

**MINUTES OF THE MEETING OF THE DEVELOPMENT CONTROL COMMITTEE
HELD AT FOLLATON HOUSE, TOTNES, ON WEDNESDAY, 25 JUNE 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:

Cllrs Gilbert and Howarth

DC.07/08 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

That Cllr Steer be appointed Vice-Chairman for the duration of the meeting.

DC.08/08 MINUTES

The minutes of the meeting of the Committee held on 21 May 2008 were confirmed as a correct record and signed by the Chairman.

However, concern was expressed at the subtle change in wording which had been passed by Members for the minutes of the 23 April 2008 meeting, especially with regard to the proposals being carbon neutral.

DC.09/08 CHAIRMAN'S ANNOUNCEMENTS

On behalf of the Committee, the Chairman wished to extend his congratulations to Cllr Westacott on her recent award of the MBE for services to the community of Totnes.

The Chairman then proceeded to inform those present that the following applications had been withdrawn prior to the start of the meeting:-

- 53/1149/07/CA and 53/1150/07/F – i) Conservation Area Consent for demolition of single and two storey structures: and ii) part demolition and erection of new bedroom wings with ancillary – Fairfield House, Chillington, Kingsbridge;
- 11/0678/08/F – erection of agricultural building for potato storage – Land at Warcombe Barn, Kingsbridge; and
- 02/0750/08/F – extension to dwelling – Lewhill Barn, Aveton Gifford, Kingsbridge.

DC.08/08 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:-

Cllrs Carter, Coulson, Fielden, Hicks, Hitchins, Pennington, Rowe, Squire and Steer declared a personal interest in application number 07/0771/08/F (resubmission of application 07/0140/08/F for the erection of five self-contained residential flats plus associated parking – Development Site adjacent to Venn Farm, Brixton) by virtue of the applicant being a fellow Conservative Member of South Hams District Council. Members remained in the meeting and took part in the vote and debate thereon.

Cllrs Carter, Coulson, Fielden, Hicks, Hitchins, Pennington, Rowe, Squire and Steer also declared a personal interest in application number 21/0658/08/F (extension to farm shop – Countrymans Choice Farm Shop, Endsleigh, Ivybridge) by virtue of the applicants association with the Conservative Group. Members remained in the meeting and took part in the vote and debate thereon.

Cllrs Brazil, O'Callaghan, Vint and Ward declared a personal interest in application number 59/0576/08/F (resubmission of application 59/2033/07/F for barn conversion and erection of two new dwellings – Elmfield, West Alvington, Kingsbridge) by virtue of the applicants association with the Liberal Democrat group. Members remained in the meeting and took part in the vote and debate thereon.

Cllr Fielden declared a personal interest in application number 59/0576/08/F (resubmission of application 59/2033/07/F for barn conversion and erection of two new dwellings – Elmfield, West Alvington, Kingsbridge) by virtue of previous work related dealings with the applicants' solicitor and remained in the meeting and took part in the debate and vote thereon;

Cllr 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) by virtue of the applicant being a neighbour and left the meeting during the debate and vote on this application;

Cllr Hicks declared a prejudicial interest in application 28/2685/07/RM (Reserved Matters application for the erection of 3,716 sqm Food Retail Store plus car parking, service access and pedestrian links to Fore Street (outline approval 28/2431/06/O) – Industrial Trading Estate, Poplar Drive, Kingsbridge and adj Low Level Town Centre Long-stay Car Park, Cookworthy Road, Kingsbridge, TQ7 1QN – Tesco) and left the meeting during the debate and vote on this application;

Cllr Brazil declared a personal interest in application 28/2685/07/RM (Reserved Matters application for the erection of 3,716 sqm Food Retail Store plus car parking, service access and pedestrian links to Fore Street (outline approval 28/2431/06/O) – Industrial Trading Estate, Poplar Drive, Kingsbridge and adj Low Level Town Centre Long-stay Car Park, Cookworthy Road, Kingsbridge, TQ7 1QN – Tesco) and remained in the meeting and took part in the debate and vote thereon.

