

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE  
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 21 MAY 2008**

**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

\* Denotes attendance

∅ Denotes apologies for absence

Officers in attendance for all agenda items:

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

Also in attendance and participating:

Cllr S L Rankin

**DC.01/08 MINUTES**

The minutes of the meeting of the Committee held on 23 April 2008 were confirmed as a correct record and signed by the Chairman subject to it being recorded that under minute number DC.68/07:-

- a) under sub-paragraph v. on page 3 (as noted in the published agenda) it be confirmed that the intention for challenging carbon reduction targets was to be carbon neutral **after** 2016;
- b) in sub-paragraph (e) on page 7 (as noted in the published agenda), it be clarified that "over the construction process of Sherford an accelerated phased approach to carbon reduction would be adopted as set out in the AAP and ahead of proposed Government Regulations until 2016. It was anticipated that from 2016 Government regulations would then require compliance with level 6 and 'zero carbon homes'."
- c) under sub paragraph (h) (as noted in the published agenda) it be clarified that the installation of the **second** turbine was not being proposed to be operational until after 2016.

**DC.02/08 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman wished to extend his thanks to Cllr I Longrigg for all his support during his five year tenure as the Vice-Chairman of the Committee. The Chairman also welcomed Cllr D W May to his first meeting since being elected Vice Chairman.

The Committee was also informed that it was the intention of the Design and Conservation Panel to invite Members to observe meetings if an application was being discussed within their ward.

**DC.03/08 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 R J Carter declared a prejudicial interest in application 46/0450/08/F (extension of existing dwelling to create annexe and conservatory – Hope Croft, Grand View Road, Hope Cove, Kingsbridge TQ7 3HE) and application 33/0490/08/F (conversion of field barn to single dwelling – Broadmoor Farm, Malborough, Kingsbridge, TQ7 3EB) and left the meeting during the debate and vote on these applications;

Cllr D W May declared a personal interest in application 46/0450/08/F (extension of existing dwelling to create annexe and conservatory – Hope Croft, Grand View Road, Hope Cove, Kingsbridge TQ7 3HE) and remained in the meeting and took part in the debate but abstained on the vote for this application;

Cllr G J Fielden declared a personal interest in application 53/0623/08/F (resubmission of application 53/2517/07/F for the creation of 18 apartments for independent holiday use in lieu of existing 17 holiday flats, together with internal and external alterations, including 3-storey extension - Torcross Apartment Hotel, Torcross, Kingsbridge, TQ7 2TQ – Start Bay Luxury Apartments Ltd) and remained in the meeting and took part in the debate but stood down as Chairman and abstained from the vote on this application;

Cllrs R J Carter and J W Squire declared a prejudicial interest in application 15/0545/08/F (installation of air conditioning external condenser, removal and infill of door opening to rear elevation and decoration of existing timber framed shopfront – 24 Duke Street, Dartmouth, TQ6 9PZ) by virtue of their membership on the Licensing Sub-Committee, which was due to consider the licensing application for this premises and both left the meeting during the debate and vote on this item.

**DC.04/08 PUBLIC PARTICIPATION**

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

- 15/0545/08/F – Objector; Mrs Rowe – Supporter; Mr Harris  
24 Duke Street, Dartmouth, TQ6 9PZ – Ladbrokes Betting and Gaming;
- 55/0341/08/F – Supporter; Mr Goodard  
Agricultural Barn to the rear of The Sloop Inn, Bantham, Kingsbridge, TQ7 3AJ
- 46/0450/08/F – Objector; Mrs Beresford  
Hope Croft, Grand View Road, Hope Cove, Kingsbridge TQ7 3HE;
- 53/0446/08/F – Objector; Mr Wakeling – Supporter Mrs Ross  
1 Shindle Park, Chillington, Kingsbridge, TQ7 2JE;
- 53/0623/08/F – Supporter; Mr Glaffon  
Torcross Apartment Hotel, Torcross, Kingsbridge, TQ7 2TQ;
- 33/0490/08/F – Supporter; Mr Pedrick  
Broadmoor Farm, Malborough, Kingsbridge, TQ7 3EB;
- 56/0625/0/F – Objector; Mr Headford – Supporter; Mr Libby  
31 Higher Westonfields, Totnes, TQ9 5QY;
- 28/2504/07/CM – Objector; Ms Holcombe – Supporter; Mr Lammie  
Westville Playing Field, Kingsbridge Community College, Balkwill Road, Kingsbridge TQ7 1PL

**DC.05/08 SITE INSPECTIONS****(a) Applications deferred at this meeting****RESOLVED**

That a Site Inspection Group comprising the Vice-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 28 April 2008****(i) 27/0253/08/F – erection of porch and first floor extension over existing garage – 10 Carter Road, Ivybridge, PL21 0RX**

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

As an update, the Area Planning Officer (West), suggested that if the Committee was minded to approve the application, then obscure glazing be included as a condition.

