

WEST DEVON PLANNING AND LICENSING COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Planning and Licensing Committee** held on **Tuesday, 10th November, 2015** at **10.00 am** at the **Chamber** **- Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Sellis
Vice Chairman Cllr Benson

Cllr Baldwin
Cllr Hockridge
Cllr Moyse
Cllr Pearce

Cllr Cann OBE
Cllr Mott
Cllr Parker
Cllr Roberts

In attendance:

Councillors:
Cllr Evans
Cllr Ridgers

Cllr Yelland

Officers:

Lead Specialist Development Management
Planning Officer
Senior Specialist – Environmental Health
Specialist – Licensing
Solicitor

32. **Declarations of Interest**

***P&L 32**

Cllr C Mott declared an interest in Item 4 – Confirmation of minutes of meeting held on 13 October 2015 (Minute P&L 33 refers), by virtue of having a disclosable pecuniary interest on an application considered at that meeting and therefore not being in attendance at that meeting. She abstained from the vote on the minutes.

Cllr T G Pearce declared a personal interest in all applications by virtue of being on the Management Board of Devon Building Control

Partnership. He remained in the meeting throughout and took part in the debate and vote on all items.

33. **Confirmation of Minutes**

***P&L 33**

The Minutes of the Planning and Licensing Committee Meeting held on 13 October 2015 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record.

34. **Planning Applications & Enforcement Reports**

***P&L 34**

The Committee considered the applications prepared by the Lead Specialist – Development Management and considered also the comments of Town and Parish Councils together with other representations received, which were listed within the presented agenda reports and summarised below, and **RESOLVED:**

PLANNING APPLICATION REPORT

Case Officer: Thomas Jones

Ward: Drewsteignton

Ward Member: Cllr Ridgers

Application No: 00715/2015

Agent/Applicant:

Aardvark EM Ltd
Higher Ford
Wiveliscombe
Taunton
Somerset TA4 2RL

Murex Martin Solar Limited
Mells Park
Mells
Somerset
BA11 3QB

Site Address: Land at Martin Farm, Whiddon Down, Okehampton
EX20 2QL

Development: Installation of solar pv array (site area 11.82ha, estimated output 5MW, approximately 19,230 panels) with associated infrastructure landscaping, access and cable route.

Reason item is being put before Committee:

At the request of the Ward Member in light of the level of local interest

COMMITTEE DECISION: Approval subject to conditions covering:

Standard time limit

Accord with plans

Unsuspected contamination

Landscape / Biodiversity (Prior to Commencement [PTC])

Duration 30 years

Notification of Operational Commencement
Materials (PTC)
Fencing
CCTV (PTC)
Construction Management Plan (PTC)
Highway road condition survey (PTC)
GPDO
External lighting (PTC)
Archaeology
Noise emanating from the development shall not impact unreasonably upon residential amenity as judged by the Local Planning Authority
Removal of equipment and reinstatement of site to current condition after 30 years, or within six months of cessation of economic life of panels, whichever is the sooner.

The Proposal:

It is proposed to install 19,230 solar photovoltaic (pv) panels to provide up to 5MW of energy to the National Grid. The connection point is off site with the associated cable run to be provided by the District Network Operator (DNO). As such, this is permitted development. Permission is sought for 30 years, after which the installation would be removed and the land revert to its current state.

Consultations:

South West Water.
County Highways Authority (DCC)
Environment Agency
Police Architectural Liaison Officer
Natural England
Historic England
County Archaeologist
Landscape Specialist
Ecology Specialist
Borough Engineer
Drewsteignton Parish Council
Dartmoor Preservation Association.
Dartmoor National Park Authority.

Representations

Some 15 letters of representation have been received from separate addresses in relation to the proposed development, 14 in objection, including South Tawton Parish Council, and 1 in support. The detail can be seen on the Council's website.

Speakers:

Mrs Trippet – representing objectors
Mr Courtier – landowner
Cllr P Ridgers – Ward Member

Conclusion:

During debate, Members raised concerns particularly in relation to access, importance of archaeology on the site, lack of response from

Dartmoor National Park, drainage and the loss of agricultural land. The Ward Member supported the Parish Council in its support of this application and noted how the scheme had been revised to mitigate any adverse impact. Members also noted the importance of the site visit held on 29 October 2015 to properly assess the site and the impact of the proposal. Officers confirmed that the list of conditions were headline only and that the conditions when applied to any permission would be set out in full detail.

35. **Planning Appeals Update**

***P&L 35**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals. The Lead Specialist Development Management presented an additional paper that set out more detail in respect of appeal decisions since 1 April 2015.

36. **Review of Statement of Licensing Policy for 2016-2021**

P&L 36

The Committee was presented with a report that set out how Section 5 of the Licensing Act 2003 required that Licensing Authorities had in place a Statement of Licensing policy with respect to the exercise of its licensing functions and that the policy was reviewed at least every five years. The current policy had been adopted in December 2010 and it was therefore necessary for an updated Statement of Licensing Policy to be reviewed and adopted.

The Licensing Specialist confirmed that the area of jurisdiction for the Licensing Authority, unlike the Planning Authority, included Dartmoor National Park.

It was then **RECOMMENDED** that Council be **RECOMMENDED** that:

1. The Licensing Committee considered the draft Licensing Policy (presented at Appendix A to the report) and responses received during the public consultation and makes any changes it deems necessary;
2. The Licensing Committee recommends to Council that the draft Licensing Policy, as amended, is adopted at the meeting on 8 December 2015 for the period 7 January 2016 to 6 January 2012; and
3. Should further responses be received after 28 October, responsibility for including any minor changes that may be required are delegated to the Community of Practice Lead for Environmental health in agreement with the Planning and Licensing Committee Chairman.

37. **Three Yearly Review of Gambling Statement of Licensing Principles**

P&L 37

The Committee was presented with a report that set out that the Council as Licensing Authority had responsibilities under the Gambling Act 2005 to issue premises licences, registrations, various types of permits and temporary permissions in respect of premises where it

was proposed that gambling take place. The Act required that the Licensing Authority prepare and publish a statement of the principles that it proposed to apply in exercising its functions under the Act during the three year period that the Policy was in force. This fourth review of the Policy must be adopted in advance of January 2016.

It was then **RECOMMENDED** that Council be **RECOMMENDED** that:

1. The Licensing Committee considered the draft Statement of Principles and responses received during the public consultation and made any changes it deemed necessary; and
2. The draft Statement of Principles, as amended, is adopted at the meeting on 8 December 2015 for the period 31 January 2016 to 30 January 2019.

38. **Approval of Park Homes Fees and Charges Policy**
P&L 38

The Committee was presented with a report that recommended the adoption of the Park Home Fees Policy and fees.

The Senior Specialist Environmental Health introduced the report and outlined some of the elements in more detail. He confirmed that the full cost of the licences would be met by park owners but that the Authority was not entitled to make any profit and any fees should reflect a cost neutral position to the Council.

It was then **RECOMMENDED** that Council be **RECOMMENDED** to adopt the Park Homes Fees Policy and fees.

39. **Update on Licences issued from 1 Oct 2014 to 30 Sept 2015**
***P&L 39**

The Committee received and noted the list of Licences issued from 1 October 2014 to 30 September 2015.

The Meeting concluded at 12.15 pm

Signed by:

Chairman
