

# WEST DEVON DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE



**Minutes** of a meeting of the **West Devon Development Management and Licensing Committee** held on **Tuesday, 16th October, 2018** at **10.00 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

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

Cllr Baldwin  
Cllr Hockridge  
Cllr McInnes  
Cllr Pearce

Cllr Cann OBE  
Cllr Lamb  
Cllr Mott  
Cllr Yelland

## **In attendance:**

Councillors:

Officers:  
CoP Lead – Development Management  
Planning Specialists  
DCC Highways Officer  
Solicitor

## **17. Apologies for Absence**

\*DM&L 17

Apologies for absence were received from Cllr D E Moyse for whom Cllr J McInnes substituted and Cllr G Parker for whom Cllr B Lamb substituted.

## **18. Declarations of Interest**

\*DM&L 18

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

Cllr J Yelland declared a Personal Interest in application **1635/18/OPA:** Outline application (with all matters reserved) for erection of 2no. dwellings – Biddicombe, Park Road, Hatherleigh, by virtue of having received correspondence from one of the objectors and she remained in the meeting and took part in the debate and vote thereon;

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 the item.

19. **Items Requiring Urgent Attention**

\*DM&L 19

The Chairman advised that application **2701/18/FUL:** Development of new farm shop and ancillary café with supporting secondary areas consisting of storage, WCs, offices and kitchen space (resubmission of 1255/18/FUL) – Land North of A30 Junction, Whiddon Down Drewsteignton, was deferred from the agenda and would be presented to a later Committee meeting.

20. **Confirmation of Minutes**

\*DM&L 20

The Minutes of the Development Management and Licensing Committee Meeting held on 18 September 2018 were confirmed and signed by the Chairman as a correct record.

21. **Planning Applications**

\*DM&L 21

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: 4168/17/FUL Ward: Drewsteignton**

**Site Address: Skywood, Spreyton, Crediton EX17 5AF**

**Retention of existing building, retrospective application for hedge removal and replacement to north of barn to be retained**

Case Officer Update: None

Speakers included: Objector - Dr Sarah Barker: local Ward Member – Cllr Ridgers

**RECOMMENDATION:** Conditional Approval

During discussion on this application, Members raised a number of questions regarding the need for an agricultural building of this size on this site. The Council had appointed an agricultural consultant to assess the application, who was in attendance at the meeting. He confirmed that a desktop exercise had been undertaken and that an agricultural building of this size was commensurate with the size of the holding. However, following the site inspection undertaken by Members, a number felt that the size of the building was not appropriate, did not feel that the proposals set out within the application could be undertaken on this site in view of the different landscape areas within the site, and noted the absence of any agricultural and forestry use on site. Members also raised concerns over the proximity of the barn to the neighbour's amenity area and were of the view that the forestry use within the barn would cause excessive noise nuisance and be detrimental to the neighbour's amenity.

**COMMITTEE DECISION:** Refusal

Reasons:

Agricultural and forestry need not demonstrated, detrimental impact on neighbour's amenity

At the conclusion of discussion on this proposal, the COP Lead DM advised that as the application was retrospective and had now been refused, it would be referred to the Enforcement Team for action.

**(b) Application No: 1635/18/FUL Ward: Hatherleigh**

**Site Address: Biddicombe, Park Road, Hatherleigh**

**Outline application (with all matters reserved) for erection of 2no. dwellings**

Case Officer Update: The Town Council had requested a condition that an archaeologist 'watching brief' be in place throughout the moving of the ancient hedgerow however officers did not feel this was necessary; one late letter had been received and the points raised would be covered as part of the presentation

Speakers included: Objector - Dr Sam Walters: Supporter Mr Ian Little: local Ward Member – Cllr McInnes

**RECOMMENDATION:** Delegate to CoP Lead Development Management, in conjunction with Chairman, to conditionally grant planning permission, subject to a Section 106 legal obligation

During discussion, and notwithstanding the presentation by the Planning Officer, the participating Ward Member suggested a site inspection take place so that Members could assess the proposal. A

site inspection was **PROPOSED, SECONDED** and on being put to the vote declared **LOST**.

**COMMITTEE DECISION:** Delegate to CoP Lead Development Management, in conjunction with Chairman, to conditionally grant planning permission, subject to a Section 106 legal obligation

Conditions:

1. Time (reserved matters)
2. Submission of reserved matters
3. Accords with plans
4. Materials samples prior to installation
5. No dwelling to be occupied until highway, footway and associated infrastructure has been laid out
6. Pre-commencement – detailed design of surface and foul water management system to be agreed
7. Removal of PD rights
8. Unsuspected contamination
9. Landscape and Ecology Management Plan to be agreed
10. Accord with recommendations of ecological report
11. Construction Environment Management Plan prior to commencement

**(c) Application No: 1326/17/FUL Ward: Okehampton North**

**Site Address: Lower Eastwood Farm, Okehampton**

**Single eco-dwelling to replace 2No. residential dwelling houses given prior approval under LPA Ref: 00954/2015**

Case Officer Update: None

Speakers included: Supporter – Mr Martin Lee: Parish Council representative – Cllr David Sykes: local Ward Member – Cllr Leech

**RECOMMENDATION:** Conditional Approval

During discussion, and notwithstanding the presentation by the Planning Officer, one Member suggested a site inspection take place so that Members could assess the proposal. A site inspection was **PROPOSED, SECONDED** and on being put to the vote declared **LOST**.

**COMMITTEE DECISION:** Conditional Approval

Conditions:

1. Time
2. Accord with Plans
3. Accord with materials schedule
4. Accord with landscaping plan
5. Removal of existing buildings prior to occupation
6. Drainage details prior to commencement

7. Removal of Permitted Development Rights
8. No external lighting unless otherwise agreed
9. Unsuspected contamination

**(d) Application No: 1923/18/FUL  
Monachorum**

**Ward: Buckland**

**Site Address: Land south of Whistley Down, Crapstone,  
Yelverton**

**Provision of an American Barn for equestrian use**

Case Officer Update: None

Speakers included: Supporter – Mrs Amanda Burden: local Ward Member – Cllr Sanders

**RECOMMENDATION:** Conditional Approval

During discussion, Members queried the wording of Condition 3 and whether 'DIY Livery' would be permitted. Following some debate, Members agreed that the wording should be amended for clarity, to ensure use was restricted only to the landowner or a tenant. Following a request, it was also agreed that a condition be added that the building be removed if not in equestrian use for a continuous period of 12 months.

**COMMITTEE DECISION:** Conditional Approval

Conditions:

1. Time
2. Accord with Plans
3. Use for private equestrian
4. Landscape plan prior to first
5. No external lighting unless otherwise agreed
6. Removal of building if not in equestrian use for a continuous period of 12 months

**(e) Application No: 2336/18/FUL  
Monachorum**

**Ward: Buckland**

**Site Address: Land adjacent to Tyller Tythy, Crapstone,  
Yelverton**

**Erection of two storey dwelling**

Case Officer Update: None

Speakers included: Objector – Dr Rachel Perry: Supporter – Mr Ken Farnham: local Ward Member – Cllr Sanders

**RECOMMENDATION:** Conditional Approval

**COMMITTEE DECISION:** Conditional Approval

Conditions:

1. Time limit
2. Accord with Plans
3. Samples of materials
4. Remove PD rights
5. Landscaping condition to retain existing landscaping and reinforce, but have consideration of the neighbours garden
6. Unsuspected contamination

22.

**Planning Appeals Update**

\*DM&L 22

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

The Meeting concluded at 1.30 pm

**Signed by:**

**Chairman**

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