DC.09/08 **PUBLIC PARTICIPATION**

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

- 28/2685/07/RM – Objector; Mr Chalmers – Supporter; Mr Scoot Reserved Matters application for the erection of 3,716 sqm Food Retail Store plus car parking, service access and pedestrian links to Fore Street (outline approval 28/2431/06/O) – Industrial Trading Estate, Poplar Drive, Kingsbridge and adj Low Level Town Centre Long-stay Car Park, Cookworthy Road, Kingsbridge, TQ7 1QN - Tesco;
- 59/0576/08/F – Objector; Mr Rawlings - Supporter; Mr Barnard Resubmission of application 59/2033/07/F for barn conversion and erection of two new dwellings – Elmfield, West Alvington, Kingsbridge, TQ7 3PP;
- 54/0784/08/F – Objector; Dr Baldock – Supporter; Mr Burrows Resubmission of planning application 54/0125/08/F for construction of new sub room extension and internal alterations – Matthews Point Manor, Strete, Dartmouth, TQ6 0RQ;
- 50/0720/08/F – Supporter Mrs Gibbs Retrospective application for extension to rear of house – 11 Nelson Close, Staverton, Totnes, TQ9 6PG;
- 41/0888/08/F – Objector; Mr Long Demolition of dwelling and single garage, replacement with new dwelling and double garage – Topwood, Sandhills Road, Salcombe, TQ8 8JP.

DC.10/08 **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 2 June 2008**

(i) **46/0450/08/F – extension of existing dwelling to create annexe and conservatory – Hope Croft, Grand View Road, Hope Cove, Kingsbridge, TQ7 3HE**

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.

It was then:-

RESOLVED

That in respect of planning application 46/0450//08/F, the application be conditionally approved.

(ii) **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**

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 refused and enforcement action be taken.

The Area Planning Officer (APO) noted that the site inspection group had not refused the application on the grounds that this was a retrospective application and that the concern lay with the detrimental impact on neighbouring properties of the extended decking and the proposed increase in height of the boundary fencing being out of keeping with the area as well as being overbearing. A Member of the site inspection group then assured the Committee that the 'unapproved' part of the decking did over look the neighbouring property.

Furthermore, the APO drew attention to the letters of criticism which been received, and circulated to the Committee, regarding the way the Stokenham Parish Council had conducted itself during the process. However, the APO emphasised that this concern was not a consideration for the Committee.

It was then:-

RESOLVED

That in respect of application number 53/0446/08/F, the application be refused due to the detrimental impact on neighbouring properties of the extended decking and the proposed increase in height of the boundary fencing being out of keeping with the area and overbearing.

RESOLVED

That enforcement action be taken against the construction of the extended decking in respect of application 53/0446/08/F with a period of compliance being six months.

DC.11/08 **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 28/2685/07/RM (Reserved Matters application for the erection of 3,716 sqm Food Retail Store plus car parking, service access and pedestrian links to Fore Street (outline approval 28/2431/06/O) – Industrial Trading Estate, Poplar Drive, Kingsbridge and adj Low Level Town Centre Long-stay Car Park, Cookworthy Road, Kingsbridge, TQ7 1QN – Tesco) a Member expressed concern over the access link between the car park and the proposed store highlighting that it would not be user friendly for the elderly, disabled and push chair users due to its steep nature. Moreover, it was felt that the design was not acceptable and that there were still outlining issues yet to be resolved which the Committee should be able to consider also. In response, the APO advised that outlining permission had previously been granted by the Committee. The applicant's had agreed to look into the possibility of installing an elevator / escalator. However, the following motion was **PROPOSED** and **SECONDED** but on being put to the vote declared **LOST**:-

RESOLVED

That in respect of application 28/2685/08/F, planning permission be refused by virtue of the design of the access route from the upper car park to the store.

- (b) In respect of application 59/0576/08/F (resubmission of application 59/2033/07/F for barn conversion and erection of two new dwellings – Elmfield, West Alvington, Kingsbridge, TQ7 3PP) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

RESOLVED

That in respect of planning application 59/0576/08/F, a site inspection be held.

- (c) In respect of application 54/0784/08/F (resubmission of planning application 54/0125/08/F for construction of new sub room extension and internal alterations – Matthews Point Manor, Strete, Dartmouth, TQ6 0RQ) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

RESOLVED

That in respect of planning application 54/0784/08/F, a site inspection be held.

- (d) In respect of application 07/0771/08/F (resubmission of application 07/0140/08/F for the erection of five self-contained residential flats plus associated parking – Development Site adjacent to Venn Farm, Brixton) the following motion was **PROPOSED** and **SECONDED** and on being put to the vote was declared **CARRIED:-**

RESOLVED

That in respect of planning application 07/0771/08/F, a site inspection be held.

- (e) In respect of application 41/0888/08/F (demolition of dwelling and single garage, replacement with new dwelling and double garage – Topwood, Sandhills Road, Salcombe, TQ8 8JP) a Member raised concern with the scale and contemporary design of the proposed development. It was considered to be wholly inappropriate to its contextural setting and character and appearance of the area. Therefore, the following motion was **PROPOSED** and **SECONDED** and on being out to the vote declared **CARRIED:-**

RESOLVED

That in respect of application 41/0888/08/F, planning permission be refused by virtue of the its scale and contemporary design being inappropriate to its contextual setting and character and appearance of 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 5.15 pm).

