

WEST DEVON PLANNING AND LICENSING COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **Planning and Licensing** Committee held on **Tuesday, 13th December, 2016 at 10.00 am** at the **Chamber** **- Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Sanders
Vice Chairman Cllr Parker

Cllr Baldwin
Cllr Cann OBE
Cllr Mott
Cllr Pearce

Cllr Benson
Cllr Hockridge
Cllr Moyse
Cllr Roberts

In attendance:

Councillors:
Cllr Cheadle
Cllr Leech

Cllr Sellis
Cllr Yelland

Officers:
Cop Lead – Development Management
Solicitor
Specialist – Development Management
Specialist – Assets
Specialist – Affordable Housing
DCC Highways Officer

40. **Declarations of Interest**

***P&L 40**

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

Cllr T G Pearce declared a personal interest in all applications, by virtue of being a Member of the Devon Building Control Partnership. He remained in the meeting and took part in the debate and vote on each item.

Cllr P R Sanders declared a personal interest in application 2173/16/FUL: Proposed two storey detached dwelling, demolition of existing garage, alterations to existing utility and garden room, new detached double garage and reinstatement of original vehicle entrance – Bay Tree House, The Crescent, Crapstone by virtue of knowing the applicants. He remained in the meeting and took part in the debate and abstained from the vote.

Cllr P R Sanders and Cllr R E Baldwin both declared a personal interest in application 2022/16/OPA: Outline application (with some matters reserved) construction of up to 148 dwellings, including affordable and market housing, areas of open space and landscaping, a new vehicular access and associated site infrastructure – Land at 4722 7457 adjacent to New Launceston Road, Tavistock, by virtue of living relatively close to the application site, but neither being close enough to be significantly impacted by the proposal. They both remained in the meeting and took part in the debate and vote thereon.

41. **Confirmation of Minutes**

***P&L 41**

The Minutes of the Planning and Licensing Committee Meeting held on 15th November 2016 were confirmed and signed by the Chairman as a correct record.

42. **Planning Applications & Enforcement Reports**

***P&L 42**

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**:

(a) Application No: 2173/16/FUL Ward: Buckland Monachorum

Site Address: Bay Tree House, The Crescent, Crapstone PL20 7PS

Proposed two storey detached dwelling, demolition of existing garage, alterations to existing utility and garden room, new detached double garage and reinstatement of original vehicle entrance

Speakers included: Supporter – Dr Watkins

RECOMMENDATION: Conditional Approval

Members had a detailed debate on this application and the original recommendation of Conditional Approval was **PROPOSED, SECONDED** and on being put to the vote declared **LOST**.

Prior to voting on refusal of the application,, Members also debated whether their reasons should apply to the new plot, or both plots that would result from the proposal. An amendment to the recommendation to amend the word 'plots' to 'plot' was **PROPOSED,**

SECONDED and on being put to the vote declared **LOST**. As a result, the recommendation as shown below was **CARRIED**.

COMMITTEE DECISION: Refusal

Reasons:

1. By virtue of the cramped nature of the resultant plots, development of the site will be detrimental to the character and integrity of the section of The Crescent within which the site is located and therefore is contrary to Policy H28 (i) and (ii) of the Local Plan; and
2. The new development is incompatible with the character of the neighbouring properties by virtue of design and materials and therefore is contrary to Policy H39 of the Local Plan

(b) Application No: 1579/16/VAR Ward: Milton Ford

Site Address: Lamber Hey, 12 Venn Hill, Milton Abbot, PL19 0NY

Variation of condition No.2 (Approved Plans) of planning consent 01830/2011 to allow for minor material amendments

Speakers included: Supporter – Mr Mark Evans: Parish Council – Cllr Peter Hough

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Defer for Site Visit

(c) Application No: 2022/16/OPA Ward: Tavistock North

Site Address: Land at SX 4722 7457, adjacent to New Launceston Road, Tavistock

Outline application (with some matters reserved) construction of up to 148 dwellings, including affordable and market housing, areas of open space and landscaping, a new vehicular access and associated site infrastructure

Speakers included: Objector – Mrs Allen: Supporter – Mr Elliot Jones: Town Council – Cllr Dr Ward: Ward Members – Cllrs J Moody and J Sheldon

RECOMMENDATION: Delegate to COP Lead Development Management in consultation with the Chairman of the Planning and Licensing Committee to approve subject to completion of a Section 106 legal agreement and to review with Chairman of the Planning and Licensing Committee if not completed within three months of this Committee meeting date

During discussion on this application, a number of Members noted concerns in respect of Highways issues within Tavistock. A number of significant applications had already been granted approval and Members were concerned that the existing road infrastructure would not be sufficient for the resulting additional vehicles that would be generated by this major application. The Committee did not propose reasons for refusal on the basis of Highways, and a majority of Members voted in favour of this application.

COMMITTEE DECISION: Delegate to COP Lead Development Management in consultation with the Chairman of the Planning and Licensing Committee to approve subject to completion of a Section 106 legal agreement and to review with Chairman of the Planning and Licensing Committee if not completed within three months of this Committee meeting date

43. **Planning Appeals Update**

***P&L 43**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals.

44. **Planning Performance Indicators**

***P&L 44**

The COP Lead Development Management presented the Performance Indicators and outlined the key information for Members consideration. He confirmed that the Appeals information was not presented correctly and this would be rectified the following month.

45. **Proposed changes to the Constitution in respect of Planning and Licensing Committee**

P&L 45

Consideration was given to a report that set out the recommendations of the Political Structures Working Group which had met following a request from the Planning and Licensing Committee at its meeting on 26 July 2016 (Minute P&L14 refers). The recommendations suggested changes to the current Constitution in the way that the Planning and Licensing Committee functioned.

It was then **RESOLVED:**

That Council be **RECOMMENDED** that the West Devon Borough Council Constitution be amended as set out below to reflect the recommendations of the Political Structures Working Group, and to take effect from the Annual Council meeting in May 2017:

1. That West Devon Borough Council continue to have a Planning and Licensing Committee of ten members who will determine both planning and licensing applications;
2. That the Constitution be amended to allow for a sub-committee of five Members (drawn from the ten appointed Planning and Licensing Committee Members) to be convened to determine taxi driver licence applications and other miscellaneous licences, in addition to the

- current existing sub-committee of three Members that was convened to determine alcohol and gambling licences; and
3. That the Planning and Licensing Committee be renamed with effect from the Annual Council meeting in May 2017, to the 'Development Management and Licensing Committee'.

46. **Review of the Site Inspection Protocol**

P&L 46

Consideration was given to a report that recommended to Council that the current site inspection protocol be amended as set out in presented Appendix A.

It was then **RESOLVED**:

That Council be **RECOMMENDED** to adopt the revised Site Inspection Protocol as presented at Appendix A to these minutes; and Authority to make minor amendments be delegated to the COP Lead Development Management, in consultation with the Chairman and Vice Chairman of Planning and Licensing Committee.

The Meeting concluded at 1.35 pm

Signed by:

Chairman
