

West Devon Planning & Licensing Committee



West Devon
Borough
Council

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|--|---|--------------|-----------|-------------|------------|---------------|-------------|----------------|--------------|
| Title: | Agenda | | | | | | | | |
| Date: | Tuesday, 20th September, 2016 | | | | | | | | |
| Time: | 10.00 am | | | | | | | | |
| Venue: | Chamber - Kilworthy Park | | | | | | | | |
| Full Members: | <p style="text-align: center;">Chairman Cllr Sanders Vice Chairman Cllr Parker</p> <p><i>Members:</i></p> <table style="margin-left: auto; margin-right: auto;"> <tr> <td>Cllr Baldwin</td> <td>Cllr Mott</td> </tr> <tr> <td>Cllr Benson</td> <td>Cllr Moyse</td> </tr> <tr> <td>Cllr Cann OBE</td> <td>Cllr Pearce</td> </tr> <tr> <td>Cllr Hockridge</td> <td>Cllr Roberts</td> </tr> </table> | Cllr Baldwin | Cllr Mott | Cllr Benson | Cllr Moyse | Cllr Cann OBE | Cllr Pearce | Cllr Hockridge | Cllr Roberts |
| Cllr Baldwin | Cllr Mott | | | | | | | | |
| Cllr Benson | Cllr Moyse | | | | | | | | |
| Cllr Cann OBE | Cllr Pearce | | | | | | | | |
| Cllr Hockridge | Cllr Roberts | | | | | | | | |
| Interests – Declaration and Restriction on Participation: | Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest. | | | | | | | | |
| Committee administrator: | Member.Services@swdevon.gov.uk | | | | | | | | |

1. Apologies for absence

2. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

[If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting]

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

4. Confirmation of Minutes

1 - 4

Meeting held on 23 August 2016

5. Planning Applications and Enforcement Reports

(a) 2128/16/FUL

5 - 10

7 Wonnacotts Road, Okehampton, Devon

Erection of two bedroom detached bungalow with parking space

For Letters of Representation and further supplementary information select the following link:

<http://www.westdevon.gov.uk/planningdetails?RefType=APPPlanCase&KeyNo=0&KeyText=162181>

6. Planning Appeals Update

11 - 12

Agenda Item 4

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **23rd** day of **AUGUST 2016** at **10.00am**

Present:
Cllr P R Sanders – Chairman
Cllr G Parker – Vice-Chairman
Cllr R E Baldwin Cllr M J R Benson
Cllr L J G Hockridge Cllr C Mott
Cllr D E Moyse Cllr T G Pearce
Cllr A Roberts

Substitutes: Cllr C Edmonds for Cllr W G Cann OBE

COP Lead Development Management (PW)
Planning Specialist (TJ)
Highways Authority Representative (PT)
Solicitor (SN)
Senior Case Manager – Strategy and
Commissioning (KT)

In attendance: Cllrs M Davies, J Evans, A F Leech, R F D
Sampson, B Stephens and J Yelland

***P&L 15 APOLOGIES**

Apologies were received from Cllr W G Cann OBE for whom Cllr C Edmonds acted as substitute.

***P&L 16 DECLARATION OF INTEREST**

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

Cllr P R Sanders declared a personal interest in both applications in that he had been contacted by a public relations company acting on behalf of the developer. He spoke on behalf of a number of Committee Members who had been similarly contacted.

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.

***P&L 17 CONFIRMATION OF MINUTES**

The Minutes of the Planning and Licensing Committee Meeting held on 26 July 2016 and the Licensing Sub Committee Meeting held on 8th June 2016 were confirmed and signed by the Chairman as a correct record.

***P&L 18 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

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: 1493/16/VAR Ward: Okehampton North

**Site Address: Land north of Crediton Road, Crediton Road,
Okehampton, Devon**

Variation of conditions 3 and 21 following grant of outline application 01089/2013 to allow the development to be delivered in a phased manner

Speakers included: Supporter - Mr Robin Upton: Okehampton Hamlets Parish Council representative - Cllr Derek Webber: Local Ward Member – Cllr A F Leech

RECOMMENDATION: Delegate to COP Lead Development Management in consultation with the Chairman and Vice Chairman Planning and Licensing Committee to approve subject to conditions

In introducing the application, the case officer advised Members of a number of corrections to his report and provided the Committee with clarification. Members stated their concerns in respect of the entrance to the proposed school area, and there was some discussion over the use of that access for the residential area. Members were reminded that the proposal being discussed had been previously approved, and this application was simply to vary two of the conditions.