Chairman

APPENDIX A

28/2685/07/RM

Reserved Matters application for the erection of 3,1716sqm Food Retail Store plus car parking, service access and pedestrian links to Fore Street (outline approval 28/2431/06/O) – Industrial Trading Estate, Poplar Drive, Kingsbridge and adj Low Level Town Centre Long-Stay Car Park, Cookworthy Road, Kingsbridge, TQ7 1QN - Tesco

KINGSBRIDGE

Town Council's Views – See comments in Committee report

Officer Update – Reported letter of representation and recommended extra planning condition 'cycle & motorbike parking'

Recommendation – Conditional Approval

Committee Decision – Approved

Conditions

1 - TIM2 (Outline - Reserved matters time limit 3 and 2 years)

2 - MIS6 (Reiteration)

3 - Non Standard

Noise Level

4 - Non Standard

Delivery Times

5 - MAT2 (Samples submitted)

6 - MAT17 (Stonework Sample Panel)

7 – Non Standard

Cycle & Motorbike parking

37/0501/08/F

Resubmission of application 37/0047/07/F for the demolition of existing workshops, rebuild of four workshops with owners flat above workshop one – Hockadays Workshop, Membland, Newton Ferrers, Plymouth – Mr M Hockaday

NEWTON & NOSS

Parish Council's Views – Strongly support the application. The proposal is considered to be in line with the Newton and Noss Parish Plan and current South Hams policy. The Parish Council is confident that this is a genuine business proposal to support local trades/craftsmen.

Officer Update –None

Recommendation – Conditional Approval

Committee Decision – Approved

Conditions

- 1 - TIM3 (Standard time limit 3 years)
 - 2 - Non Standard
Occupation of Flat
 - 3 - Non Standard
Completion of workshops prior to occupation of flat
 - 4 - IND6 (Exclusion of G.D.O.)
 - 5 - USE17 (Use)
 - 6 - USE9 (Hours of Working)
 - 7 - MAT8 (Roofing Natural Slate)
 - 8 - MAT15 (Walls Weatherboard Colour Finish)
 - 9 - MAT17 (Stonework Sample Panel)
 - 10 - MAT23 (Timber Doors and Windows Reserve Details Vents)
 - 11 - MAT26 (Rooflights Conservation Type)
 - 12 - Non Standard
Landscaping
 - 13 - IND3 (Parking)
-

59/0576/08/F

Resubmission of application 59/2033/07/F for barn conversion and erection of two new dwellings – Elmfield, West Alvington, Kingsbridge, TQ7 3PP – Mr & Mrs G Rossetti

WEST ALVINGTON

Parish Council's Views – Raise objection

- Increase traffic onto Vicarage Lane
- Submitted plans are not accurate
- Objection to proposed footpath onto A381
- Anomaly with the loss and/or pruning of trees
- Bat report is out of date, recent bat sightings confirm this
- Land within the Conservation Area

Officer Update – Advised Section 106 Agreement had been completed.

Recommendation – Conditional Approval (Subject to S.106 Agreement)

Committee Decision – Site Inspection

54/0784/08/F

Resubmission of planning application 54/0125/08/F for construction of new sub room extension and internal alterations – Matthews Point Manor, Strete, Dartmouth, TQ6 0RQ – C Point Holdings Ltd

STRETE

Parish Council's Views – no objections subject to recommendations which can be viewed on the Council's website.

Officer Update – Clarified Parish Council’s letter. Two additional conditions recommended relating to stonework and no external lighting unless previously agreed with the LPA.

Recommendation – Conditional Approval

Committee Decision – Site Inspection

50/0720/08/F

Retrospective application for extension to rear of house – 11 Nelson Close, Staverton, Totnes, TQ9 6PG – Mr C Gibbs

STAVERTON

Parish Council’s Views – Increased roof height affects privacy of neighbouring properties

Officer Update – Two additional conditions recommended relating to no external lighting unless previously agreed with the LPA and no use of flat roof as a balcony for sitting or standing or for storage purposes.

Recommendation – Conditional Approval

Committee Decision – Approved

Conditions

- 1 - RES30 (Windows)
 - 2 – Non Standard
 - No external lighting
 - 3 – Non Standard
 - No Use of Flat Roof as Balcony or for Storage
-

07/0771/08/F

Resubmission of planning application 07/0140/08/F for the erection of five self-contained residential flats plus associated car parking – Development Site adjacent to Venn Farm, Brixton, Plymouth – Mr B Cane

BRIXTON

Parish Council’s Views – This application is supported. However it is considered that additional drainage should be provided to prevent floodwater running onto the A379 and into adjacent properties.

