

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 19 MARCH 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 Officer (Western Area),
Solicitor, Senior Member Support Officer, Senior Planning Officer and Environmental
Health Officer

Also in attendance and participating:

Cllrs C W Jones, R M Lawrence and M Stone

DC.54/07 MINUTES

The minutes of the meeting of the Committee held on 13 February 2008 were confirmed as a correct record and signed by the Chairman.

DC.55/07 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 J Brazil, D M O'Callaghan, R J Vint and A Ward all declared a personal interest in application 41/0042/08/F (resubmission of 41/0409/07/F for alteration and extension and change of use from two dwellings to one dwelling – 16 Buckley Street, Salcombe) and application 55/2660/07/RM (amendments to reserve matters application 9/55/0624/02/RM for the erection of dwelling – Plot 8, Leonards Close,

Thurlestone, Kingsbridge) by virtue of an objector for each application having stood as a Liberal Democrat candidate at the previous District Council election and remained in the meeting during the debate and vote on this application.

Cllrs B F Cane, P W Hitchins and R C Steer declared a personal interest in application 17/2163/07/CU (Retrospective application for change of use of existing agricultural buildings to use as indoor motorcycle training facility with associated workshop, change of use of upper floor of barn to kitchen/dining room/kit store/changing area/ablutions/drying area, creation of access track through fields and use of existing outdoor tracks for motorcycle training – Wheeldon Farm Barns, Wheeldon Farm, Halwell, Totnes) and remained in the meeting and took part in the vote and debate on this application.

Cllrs B F Cane, G J Fielden, P W Hitchins 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 C W Jones, although not a Member of the Development Control Committee, also 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) by virtue of his employment by English Nature who were consultants on this application and he remained in the meeting and addressed the Committee in his capacity as the local Ward Member.

Cllr P Coulson declared a prejudicial interest in application number 41/2622/07/F (resubmission of application 41/1781/07/F for alterations and extension to dwelling – Greenhill, Bonaventure Road, Salcombe, TQ8 8BG) by virtue of the applicant being a neighbouring resident and left the meeting during the discussion and vote on this application.

DC.56/07 **PUBLIC PARTICIPATION**

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

- 39/2605/07/F – Objector – Mr Smerdon – Supporter – Mr Pedrick
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;

- 17/2163/07/CU – Objector – Sir Nicholson – Supporter – Mr Savery
Retrospective application for change of use of existing agricultural buildings to use as indoor motorcycle training facility with associated workshop, change of use of upper floor of barn to kitchen/dining room/kit store/changing area/ablutions/drying area, creation of access track through fields and use of existing outdoor tracks for motorcycle training – Wheeldon Farm Barns, Wheeldon Farm, Halwell, Totnes;
- 41/0042/08/F – Objector Mr Long – Supporter – Mr Banfield
Resubmission of 41/0409/07/F for alteration and extension and change of use from two dwellings to one dwelling – 16 Buckley Street, Salcombe;
- 55/2660/07RM – Objector – Mr Hugo
Amendments to reserve matters application 9/55/0624/02/RM for the erection of dwelling – Plot 8, Leonards Close, Thurlestone, Kingsbridge;
- 25/2649/07/F & 25/2650/07/CA – Objector – Mr Gray
Residential development to provide fourteen dwellings and car park, 2650/07 – Conservation Area Consent for the demolition of redundant storage, workshop and agricultural buildings as part of redevelopment of site to provide 14 houses and car parking – Masons Yard, Fore Street, Holberton, Plymouth;
- 03/0047/08/F – Objector – Mrs Yeoman
Resubmission of planning application 03/1698/07/F for erection of 3 bedroom dwelling – 10 Courtfield, Totnes;
- 04/0050/08/F – Supporter – Miss Stuckey
Addition to single stable and haybarn/feedstore to existing stable block – Field northwest of Grenoven Farm at SX531639, Shaugh Prior, Plymouth;
- 21/0109/08/F – Supporter – Mr Shepherd
Resubmission of application 21/2218/07/F for retention of and extension to existing building to form a new dwelling – Ivy Cottage, Ivybridge Road, Thornham, Ermington, Ivybridge.