It was then:-

**RESOLVED**

That in respect of planning application 27/0253/08/F, the application be conditionally approved.

**DC.06/08 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), although the applicant had submitted revised plans which removed the automatic door element, Members remained concerned over access issues and possible associated dangers to the public. Moreover, a local Ward Member noted concerns over the design element of the proposed development and its detrimental impact to the residential amenities of neighbouring properties. Therefore, the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

**RESOLVED**

That in respect of planning application 15/2492/07/F, the application be refused due to the design, mass, bulk, loss of amenity and the Highways aspect of the application.

- (b) In respect of application 55/0341/08/F (Change of Use of barn to proposed metal workshop – agricultural barn to rear of The Sloop Inn, Bantham, Kingsbridge, TQ7 3AJ), Members felt that this application was a good example of supporting a local rural business. Therefore, the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

**RESOLVED**

That in respect of planning application 55/0341/08/F, the application be conditionally approved.

- (c) In respect of application 46/0450/08/F (Extension of existing dwelling to create annexe and conservatory – Hope Croft, Grand View Road, Hope Cove, Kingsbridge, TQ7 3HE) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

**RESOLVED**

That in respect of planning application 46/0450/08/F, a site inspection be held.

- (d) In respect of application 53/0446/08/F (Retrospective application for resubmission of planning application 53/0462/07/F for extended decking and boundary treatment – 1 Shindle Park, Chillington, Kingsbridge, TQ7 2JE) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

**RESOLVED**

That in respect of planning application 53/0446/08/F, a site inspection be held.

- (e) In respect of application 33/0490/08/F (Conversion of field barn to single dwelling – Broadmoor Farm, Malborough, Kingsbridge, TQ7 3EB) Members felt that the site lent itself to development in order to retain and conserve such an historic barn. Therefore, the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

**RESOLVED**

That in respect of planning application 33/0490/08/F, the application be conditionally approved.

- (f) In respect of application 20/0430/08/F (Resubmission of planning application 20/1140/07/F for the erection of a temporary agricultural dwelling and conversion of farm buildings to farm stables – Village Farm, East Portlemouth, Salcombe, TQ8 8PE) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

**RESOLVED**

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

The majority of Members felt that such a development would significantly increase traffic flows in the area and therefore the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

**RESOLVED**

That in respect of planning application 23/0411/08/F, the application be refused due to the likely significant increase in traffic flow in the area.

**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 5.25 pm).

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Chairman

## **APPENDIX A**

### **15/0545/08/F**

Installation of air conditioning external condenser, removal and infill of door opening to rear elevation and decoration of existing timber framed shopfront – 24 Duke Street, Dartmouth, TQ6 9PZ – Ladbrokes Betting & Gaming

#### **DARTMOUTH**

Town Council's Views – Objection recommend refusal on the grounds of being unneighbourly and having an adverse effect on the surrounding residential and pedestrian areas.

Officer Update – None

Recommendation – Conditional Approval

#### **Committee Decision – Conditional Approval**

##### **Conditions**

1 - TIM3 (Standard time limit 3 years)

2 - Non Standard

Use of Room to Rear of External Airconditioning Unit

3 – Colour Finish of Air Conditioning Unit

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### **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 – Reported about 25 letters/e-mails of objection had been received in response to the revised plans; Town Council recommended refusal to the revised plans as above as well as on access and egress grounds; DCC Highways – no objections.

Recommendation – Conditional Approval (Subject to Section 106 Agreement)

#### **Committee Decision – Refusal**

### **Reasons for Refusal**

- 1 The proposed development, by reason of the overall massing, scale, bulk and contemporary design, is considered to be wholly inappropriate to its contextual setting. Such development would have an unacceptable visual impact on the street scene and on public views from adjoining roads and would be contrary to the objectives of Devon County Structure Plan Policies C03 & C06; South Hams Local Plan Policies SHDC1 (and associated planning principles) and SHDC15; South Hams Local Plan Review Policies (and associated planning principles), DEV2, DEV23 & ENV2; and LDF Core Strategy Policies CS1, CS7 & CS9.
  
