

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 23 MAY 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 C W Jones (for application number 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);

Cllr S L Rankin (for application number 47/0479/07/F – Demolition of existing dwelling and erection of replacement dwelling – Queens Croft, South Milton, Kingsbridge TQ7 3JP); and

Cllr R J Tucker (for application number 18/0485/07/O – Outline application for the demolition of existing workshop units and construction of dwelling – Land northwest of Box and Rose Cottage, Capton, Dartmouth).

Officers in attendance:

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

DC.1/07 WELCOME

The Chairman welcomed all Members to the first Development Control Committee meeting to take place following the recent elections.

DC.2/07 ELECTION OF VICE-CHAIRMAN

RESOLVED

That in light of the Vice-Chairman not being in attendance for the start of the meeting, Cllr P W Hitchins be elected as Vice-Chairman for the duration of this meeting only.

DC.3/07 MINUTES

The minutes of the meeting of the Committee held on 18 April 2007 were confirmed as a correct record and signed by the Chairman.

DC.4/07 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 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 H D Bastone declared a personal interest in application number 10/0587/07/F (Resubmission of application 15/2204/07/F for removal of external envelope and retaining the floor plates, the addition of one storey over the existing entrance storey, and minor extensions to the ground floor. The re-cladding of the external envelope in a contemporary style – 4 Ravensbury Drive, Warfleet, Dartmouth TQ6 9BZ) by virtue of him becoming familiar with both the applicants and the objectors during the planning history of this application, and remained in the meeting and took part in the discussion and vote thereon;

Cllr J Brazil declared a prejudicial interest in application number 10/0476/07/F (Siting of temporary agricultural dwelling – Agricultural Building, Sunnyside Paddock, South Allington, Kingsbridge) by virtue of him having been sat at the parish council meeting when it considered the application and left the meeting during consideration of this item;

Cllr R C Steer declared a personal interest in application number 45/0575/07/F (Resubmission of application 45/2125/06/F for the provision of new farm entrance – Field at SX7272519, Wonton Farm, Diptford, Totnes) and remained in the meeting but did not take part in the debate or vote on this particular item;

Cllr B F Cane declared a prejudicial interest in application number 49/2443/06/F (Erection of Power Station and associated works – Langage Energy Centre, Holland Road, Plympton PL7 5AW) by virtue of both the land associated with the application site being in the ownership of a relation and the fact that he had undertaken some contractual work on the application site and left the meeting during consideration of this application.

DC.5/07 PUBLIC PARTICIPATION

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

- 49/2443/06/F – Supporter – Mr Dallow
Erection of Power Station and associated works – Langage Energy Centre, Holland Road, Plympton PL7 5AW;
- 39/0337/07/F – Supporter – Ms Wakeham
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;
- 14&56/0355/07/F – Objector – Mrs Purcell; Supporter – Mr Metcalfe
Erection of one dwelling within grounds of property – 2 Copland Meadows, Totnes TQ9 6ER;
- 34/0448/07/F & 34/0463/07/LB – Supporter – Mr Duffield
(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;
- 18/0485/07/O – Supporter – Mr Hunt
Outline application for the demolition of existing workshop units and construction of dwelling – Land northwest of Box and Rose Cottage, Capton, Dartmouth;
- 15/0587/07/F – Objector – Mr Wakefield; Supporter – Mr Seymour
Resubmission of application 15/2204/07/F for removal of external envelope and retaining the floor plates, the addition of one storey over the existing entrance storey, and minor extensions to the ground floor. The re-cladding of the external envelope in a contemporary style – 4 Ravensbury Drive, Warfleet, Dartmouth TQ6 9BZ;
- 28/0848/07/F – Supporter – Mr Green
Resubmission of application 28/0434/07/F for alterations and improvements to dwelling – 45 Highfield Drive, Kingsbridge TQ7 1JR.

DC.6/07 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.7/07 **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 49/2443/06/F (Erection of Power Station and associated works – Langage Energy Centre, Holland Road, Plympton, PL7 5AW), the following amended motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That delegated authority be given to the Head of Planning and Building Control, in consultation with the Chairman of the Development Control Committee and the Leader of Council, to grant full planning permission subject to completion of the Section 106 Agreement and imposition of any suitable conditions.’