DC.57/07 **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.

- (b) **Reports of Site Inspection Group held on 25 February 2008**
- (i) **41/2622/07/F – resubmission of application 41/1781/07/F for alterations and extensions to dwelling – Greenhill, Bonaventure Road, Salcombe, TQ8 8BG**

Members considered a report of the committee site inspection group in respect of the above planning application, which had included a recommendation that the proposals be refused.

As an update, the Area Planning Officer (West), informed the Committee that a further letter of objection had been received following publication of the site inspection report in relation to the raised ridge line aspect of the application.

It was then:-

RESOLVED

That in respect of planning application 41/2622/07/F, the application be refused due to the proposed increase in the ridge height element of the application being detrimental to neighbouring properties and appearance of the street scene.

- (ii) **15/2492/07/F – resubmission of planning application 15/0455/07/F for demolition of existing building and erection of 6 no. flats and associated parking – St Johns Ambulance Association, College Way, Dartmouth, TQ6 9NN**

Members considered a report of the committee site inspection group in respect of the above planning application, which had included a recommendation that the proposals be refused.

As an update since the inspection, the Head of Planning and Building Control showed to the Committee photographs illustrating the view of the application site from various angles around the footprint of the site. Members' attention was drawn to a document which had been tabled by the applicants' architects which commented on the vehicular access, addressed concerns of overlooking and clarified the size of the development following misleading sketches which had been circulated from concerned parties.

A Member of the Site Inspection Group then proceeded to highlight concerns over the car parking facilities, the three-storey design element of the proposed development and its detrimental impact to the residential amenities of neighbouring properties in Clarence Street. These concerns were subsequently reiterated by a local Ward Member, who was not a Member of the Committee. A recommendation for refusal, as per the circulated Site Inspection Report, was subsequently **PROPOSED** (but not seconded). However, following a lengthy discussion, it became apparent that Members' main concern was with regard to the vehicular access to the car parking facilities and its associated dangers to the public. Therefore, in order to address these concerns, a Member **PROPOSED** that the application be deferred in order that further discussions between the applicant and the Highways Authority take place in an attempt to resolve these concerns. This motion 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 further discussion to take place between the applicant and the Highways Authority to attempt to overcome the access concerns.

(iii) **56/1968/07/F – resubmission of planning application 56/0754/07/F for erection of 2 no. dwellings – land rear of 8-14 Collins Road, Sparrow Road, Totnes**

Members considered a report of the committee site inspection group in respect of the above planning application, which had included a recommendation that planning permission be conditionally approved.

As an update since the inspection, the Senior Planning Officer (SPO) highlighted the concerns of the residents in relation to flooding and loss of potential allotment land. Furthermore, the SPO reminded the Committee that there was no outline planning permission for the site.

A Member of the Inspection Group, who was also a local Ward Member, reiterated her concerns which she raised during the site inspection of overdevelopment and a risk of flooding. Furthermore, it was noted that vehicular access was narrow. Therefore, the following motion was **PROPOSED, SECONDED** and on being put to the vote was declared **LOST**:-

'That in respect of application 56/1968/07/F, the application be refused due to overdevelopment of the site and at risk from flooding.'

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

RESOLVED

That in respect of application number 56/1968/07/F, the application be conditionally approved subject to the provision of a satisfactory Section 106 Agreement requiring a contribution of £4,875 towards open space, sport and recreation and the following condition:-

- 1 - TIM3 (Standard time limit 3 years)
- 2 - MAT8 (Roofing Natural Slate)
- 3 - MAT (Eaves & Verges)
- 4 - MAT (Flues details)
- 5- MAT14 (Walls Render Details)
- 6 - MAT22 (Joinery Details)
- 7 - RES30 (Windows)
- 8 - RES22 (Exclusion of G.D.O)
- 9- Non Standard
Parking
- 10 - Non Standard
Highways – Retention of Pedestrian Throughway
- 11 – Drainage
- 12 - Landscaping
- 13 – Non Standard
Structural Integrity of Embankment

- (iv) **56/2418/07/F – resubmission of planning application 56/0656/07/F for the erection of a pair of one bedroomed dwellings – land opposite 1 Argyle Terrace and 6 St Johns Terrace, Totnes**

Members considered a report of the committee site inspection group in respect of the above planning application, which had included a recommendation that planning permission be conditionally approved.