COMMITTEE DECISION: Delegate to COP Lead Development Management in consultation with the Chairman and Vice Chairman Planning and Licensing Committee to approve subject to conditions

(b) Application No: 2731/15/OPA Ward: Okehampton North

**Site Address: SX603 960 (Parcels 3 and 4), east of Okehampton,
Crediton Road, Okehampton**

READVERTISEMENT (Extension to consultation period) Outline application with some matters reserved (access to be considered) for residential development of up to 400 dwellings

Speakers included: Supporter - Mr Robin Upton: Okehampton Hamlets Parish Council representative - Cllr Derek Webber: Okehampton Town Council representative – Cllr R Rush: Local Ward Member – Cllr A F Leech

RECOMMENDATION: Delegate to COP Lead Development Management in consultation with the Chairman and Vice Chairman of Planning and Licensing Committee to approve subject to conditions and the satisfactory completion of a Section 106 legal agreement, and to review with the Chairman of Planning and Licensing Committee if not completed within 3 months of the Committee date

Members had a detailed discussion on this application, particularly as part of the application site, whilst appearing in the approved plan, was not in the emerging Local Development Plan. However, the solicitor confirmed that the emerging plan had limited weight and therefore would not be a sound basis from which to base a refusal. Drainage concerns were discussed, as were landscape issues, and an additional condition was added specifically requiring provision of a landscape scheme. The Highways Officer responded to a number of questions, particularly in respect of proposed bus stops, and the proposed link road through the application site and the town centre access road.

COMMITTEE DECISION: Delegate to COP Lead Development Management in consultation with the Chairman and Vice Chairman of Planning and Licensing Committee to approve subject to conditions and the satisfactory completion of a Section 106 legal agreement, and to review with the Chairman of Planning and Licensing Committee if not completed within 3 months of the Committee date

***P&L 19**

PLANNING APPEALS UPDATE

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

(The Meeting terminated at 1.20 pm)

Dated this

Chairman

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PLANNING APPLICATION REPORT

Case Officer: Matthew Jones

Parish: Okehampton **Ward:** Okehampton North

Application No: 2128/16/FUL

Agent/Applicant:

Mr Chris Tyson
40 Normandy Way
Walker Lines Industrial Estate
Bodmin
Cornwall
PL31 1EX

Applicant:

Miss K Phillips
Dartmoor View
Germansweek
Devon
EX21 5AF

Site Address: 7 Wonnacotts Road, Okehampton, Devon, EX20 1LX

Development: Erection of two bedroom detached bungalow with parking space

Reason put before Planning and Licensing Committee: The Ward Members have requested that this application be determined by the Planning and Licensing Committee due to concerns regarding the design and overdevelopment of the site, the impact of the proposal on neighbouring amenity and the impact upon access, parking and highways safety



Recommendation: Conditional approval

Conditions:

Time
Accord with Plans
Materials samples prior to installation
Drainage details prior to commencement of development
Unsuspected contamination

Key issues for consideration:

The main issues are the design and massing of the proposed dwelling, drainage, access and parking and any impact upon the amenity of neighbouring dwellings.

Site Description:

The application site is a large side garden currently serving the bungalow at no.7 Wonnacotts Road. The side garden marks the point where the unpainted render bungalows at the entrance to Wonnacotts Road make way for the red brick two storey terraced and semi-detached housing further into the street. The site is within the Okehampton Development Boundary,

The Proposal:

Planning permission is sought for the erection of a two bedroom detached bungalow with an associated parking space. The dwelling has a single ridge running at 90 degrees to the highway with a facing gable clad in weatherboarding. There is a natural stone faced plinth and the rest of the building is rendered under a slate roof.

Consultations:

- County Highways Authority

No objection – *‘The site already has a vehicular access from the highway, a residential cul-de-sac subject to a 20 m.p.h. Speed limit. There is no on-site turning available, similar to virtually every other premises in the street. The highway authority would not insist upon such a provision in this type of location anyway. The site access is proposed to serve the new property instead of the ‘donor’ property, number 7.*

The only real identifiable change, therefore, is that number 7 will no longer have an off-street parking provision of its own. I note it is advertised for rental at the moment.

