

WEST DEVON PLANNING & LICENSING COMMITTEE



West Devon
Borough
Council

Minutes of a meeting of the **West Devon Planning & Licensing Committee** held on **Tuesday, 29th March, 2016 at 10.00 am** at the **Chamber - Kilworthy Park**

Present: **Councillors:**

Chairman Sellis
Vice Chairman Cllr M J R Benson

Baldwin
Cllr J Hockridge
Moyse
Roberts

Cann
Mott
Pearce

In attendance:

Councillors:

Evans
Moody
Sanders

Leech
Sampson

Officers:

Sue Nightingale
Patrick Whymer

Solicitor
Lead Specialist DM

58. **Apologies for absence**

***P&L 58**

Apologies were received from Cllr G Parker for whom Cllr J Sheldon acted as substitute.

59. **Declarations of Interest**

***P&L 59 DECLARATION OF INTEREST**

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 Moyse 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 T G Pearce declared a personal interest in application 00583/2015 Erection of kennel building and cattery buildings, 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.

60. **Confirmation of Minutes**

***P&L 60**

The Minutes of the Planning and Licensing Committee Meeting held on 1 March 2016 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record.

61. **Planning , Listed Building, Tree Preservation Order and Enforcement Reports**

***P&L 61**

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: 00583/2015 Ward:
Bridestowe

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

Erection of kennel building and cattery buildings

Speakers included: Objector – Mr Richard Leonard;
Supporter – Mr Ian Little; Ward Members – Cllr C Mott
and Cllr J Hockridge

RECOMMENDATION: Conditional Approval

In presenting his report, the Case Officer showed a number of photographs and related these to the site inspection that Members undertook. In response to a number of concerns regarding highways safety, the representative from Devon Highways Authority outlined how the proposal would improve visibility at this location and also forward visibility on the approach to the junction. The Environmental Health specialist explained that the charity kennels would be set up by the owner, and the dogs would be in the applicant's ownership. The application was for kennels for 9 dogs, and as a resident the owner would be allowed to have 6 dogs. In speaking, the agent confirmed that the proposal was expected to create 4 jobs, including the owner. It was also noted that students would benefit from the proposal as the applicant was an NVQ assessor who would use the site to create student placements.

During debate, a number of concerns were expressed in relation to the amenity of the nearby residents. Concerns were also expressed in relation to the nearby golf course and users of the public bridleway, all of whom could be affected by the noise of barking dogs.

COMMITTEE DECISION: Refusal

Reasons

The proposal represents an un-necessary intrusion into open countryside and the economic and community benefit of the proposal does not outweigh the harm caused to the amenity of nearby residents and the wider countryside by nature of adverse noise generation from the proposed development that will have a detrimental impact for nearby residents upon the quiet and peaceful enjoyment of their homes and gardens. Furthermore the development will have an adverse impact upon the ability of other recreational users to enjoy peaceful recreation in this area of the Countryside, in particular using the nearby public right of

way and golf course. The development would therefore be contrary to policies BE17; NE10 and ED16 of the West Devon Local Plan Review.

62. **Planning Scheme of Delegation**

P&L 62

The Committee were presented with a report that sought approval of a revised Scheme of Delegation. The Chairman asked that thanks be noted to Cllrs Parker and Pearce, who, as Members of the Working Group, had worked with officers and South Hams District Council Members to produce the scheme being presented today.

During discussion on the scheme, a number of minor revisions were requested and agreed. The revisions would be made to the document prior to presentation at the next full Council meeting on 5 April 2016.

There was some debate around whether non Ward Members could call in an application. Whilst it was agreed that they could, it was also noted that this should be with the full knowledge of the Ward Member. The document would be amended accordingly.

Finally, the Leader suggested that the Committee may like to consider an addition so that Members could defer an application once a decision had been made contrary to officer recommendation, to enable officers to come up with precise wording for the decision notice. Whilst he did not wish to prevent approval of the document today, he and other Members felt this suggestion worth consideration at a later date.

It was then:

RESOLVED to **RECOMMEND** to Council that:

1. The revised Planning Scheme of Delegation as presented at Appendix A of the report, and with amendments as suggested by the Committee, be adopted; and
2. Authority to make any minor amendments prior to adoption be delegated to the Community of Practice lead Specialist Development Management, in consultation with the Chairman and Vice Chairman of P&L Committee.

63. **Planning Appeals Update**

***P&L 63**

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

The Meeting concluded at 12.20 pm

Signed by:

Chairman
