

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE  
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 20 JUNE 2007**

**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 apology for absence

Also in attendance at the invitation of the Chairman:

Cllr J H Baverstock for application number 53/1673/06/CA, 53/1674/06/CA & 53/1675/06/O;

Cllr F J Hawke for application number 15/0452/07/F;

Cllr M Lawrence for application numbers 21/0715/07/F & 21/0729/07/CA and 57/0731/07/F;

Cllr S L Rankin for application number 55/0804/07/RM & 55/1044/07/RM

Officers in attendance:

All Agenda Items: Head of Planning and Building Control; Area Planning Officers (Eastern and Western Areas) and Solicitor.

Item 7: Planning Application (DC.12/07 below refers) – Conservation Officer

DC.8/07      **MINUTES**

The minutes of the meeting of the Committee held on 23 May 2007 were confirmed as a correct record and signed by the Chairman.

**DC.9/07 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 H D Bastone, B F Cane, R J Carter, P Coulson, G J Fielden, J D Hawkins, M J Hicks, I Longrigg, J T Pennington, R Rowe, J W Squire and R C Steer declared a personal interest in application number 28/0916/07/F (erection of greenhouse in courtyard – The Barn, New Parks Farm, Belle Hill, Kingsbridge, TQ7 1NJ) by virtue of the applicant being a fellow South Hams District Council Conservative Member. All remained in the meeting and took part in the discussion and vote on this application.

Cllr J A Westacott declared a personal interest in application numbers 34/0048/07/F & 34/0063/07/LB ((i) Erection of garden room; (ii) Listed Building Consent for the erection of a garden room – The Old Cart Shed, 13 Higher Compton Barton, Compton, Marldon TQ3 1SA) and advised that she would remain in the meeting, but would not take part in the debate or vote on this particular item;

Cllr J Brazil declared a personal interest in application numbers 53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O ((i) Conservation Area Consent for the demolition of 5 lean-to additions to barns (ii) Conversion of barns to 4 dwellings (iii) Outline application for erection of 40 new dwellings, conversion of building to one dwelling, erection of community hall and construction of roads and footpaths) by virtue of him being a Member of Devon County Council. He remained in the meeting and took part in the discussion and vote on this application.

**DC.10/07 PUBLIC PARTICIPATION**

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

- 53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O – Objector – Mr Wakeling  
Conservation Area Consent for the demolition of 5 lean-to additions to barns; Conversion of barns to 4 dwellings; Outline application for erection of 40 new dwellings, conversion of building to one dwelling, erection of community hall and construction of roads and footpaths – Land between Shorneywall and Orchard Way, Chillington, Kingsbridge;
- 30/0419/07/F – Objector – Mr Boote; Supporter – Mr Thompson  
Resubmission of application 30/0438/06/F for outdoor swimming pool with and changing facilities and improved and extended drive - Falaise, Castle Road, Kingswear, TQ6 OBT;

- 15/0452/07/F – Objector – Mrs Webb; Supporter – Mrs Moseley  
Resubmission of application 15/0076/07/F for the erection of two new dwellings – 113 Britannia Avenue, Dartmouth TQ6 9LQ;
- 18/0668/07/LB – Supporter – Mr Greening  
Listed Building Consent for replacement windows – Studdys Farm, Capton, Dartmouth TQ6 0JE;
- 21/0715/07/F & 21/0729/07/CA – Objector – Mr Roberts  
Extensions and alterations to property, including addition of first floor to main house and relocation of garage & Conservation Area consent for demolition of existing garage – Burbilan, Chapel Street, Ermington, Ivybridge PL21 9ND;
- 17/0744/07/F & 17/0745/07/LB – Supporter – Ms Hayford  
Resubmission of application 17/1848/06/F for conversion of barn to dwelling & Listed Building consent for conversion of stone barn to dwelling – Redundant Barn, Lower Bearscombe Farm, Halwell, Totnes;
- 55/0804/07/RM & 55/1044/07/RM – Objector – Mr Boother;  
Supporter – Mr Seaton  
Reserved Matters application for the erection of 11 detached dwellings and access road: Reserved Matters application to vary the siting of access road on application 55/0624/02/RM – Phase 2, land adj. The Mead, Mead Drive, Thurlestone, Kingsbridge;
- 49/0852/07/CU – Objector – Mr Thomson; Supporter – Mr Collier  
Change of use of ancillary outbuilding to holiday accommodation – Three Streams, Lucas Wood, Cornwood, Ivybridge PL21 9PN.