Reason

The Committee believed that, when bearing in mind the scale of the application, an amendment to the officer recommendation should be imposed whereby there was some delegated Member involvement (in this case the Chairman of the Committee and the Leader of Council), prior to the granting of any planning permission.

- (b) In respect of application number 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), 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 numbers 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), 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 10/0476/07/F (Siting of temporary agricultural dwelling – Agricultural building, Sunnyside Paddock, South Allington, Kingsbridge), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED**:-

‘That the application be deferred.’

Reason

The Area Planning Officer (APO) advised those present that a significant amount of supporting information on the application had been submitted just prior to this meeting. It was noted that this information required further evaluation and the APO hoped that, subject to Member agreement, a decision on the application could be deferred until a later date to allow for a meeting to take place between relevant stakeholders. Based upon these comments, the Committee endorsed this suggestion.

- (e) In respect of application number 47/0479/07/F (Demolition of existing dwelling and erection of replacement dwelling – Queens Croft, South Milton, Kingsbridge TQ7 3JP), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That a site inspection be undertaken.’

The following motion was then **PROPOSED** and **SECONDED** and on being put to the vote was, by a 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 that the existing dwelling would be demolished and could therefore not support the recommendation. However, other Members highlighted the comments in the case officer report which stated that planning permission was not required to demolish the dwelling.

- (f) In respect of application number 18/0485/07/O (Outline application for the demolition of existing workshop units and construction of dwelling – Land northwest of Box and Rose Cottage, Capton, Dartmouth), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That a site inspection be undertaken.’

The following motion was then **PROPOSED** and **SECONDED** and on being put to the vote was declared **LOST**:-

‘That planning permission be conditionally approved.’

- (g) In respect of application number 15/0587/07/F (Resubmission of application 15/2204/07/F for removal of external envelope and retaining the floor plates, the addition of one storey over the existing entrance storey, and minor extensions to the ground floor. The re-cladding of the external envelope in a contemporary style – 4 Ravensbury Drive, Warfleet, Dartmouth TQ6 9BZ), the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was, by a Chairman's casting vote, declared **LOST**:-

'That planning permission be refused.'

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

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

Reason

In his presentation, the APO reminded Members that an application on this site had initially been considered by Committee at its 14 February 2007 meeting and was, following a site inspection (which had unanimously recommended conditional approval), withdrawn at 14 March 2007 meeting due to inaccurate drawings. It was noted that Council engineers had visited the site and it was apparent that the ridge height was found to be between 800 and 900 centimetres higher than the plans had illustrated.

The Committee was informed that this application was initially to be presented to the meeting on 18 April 2007 but was deferred due to it having not been advertised correctly, in that no mention had been made in the advertisements and site notice of the proposal affecting the setting of a Listed Building. The APO assured those in attendance that the application had now been re-advertised and only differed in appearance from the original application by having a lower ridge height, with the eaves now sitting on the windows. In order to control the ridge height, the APO recommended an additional condition whereby the ridge height did not exceed the ridge height of the adjoining dwelling.

The APO proceeded to reiterate the objections raised (which were highlighted in the presented case officer report) and made particular reference to some late letters / an email and photographs which had been submitted since the agenda had been published. Members were informed that officers had some concern with regard to some of the statements which had been made and the accuracy of the photographs contained in these late papers. In the email, reference had been particularly made to the accuracy of certain parts of the officer report, for example, the report referred to a 'lift shaft' instead of a 'stairwell'. The APO reiterated that there was no 'lift shaft' in the proposals and it was indeed a 'stairwell'. Concern had also been raised about the officer statement with regard to the extent in the increase in floor area of only 12m³ which was considered to be minor. The APO advised Members that the increase in floor area was a lot more than 12m³ and proceeded to show by way of overlays the proposed building in relation to the existing dwelling on site. The APO stated that it was his view that this increase was not minor. The email also did not accept the officer view that the development would provide substantial land around the site and referred to a distance of 0.4m between the new build and the boundary of No. 3 Ravensbury Drive. The APO referred to this issue, making clear reference to this 0.4m distance and, again with the aid of the overlays, left it to the judgement of the Committee to decide whether there was or was not 'substantial' land around the site.

