

# 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, 1st March, 2016 at 10.00 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

**Chairman** Cllr Sellis  
**Vice Chairman** Cllr Benson

Cllr Cann OBE  
Cllr Mott  
Cllr Parker  
Cllr Roberts

Cllr Hockridge  
Cllr Moyse  
Cllr Pearce\*

### **In attendance:**

Councillors:  
Cllr Kimber  
Cllr Leech

Cllr McInnes  
Cllr Musgrave

Officers:  
Lead Specialist – Development Management  
Planning Specialists  
Solicitor

### 53. **Apologies for Absence**

#### **\*P&L 53**

Apologies were received from Cllr R E Baldwin for whom Cllr J Yelland acted as substitute. Cllr R Cheadle continued to act as substitute for Cllr T G Pearce as he had previously heard the presentations and was able to take part in the discussion and vote on the applications. However, Cllr T G Pearce was in attendance at this meeting.

### 54. **Declarations of Interest**

#### **\*P&L 54**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllr C Mott declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of knowing one of the objectors. She remained in the meeting and took part in the debate and vote;

Cllr L J G Hockridge declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of being the Chairman of the local Parish Council and receiving a number of representations on this application. He remained in the meeting and took part in the debate and vote;

Cllr D E Moyle declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of one of the speakers being known to her. She remained in the meeting and took part in the debate and vote;

Cllr M E Benson declared a personal interest in application 00583/2015: Erection of kennel building and cattery buildings, by virtue of knowing one of the objectors. He remained in the meeting and took part in the debate and vote;

Cllr W G Cann OBE declared a personal interest in application 00987/2015: Full application for erection of new agricultural livestock building and siting of a temporary agricultural workers dwelling. He remained in the meeting for the duration of this item but did not take part in the debate and abstained from the vote. In addition, he asked that his abstention be noted.

55. **Confirmation of Minutes**

**\*P&L 55**

The Minutes of the Planning and Licensing Committee Meeting held on 8 December 2015 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record.

56. **Planning Applications & Enforcement Reports**

**\*P&L 56**

The Committee considered the applications prepared by the Development Management Specialists 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:**

**Application No: 01092/2015                      Ward: Okehampton North**

**Site Address: 22 North Street, Okehampton**

Change of use from a second floor function room ancillary to drinking establishment (use class A4) to a wholesale mixing and distribution facility for the distribution of ethanol alcohol to drinks manufacturers

Speakers included: Supporter – Mr Baily (A statement read out on his behalf); Ward Member – Cllr A F Leech

**RECOMMENDATION:** Conditional Approval

During discussion, and following the site inspection, Members noted a number of concerns with the application. Members sought confirmation that the description should be amended to 'Change of use from a second floor function room ancillary to drinking establishment (use class A4) to a wholesale mixing and distribution facility for the distribution of ethanol alcohol to drinks manufacturers (Use class B2 and B8). In response to concerns raised, a number of additional conditions were added as follows:

- Limit the amount of ethanol on the premises at any one time to 200 litres;
- No direct sales of ethanol alcohol to the public from the second floor;
- Use of the function room to cease as a function room on implementation of this permission; and
- No parcel collection from the premises.

**COMMITTEE DECISION:** Conditional Approval

Conditions:

Standard time limit

Adherence to plans

Use within building only

Retain parking

Hours of operation no longer than those applied for

**Application No: 01182/2015      Ward: Hatherleigh**

**Site Address: Part of Glebelands, Hatherleigh**

Outline application with all matters reserved for change of use of land and construction of live work accommodation

Speakers included: Ward Members Cllr P Kimber and Cllr J McInnes (Cllr Kimber declared a personal interest in this application as the applicant repaired his mothers car).

**RECOMMENDATION:** Refusal

In presenting this item to the Committee, the Case Officer advised that Members should consider the principle of this application. Members had a detailed discussion regarding current policy and emerging policy. Both Ward Members spoke strongly in favour of the application being conditionally approved.

**COMMITTEE DECISION:** Conditional Approval, subject to the satisfactory completion of a s106 and conditions, to be delegated to

the Lead Specialist in consultation with the Chairman and Vice Chairman of the P&L Committee and the local Ward Members.

Reasons: The Committee had considered the application and felt that the addition of a residential unit would not prejudice the ongoing allocation for commercial use of the adjoining land.

**Application No: 00987/2015                      Ward: Okehampton North**

**Site Address: NGR SX 590990, Okehampton, EX20 3BD**

Full application for erection of new agricultural livestock building and siting of a temporary agricultural workers dwelling

Speakers included: Supporter – Mr I Fewkes; Ward Member – Cllr A F Leech

**RECOMMENDATION:**    Conditional Approval

During the Case Officer presentation, two further conditions were suggested and agreed as follows:

- 25m track to be in place prior to occupation of the temporary dwelling
- Colour of roof of the agricultural building to be agreed

**COMMITTEE DECISION:** Conditional Approval

Conditions:

Commencement within three years

Accord with plans

Agricultural use only

Agricultural building to be removed is use ceases

Agricultural buildings to be completed before the temporary dwelling is occupied

Agricultural workers dwelling to accord with the definitions and criteria of a caravan and be removed on or before three years from the date of this decision

Prior to installation of dwelling, details of rain water and sewage disposal to be agreed

Removal of PD rights – curtilage outbuildings

Agricultural Tie

(NOTE: Cllr W G Cann OBE requested that his vote to abstain on this application be formally recorded).

**Application No: 00713/2015                      Ward: Okehampton Hamlets**

**Site Address: Meldon Fields, Hameldown Road, Okehampton**

Speakers included: Supporter – Mr A Graves; Ward Member – Cllr A F Leech

**RECOMMENDATION:** Conditional Approval

During discussion, officers advised that the application was subject to an updated s106 agreement and this should be included in the recommendation

**COMMITTEE DECISION:** Conditional Approval, subject to satisfactory completion of a s106 agreement, delegated to the Lead Specialist Development Management in consultation with the Chairman and Vice Chairman of P&L Committee and the local Ward Members.

Conditions:

Time limit

Accord with plans

Construction management plan

Foul water disposal plans

Adherence to and replanting landscaping plan

Ecology

Contamination

Remediation

Unexpected contamination

Surface Water Drainage

Details and materials of elevations, including windows, doors and guttering

**Application No: 00583/2015      Ward: Bridestowe**

**Site Address: Holly Berry, Thorndon Cross, Okehampton EX20 4NE**

Erection of kennel building and cattery buildings

**RECOMMENDATION:** Conditional Approval

**COMMITTEE DECISION:** Site Inspection

57. **Planning Appeals Update**

**\*P&L 57**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals. The Lead Specialist Development Management responded to a number of questions regarding the presented list.

The Meeting concluded at 12.50 pm

**Signed by:**

**Chairman**

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