  - 2 The proposed location of the access to and from the parking and turning area would create conditions of danger to other road users due to increased traffic entering and leaving the highway in close proximity to road junctions and consequent interference with the free flow of traffic, thus contrary to Devon County Structure Plan Policy TR10; South Hams Local Plan Policy SHDC1; and South Hams Local Plan Review Policies DS3 & DEV19.
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### **55/0341/08/F**

Change of use of barn to proposed metal workshop – Agricultural Barn to rear of The Sloop Inn, Bantham, Kingsbridge, TQ7 3AJ – Mr J W Hooper

### **THURLESTONE**

Parish Council's Views – No objection

Officer Update – Letters of representation reported

Recommendation – Refusal

### **Committee Decision – Conditional Approval**

#### **Conditions**

- 1 – TIM3 (Standard time limit 3 year)
- 2 – USE 1 (Personal)
- 3 – USE 5 (Temporary)
- 4 – IND14 (Hours of Use)
- 5 – IND9 (External Storage)
- 6 – Non Standard

Details

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### **15/0078/08/F**

Demolition of existing dwelling and construction of new dwelling with garaging – 55 South Ford Road, Dartmouth – Mr & Mrs A H Rafinski

## **DARTMOUTH**

Town Council's Views – refusal on the grounds of overdevelopment, unneighbourly and being in a Conservation Area.

Officer Update – Recommend two additional conditions relating to provision/retention of parking and removal of permitted development rights

Recommendation – Conditional Approval

### **Committee Decision – Conditional Approval**

#### **Conditions**

- 1 - TIM3 (Standard three year time limit)
  - 2 - Non Standard  
Structural Details
  - 3 - Non Standard  
Access (Hardsurfacing/Surface Water Disposal)
  - 4 - MAT16 (Local Stone)
  - 5 - MAT14 (Walls, Render, Details)
  - 6 - MAT7 (Natural Slate Sample)
  - 7 - Non Standard  
Garage Doors
  - 8 - Non Standard  
No Side Windows
  - 9 - Non Standard  
  
Contamination
  - 10 – Non Standard  
Contamination
  - 11 – RES 22 (GDO Exc)
  - 12 – RES43 (Parking)
- 

### **46/0450/08/F**

Extension of existing dwelling to create annexe and conservatory – Hope Croft, Grand View Road, Hope Cove, Kingsbridge, TQ7 3HE – Mr & Mrs R Reeves

## **SOUTH HUISH**

**Parish Council's Views** – Objection, too imposing. Overbearing impact on surrounding area and objection to the boat parking area.

Officer Update – Letters of representation reported

Recommendation – Conditional Approval

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

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**56/0452/08/F**

Resubmission of planning application 56/2550/07/F for erection of single dwelling – 10 Walnut Close, Totnes, TQ9 5GF – Ms J Hendy

**TOTNES**

Town Council's Views –No objections

Officer Update – Referred to ownership issue

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions**

- 1 - TIM3 (Standard three year time limit)
  - 2 - RES22 ((GDO Exc)
  - 3 - RES30 (Windows)
  - 4 - MAT2 (Samples Submitted)
  - 5 - RES43 (Parking)
  - 6 - Non Standard  
Contaminated Land Investigation
  - 7 - Non Standard  
Contaminated Land Investigation
- 

**53/0446/08/F**

Retrospective application for resubmission of planning application 53/0462/07/F for extended decking and boundary treatment – 1 Shindle Park, Chillington, Kingsbridge, TQ7 2JE – Mr & Mrs Ross

**STOKENHAM**

Parish Council's Views – Objection; impact upon adjoining neighbours, height of fence being overbearing, out of keeping with locality

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Site Inspection**

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**53/0623/08/F**

Resubmission of application 53/2517/07/F for the creation of 16 apartments for independent holiday use in lieu of existing 17 holiday flats, together with internal and external alterations, including 3 storey extension – Torcross Apartment Hotel, Torcross, Kingsbridge, TQ7 2TQ – Start Bay Luxury Apartments Ltd

## **STOKENHAM**

Parish Council's Views – No objections but concern about the removal or non-inclusion of a lift and whether this compiles with DDS criteria.