In concluding his presentation, the APO advised that officers were satisfied that the measurements were now accurate. Furthermore, and in light of the Conservation Officer raising no objections (whilst acknowledging that there would be an impact on the setting of the Listed Building) and it having previously been deemed acceptable for the adjoining property to be extended and altered (with its ridge height having been raised), officers considered the application to be acceptable, subject to the implementation of the recommended conditions.

Whilst the majority of Members supported the case officer recommendation, a number of Members did express some concerns with the proposals. These concerns included: the sensitivity of the local area; the impact on the Listed Building; the design being inappropriate in this setting; the contradictory comments of the Conservation Officer; conflict with a number of policies; discrepancies with the submitted drawings and the reluctance of the site inspection Group to view the proposals from alternative vantage points. However, the majority of Members felt that the proposals constituted a bold statement, with the modern design and four-storey dwelling fitting in and therefore enhancing the area.

The following matter was reported and noted by the Committee during consideration of DC.7/07 and Appendix A:-

- (i) 15/0587/07/F (Resubmission of application 15/2204/07/F for removal of external envelope and retaining the floor plates, the addition of one storey over the existing entrance storey, and minor extensions to the ground floor. The re-cladding of the external envelope in a contemporary style – 4 Ravensbury Drive, Warfleet, Dartmouth TQ6 9BZ);

The inclusion of an additional condition: 'That the height of the dwelling does not exceed the ridge height of the adjoining dwelling.'

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).

Chairman

DEVELOPMENT CONTROL COMMITTEE – 23 MAY 2007

The following matters were reported to and noted by the Committee during consideration of DC.7/07 and Appendix A:-

39/0337/07/F	Letters circulated	1 of support
14&56/0355/07/F	Letters circulated	5 of objection 1 of comment
34/0448/07/F & 34/0463/07/LB	Letters circulated	1 of objection
10/0476/07/F	Letters circulated	7 of objection 7 of comment 1 of concern 7 of support
47/0479/07/F	Letters circulated	1 of objection 2 of comment
18/0485/07/O	Letters circulated	4 of comment 30 of support
57/0584/07/F	Letters circulated	2 of comment
15/0587/07/F	Letters circulated	11 of objection 9 of comment
28/0848/07/F	Letters circulated	2 of objection

APPENDIX A

49/2443/06/F

Erection of Power Station and associated works – Langage Energy Centre, Holland Road, Plympton, PL7 5AW – Centrica Langage Limited

SPARKWELL

Parish Council's Views – No objection

Officer Update – None

Recommendation – That delegated authority be given to the Head of Planning and Building Control to grant reserved matters approval subject to completion of the Section 106 Agreement and imposition of any suitable conditions

Committee Decision – As recommended but decision to be made in consultation with Chairman of Development Control Committee and Leader of Council.

Conditions:

To be prepared with delegated approval.

39/0337/07/F

Resubmission of previous application 39/1754/06/F for conversion of barn to dwellinghouse with ancillary utility and office – New dwelling, Lower Torne Barn, Rattery, South Brent – Ms S Wakeham

RATTERY

Parish Council's Views – No objection

Officer Update – None

Recommendation – Refusal

Reasons:

1. The proposal constitutes a form of isolated residential development in the open countryside divorced from any established centre where community services and facilities are available. Such development is non-sustainable and conflicts with adopted Structure Plan Policy ST5; adopted Policies SHDC3 and SHDC4 in the South Hams Local Plan; Policies DS4 and H011 of the South Hams Local Plan Review; adopted South Hams LDF Core Strategy Policy CS1 and the advice given in PPS7.
2. The proposed conversion of the buildings to residential use, with ancillary office and utility uses, and the formation of residential curtilage, constitutes development which will detract from the character and appearance of the area. Such development will be contrary to the provisions of the adopted

Devon County Structure Plan Policies ST5, CO4; South Hams Local Plan Policies SHDC3, SHDC4; Policies DS4, DEV23, ENV3, H011 of the South Hams Local Plan Review; and adopted South Hams LDF Core Strategy Policies CS1 & CS9.

