

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **10<sup>th</sup>** day of **FEBRUARY 2015** at **10.00 am**.

**Present:**

Cllr C M Marsh – Chairman  
Cllr M J R Benson – Vice-Chairman  
Cllr R E Baldwin                      Cllr W G Cann OBE  
Cllr C Hall                              Cllr L J G Hockridge  
Cllr T G Pearce                        Cllr J Sheldon  
Cllr D Whitcomb                      Cllr D Wilde

Development Manager  
Senior Planning Officer (JG)  
Planning Officer (NG)  
Planning Officer (LD)  
Solicitor  
Business Support Manager  
Member Services Manager

**In attendance:**

Cllr D W Cloke                              Cllr M V L Ewings  
Cllr A F Leech                              Cllr R J Oxborough  
Cllr P R Sanders

**P&L 50      DECLARATIONS OF INTEREST**

Cllr L J G Hockridge – Application 01182/2014 – Personal – Ward Member and knows the applicant.

Cllr C M Marsh – Application 01182/2014 – Personal – Knows the applicant

Cllr T G Pearce – Personal – Member of Devon Building Control Partnership

**\*P&L 51      CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 13<sup>th</sup> January 2015 (page 3 to the Agenda), were confirmed and signed by the Chairman as a correct record.

**\*P&L 52      PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Manager (page 10 to the Agenda) and considered also the comments of Town and Parish Councils together with other representations received, which are noted below, and **RESOLVED:**

**PLANNING APPLICATION REPORT**

**Case Officer:** Jeremy Guise

**Ward:** Bridestowe

**Ward Member:** Cllr L J G Hockridge

**Application No:** 01182/2014

**Agent/Applicant:**  
EJFP Planning  
49 Bannawell Street  
Tavistock  
PL19 0DP

**Applicant:**  
R Phillips  
Bratton Mill  
Bratton Clovelly  
Devon

**Site Address:** Land Adjacent To Primrose Cottage, Bratton Clovelly, Devon

**Development:** Demolition of existing workshop and erection of 3 bed dwelling with associated car parking and garden.

**Reason item is being put before Committee**

Cllr L J G Hockridge, Ward Member - The Parish Council have raised concerns about highways issues - visibility - and the proposal being out of character. I am concerned about the highways issues. Please bring to Planning & Licensing Committee for decision.

**Recommendation:** Conditional Consent

**Conditions**

1. Time limit
2. In accordance with approved plans
3. Material samples
4. Removal of PD
5. Unexpected contamination
6. Details of surface water design
7. Schwegler bat box requirement
8. Access parking and visibility splays to be provided before first use
9. Natural Slate
10. Natural stonework

**Key issues for consideration:**

- Principle of subdivision to create a separate building plot
- The impact upon the amenities of the existing dwelling
- The adequacy of the residential arrangements for the proposed dwelling
- The design and appearance of the proposed dwelling, including its impact upon the street scene
- The impact of the proposed dwelling upon the amenities of neighbouring residential property
- The adequacy of access arrangements and impact upon the highway network
- The adequacy of measures to offset the impact of the development

**Site Description:**

Primrose Cottage is located within the village settlement of Bratton Clovelly. It forms part of a ribbon of development that extends to the south west of the village along Chapel Street.

Buildings are located on both sides of Chapel Street, but are more extensive on the western side, where modern houses have been in filled. Beyond Primrose Cottage, there are no separate dwellings on the eastern side of Chapel Street, only the single storey workshop building, that forms the subject of this application, and parking, gardens and outbuildings associated with the dwellings opposite. Primrose Cottage

is orientated south west/north east and extends across the whole depth of its plot. Its garden and many of the windows serving the main habitable rooms face towards the south west and the workshop/application site.

The village of Bratton Clovelly occupies an elevated position within the landscape with open countryside falling away to the south east.

### **The Proposal:**

Permission is sought to demolish the existing single storey workshop and erect a 126sqm dwelling, with associated car parking, on approximately 2/3rds of the garden to the south west. Plans show a large, 126sqm, house comprising entrance hallway, study, WC, living room, kitchen and utility room on the ground floor and three bedrooms – all with en-suite bathrooms on the first floor.

The external appearance of the proposed house is dominated by a slate gabled roof and a chimney on the south east elevation with rendered walls and extensive glazing on the south west elevation. The first floor windows on the northwest elevation that would serve a bedroom and bathroom and face towards Primrose Cottage are shown obscure glazed. Overall the ridge height of the proposed dwelling would, at 7m from ground level, the same as Primrose Cottage.