The number of spaces that should be provided for new development is a matter for the planning authority not the highway authority and it is understood there are no minimum car parking standards currently adopted.

Without policy backing for the number of parking spaces provided and bearing in mind the content of the NPPF with respect to the limited criteria with which a highway related objection can be raised, I cannot raise a sustainable objection on highway grounds. Your authority may of course separately assess the parking provision may have on the amenity of the residents, but that is not a matter for the highway authority.’

- Environmental Health Section

Initial holding objection removed following additional comments from applicant

- Okehampton Town Council

Objection due to concerns regarding overdevelopment, density and the impact on onstreet parking and the safety of the proposed access arrangement

Representations:

2 letters of representation have been received at the time of writing this report. One of the letters originally raised concern regarding elements of the scheme which have subsequently been resolved and the member of public is now in support of the application, stating that it will not affect their property.

The other letter raises concern regarding the Environmental Health Officer's original holding objection, the potential impact on neighbour amenity and the any disruption during the construction phase.

Relevant Planning History

None

Analysis

Principle

The site is within the Okehampton Development Boundary where new residential development is considered acceptable subject to material planning considerations. The side garden is disproportionately large compared to other side gardens in the streetscene and is considered by officers to present a potential building plot. It also marks a point of transition in architectural style between the two storey red brick dwellings and the unpainted render bungalows.

The proposed bungalow is small scale and, overall, the proposal is considered to present adequate levels of outdoor amenity space to prevent overdevelopment of the plot. The street scene is characterised by a mixture of detached, semidetached and terraced dwellings with generally a higher degree of density, and the infilling of this plot as proposed is considered acceptable within this context.

Design and massing.

The site is adjacent to an existing two storey dwelling and a bungalow and the massing is acceptable in comparison to the surrounding properties. Although there is an absence of weatherboarding within the street scene, there is again a mixture of finishes, although render and brick predominate, and the use of boarding on this proposal is not considered to be materially harmful or at odds with the overall streetscene within this specific location, within this specific plot.

The dwelling could be an asset to the street scene, subject to the quality of the finishes, and officers therefore believe it to be reasonable to require additional details of finish materials prior to their installation.

Access and Parking

The dwelling provides a single onsite parking space and reuses the existing vehicular access. Although this means that the existing bungalow will lose this current parking provision, officers consider that there to be adequate street parking available to accommodate the additional parking resulting from this development.

Although this scheme will result in the need to either reverse in or out of the site, this is a situation encountered by many properties in Wonnacots Road and is entirely characteristic of this area.

Overall, the access arrangements and small scale increased need for onstreet parking is not considered to render a detrimental impact on highways safety or infrastructure which could be characterised as 'severe' as is required by the Framework.

Overall, the access and parking arrangements are evaluated to be acceptable. The highways officer is not objecting and his reasons for doing so are set out in detail above.

Neighbour Impact

The bungalow is stepped back into the site between the two neighbouring dwellings, meaning that it will protrude forward of the principal elevation of no.9. This will lead to a small scale loss of sunlight in no.9's front window.

However, this will only during short period of the day and, overall, this minimal loss of direct sunlight is considered to be proportionate to the degree of impact resulting from small scale residential development in this area. In addition, the ground floor living area of no.9 is open plan, and light is therefore provided by other windows. The existing fencing and outbuilding will prevent direct overlooking towards neighbouring dwellings.

Overall, the impact on neighbouring dwellings is considered acceptable.

Other issues

Officers conclude that there is adequate space to provide an onsite soakaway and the drainage specification can adequately be secured by way of planning condition.

Officers note the concern of one resident regarding disruption during the construction phases but there is almost always a degree of unavoidable disruption when development occurs. Although officers could manage this through condition, it is not considered proportionate or reasonable to do so due to the small scale of development.

The Environmental Health Officer has removed their original holding objection regarding the development following the submission of additional information. The extremely unlikely possibility of contamination being uncovered can be adequately controlled by condition.

Conclusion

The concerns raised within the Town Council response and the letter of concern are considered within the above analysis.