Officer Update – letter of representation reported.

Recommendation – Conditional Approval (Subject to a S.106 Agreement)

Committee Decision – Site Inspection

(i) 53/1149/07/CA & (ii) 53/1150/07/F

- (i) Conservation Area Consent for demolition of single and two storey structures; and
- (ii) Part demolition and erection of new bedroom wings with ancillary accommodation – Fairfield House, Chillington, Kingsbridge, TQ7 2JX – Kaippans Care Homes Ltd

STOKENHAM

Parish Council's Views – **53/1149/07/CA** - Objection as Councillors were concerned that the increase in the number of rooms within this proposal would exacerbate the parking problems within this property and the community concern with regard to the surrounding roads. It was noted that at present there was often not enough room for delivery trucks to pull in to unload and this called into question the need for access and parking for ambulances and fire engines should the need arise. Of further concern with this application is the suggestion that a cherry tree is to be removed and a copper Beech planted in place. Councillors would seek clarification as to the siting of such Copper Beech in view of the vehicular and pedestrian visibility due to close proximity to the highway. **53/1150/07/F** - Objection due to the concern that no mention has been made within this application to the existence of historic wall within the grounds.

Officer Update – Application withdrawn from the meeting.

Recommendation – Conditional Approval

WITHDRAWN

41/0888/08/F

Demolition of dwelling and single garage, replacement with new dwelling and single garage, replacement with new dwelling and double garage – Topwood, Sandhills Road, Salcombe, TQ8 8JP – Maplegrove Homes Ltd

SALCOMBE

Town Council's Views – Raise Objection

Officer Update – letter of support reported and extra condition on 'boundary fence' requested

Recommendation – Conditional Approval

Committee Decision – Refused

Reasons for Refusal:

The proposed development by reason of its scale and contemporary design is considered to be wholly inappropriate to its contextual setting and character and appearance of the area. Such development would have an unacceptable visual impact on the street scene and so be contrary to the objectives of Structure Plan Policies C03, C05 & C06; South Hams Local Plan Policies SHDC3 and Policies CS7 & CS9 of the South Hams LDF Core Strategy.

21/0658/08/F

Extension to farm shop – Countrymans Choice Farm Shop, Endsleigh, Ivybridge, PL21 9JL – Mr N Toms

ERMINGTON & IVYBRIDGE

Parish Council Views – Support

Parish Council - Objection, the objection is attached to the committee report.

Officer Update – Applicant’s letter read in full.

Recommendation – Conditional Approval

Committee Decision – Approved

Conditions

- 1 - TIM3 (Standard time limit 3 years)
 - 2 - Non Standard
Restricted Use – Café/Storage Use
 - 3 - MAT1 (Matching Materials)
-

11/0678/08/F

Erection of agricultural building for potato storage – Land at Warcombe Barn, Kingsbridge, TQ7 4BW – Mr C J Lidstone (Warcombe Produce Ltd)

CHURCHSTOW

Parish Council’s Views - No Objection but concerned as to visual impact and requires landscaping to be carried out as soon as possible

Officer Update – Application withdrawn

Recommendation – Refusal

WITHDRAWN

50/0697/08/F

Change of use to residential curtilage and erection of garden room/hobbies area – Bracken Down, 7 Moor View, Landscope, Ashburton, Newton Abbot, TQ13 7LZ

STAVERTON

Parish Council's Views - Objection - Overdevelopment – it is considered that the original dwelling is of a considerable size enough to facilitate a hobbies room; a garden room should be of a smaller wooden construction, which is removable and not permanent. A larger more expensive permanent building suggests alternative use. This piece of agricultural land is outside of the development boundary, and should its status be changed to facilitate such a large development even though it is partially underground it could very easily become accommodation (see Grand Designs). This would not be consistent with the immediate developments in the location and could set a precedent.

Officer Update – None

Recommendation – Conditional Approval

Committee Decision – Approved

Conditions

1 - TIM3 (Standard time limit 3 years)

2 - RES31 – Incidental Use

3 - RES22 – Exclusion of G.D.O

4 - Non-standard

Implementation of Landscaping

02/0750/08/F

Extension to dwelling – Lewhill Barn, Aveton Gifford, Kingsbridge, TQ7 4NB – Mr & Mrs R Smallridge

AVETON GIFFORD

Parish Council's Views – No objection

Officer Update – Application withdrawn

Recommendation – Refusal

WITHDRAWN