Officer Update – Referred to neighbour impact, Environment Agency's letter dated 21 May 2008 with additional conditions, and withdrawal of two apartments at ground floor level meaning the description amended to read creation of 16 apartments

Recommendation – Conditional Approval

### **Committee Decision – Conditional Approval**

#### **Conditions**

- 1 - TIM3 (Standard time limit 3 years)
  - 2 - Non Standard  
Natural Slate
  - 3 - Non Standard  
Render Detail/Render Band
  - 4 - Non Standard  
Windows & Doors
  - 5 - MAT22 (Joinery Details)
  - 6 - MAT27 (Rooflights Patent Glazing Details)
  - 7 - MAT30 (Full Details (ducts, flues, vents etc))
  - 8 - Non Standard  
Balustrading Detail
  - 9 - Non Standard  
Holiday Use
  - 10 - Non Standard  
Parking
  - 11 - Non Standard  
No Additional Openings (Walls/Roof)
  - 12 - Non Standard  
GDO Exc (Means of Enclosure)
  - 13 - Non Standard  
Contaminated Land Investigation
  - 14 - Non Standard  
Contaminated land Works
  - 15 – Non Standard  
GDO Exc (Extensions, Alterations, Porches, Satellite Antennae)
  - 16 – Non Standard  
Emergency Access Route
  - 17 – Non Standard  
Flood Risks/Resilient Measures
-

**33/0490/08/F**

Conversion of field barn to single dwelling – Broadmoor Farm, Malborough, Kingsbridge, TQ7 3EB – Mr I D Pedrick

**MALBOROUGH**

Parish Council's Views – Support adding that they feel this is a good re-use of the barn for local agricultural use. They are also concerned that it stays as this and does not become a second home

Officer Update – DCC's observations reported. Letter of support from South Hams Society

Recommendation – Refusal

**Committee Decision – Conditional Approval**

**Conditions**

Authority for conditions delegated to Head of Service in conjunction with Ward Members

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**20/0430/08/F**

Resubmission of planning application 20/1140/07/F for the erection of a temporary agricultural dwelling and conversion of farm buildings to riding stables – Village Farm, East Portlemouth, Salcombe, TQ8 8PE – Mr S Pethick

**EAST PORTLEMOUTH**

Parish Council's Views - Recommend the application for refusal for the same reasons the Council recommended refusal on the previous application. In addition the transport statement is inadequate and fails to address the fundamental issues.

Officer Update – Referred to planning history and pending Local Inquiry. DCC/Highways Officer in attendance to answer questions.

Recommendation - Conditional Approval

**Committee Decision – Refusal**

**Reasons for Refusal**

- 1 The proposal, outside of any development boundary, situated along a road which by virtue of its inadequate width and alignment would result in additional danger to other road users and would increase the reliance on the private motor vehicle and therefore is considered contrary to Policies TR5 and TR10 of the Devon County Structure Plan.
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**56/0625/08/F**

Lean-to extension to rear of property – 31 Higher Westonfields, Totnes, TQ9 5QY – Mr A Libby

**TOTNES**

Town Council's Views – No objection subject to Planning Officer involvement to ensure that there will not be any loss of light to the neighbours

Officer Update – Referred to agents drawing in respect of extensions that could be erected as permitted development

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions**

- 1 - TIM3 (Standard three year time limit)
  - 2 - RES30 (Windows)
  - 3 - MAT1 (Matching Materials)
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**09/0398/08/F**

Resubmission of application 09/2307/07/F for provision of level access from glass link – Church Barn, West Chareilton, Kingsbridge, TQ7 2AD – Mr & Mrs P J Cubbon

**CHARLETON**

Parish Council's Views – Objection on design grounds

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Condition**

- 1 - TIM3 (Standard time limit 3 years)
  - 2 – MAT2 (Samples submitted)
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**41/0612/08/F**

Change of use of premises from storage of live crabs to processing of crab/fish meat – Fish Store, The Fish Quay, The Spur, Salcombe – Mr R Johnstone

**SALCOMBE**

Town Council's Views – Views awaited

Officer Update – Town Council views reported

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions**

1 - TIM3 (Standard three year time limit)

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**28/2504/07/CM**

County Matters application replacement of existing playing fields pavillion – Westville Playing Field, Kingsbridge Community College, Balkwill Road, Kingsbridge, TQ7 1PL – Mr R Pope

**KINGSBRIDGE**

Town Council's Views - N/A

Officer Update – None

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions**

1 - MAT15 (Walls Weatherboard Colour Finish)

2 - MAT8 (Roofing Natural Slate)

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**56/0431/08/DC**

Resubmission of planning application 56/0051/07/DC for alterations to existing highway – Regulation 3, Local Planning Authority own development pursuant to a decision by Council, Minute No. 5904 dated 11 November 2004 – Public Highway, The Lamb and Heathway, Totnes – South Hams District Council

**TOTNES**

Town Council's Views – Views awaited

Officer Update – No objection from Town Council

Recommendation – Conditional Approval

**Committee Decision – Conditional Approval**

**Conditions**

1 - TIM3 (Standard time limit 3 years)

2 - Non Standard

Archaeology

3 - Non Standard

Highway Details

4 - Non Standard

Submission of Sample Materials

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