

WEST DEVON DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Development Management and Licensing Committee** held on **Tuesday, 23rd April, 2019** at **10.30 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Cllr Sanders
Vice Chairman Cllr Roberts

Cllr Baldwin
Cllr Hockridge
Cllr Moyse
Cllr Pearce

Cllr Cann OBE
Cllr Mott
Cllr Parker
Cllr Yelland

In attendance:

Councillors:
Cllr Kimber

Cllr Leech

Officers:

Head of Practice – Development Management
Planning Senior Specialist
Planning Specialist
Deputy Monitoring Officer
Highways Officer
Strategic Planning Specialist
Affordable Housing Senior Specialist
Head of Place Making Practice
Specialist – Democratic Services

44. **Declarations of Interest**

***DM&L 44**

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 applications **2646/18/ARM**: Re-advertisement (Revised Plans and Description) Reserved Matters application seeking approval of appearance, landscaping, scale and layout for 111 dwellings (pursuant to outline

permission 4059/16/VAR); **2647/18/ARM:** Re-advertisement (Revised Plans and Description) Reserved Matters application seeking approval of appearance, landscaping, scale and layout for 17 dwellings (pursuant to outline permission 4059/16/VAR); **2646/18/ARM:** Re-advertisement (Revised Plans and Description) Reserved Matters application seeking approval of appearance, landscaping, scale and layout for 6 dwellings (pursuant to outline permission 4059/16/VAR), by virtue of being a Member of Okehampton Town Council who had also debated the application. Cllr Yelland abstained at the Town Council meeting and therefore took part in the debate and vote on each item;

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.

45. **Confirmation of Minutes**

***DM&L 45**

The Minutes of the Development Management and Licensing Committee Meeting held on 26 March 2019, and the two Licensing Sub Committees held on 12 December 2018 were confirmed and signed by the Chairman as a correct record.

46. **Planning Applications**

***DM&L 46**

The Committee proceeded to consider the applications that had been prepared by the Development Management Specialists and considered also the comments of the Town and Parish Councils together with other representations received, which were listed within the presented agenda report and summarised below, and **RESOLVED** that:

(a) Application No: 1794/18/FUL Ward: Hatherleigh

Site Address: Hatherleigh Market, Hatherleigh, Devon

**READVERTISEMENT (Revised plans and description)
Redevelopment of former Hatherleigh Cattle Market comprising 102 residential units, fur and feathers auction facility/pavilion, A1/A2/A3 commercial units, market square, associated infrastructure, pumping station and car parking**

Case Officer Update: There were six highways conditions that had been agreed but not included in the report and these were set out in full for Committee members consideration; two late letters of representation had been received, one of which raised concerns over access to and from the abattoir, which had been discussed with Highways officers who did not consider this an issue, and raised concerns over potential future conflict in respect of noise and odours arising from the abattoir. The second letter of objection

stated that there were too many houses being proposed according to the Office of National Statistics Data.

Speakers included: Objector – Mr Charles Dumbleton; Town Council representative – Cllr Clare Tyson; Supporter – Ms Andrea Fortune; and local Ward Members – Cllr J McInnes (statement read out) and Cllr P Kimber

RECOMMENDATION: Delegate to Head of Practice lead Development management, in conjunction with Chairman to conditionally grant planning permission, subject to a Section106 legal agreement

However, in the event that the Section 106 legal agreement remains unsigned six months after this resolution, that the application is reviewed by the HoP Lead Development Management, in consultation with the Chairman of the Committee, and if no progress is being made delegated authority is given to the HoP to refuse the application in the absence of an agreed s106 agreement.

COMMITTEE DECISION: Delegate to Head of Practice lead Development management, in conjunction with Chairman to conditionally grant planning permission, subject to a Section106 legal agreement

However, in the event that the Section 106 legal agreement remains unsigned six months after this resolution, that the application is reviewed by the HoP Lead Development Management, in consultation with the Chairman of the Committee, and if no progress is being made delegated authority is given to the HoP to refuse the application in the absence of an agreed s106 agreement.

Conditions:

- 1) Standard Time limit for Full planning permission
- 2) Adherence to plans
- 3) Cycle parking plan
- 4) Details of demarcation of market area
- 5) Scheme for continued provision of space and parking for operations of the market during construction
- 6) Landscaping to include details of retaining structures
- 7) Boundary treatments and retaining wall details
- 8) Vegetative Environmental Buffer details
- 9) Render colours as per approved plans unless otherwise agreed in writing by the LPA
- 10) Material sample condition to include submission of specification for exterior paint
- 11) Play space delivery and equipment
- 12) SWW condition re no run-off to public sewer system
- 13) Tree protection (fencing etc)
- 14) Tree protection (excavations)
- 15) Arboricultural Method statement – general activity

- 16) Arboricultural Method statement – no dig requirement
- 17) Tree pit/soil information
- 18) Full details of construction drainage strategy for surface water
- 19) Full details of permanent drainage strategy for surface water
- 20) Exceedence pathways and overland flow routes
- 21) CEMP
- 22) Electric Vehicle Charging points
- 23) Contaminated land condition
- 24) Contaminated land condition
- 25) Unexpected contaminated land condition
- 26) Energy/low carbon statement
- 27) Mitigation Method statement adherence
- 28) LEMP submission
- 29) Lighting strategy submission
- 30) Ecological Mitigation and Enhancement Strategy submission
- 31) High speed broadband ducting to all properties and business units
- 32) Use restrictions upon the use of the market building and associated square
- 33) Use class restrictions upon the A1/A2/A3 units
- 34) Noise mitigation scheme to protect proposed residential units
- 35) Noise mitigation scheme to protect adjacent residential units from the approved market/community use
- 36) Detail of external plant to serve any commercial units

Additional conditions relating to Highways matters

(b) Application No: 3451/18/FUL Ward: Buckland Monachorum

Site Address: Challoch Bungalow, The Crescent, Crapstone

READVERTISEMENT (Revised Plans) Development of 3 no detached four bedroom dwellings with integral garages, new access road and external works (Resubmission of 1697/18/FUL)

Case Officer Update: The garages were external not integral, and the report should state that Highways comment was 'standing advice'. Natural England had commented they had no objection, subject to inclusion of a condition. Five further letters of representation had been received objecting to the scheme. One objection stated lack of sufficient information on landscaping. Members had received a copy of the recent appeal decision whereby a proposal for four dwellings on this site had been dismissed. In response to questions raised on site, the ground level would not be much different to the existing ground level of the bungalow as the 'plinth' was not to be removed.