## DC.11/07 **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) **Report of Site Inspection Group held on 6 June 2007**

- (i) **39/0337/07/F – Resubmission of previous application 39/1754/06/F for conversion of barn to dwelling house with ancillary utility and office – New Dwelling Lower Torne Barn, Rattery, South Brent**

Consideration was given to a report of the Committee site inspection group undertaken in respect of the above planning application, which had included the recommendation that planning permission be refused.

It was confirmed that during the site inspection a detailed reason as to why this application had been recommended for refusal was given highlighting that whilst sympathising with the applicant's circumstances, approval of this application would constitute a major breach in policy.

It was then:

**RESOLVED**

That in respect of application number 39/0337/07/F, the application be refused.

- (ii) **34/0448/07/F & 34/0463/07/LB – (i) Erection of garden room; (ii) Listed Building Consent for the erection of a garden room – The Old Cart Shed, 13 Higher Compton Barton, Compton, Marlton TQ3 1SA**

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

It was then:

**RESOLVED**

That in respect of application numbers 34/0448/07/F & 34/0463/07/LB, the application be conditionally approved.

Conditions:

- 1 – non-standard stonework;
- 2 – timber windows and doors;
- 3 – natural slate roof.

DC.12/07 **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 53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O ((i) Conservation Area Consent for the demolition of 5 lean-to additions to barns; (ii) Conversion of barns to 4 dwellings; (iii) Outline application for erection of 40 new dwellings, conversion of building to one dwelling, erection of community hall and construction of roads and footpaths – Land between Shorneywall and Orchard Way, Chillington, Kingsbridge), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a full Committee site inspection be undertaken.’

- (b) In respect of application number 30/0419/07/F (resubmission of application 30/0438/06/F for outdoor swimming pool with and changing facilities and improved and extended drive - Falaise, Castle Road, Kingswear, TQ6 OBT) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be undertaken.’

- (c) In respect of application number 15/0452/07/F (resubmission of application 15/0076/07/F for the erection of two new dwellings – 113 Britannia Avenue, Dartmouth TQ6 9LQ) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That a site inspection be undertaken.’

- (d) In respect of application number 18/0668/07/LB (listed Building Consent for replacement windows – Studdys Farm, Capton, Dartmouth TQ6 0JE), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That planning permission be approved.’

- (c) In respect of application 17/0744/07/F & 17/0745/07/LB (Resubmission of application 17/1848/06/F for conversion of barn to dwelling & Listed Building consent for conversion of stone barn to dwelling – Redundant Barn, Lower Bearscombe Farm, Halwell, Totnes), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That planning permission be conditionally approved (as per Appendix A).’

Reason

The Committee was advised that the conversion of the barn and the resulting change of use would have a detrimental effect on the historic and architectural character of the group and the relationship between the buildings comprising the listed farmstead. Specifically, it would therefore be detrimental to the setting of the grade II listed farmhouse. In support of the officer recommendation, a Member of the Committee agreed that the conversion of the barn would dominate the farmhouse and be in conflict to planning policy. However, during discussion, a further Member felt that conversion of the barn was a better use for it than it being left derelict and that although it was in a picturesque setting, it was unlikely that this could be retained permanently.

- (d) In respect of application numbers 55/0804/07/RM & 55/1044/07/RM (reserved Matters application for the erection of 11 detached dwellings and access road: Reserved Matters application to vary the siting of access road on application 55/0624/02/RM – Phase 2, land adj. The Mead, Mead Drive, Thurlestone, Kingsbridge) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was, by the Chairman’s casting vote, declared **CARRIED**:-

‘That the application be conditionally approved’

Reason

Whilst the Chairman’s casting vote ensured that the case officer recommendation was supported, a number of Members did express their regret over the lack of sustainable energy initiatives built into the designs for the proposed houses. However, other Members highlighted that the applications had been considered by the Design and Conservation Panel and its comments had been incorporated into the plans.