A local Ward Member, who was not a Member of the Committee, felt that the development would set a precedent for further development along the terrace. Concern was also highlighted in relation to the access road and its perceived dangers to public safety. Therefore, the following motion was **PROPOSED** and **SECONDED** and on being put to the vote declared **LOST:-**

'That in respect of application 56/2418/07/F, the application be refused due to the access road and its perceived dangers to public safety.'

Members felt that this application had to be taken on its own merits and not in relation to possible future applications. Subsequently, the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

RESOLVED

That in respect of application number 56/2418/07/F, the application be conditionally approved subject to the satisfactory completion of a Section 1006 Agreement requiring a contribution of £2,925 towards open space, sport and recreation provision and the following conditions:-

- 1 - TIM3 (Standard three year time limit)
- 2 - MAT8 (Roofing Natural Slate)
- 3 - MAT11 (Eaves & Verges)
- 4 - Non Standard
Brick Sample
- 5 - MAT23 (Timber, Doors and Windows Reserve)
- 6 - MAT22 (Joinery Details)
- 7 - RES30 (Windows)
- 8 - RES22 (Exclusion of G.D.O.)
- 9 - Non Standard
Parking
- 10 - Non Standard
Highways
- 11 - Non Standard
Noise Assessment
- 12 – Non Standard
Surface water disposal
- 13 – Non Standard
Landscaping
- 14 – Non-Standard
Contaminated Land Investigation

DC.58/07 **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 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), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That a Full Committee Site Inspection be held.’

The Head of Planning and Building Control introduced the application and noted a number of conditions which the parish council had requested be incorporated. These included a review of the situation within three years, that should the business cease to exist, the site to be returned to a woodland area and for no business to commence on site until the development had been completed. During discussion on this application Members were appreciative of the views of the objectors. However, it was felt that this was an important enterprise and every effort had been made by both the applicant and planning officers to locate a suitable site, which it was felt had now been found. Members also noted that, if following implementation of the Knackers Yard it became apparent that there was serious cause for concern then the relevant action would be taken, to which the Environmental Health Officer confirmed.

- (b) In respect of application 17/2163/07/CU (Retrospective application for change of use of existing agricultural buildings to use as an indoor motorcycle training facility with associated workshop, change of use of upper floor of barn to kitchen/dining room/kit store/ changing area/ablutions/drying area, creation of access track through fields and use of existing outdoor tracks for motorcycle training – Wheeldon Farm Barns, Wheeldon Farm, Halwell, Totnes), the following amendment to the officer recommendation was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That condition 1 (non-standard – temp 5 year permission), as presented in the circulated report, be removed ensuring that the application be for permanent conditional approval (as identified in the appendix to these minutes)’

(c) In respect of application 25/2649/07/F (residential development to provide fourteen dwellings and car park, 2650/07 – Conservation Area Consent for the demolition of redundant storage, workshop and agricultural buildings as part of redevelopment of site to provide 14 houses and car parking) a Member of the Committee wished it to be recorded that this was an excellent development with an affordable housing element. However, it was important to note that although the number of houses being developed was only 14, and therefore under the threshold to impose the affordable housing element, if additional houses were to be incorporated at a later date, the development should be looked at as a whole in order to ensure further affordable houses were secured;

(d) In respect of application 03/0047/08/F (resubmission of planning application 03/1698/07/F for erection of 3 bedroom dwelling – 10 Courtfield, Totnes), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That planning permission be refused due to overlooking and a loss of privacy to neighbouring properties.’

(e) In respect of application 04/0050/08/F (addition to single stable and haybarn/feedstore to existing stable block – Field northwest of Grenoven Farm at SX531639, Shaugh Prior, Plymouth), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That planning permission be refused due to overdevelopment of the site’

RESOLVED

That the planning applications considered at this meeting be determined as indicated in Appendix A to these minutes.

