TIM3 (Standard three year time limit)

2 - Non Standard

Details of High level vent and siting of standby generator

3 – Non Standard

Tree Retention

44/2443/07/F

Resubmission of planning application 44/1583/07/F for replacement of games room with log cabin for holiday use and details of access road and car parking – Log Cabin Site, Gara Mill, Slapton, Kingsbridge. TQ7 2SE – Standsure Developments Ltd

SLAPTON

Parish Council's Views – Objection – overdevelopment, flooding problems

Officer Update – 1 late letter of objection reported

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

- 1 – TIM3 (Standard three year time limit)
 - 2 - Non Standard
Holiday Use
 - 3 - Non Standard
Parking
 - 4 - Non Standard
Wildlife
 - 5 – Non Standard
Tree Protection
-

44/0041/08/F

Amendments to planning approval 44/2074/03/F for the relocation of Plot 6 - Log Cabin Site, Gara Mill, Slapton, Kingsbridge, TQ7 2SE – Standsure Developments Ltd

SLAPTON

Parish Council's Views – Objection; works not in accordance with plans

Officer Update – 1 late letter of objection reported. 1 additional condition recommended

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

- 1 - TIM3
 - 2 - Non Standard
Holiday Use
 - 3 - Non Standard
Landscaping
 - 4 - Non Standard
Root Protection Measures
 - 5 - Non Standard
Works within Roof Protect Area Details
 - 6 - Non Standard
Materials
 - 7 - Non Standard
Retention of conditions on 2074/08
 - 8 – Non Standard
Ecological
 - 9 – Non Standard
Alternative Planning Permission
-

41/0039/08/F

Removal of structurally unsound cottage and erection of new dwelling – Cable Cottage, Cliff Road, Salcombe, TQ8 8LD – Mr & Mrs M Warner

SALCOMBE

Town Council's Views – Objection. Councillors are aware of the historic and scientific significance of this property locally. It was noted that the assertion is that the property is structurally unsafe but this statement was challenged due to the buildings test of time and the fact that it has always leaned. It was felt that this application is an overdevelopment of the site and out of keeping with the locality due to the proposal to double the size from its original structure (CS7, CS9, KP11). Set in a Coastal Preservation Area this property is felt to be in harmony with its surroundings and such changes as proposed would not promote the importance of this building to this area in terms of the evolution of global telecoms and thus undermine its historical value (CS9, DC21, DC24). The Clerk was requested to write to the Institute of Electrical Engineers in London advising of the concerns for Cable Cottage and asking for information and support.

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval**Conditions**

- 1 - TIM3 (Standard three year time limit)
 - 2 - RES22 (Exc. GDO)
 - 3 - MAT8 (Natural Slate)
 - 4 - MAT22 (Joinery Details)
 - 5 - MAT27 Rooflights/Patent Glazing)
 - 6 - Non Standard
Stairwell
 - 7 - Non Standard
Archaeology
 - 8 - Non Standard
Floor Levels
 - 9 - Non Standard
Arsenic Survey
 - 10 - Non Standard
Contamination
 - 11 - MAT11 (Eaves/Verges)
 - 12 - MAT14 (Walls Render Details)
-

15/0198/08/F & 15/0199/08/LB & 15/0200/08/AD

0198/08/F – Replacement glass shopfront; **0199/08/LB** – Listed Building Consent for internal alterations and new shopfront and awning; **0200/08/AD** – Display of fascia sign, one projecting sign and logos on awning – 9 The Quay, Dartmouth, TQ6 9PS – Henri Lloyd Ltd

DARTMOUTH

Town Council's Views – Refusal inappropriate not in keeping with the existing buildings

Officer Update – None

Recommendation – Conditional Approval (all applications)

Committee Decision – Conditional Approval (all applications)

Conditions

15/0198/08/F

- 1 - TIM3 (Standard time limit 3 years)

15/0199/08/LB

- 1 – TIM4 (Listed Building time limit 3 years)
- 2 – Non Standard
Design of Shutters

15/0200/08/AD

- 1 – Standard time limit (3 years)
 - 2 – ADS1 (Advert standard condition (Mar 2007))
 - 3 – ADS2 (Advert standard condition (Mar 2007))
 - 4 – ADS3 (Advert standard condition (Mar 2007))
 - 5 – ADS4 (Advert standard condition (Mar 2007))
 - 6 – ADS5 (Advert standard condition (Mar 2007))
-

50/0013/08/F

Erection of glasshouse and provision of access track – The Orchard, Sparkwell Cottage, Sparkwell Lane, Staverton – Mr K Hewitt

STAVERTON

Parish Council's Views -

- More information needed to justify the proposed use of the greenhouse;
- No business plan supplied;
- Provision for water run off from proposed track should be identified- not onto the highway;
- Access track is oversized;
- Off road parking should be identified – commercial use
- Section 21 – traffic flow should be completed as this site already has a considerable traffic movement under its current usage;

- Lighting not identified - there should not be any internal or external lighting permitted in such a rural setting;
- Should not at any time be used as a retail unit;
- Should not any time in the future be used for such an operation that an application for residential be required.

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions

1 - TIM3 (Standard three year time limit)

2 - MAT2 (Samples Submitted)

3 - HGE4 (Hedgerow Retention)

4 - Non Standard

Landscape Plan

5 - Non Standard

Implementation of Landscaping

6 - Non Standard

Hedgerow Retention

7 - Non Standard

External Lighting

8 – Non Standard

Temporary (removal of glasshouse when no longer needed for authorised use)

23/0141/08/F

Extension to dwelling – Hayes Barn, Harberton, Totnes, TQ9 7SP – Extension to dwelling – Hayes Barn, Harberton, Totnes, TQ9 7SP – Mr J R Clayden

HARBERTON

Parish Council's Views – No objection

Officer Update – None

Recommendation - Refusal

Committee Decision – Refusal

Reasons for Refusal

- 1 The design would be out of keeping in terms of its visual impact and does not harmonise satisfactory with the existing character of the barn conversion; thus is therefore contrary to Structure and Local Plan Policies SHDC3 & SHDC4; Adopted Core Strategy CS7, CS9; relevant Central Government Guidance; and the Council's adopted Supplementary Planning Guidance "Traditional Farm Buildings in the South Hams - Their Adaptation and Re-use".

46/0421/08/F

Extension and alterations to dwelling – Bolt Bury, Bolberry Road, Hope Cove, Kingsbridge, TQ7 3HT – Extension to alterations to dwelling – Dr & Mrs I M Hall

SOUTH HUISH

Parish Ciuncil's Views - Object because the proposals will result in neighbouring properties suffering a lack of light. Further, it is felt that the design involves too much bulk at second storey level.

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Condition

1 - TIM3 (Standard time limit 3 years)
