

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

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

Also in attendance but not participating:
Cllr R J Tucker

DC.41/07 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

That Cllr B F Cane be appointed Vice-Chairman for the duration of this meeting.

DC.42/07 MINUTES

The minutes of the meeting of the Committee held on 12 December 2007 were confirmed as a correct record and signed by the Chairman.

DC.43/07 CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that application number 21/2218/07/F (Retention of and extension to existing building to form new dwelling – Ivy Cottage, Ivybridge Road, Ermington, Ivybridge PL21 0LG) had been withdrawn by the applicant prior to the start of the meeting.

The Head of Planning and Building Control proceeded to inform Members that due to the timescales associated with the delivery of the Sherford Area Action Plan, it was necessary for the submitted Sherford planning application to be determined imminently. As a consequence, it had been provisionally proposed that the application be considered at a specially convened meeting of the Committee on Wednesday, 27 February 2008, with a joint site inspection (with Plymouth City Council Members) provisionally scheduled to take place on Wednesday, 20 February 2008. Whilst stressing that these dates were currently provisional, officers requested that Members pencil these dates into their diaries and advised that confirmation would be forthcoming in due course.

DC.44/07 **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 D W May declared a prejudicial interest in application number 27/2379/07/AD (Erection of wall mounted signs – David May Motor Services, Ermington Road, Ivybridge PL21 9ES) by virtue of him being the applicant and left the meeting during consideration of this item. At the request of the Chairman, Cllrs Barnes, Cane, Carter, Coulson, Hawkins, Hicks, Hitchins, Longrigg, Pennington, Rowe, Squire and Steer declared a personal interest in this application by virtue of the applicant being a fellow Conservative Group Member and remained in the meeting and took part in the discussion and vote thereon.

DC.45/07 **PUBLIC PARTICIPATION**

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

- 15/2377/07/F – Objector – Mr Irish
Retrospective application for removal of condition 4 of approval 9/15/1577/05/F dated 18 November 2005 (boat & trailer store) to allow storage of boat, trailer &/or car – 51 Churchfields, Dartmouth TQ6 9HJ;
- 43/2229/07/F – Supporter – Ms Wilcox
Resubmission of application 43/1735/07/F for erection of extension/garden room – Old Homefield, Sherford, Kingsbridge, TQ7 2AT.

DC.46/07 **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.47/07 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 number 58/2449/07/F (Retrospective application for erection of dwelling, associated landscape and parking provision – Philpott House, Andurn Estate, Down Thomas, Plymouth PL9 0AT), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

“That planning permission be refused and officers be given delegated authority to assess whether the serving of an enforcement notice be deemed appropriate.”

Reason

A number of Members expressed their dismay that the formal decision of the Appeal Inspector had been overlooked with regard to no development commencing until certain conditions (e.g. landscaping details) had been adhered to. In addition, some Members felt that the increase in height and width from the original plans was to the detriment of the neighbouring properties and was therefore sufficiently significant to warrant refusal of the planning application.

- (b) In respect of application number 15/2377/07/F (Retrospective application for removal of condition 4 of approval 9/15/1577/05/F dated 18 November 2005 (boat & trailer store) to allow storage of boat, trailer &/or car – 51 Churchfields, Dartmouth TQ6 9HJ), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

“That planning permission be refused and enforcement action be authorised to cease the use of the building for the parking of a car.”

Reason

The Committee advised that it could see no reason to remove this original condition when the property already had provision for a garage and private parking at its front, in addition to the availability of on-street parking. When also considering the highways congestion in this area, the Committee did not support removal of the condition.

(c) In respect of application number 34/2001/07/F (Erection of new dwelling with annexe and detached garage – Land north of Kiln Cross at SX865633, Kiln Road, Marldon, Paignton), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

“That a site inspection be undertaken.”

(d) In respect of application number 43/2229/07/F (Resubmission of application 43/1735/07/F for erection of extension/garden room – Old Homefield, Sherford, Kingsbridge, TQ7 2AT), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

“That planning permission be conditionally approved.”

Reason

In light of the significant conversion works undertaken to the barn in 1986, the majority of Members felt that the proposals were acceptable in terms of both design and size and were minded to support the application.

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 4.15 pm).

Chairman

DEVELOPMENT CONTROL COMMITTEE – 16 JANUARY 2008

The following matters were reported to and noted by the Committee during consideration of DC.47/07 and Appendix A:-

58/2449/07/F	Letters circulated	4 of objection 1 of comment
15/2377/07/F	Letters circulated	5 of objection 1 of comment 1 of support
34/2001/07/F	Letters circulated	4 of support
21/2218/07/F	Letters circulated	2 of objection 1 of comment
27/2379/07/AD	Letters circulated	1 of concern
59/2336/07/F	Letters circulated	1 of objection 1 of comment

APPENDIX A

58/2449/07/F

Retrospective application for erection of dwelling, associated landscape and parking provision – Philpott House, Andurn Estate, Down Thomas, Plymouth – Mr N Philpott

WEMBURY

Parish Council's Views – No comment

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Refusal

Reasons for Refusal

1. The proposed dwelling, by virtue of its size, scale and additional height would have a detrimental impact upon the amenity of the neighbouring properties and the Area of Outstanding Natural Beauty and the Coastal Preservation Area, subsequently the proposal is contrary to Devon County Structure Plan Policies CO3, CO5, CO6; Local Plan Policies and Planning Principles SHDC3, SHDC15, DS4, ENV2, ENV4, DEV2 and LDF Core Strategy CS1, CS7 and CS9.
2. The loss of the integral parking area and vehicular bridge would result in the parking of vehicles to the front of the dwelling and given the lack of landscaping on site would result in an adverse impact upon the amenity of the neighbouring dwellings and the setting of the site which is within an Area of Outstanding Natural Beauty and Coastal Preservation Area. Therefore the proposal is considered contrary to Devon County Structure Plan CO3, CO5, CO6; South Hams Local Plan and Planning Principles SHDC3, SHDC13, SHDC15; South Hams Local Plan Review and Planning Principles DS4, ENV2, ENV4, DEV2, DEV23 and LDF Core Strategy CS1, CS7 and CS9.