DC.59/07 CROWN SURGERY TO BEECH TREE

Consideration was given to a report which sought approval for crown surgery to a Council owned Beech tree on the land rear of 19 Glebe Land, Aveton Gifford.

RESOLVED

That in relation to TPO 490/Register 2714 Conditional Approval be granted

Conditions

Works to be undertaken to BS3998: Tree Works

(Meeting commenced at 2.00 pm and concluded at 6.20 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 – Parish Council request for 3 additional conditions

Recommendation – Conditional Approval

Committee Decision – 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)

17/2163/07/CU

Retrospective application for change of use of existing agricultural buildings to use as indoor motorcycle training facility with associated workshop; change of use of upper floor of barn to kitchen/dining room/kit store/changing area/ablutions/drying area; creation of access track through fields and use of existing outdoor tracks for motorcycle training – Wheeldon Farm Barns, Wheeldon Farm, Halwell, Totnes TQ9 7JY – Mr A & Mr J Savery

DIPTFORD

Parish Council's Views – Support

Officer Update – late letters of representation reported, requested deletion of condition 4 as work has been carried out

Recommendation – Conditional Approval (subject to a Section 106 Agreement)

Committee Decision – Approval

Conditions

1 - Non Standard

Restricted use during school holidays

2 - Non Standard

Personal Permission

3 - Non Standard

Motorcycle training, no competition in indoor circuits

4 - Non Standard

Retain earth banks & walls of indoor circuits

5 - Non Standard

Maximum of 5 motorcycles on the indoor circuits

6 - Non Standard

All motorcycles to be silenced etc

7 - Non Standard

28 days use of outdoor circuits on 2 identified fields on the farm only

8 - Non Standard

No engineering works or structures on the outdoor circuits

9- Non Standard

Motorcycle training, no competition on outdoor circuits

10 - Non Standard

All motorcycles on outdoor circuits to be silenced etc

11- Non Standard

Maximum of 5 motorcycles on outdoor circuits

12- Non Standard

Restriction on bikes permitted to be used

13- Non Standard

Off road training limitation

14-Non-Standard

No use of outdoor circuits on Sundays

41/0042/08/F

Resubmission of 41/0409/07/F for alteration and extension associated with formation of one dwelling from two smaller ones – 16 Buckley Street, Salcombe, TQ8 8DD – Mr & Mrs D Banfield

SALCOMBE

Town Council's Views – Refusal

Officer Update – letters of representation reported

Recommendation – Conditional Approval

Committee Decision – Approval

Conditions

- 1 - TIM3 (Standard time limit 3 years)
- 2 - Non Standard
Natural Slate
- 3 - Non Standard
Window and Door Detail
- 4 - Non Standard
Dormer Window Detail
- 5 - Non Standard
Vent/Pipe Detail
- 6 - Non Standard
Exc Windows (SW Elevation)
- 7 - Non Standard
Exc GPDO

55/2660/07/RM

Amendments to reserved matters application 9/55/0624/02/RM for the erection of dwelling – Plot 8, Leonards Close, Thurlestone, Kingsbridge

THURLESTONE

Parish Council's Views – Refusal

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Approval

Conditions

- 1 - TIM1 (Outline reserved matters to be made in 3 years)
 - 2 - TIM2 (Outline - Reserved matters time limit 3 and 2 years)
 - 3 - MIS6 (Reiteration)
 - 4 - MAT8 (Roofing Natural Slate)
 - 5 - MAT11 (Eaves Verges Hips and flues details)
 - 6 - MAT14 (Walls Render Details)
 - 7 - MAT23 (Timber Doors And Windows Reserve Details Vents)
 - 8 - MAT17 (Stonework Sample Panel)
 - 9 - MAT15 (Walls Weatherboard Colour Finish)
 - 10 - Non Standard
Landscaping
 - 11 - Non Standard
Means of Enclosure
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(1) 25/2649/07/F (2) 25/2650/07/CA