3. The proposal comprises development in the countryside outside any development plan boundary or recognised settlement and remote from all normal facilities and public transport and as such would foster the growth in the need to travel by private car. This is contrary to Structure Plan Policy TR5 and the advice given in PPG13.
4. The proposal would generate increased traffic along a road unsuitable to serve the development because of the width and substandard junction of the access lane onto the County Highway, thus contrary to adopted Structure Plan and Local Plan Policies TR10, SHDC3 and Policy DEV19 of the South Hams Local Plan Review.

Committee Decision – Site Inspection

14&56/0355/07/F

Erection of one dwelling within grounds of property – 2 Copland Meadows, Totnes, TQ9 6ER – Mr & Mrs P Rabbitts

DARTINGTON & TOTNES

Parish Council's Views – Objection not considered suitable and it is outside the boundary of the original estate

Town Council's Views – No objection

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

- 1 - TIM3 (Standard time limit 3 years)
- 2 - MAT8 (Roofing Natural Slate)
- 3 - MAT12 (Eaves And Verges details)
- 4 - MAT16 (Local Stone)
- 5 - MAT23 (Timber Doors And Windows Reserve Details Vents)
- 6 - MAT24 (Joinery)
- 7 - MAT26 (Rooflights Conservation Type)
- 8 - RES22 (Exclusion of G.D.O.)
- 9 - RES43 (Parking)
- 10 - NE01 (Landscaping NE1)
- 11 - TRE3 (Tree Protection And Works)
- 12 - HWY19 (Surface Water)

13 - Non Standard (Hardstanding)

(i) 34/0448/07/F & (ii) 34/0463/07/LB

(i) Erection of garden room, and (ii) Listed Building Consent for the erection of a garden room – The Old Cart Shed, 13 Higher Compton Barton, Compton, Marlton, TQ3 1SA – Mr R M Duffield

MARLDON

Parish Councils' Views – No objection

Officer Update – None

Recommendation – Refusal (both applications)

Reasons:

The proposed extension to a listed farm building, would be detrimental to the architectural and historic character of the group and would be contrary to Local Development Framework Policies CS7 and CS9 and adopted Development Plan Policies ST5, CO7, SHDC3, SHDC4, SHDC15, SHDC19; emerging Local Plan Review Policies DS4, DEV2, ENV13; Supplementary Planning Guidance – Traditional Farm Buildings in the South Hams – Their Adaption and Re-Use.

Committee Decision – Site Inspection

10/0476/07/F

Siting of temporary agricultural dwelling – Agricultural building, Sunnyside Paddock, South Allington, Kingsbridge – Mrs T J Williams-Geldard & Mr L Geldard

CHIVELSTONE

Parish Council's Views – Strongly oppose, development in the countryside with a lack of agricultural need. Area of Outstanding Natural Beauty – see letters.

Officer Update – late additional information submitted. Officers and Agricultural Advisor have not had an opportunity to assess this information.

Recommendation – Deferral

Committee Decision – Deferral

47/0479/07/F

Demolition of existing dwelling and erection of replacement dwelling – Queens Croft, South Milton, Kingsbridge, TQ7 3JP – Mr & Mrs D Hailey

SOUTH MILTON

Parish Council's Views – Objection. The reasons given do not justify the demolition of this historic village building. Many stone buildings have no damp course, woodworm and dry rot can all be cured. At an open Parish meeting strong objection was expressed to this plan. It was felt that once demolition had taken place further encroachment on the site would occur.