### **Consultations:**

County Highways Authority  
Environmental Health Section  
WDBC Drainage Engineer  
WDBC Countryside & Special Projects Officer  
Bratton Clovelly Parish Council  
Representations – 12 representations received

**SPEAKERS:** Mrs D Pitts – Objector  
Mr R Philips – Applicant

It was then moved by the Chairman, seconded by the Vice-Chairman, that the application be granted conditionally and upon being put to the vote, the motion was lost.

The Committee was concerned about the size and massing of the proposal and the design being out of keeping. The Committee also raised concerns in relation to visibility on the highway, however, the Chairman reminded Members that highways matters were not a material issue. Finally, the loss of amenity for Primrose Cottage was noted.

It was then moved and seconded that the application be refused and upon being put to the vote the application was **REFUSED** for the following reasons:

1. Size and proximity to Primrose Cottage was unacceptable
2. Inappropriate design out of keeping for the area
3. Cramped form of development
4. Inadequate parking

## PLANNING APPLICATION REPORT

**Case Officer:** Jeremy Guise

**Ward:** Tavistock South

**Ward Members:** Cllr M Ewings; Cllr R Oxborough; Cllr E Sherrell

**Application No:** 01276/2014

**Agent/Applicant:**

Mr R Barnes  
37 Laura Grove  
Paignton  
Devon  
TQ3 2LP

**Applicant:**

Stonehaven (Healthcare) Ltd  
Mr S Stone  
Mardle House  
Mardle Way  
Buckfastleigh  
Devon  
TQ11 0NS

**Site Address:** Chollacott Nursing Home, 61 Whitchurch Road, Tavistock, Devon PL19 9BD

**Development:** Extension at side and rear to form 10 additional bedrooms with ancillary accommodation and covered car spaces. Extension at side to form manager's office.

**Reason item is being put before Committee**

Cllr R Oxborough: I would like this application to be considered at Planning for the following reasons:-

- (i) Adverse affect on neighbours' amenity
- (ii) Inadequate car parking
- (iii) Whitchurch Road is hazardous
- (iv) Over development

**Recommendation:** Grant conditional planning permission

**Conditions:**

1. Time Limit
2. Approved Plan numbers
3. Unexpected contamination
4. Material samples
5. Details of bat roosting and bird nesting provisions prior to commencement
6. Construction management plan required
7. Drainage assessment and details required

**Key issues for consideration:**

- The principle of residential extension to the building
- The design and the impact of the proposed extensions upon the appearance of the building
- The impact upon the amenities of neighbouring residential property
- The adequacy of access and parking arrangements

**Site Description:**

No. 61 Whitchurch Road is a large late Victorian/Edwardian house currently occupied by Chollacott Nursing Home. Originally a double fronted villa style property with a square bay and angled bays; it has been much altered with large extensions

added to the south and east, and a large conservatory structure on the front, in connection with the current use.

The nursing home is accessed from a drive off Whitchurch Road which it shares with number 59 Whitchurch Road and Cholly Folly to the north. Parking is provided for approximately 10 cars, either in an informal area in front of the property or in a parking bay 2/3rds of the way up the drive.

### **The Proposal:**

Planning permission is sought for a part 2 and part 3 storey extension on the north east rear elevation and an extension to the existing front entrance porch to provide a new office space

The proposal would provide:-

- An extended and re-fitted kitchen, laundry, store, WC and bin store and 4 covered car parking spaces at ground floor level; a new sitting room (approx. 41sqm);
- 6 new bedrooms with en-suite bathrooms one with a private terrace, assisted bathroom and WC at first floor level; and
- 4 new bedrooms with en-suite bathrooms at second floor level

These would all be linked by a lift.

### **Consultations:**

County Highways Authority  
Environmental Health Section  
Tavistock Town Council  
WDBC Senior Engineer  
WDBC Landscape Officer  
WDBC Countryside & Special Projects Officer  
Representations – 12 representations received

**SPEAKER:** Mrs J Williams – Objector

It was then moved by the Chairman, seconded by the Vice-Chairman, that the application be granted conditionally and upon being put to the vote, the motion was lost.

The Committee had a number of concerns relating to this application, and took account of the local Ward Member's experience of issues in connection with access to the property and the lack of suitable parking and the impact that this had on neighbouring residents. There was the further issue of impact on neighbouring properties as a result of the size of the proposal and the resultant overlooking. There were additional concerns about the lack of storage included in the proposal.

It was then moved and seconded that the application be refused and upon being put to the vote the application was **REFUSED** for the following reasons:

1. This proposal was overdevelopment of the site
2. The un-neighbourly impact on neighbouring properties
3. The loss of storage and associated effect of the restricted nature of the site
4. Inadequate car parking on site
5. Impact on properties in Chollacott Close in terms of overlooking, light pollution and loss of planting.