(1) 2649/07 Residential development to provide fourteen dwellings and car park **(2) 2650/07** Conservation Area Consent for the demolition of redundant storage, workshop & agricultural buildings as part of redevelopment of site to provide fourteen houses and car parking – Masons Yard, Fore Street, Holbeton, Plymouth – Gerald Wood Homes and The Flete Estate

HOLBETON

Parish Council's Views – Support both applications

Officer Update – reported applicants confirmation to fund any Traffic Regulations Order

Recommendation – (2650/07/CA) - Approval
(2649/07/F) - Conditional Approval –
subject to completion of S106 Agreement

Committee Decision – Approval

Conditions (2650/07/CA)

- 1 – TIM4 (Listed Building time limit 3 years)

Conditions (2649/07/F):

- 1 - TIM3 (Standard time limit 3 years)
- 2 - MAT8 (Roofing Natural Slate)
- 3 - Non Standard
Thatch detail
- 4 - MAT11 (Eaves Verges Hips and flues details)
- 5 - MAT27 (Rooflights Patent Glazing Details)
- 6 - MAT30 (Full Details (ducts, flues, vents etc))
- 7 - MAT14 (Walls Render Details)
- 8 - MAT15 (Walls Weatherboard Colour Finish)
- 9 - MAT17 (Stonework Sample Panel)
- 10 - MAT23 (Timber Doors And Windows Reserve Details Vents)

11 - Non Standard
Contaminated land
12 - LBC11 (Archaeological Investigation)
13 - RES22 (Exclusion Of G.D.O.)
14 - Non Standard
Landscaping
15 - Non Standard
Tree Protection Measures
16 - Non Standard
Surface Water Drainage
17 - RES16
(Completion Of Roads)
18 - RES42 (Parking)

03/0047/08/F

Resubmission of planning application 03/1698/07/F for erection of 3 bedroom dwelling
– 10 Courtfield, Totnes, TQ9 5RQ – Mr & Mrs G Allen

BERRY POMEROY

Parish Council's Views – Objections

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Approval

Conditions

1 - TIM3 (Standard three year time limit)
2 - MAT2 (Samples to be submitted)
3 - RES43 (Parking)
4 - RES29 (Obscure Glazing)
5 - RES30 (Windows)
6 - RES22 (Exclusion of G.D.O)
7 - Non Standard
Highway

04/0050/08/F

Addition of single stable and haybarn/feedstore to existing stable block – Field
northwest of Grenoven Farm at SX531639, Shaugh Prior, Plymouth – Mr & Mrs
Stuckey & Miss Stuckey

BICKLEIGH

Parish Council's Views – Objection

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Approval

Conditions

- 1 - TIM3 (Standard time limit 3 years)
 - 2 - MAT1 (Matching Materials)
 - 3 - HOR1 (Stables)
 - 4 - HOR3 (Stables Etc Lighting)
 - 5 - DRN11 (Separate Drainage Systems)
 - 6 - DRN8 (Manure Heaps)
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21/0109/08/F

Resubmission of application 21/2218/07/F for retention of and extension to existing building to form a new dwelling – Ivy Cottage, Ivybridge Road, Thornham, Ermington, Ivybridge, PL21 0LG – Mr H Day

ERMINGTON

Parish Councils' Views – No objection

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Approval

Conditions

- 1 - TIM3 (Standard time limit 3 years)
 - 2 - MAT15 (Walls Weatherboard Colour Finish)
 - 3 - MAT16 (Local Stone)
 - 4 - MAT11 (Eaves Verges Hips and flues details)
 - 5 - MAT23 (Timber Doors And Windows Reserve Details Vents)
 - 6 - MAT28 (Flues colour and height)
 - 7 - CON5 (No Demolition)
 - 8 - Non Standard Contaminated Land Assessment
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28/0058/08/CU

Use of approx 600 sq.metres of Town Square as a Farmer's Market to be held twice a month – Town Square, Kingsbridge – SOUTH HAMS DISTRICT COUNCIL

KINGSBRIDGE

Town Council's Views – Deferred to full Council

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Approval

Conditions

1 - TIM3 (Standard time limit 3 years)