**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 6.00 pm).

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Chairman

**DEVELOPMENT CONTROL COMMITTEE – 20 JUNE 2007**

The following matters were reported to and noted by the Committee during consideration of DC.11/07(b)(i); (ii); DC.12/07 and Appendix A:-

39/0337/07/F	Letters circulated	2 of support
53/1673/06/CA & 53/1674/06/CA & 53/1675/06/O	Letters circulated	154 of objection 30 of comment 48 of concern 3 of support
30/0419/07/F	Letters circulated	9 of objection 5 of comment 3 of concern
15/0452/07/F	Letters circulated	4 of objection 3 of comment 4 of support
21/0715/07/F & 21/0729/07/CA	Letters circulated	2 of objection
57/0731/07/F	Letters circulated	1 of comment 1 of support
55/0804/07/RM & 55/1044/07/RM	Letters circulated	60 of objection 8 of comment 1 of support
49/0852/07/CU	Letters circulated	4 of objection 7 of comment 3 of concern

## APPENDIX A

### **(i) 53/1673/06/CA, (ii) 53/1674/06/CA and (iii) 53/1675/06/O**

(i) Conservation Area Consent for the demolition of 5 lean-to additions to barns; (ii) Conversion of barns to four dwellings; (iii) Outline application for erection of 40 new dwellings, conversion of building to one dwelling, erection of community hall and construction of roads and footpaths – Land between Shorneywell and Orchard Way, Chillington, Kingsbridge – The Helmer Trustees

### **STOKENHAM & CHILLINGTON**

Parish Councils Views – See body of report

Officer Update – Late letters reported

Recommendation – Conditional Approval

### **Committee Decision – Deferred for full Committee Site Inspection**

#### **Conditions**

(i) 53/1673/06/CA  
To be tabled at next meeting

(ii) 53/1674/06/CA  
To be tabled at next meeting

(iii) 53/1675/06/O  
To be tabled at next meeting

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### **30/0419/07/F**

Resubmission of application 30/0438/06/F for outdoor swimming pool with changing facilities and improved and extended drive – Falaise, Castle Road, Kingswear, Dartmouth, TQ9 0BT – Mr A F Bethell

### **KINGSWEAR**

Parish Council's Views – No objections but does make comments about the design of the privacy screen, stability of the land and drainage.

Officer Update – Receipt of structural details reported

Recommendation – Conditional Approval

### **Committee Decision – Site Inspection**

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**15/0452/07/F**

Resubmission of application 15/0076/07/F for the erection of two new dwellings – 113 Britannia Avenue, Dartmouth, TQ6 9LQ – Mr & Mrs Moseley

**DARTMOUTH**

Town Council's Views – Refusal, overdevelopment and privacy

Officer Update – 2 late letters of support reported. Requirement for 2 parking spaces per new dwelling. Additional condition recommended requiring 2 parking spaces for 113 Britannia Avenue.

Recommendation – Conditional Approval

**Committee Decision – Site Inspection**

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**18/0668/07/LB**

Listed Building Consent for replacement windows – Studdys Farm, Capton, Dartmouth, TQ6 0JE – Mr T Greening

**DITTISHAM**

Parish Councils' Views – No objections

Officer Update – None

Recommendation – Refusal

**Committee Decision – Refusal**

**Reasons for Refusal**

- 1 Owing to their form and appearance, double glazed windows would be detrimental to the historic and architectural character of this listed building and would thus be contrary to South Hams Local Plan SHDC19; South Hams Local Plan Review ENV13; Devon County Structure Plan CO7 and Central Government advice.
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**(i) 21/0715/07/F & (ii) 21/0729/07/CA**

(i) Extensions and alterations to property including addition of first floor to main house and relocation of garage, and (ii) Conservation Area Consent for demolition of existing garage – Burbilan, Chapel Street, Ermington, Ivybridge, PL21 9ND – Mrs A Burnard

**ERMINGTON**

Parish Council's Views – Objection – extensions and alterations will be too intrusive on site and curtilage overlooks cottage

Officer Update – None

Recommendation - Conditional Approval (both applications)