For the reasons outlined above this application is considered acceptable and in accordance with the relevant development plan policies. This application is therefore recommendation for approval subject to appropriate conditions.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

West Devon Borough Council Core Strategy 2011

SP1 – Sustainable Development

SP5 – Spatial Strategy

SP6 –Density of Housing Development
SP7 – Strategic Distribution of Housing
SP8 – Inclusive Communities
SP9 – Meeting Housing Needs
SP17 – Landscape Character
SP20 – Promoting High Quality Design
SP21 – Flooding
SP22 – Okehampton

West Devon Borough Council Local Plan Review 2005(as amended 2011)

BE13 – Landscaping and Boundary Treatment
T1 – Walking and Cycling
T8 – Car Parking
T9 – The Highway Network
PS2 – Sustainable Urban Drainage Systems
PS3 – Sewage Disposal
PS4 – Private Water Supply

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

Planning Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the approved plans and documents to be listed on the decision notice.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Prior to installation, samples of the materials to be used in the construction of the external surfaces, including roofs, shall have first been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials.

4. Prior to the commencement of development, details of a scheme for the provision of surface water management shall have first been submitted to and agreed in writing by the Local Planning Authority.

The development shall take place strictly in accordance with these details and maintained in perpetuity thereafter unless the Local Planning Authority gives written permission to any variation.

Reason: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

West Devon Borough Council **Agenda Item 6**
PLANNING AND LICENSING COMMITTEE 20-Sep-16
Appeals Update from 8-Aug-16 to 12-Sep-16

Ward Drewsteignton

APPLICATION NUMBER : **00054/2015** APP/Q1153/W/15/3135821
APPELLANT NAME: Powerhawk Limited
PROPOSAL : Erection of a single wind turbine with maximum blade tip height of 67m, formation of new vehicular access track and associated infrastructure.
LOCATION : Land At Ngr Sx698988 Spreyton Devon Devon
APPEAL STATUS :
APPEAL START DATE: 11-April-2016
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 16-August-2016

Ward Exbourne

APPLICATION NUMBER : **01108/2015** APP/Q1153/W/16/3151684
APPELLANT NAME: Mr A Sanders and Ms M Rideout
PROPOSAL : Readvertisement (Revised Plans received): Application for new 2 storey3 bedroomed dwelling with single storey garage/workshop.
LOCATION : Land North Of Hayfield House Hayfield Road Exbourne Okehampton. EX20 3RS
APPEAL STATUS : Appeal decided
APPEAL START DATE: 16-June-2016
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 23-August-2016

Ward Mary Tavy

APPLICATION NUMBER : **WDE/00001/2015** APP/Q1153/C/16/3149564
APPELLANT NAME: Mr J Henry
PROPOSAL : Operational Development for the installation of a pre-fabricated garage
LOCATION : West Liddaton Farm, Coryton, Okehampton, Devon, EX20 4AD
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 03-June-2016
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **WDE/00001a/2015** APP/Q1153/C/16/3149560
APPELLANT NAME: Mr J Henry
PROPOSAL : A material change of use of the Land without planning permission from Agricultural (Sui Generis) to Residential Garden (C3) (the 'Development')
LOCATION : West Liddaton Farm, Coryton, Okehampton, Devon, EX20 4AD
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 03-June-2016
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Tavistock North

APPLICATION NUMBER : **00610/2015** APP/Q1153/W/15/3138936
APPELLANT NAME: 3H Investments Ltd
PROPOSAL : Outline application with access to be determined for residential development of up to 110 units including 40% affordable housing, parking, open space, play space and associated infrastructure.
LOCATION : Land Ne Redmoor Close Land Ne Redmoor Close Butcher Park Hill Tavistock Devon
APPEAL STATUS : Appeal decided
APPEAL START DATE: 09-December-2015
APPEAL DECISION: Upheld (Conditional approval)
APPEAL DECISION DATE: 23-August-2016

APPLICATION NUMBER : **00979/2015** APP/Q1153/W/16/3155377
APPELLANT NAME: Mr & Mrs Stephens
PROPOSAL : Application for an outline planning permission for 3 dwellings.

LOCATION : Land At Ngr Sx485750 Old Exeter Road Tavistock Devon
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 05-September-2016

APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **WDE/00064/2015** APP/Q1153/C/16/3152288

APPELLANT NAME: Mr M Bassett
PROPOSAL : A material change of use of the Land without planning permission from Agricultural (Sui Generis) to Motor Vehicle Storage and / or Distribution Place (Sui Generis)

LOCATION : Land at Higher Wilminstone Farm Wilminstone Wilminstone Devon PL19 0JT
APPEAL STATUS : Appeal Lodged
APPEAL START DATE: 29-July-2016
APPEAL DECISION:
APPEAL DECISION DATE: