

# WEST DEVON DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE



## Minutes of a meeting of the **West Devon Development Management and Licensing Committee** held on **Tuesday, 19th June, 2018** at **11.00 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

**Chairman** Cllr Sanders  
**Vice Chairman** Cllr Roberts

Cllr Cann OBE  
Cllr Hockridge  
Cllr Mott  
Cllr Pearce

Cllr Evans  
Cllr Lamb  
Cllr Parker  
Cllr Yelland

### **In attendance:**

Councillors:

Officers:  
CoP Lead -Development Management  
Planning Specialist  
Solicitor  
Senior Specialist Affordable Housing  
Specialist – Assets  
DCC Highways Officer

### 1. **Apologies for Absence**

#### **\*DM&L 01**

Apologies for absence were received from Cllr R E Baldwin for whom Cllr B Lamb substituted and Cllr D E Moyse for whom Cllr J Evans substituted.

### 2. **Declarations of Interest**

#### **\*DM&L 02**

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

Cllr J Evans declared a Personal Interest in application **2424/17/OPA**: Outline application with some matters reserved for erection of 13 dwellings (9 open market and 4 affordable) and access road – Development site at SX 447 766, East of Summer Green, Lamerton by virtue of having taken part in the debate and vote on this item at the Parish Council meeting and there could therefore be a perception that she had predetermined the application. Cllr Evans remained in the meeting for the duration of this item but took no part in the debate or vote on this application;

Cllr C Mott declared a Personal Interest in application **2472/17/OPA**: Outline application with some matters reserved for residential development of up to 24 dwellings and associated works – Development site at SX 511 893, Town Meadow, Bridestowe by virtue of being present during the debate and vote on this item at the Parish Council meeting but taking no part. Cllr Mott remained in the meeting for the duration of this item and took part in the debate and vote on this application;

Cllr T G Pearce, Cllr J Yelland, Cllr G Parker and Cllr P R Sanders each declared a personal interest in application **2424/17/OPA**: Outline application with some matters reserved for erection of 13 dwellings (9 open market and 4 affordable) and access road – Development site at SX 447 766, East of Summer Green, Lamerton by virtue of having received correspondence related to the application;

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.

3. **Confirmation of Minutes**

**\*DM&L 03**

The Minutes of the Development Management and Licensing Committee Meeting held on 15 May 2018 were confirmed and signed by the Chairman as a correct record.

4. **Planning Applications**

**\*DM&L 04**

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: 1549/18/FUL Ward: Exbourne**

**Site Address: Land west of High Street, known as Batheway Fields, North Tawton**

**Full planning application for 65 residential dwellings with associated roads, footpaths, parking, landscaping and drainage (resubmission of 3836/16/FUL)**

Case Officer Update: None

Speakers included: Supporter – Mr Jamie Grant; Parish Council representative – Cllr Jean Trewitt; local Ward Member – Cllr Louise Watts

**RECOMMENDATION:** To delegate authority to the COP Lead Development Management, in consultation with the Chairman, to conditionally grant planning permission, subject to a s106 legal obligation

**COMMITTEE DECISION:** To delegate authority to the COP Lead Development Management, in consultation with the Chairman, to conditionally grant planning permission, subject to a s106 legal obligation

NB: The application was approved by virtue of a Chairman's casting vote

**(b) Application No: 2472/17/OPA Ward: Bridestowe**

**Site Address: Development site at SX 511893, Town Meadow, Bridestowe**

**Outline application with some matters reserved for residential development of up to 24 dwellings and associated works**

Case officer Update: The application had been presented to a previous DM&L Committee meeting (20 March 2018) but was deferred for further information in respect of concerns over localised flooding on site; there was an error in the report within the section Planning Obligations and a slide was presented that showed the corrections.

Speakers included: Objector – Mr Alistair Hodgson; Supporter – Mr Alister King-Smith; Parish Council Representative - Cllr Thirtle; local Ward Members: Cllrs Caroline Mott and John Hockridge

**RECOMMENDATION:** Delegate authority to COP Lead DM in consultation with the Chairman to conditionally grant planning permission, subject to a s106 legal obligation

However, in the event that the s106 legal agreement remains unsigned six months after this resolution, that the application is reviewed by the COP Lead DM, in consultation with the Chairman of the Committee, and if no progress is being made delegated authority is given to the COP Lead to refuse the application in the absence of an agreed s106.

**COMMITTEE DECISION:** Delegate authority to COP Lead DM in consultation with the Chairman to conditionally grant planning permission, subject to a s106 legal obligation

However, in the event that the s106 legal agreement remains unsigned six months after this resolution, that the application is reviewed by the COP Lead DM, in consultation with the Chairman of the Committee, and if no progress is being made delegated authority is given to the COP Lead to refuse the application in the absence of an agreed s106.

**(c) Application No: 0878/18/FUL Ward: Exbourne**

**Site Address: Hayfield House, Hayfield Road, Exbourne**

**Erection of 2 storey, 3 bedroom house, detached single storey store/workshop/office building and provision of two car parking spaces**

Case officer Update: None

Speakers included: Objector – Mr Roderick Stewart; Supporter – Mr John Wilde; Parish Council Representative - Cllr Adam Hedley; local Ward Member: Cllr Louise Watts

**RECOMMENDATION:** Conditional Approval

During discussion, some Members raised concerns over the impact of the proposal on neighbour amenity, and the right of residents to peaceful enjoyment of their gardens. Members were also concerned over the scale of the proposal within a garden site. Members also took account of the proposal being within a Conservation Area, and the parish council comments objecting to the application.

**COMMITTEE DECISION:** Refusal

Reasons:

1. By reason of its scale and design, the proposal presents an incongruous visual impact at odds with the character of the street scene which fails to preserve the character and appearance of Exbourne Conservation Area. The proposal is therefore in conflict with West Devon Development Plan policies SP1, SP17, SP18, SP20, BE1 and H28, and paragraphs 8, 14, 17, 58, 60, 61, 64, 134 and 135 of the National Planning Policy Framework

2. By reason of overlooking, over dominance and loss of light, the proposed development will have an unacceptable detrimental impact upon the residential amenity of neighbouring dwellings and inhibit the quiet and peaceful enjoyment of neighbouring garden areas. The proposal is therefore at odds with West Devon Development Plan policies SP1 and H28 and paragraphs 17, 58 and 61 of the National Planning Policy Framework.

**(d) Application No: 2424/17/OPA Ward: Lamerton**

**Site Address: Development site at SX 447 766, East of Summer Lane, Lamerton**

**Outline application with some matters reserved for erection of 13 dwellings (9 open market and 4 affordable) and access road**

Case officer Update: There was an error in the report as the application included access and layout, not just access as stated in the report.

Speakers included: Objector – Mrs Walton-Waters (statement read); Supporter – Mr Ed Persse; Parish Council Representative - Cllr John Edgar; local Ward Member: Cllr Baldwin (statement read)

**RECOMMENDATION:** Delegate authority to COP Lead DM in consultation with the Chairman to conditionally grant planning permission, subject to a s106 legal obligation

However, in the event that the s106 legal agreement remains unsigned six months after this resolution, that the application is reviewed by the COP Lead DM, in consultation with the Chairman of the Committee, and if no progress is being made delegated authority is given to the COP Lead to refuse the application in the absence of an agreed s106.

During discussion, Members noted that existing development in the village was in linear form and felt that this application, by reason of it's 'back fill' design, departed from existing character and represented development in the countryside. Members also felt that there were few services in the village and, due to the distance to services and the unsafe highways environment for pedestrians, did not feel that the application demonstrated sustainable development.

Members took account of the comments of the local Ward Member who had considered the application in the context of the emerging JLP.

**COMMITTEE DECISION:** Refusal

Reasons:

1. By reason of its scale, location and the layout design, the proposal represents an incongruous incursion into the landscape which is back fill development which fails to respond to the character of the street scene and sets an undesirable pattern of development. The proposal is therefore in conflict with West Devon Development Plan policies SP1, SP5, SP17, SP20, SP24, NE10 and H31, and paragraphs 8, 14, 17, 58, 60 and 109 of the National Planning Policy Framework.

2. By reason of the inaccessibility of the site through the distance to services, absence of pedestrian footways, speed of passing vehicles and subsequently hostile highways environment, the proposed development would not be accessible to all and would lead to a dependence on unsustainable transport forms. The proposal is therefore in conflict with West Devon Development Plan policies SP1, SP5, SP14 and T5 and paragraphs 8, 14, 17, 32, 34, 35 and 58 of the National Planning Policy Framework.

**(e) Application No: 4426/17/FUL Ward: Tavistock**

**Site Address: Land adjacent to 24 Glanville Road, Tavistock**

**Application for demolition of western boundary wall(s) and erection of 4no. dwellings (two pairs of semi detached dwellings)**

Case officer Update: None

Speakers included: Objector – Mrs Caroline Whitehead; Supporter – Mr Damon Pearce.

**RECOMMENDATION:** Conditional Approval

**COMMITTEE DECISION:** Conditional Approval

5. **Planning Appeals Update**

**\*DM&L 05**

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

The Meeting concluded at 5.10 pm

**Signed by:**

**Chairman**

---