**Committee Decision – Conditional Approval**

**Conditions**

**(i) 21/0715/07/F**

- 1 – Standard Time limit three years
- 2 - MAT1 – Matching Materials
- 3 - RES 30 – Windows
- 4 - RES 22 – Exclusion of GDO (roof additions and alterations)
- 5 - USE 2 – Use (garage)
- 6 - Non Standard
- Demolition of existing garage
- 7 – Non Standard
- Railing Details

**(ii) 21/0729/07/CA**

- 1 – Standard time limit for Conservation Area Consent (3 years)
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**57/0731/07/F**

Alterations to roof and provisions for rooms in roof space – 1 Undertown, Ugborough, Ivybridge, PL21 0NH – Mr & Mrs C Harling

**UGBOROUGH**

Parish Council's Views – Support – affordable housing for local family contributing to the community, materials consistent with neighbourhood, well screened, in keeping with adjacent homes, other dormer windows in vicinity

Officer Update – Letter of support reported

Recommendation – Refusal

**Committee Decision – Refusal**

## **Reasons for Refusal**

- 1 By reason of the raised eaves level, asymmetrical gable, design of the dormer windows and the prominent position of the dwelling, the proposal represents a poor form of design which would have an adverse effect on the character and appearance of the property and the street scene, which lies adjacent to a Conservation Area and within an Area of Great Landscape Value. Such development, if approved, would conflict with the objectives of Local Development Framework Core Strategy CS7, CS9, South Hams Local Plan policies SHDC1, SHDC15, SHDC18; South Hams Local Plan Review policies DS3, DEV2, ENV10, H09; Devon County Structure Plan policies CO4, CO6, CO7 and relevant Central Government guidance.
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### **(i) 17/0744/07/F and (ii) 17/0745/07/LB**

- (i) Resubmission of application 17/1848/06/F for conversion of barn to dwelling, and (ii) 17/0745/07/LB Listed Building Consent for conversion of stone barn to dwelling – Redundant Barn, Lower Bearscombe Farm, Halwell, Totnes – Mr T Hayford

## **DIPTFORD**

Parish Council's Views – Support (both applications)

Officer Update – None

Recommendation – Refusal

**Committee Decision – Delegated approval once conditions prepared in consultation with Chairman**

### **Conditions**

To be prepared

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### **(i) 55/0804/07/RM and (ii) 55/1044/07/RM**

- (i) Reserved Matters application for the erection of 11 detached dwellings and access road and, (ii) Reserved Matters application to vary the siting of access road on application 55/0624/02/RM – Phase 2, Land adjoining The Mead, Mead Drive, Thurlestone, Kingsbridge – Gerald Wood Homes Ltd

## **THURLESTONE**

Parish Council's Views – No objections see report (0804/07); No objections see report (1044/07)

Officer Update – Appeal decision Plot 4 reported in full

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions (both applications)**

1 – TIM2 (Outline, Reserved Matters time limit 3 and 2 years)

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**49/0852/07/CU**

Change of use of ancillary outbuilding to holiday accommodation – Three Streams, Lucas Wood, Cornwood, Ivybridge, Devon, PL21 9PN – Mr A J Collier

**SPARKWELL**

Parish Council's Views – No objections, but would like usage restricted – ie limited to 4, 6 or 8 months use in any one year.

Officer Update – Environment Agency views reported.

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions**

1 - TIM3 (Standard time limit 3 years)

2 - Non Standard

Temporary permission

3 - Non Standard

Holiday Use

4 - RES22 (Exclusion of G.D.O)

5 – Flood Alleviation Measures

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**28/0916/07/F**

Erection of greenhouse in courtyard – The Barn, New Parks Farm, Belle Hill, Kingsbridge, TQ7 1NJ – Dr M J Howarth

**KINGSBRIDGE**

Town Council's Views – Approval

Officer Update - None

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions**

1 - TIM3 (Standard time limit 3 years)

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**15/1007/07/F**

Conversion of existing integral garage to living accommodation and installation of uPVC windows – 70 Seymour Drive, Dartmouth, TQ6 9GE – Mr & Mrs P M Early

**DARTMOUTH**

Town Council's Views – Views Awaited

Officer Update – Dartmouth Town Council views reported

Recommendation – Conditional Approval

**Committee Decision** – Conditional Approval

**Conditions**

1 - TIM3 (Standard time limit 3 years)

2 - Non Standard

Windows & Doors

3 - Non Standard

Parking

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