

# WEST DEVON DEVELOPMENT MANAGEMENT AND LICENSING COMMITTEE



## **Minutes** of a meeting of the **West Devon Development Management and Licensing Committee** held on **Tuesday, 17th October, 2017** at **10.00 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 Evans  
Cllr Leech

Cllr Lamb

Officers:

CoP Lead – Development Management  
Planning Specialist  
Solicitor

### 25.        **Declarations of Interest**

#### **\*DM&L 25**

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

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.

### 26.        **Items Requiring Urgent Attention**

#### **\*DM&L 26**

The Chairman advised that application **4161/16/OPA:** Outline planning application with all matters reserved for construction of 4

dwelling – Land at SX516892, opposite Springfield Park, Bridestowe was deferred from this meeting for further information and would be presented to the Committee on a later date.

27. **Confirmation of Minutes**

**\*DM&L 27**

The Minutes of the Development Management and Licensing Committee Meeting held on 19 September 2017 were confirmed and signed by the Chairman as a correct record.

28. **Planning Performance Indicators**

**\*DM&L 28**

The COP Lead Development Management presented the latest set of Performance Indicators and outlined the key information for Members consideration. Members discussed the information presented in respect of pre-apps and the Cop Lead advised that discussions were ongoing with agents in respect of the structure of pre-app fees.

29. **Planning Applications**

**\*DM&L 29**

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: 2789/17/VAR      Ward: Tavistock South West**

**Site Address: Land adjacent to Brook Farm, Brook Lane, Tavistock**

Variation of condition 4 (approved plans) of planning consent APP/Q1153/W/15/3131710(00233/2015) for 23no. dwellings with associated access road, parking and external works

Speakers included: Objector – Ms Helen McShane: Supporter – Mr Ed Persse: Ward Member – Cllr Jess Evans

**RECOMMENDATION:** That delegated authority be given to the CoP Lead in consultation with the Chairman of the Committee to approve the application subject to the conditions listed below and the prior satisfactory completion of a Section 106 Agreement Deed of Variation

However, in the event that the Section 106 legal agreement remains unsigned six months after this resolution, that the application is reviewed by the CoP Lead, 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 Agreement.

In presenting this application, the Case Officer outlined the background in that planning permission had been granted at appeal, and the Inspector had included some plans but not a site location plan. The intention of the application was to remove the condition that sought approval in line with the existing plans and replacing with a condition that sought approval of the permission in accordance with a Site Location Plan that would enable control of all reserved matters to rest with the local planning authority. The Solicitor confirmed that the applicant was entitled to submit a section 73 application to the local planning authority.

The officers responded to a number of detailed questions regarding this application.

In her address to Committee, one of the local Ward Members commented that the s73 application may have arisen at this late stage because the developer was having difficulty in fitting the number of houses on the site. She asked that the Committee refuse the application and that the developer be encouraged to sit down with residents and work with them to find a successful, non-contentious design.

During debate, Members were concerned at the implication of removing a condition applied by a Planning Inspector. The Solicitor reiterated that Members were not being asked to re-determine the Planning Inspector decision and that they were able to determine the application presented to them today.

It was then **PROPOSED, SECONDED** and on being put to the vote declared **LOST** that the application be **APPROVED**, for the following reasons:

Consideration of scale as set out in drawings 1319 PL01D and PL02 is an important and integral part of the permission for the reasons set out in para 24 and 26 of the Inspector's decision letter.

A Member then **PROPOSED** refusal of the application which was **SECONDED** and on being put to the vote declared **CARRIED** that the application be refused.

**COMMITTEE DECISION:** Refusal

### 30. **Planning Appeals Update**

#### **\*DM&L 30**

The Committee received and noted the updated list of Planning Appeals including enforcement appeals. The CoP Lead Development Management advised that he had received a response from the Planning Inspector to a letter sent at the Committee's request querying a recent appeal decision. The letter would be circulated to all Members in due course.

The Meeting concluded at 11.30 am

**Signed by:**

**Chairman**

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