Officer Update – None

Recommendation – Condition Approval

Committee Decision – Conditional Approval

Conditions:

1 - TIM3 (Standard Time Limit 3 years)

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

3 - Non Standard

Natural Slate

4 - Non Standard

Local Stone

5 - Non Standard

Joinery Details

6 - MAT27 (Rooflights)

7 - MAT12 (Eaves and Verges Details)

8 - MAT14 (Walls Render Details)

9 - MAT18 (Reclaimed Stone)

10 - Non Standard

Ducts, Pipes, Vents, etc

11 - Non Standard

Garage Retention

12 - Non Standard

Garage Materials

13 - Non Standard

Notification of Demolition

18/0485/07/O

Outline application for the demolition of existing workshop units and construction of dwelling – Land northwest of Box and Rose Cottage, Capton, Dartmouth – Mr & Mrs A Hunt

DITTISHAM

Parish Council's Views – No objection, subject to design, materials and single storey

Officer Update – None

Recommendation – Refusal

Committee Decision – Refusal

Reasons:

The proposal would give rise to residential development in the countryside, divorced from any established centre where community services and facilities are available, and constitutes an undesirable intensification of sporadic development in the Countryside which, in the absence of any overriding agricultural need, is contrary to adopted Development Plan Policies ST5 and SHDC3; emerging Local Plan Review Policy DS4; and adopted South Hams LDF Core Strategy Policy CS1.

45/0575/07/F

Resubmission of application 45/2125/06/F for the provision of new farm entrance – Field at SX72725919, Wonton Farm, Diptford, Totnes – Mr A G Freeth

SOUTH BRENT

Parish Council's Views – Recommend refusal due to lake of visibility afforded to vehicles using the proposed egress on this 60mph stretch of road, with a 9ft band on either side

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

1 - TIM3 (Standard time limit 3 years)

2 - Non Standard

Closure of Existing Access

3 - Non Standard

Visibility

4 - Non Standard

Levels

57/0584/07/F

Erection of floodlights and a 100 seater spectator stand – Ivybridge Town Football Club (Pitch A), Ermington Road, Ivybridge, PL21 9ES – Ivybridge Town Football Club

UGBOROUGH/BITTAFORD

Parish Council's Views – Support

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

- 1 - TIM3 (Standard time limit three years)
 - 2 - Non Standard
Method of Fixing
 - 3 - Non Standard
Use of lights
-

15/0587/07/F

Resubmission of application 15/2204/07/F for removal of external envelope, and retaining the floor plates, the addition of one storey over the existing entrance storey, and minor extensions to the ground floor. The re-cladding of the external envelope in a contemporary style – 4 Ravensbury Drive, Warfleet, Dartmouth, Devon TQ6 9BZ – Mr H McCartney

DARTMOUTH

Town Council's Views – Objection

Officer Update – late letters/email reported. Additional condition recommended regarding ridge height.

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

- 1 - TIM3 (Standard time limit 3 years)
 - 2 - Non Standard
Render Details
 - 3 - MAT14 (Walls Render Details)
 - 4 - MAT15 (Walls Weatherboard Colour Finish)
 - 5 - MAT22 (Joinery Details)
 - 6 - Non Standard
Roofing details
 - 7 - RES 22 (GPDO Exc)
 - 8 - RES43 (Parking)
 - 9 – Non Standard
Ridge Height not to Exceed Ridge of No.3 Ravensbury Drive
-

57/0641/07/F

Erection of cricket score box – Ivybridge Cricket Club, Erme Playing Fields, Ermington Road, Ivybridge – Mr A Mailling

UGBOROUGH/BITTAFORD

Parish Council's Views – Approval

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

1 – TIM3 (standard time limit)

28/0848/07/F

Resubmission of application 28/0434/07/F for alterations and improvements to dwelling – 45 Highfield Drive, Kingsbridge, TQ7 1JR – Mr & Mrs L Green

KINGSBRIDGE

Town Council's Views – Comments awaited

Officer Update – reported Town Council views and letter of representation from 19 Linhey Close

Recommendation – Conditional Approval

Committee Decision – Conditional Approval

Conditions:

1 - TIM3 (Standard time limit 3 years)

2 - MAT1 (Matching Materials)

3 – Non-Standard

Details of Balustrade