15/2377/07/F

Retrospective application for removal of condition 4 of approval 9/15/1577/05/F dated 18 November 2005 (boat & trailer store) to allow storage of boat, trailer and/or car – 51 Churchfields, Dartmouth, TQ6 9HJ – Mr R A Ward

DARTMOUTH

Town Council's Views – Recommend refusal on the grounds that it would appear that condition 4 is still appropriate

Officer Update – 1 late letter from applicant

Recommendation – Conditional Approval

Committee Decision – Refusal

Reasons for Refusal:

The proposed use of the building for the parking of a car would result in additional traffic movements and associated congestion within the cul-de-sac, resulting in detriment to the residential amenities of nearby residents thus contrary to adopted Local Plan Policy SHDC1 and associated Planning Principles

34/2001/07/F

Erection of new dwelling with annex and detached garage – Land north of Kiln Cross at SX865633, Kiln Road, Marldon, Paignton – Mr W Eastley

MARLDON

Parish Councils' Views – No objection

Officer Update – 1 late letter of support

Recommendation – Refusal

Committee Decision – Refusal

Reasons for Refusal

1. The proposal lies outside the development boundary of the village of Marldon as identified in the adopted and emerging Local Plans. As such, it comprises a form of sporadic development in the countryside which, in the absence of any overriding agricultural need, is contrary to adopted Development Plan Policies, ST5, ST16, CS1, SHDC3; emerging Local Plan Policy DS4; and relevant Central Government guidance.
2. The proposal is located in an Area of Great Landscape Value, and would be damaging to the appearance and character of the locality. Such development is contrary to the provisions of the adopted Development Plan Policies C01, C04, SHDC3; emerging Local Plan Policies DEV23, ENV3; and relevant Central Government guidance.
3. The design of the proposed dwelling, by virtue of the height and massing, would have a detrimental impact upon the character and appearance of the surrounding countryside and Area of Great Landscape Value. Such development is contrary to the provisions of the adopted Development Plan Policies CS7, C04, SHDC15; emerging Local Plan Policies DEV2, ENV3; and relevant government guidance.
4. In the absence of any information regarding proposed levels of the dwelling, annexe and garage; the lack of elevational detail of the proposed garage; and the conflicting information on the submitted plans and elevations regarding windows, doors, railings and the ridge height, the Local Planning Authority is of the opinion that it is reasonable to issue a holding reason for refusal on

grounds of design and visual impact, having due regard to adopted Development Plan Policies ST5, ST16, C01, C04, SHDC3, SHDC15, CS1, CS7; emerging Local Plan Policies DS4, DEV2, DEV23, ENV3 & relevant Central Government guidance.

21/2218/07/F

Retention of and extension to existing building to form new dwelling – Ivybridge Road, Ermington, Ivybridge, PL21 0LG – Mr H Day

ERMINGTON

Parish Council's Views – Objection, overdevelopment of site

Officer Update – N/A

Recommendation – Conditional Approval

Committee Decision – N/A

(THIS APPLICATION WAS WITHDRAWN PRIOR TO COMMITTEE DATE)

27/2379/07/AD

Erection of wall mounted signs – David May Services, Ermington Road, Ivybridge, PL21 9ES – Mr D May

IVYBRIDGE

Town Council's Views – No objection

Officer Update – None

Recommendation – Conditional Approval

Conditions:

- 1 – ADV1 (Advert)
 - 2 – ADV2 (Advert)
 - 3 – ADV3 (Advert)
 - 4 – ADV4 (Advert)
 - 5 – ADV5 (Advert)
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59/2336/07/F

Erection of storage shed – Barn Farm, Bagton Lane, West Alvington, Kingsbridge – Mr & Mrs Velarde

WEST ALVINGTON

Parish Council's Views – see email

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

1 – TIM3 (three year standard time limit)

2 – Non Standard

Storage Use Only

43/2229/07/F

Resubmission of application 43/1735/07/F for erection of extension/garden room – Old Homefield, Sherford, Kingsbridge, TQ7 2AT – Mr & Mrs I Buchan

FROGMORE & SHERFORD

Parish Council's Views – No objections

Officer Update – None

Recommendation – Refusal

Committee Decision – Conditional Approval

Conditions:

1 – TIM3 (three year standard time limit)

2 – Non Standard

Timber Windows & Doors

3 – Non Standard

Stonework

4 – Non Standard

Natural Slate

5 – Non Standard

Rooflights

56/2545/07/LB

Listed Building Consent for the replacement of five windows – Follaton House, Plymouth Road, Totnes, TQ9 5NE – South Hams District Council

TOTNES

Town Council's Views – Views awaited

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Recommend Conditional Approval (subject to GOSW Approval)

Conditions:

1 – TIM4 (three year standard time limit)

2 – Non Standard

Casement Windows