Speakers included: Objector – Mr Andrew Price; Supporter – Mr Ed Persse and local Ward Members – Cllr R Cheadle and Cllr P R Sanders

RECOMMENDATION: Conditional Approval

During discussion, a number of Members raised concerns over the density of the proposal, and it being out of keeping with the character of 'The Crescent'. Members made particular reference to the site being the entrance to 'The Crescent' and immediately adjacent to open moorland. The parish council reiterated that they were not against a replacement dwelling on the site, but that three dwellings was too many and the village already had plenty of four bedroomed houses.

COMMITTEE DECISION: Refusal

Reasons:

The proposed scheme by reason of its design, density and layout will have a significant detrimental impact upon this section of "The Crescent" and the adjacent moorland. As such it fails to reinforce local distinctiveness or add to the overall visual quality of the area. The development is therefore considered contrary to the advice provided within the National Planning Policy Framework notably, but not limited to paragraphs 124, 127, 128 and 130 and policies SPT1, SPT2, DEV20, DEV23 and DEV25 of the Plymouth and South West Devon Joint Local Plan.

(c) Application No: 2542/18/FUL Ward: Drewsteignton

Site Address: Begbeer Farm, Spreyton

Erection of temporary agricultural workers dwelling and ancillary access

Case Officer Update: None

Speakers included: Supporter – Mr Pat Tomlinson

RECOMMENDATION: Refusal

COMMITTEE DECISION: Refusal

[NB: This application was refused in line with the officer recommendation by Chairman's casting vote]

(d) Application No: 2646/18/ARM Ward: Okehampton

Site Address: Land North of Crediton Road, Crediton Road, Okehampton

**READVERTISEMENT (Revised Plans and Description)
Reserved Matters application seeking approval of
appearance, landscaping, scale and layout for 111 dwellings
(pursuant to outline permission 4059/16/VAR)**

Case Officer Update: Biodiversity information had been supplied in the CEMP and LEMP and the relevant officer had confirmed it was satisfactory subject to the inclusion of two conditions in place of the last condition on the committee report list, the conditions were shown to Members in full on a slide.

Speakers included: Okehampton Hamlets Parish Council – Cllr Brian Wood (statement read); Okehampton Town Council – Cllr Tony Leech (statement read)

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Conditional Approval

Conditions:

1. Standard reserved matters conditions
2. Adherence to plans
3. Electric vehicle charging points
4. Tree protection/AMS/construction methodology
5. Retail use/limitations
6. Retail restriction – no deliveries between 23:00hrs and 07:00hrs
7. Details of shop plant
8. Rear garden gate design and security
9. Rear access path gate design, security and any associated lighting
10. Adherence to biodiversity mitigation

(e) Application No: 2647/18/ARM Ward: Okehampton

Site Address: Land North of Crediton Road, Crediton Road, Okehampton

**READVERTISEMENT (Revised Plans and Description)
Reserved Matters application seeking approval of
appearance, landscaping, scale and layout for 17 dwellings
(pursuant to outline permission 4059/16/VAR)**

Case Officer Update: Biodiversity information had been supplied in the CEMP and LEMP and the relevant officer had confirmed it was satisfactory subject to the inclusion of two conditions in place of the last condition on the committee report list, the conditions were shown to Members in full on a slide.

Speakers included: Okehampton Hamlets Parish Council – Cllr Brian Wood (statement read); Okehampton Town Council – Cllr Tony Leech (statement read)

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Conditional Approval

Conditions:

1. Standard reserved matters conditions
2. Adherence to plans
3. Electric vehicle charging points
4. Tree protection/AMS/construction methodology
5. Rear garden gate design and security
6. Rear access path gate design, security and any associated lighting
7. Adherence to biodiversity mitigation

(f) Application No: 2648/18/ARM Ward: Okehampton

Site Address: Land North of Crediton Road, Crediton Road, Okehampton

**READVERTISEMENT (Revised Plans and Description)
Reserved Matters application seeking approval of
appearance, landscaping, scale and layout for 6 dwellings
(pursuant to outline permission 4059/16/VAR)**

Case Officer Update: Biodiversity information had been supplied in the CEMP and LEMP and the relevant officer had confirmed it was satisfactory subject to the inclusion of two conditions in place of the last condition on the committee report list, the conditions were shown to Members in full on a slide.

Speakers included: Okehampton Hamlets Parish Council – Cllr Brian Wood (statement read); Okehampton Town Council – Cllr Tony Leech (statement read)

RECOMMENDATION: Conditional Approval

COMMITTEE DECISION: Conditional Approval

Conditions:

1. Standard reserved matters conditions
2. Adherence to plans
3. Electric vehicle charging points
4. Tree protection/AMS/construction methodology
5. Rear garden gate design and security
6. Rear access path gate design, security and any associated lighting
7. Adherence to biodiversity mitigation

47. **Planning Appeals Update**

***DM&L 47**

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

The Meeting concluded at 3.05 pm

Signed by:

Chairman