## PLANNING APPLICATION REPORT

**Case Officer:** Mrs Nicola Glanville

**Ward:** Lew Valley

**Ward Member:** Cllr J McInnes

**Application No:** 01194/2014

**Applicant:**

Mrs A Murphy  
Blackberry Stamps  
Tregeseal  
St Just  
Penzance  
Cornwall  
TR19 7PY

**Site Address:** 7 Kellands Lane, Okehampton, Devon EX20 1FQ

**Development:** Householder application for retention of fence measuring 2.6 metres.

**Reason item is being put before Committee:** Cllr McInnes has called this in on the grounds of visual intrusion.

**Recommendation:** Conditional approval

**Conditions:**

1. Strict compliance with the drawings.
2. Details of a paint finish to the fence shall be agreed in writing with the LPA and carried out within 6 months of the date of approval.

**Key issues for consideration:**

The main issues associated with this scheme are those of residential amenity and material finishes.

**Financial Implications:**

None.

**Site Description:**

The site is on a modern housing estate, where housing is in close proximity with small rear gardens. The site is not Listed nor is it within a Conservation Area.

The fence is located between two garages and encloses both properties. 9 Kellands Lane and its garden are at a considerably higher level than No. 7 Kellands Lane and its garden.

**The Proposal:**

This is an application for the retention of an extension to the top of an existing wooden panelled fence between 7 Kellands Lane and 9 Kellands Lane. When measured on site, the additional fence panel to be retained measures 750mm. The height of the fence at the ground level of 7 Kellands Lane would be 2.6m overall, including the addition.

**Consultations:**

County Highways Authority  
Environmental Health Section  
Okehampton Hamlets Parish Council  
Representations – 4 representations received

**SPEAKER:** Mrs A Murphy – Applicant

**Conclusion**

Overall the materials are in keeping with those already used within the development, although it does raise the fence it does provide additional privacy to both properties due to the change in levels, and does not adversely affect amenity at either property. As such it is considered acceptable.

It was then moved by the Chairman, seconded by the Vice-Chairman, that the application be granted conditionally and upon being put to the vote, the motion was lost.

A number of Members of the Committee did not support this application and felt that it should be refused as a fence of this height would not normally be allowed. Other Members had some sympathy with the applicant in respect of the actions of the developer and felt that the application should be supported.

It was then moved and seconded that the application be refused and upon being put to the vote the application was **REFUSED** for the following reasons:

1. The proposal was visually out of keeping with the area.

**PLANNING APPLICATION REPORT**

**Case Officer:** Laura Davies

**Ward:** Lew Valley

**Ward Member:** Cllr J McInnes

**Application No:** 01379/2014

**Agent/Applicant:**

Mrs A Burden  
Luscombe Maye  
59 Fore Street  
Totnes  
Devon  
TQ9 5NJ

**Applicant:**

Mr J Dixon  
Lands End Farm  
Northlew  
Okehampton  
Devon  
EX20 3PP

**Site Address:** Barn, Broomhill, Northlew, Okehampton, Devon EX20 3PP

**Development:** Retention of barn for agricultural use.

**Reason item is being put before Committee**

This application is to be considered by the Planning and Licensing Committee at the request of Cllr McInnes.

**DEFERRED** pending site inspection.

Members considered it necessary to visit the site to properly assess the nature of the proposed rebuilding and the reasonableness of the barn in association with the land

holding having regard to the planning history as set out in the planning officer's report.

**Key issues for consideration:**

- Impact on character and surrounding landscape;
- Impact on neighbouring occupiers.

**Site Description:**

The application site is located on the west side of the road within the open countryside to the south of Northlew. The application site relates to an existing agricultural building and adjacent hardsurfacing. The barn is located immediately adjacent to the highway and site levels fall away from the highway to the west.

**The Proposal:**

This application seeks the retention of the existing barn for agricultural purposes. The applicant has confirmed that the barn was in a poor state of repair and works were undertaken to repair it although the Council's Enforcement Officers, further to an investigation, confirmed that the nature of the works were too extensive to be considered as repairs to an existing building. Due to the structural issues with the barn works have been started to secure it prior to this application. This application seeks to retain the barn with the following additions/alterations:

- The addition of new quoins to the southern and northern corners;
- Two door openings to the south western elevation to be replaced with windows;
- Door created to the north-western elevation in place of a previous arrow slit;
- Strengthening of walls with internal concrete blocks;
- Re-siting of wall to north-west elevation 0.45m increase in width to accommodate concrete block structure;
- Removal of existing corrugated roof and replacement with slate roofing.

The barn is intended to be used for shelter for livestock and storage for farm equipment, feed and logs.

**Consultations:**

County Highways Authority  
Northlew Parish Council  
Borough Engineer  
Ecology Officer  
Representations – 2 representations received

**\*P&L 53 PLANNING APPEALS UPDATE**

<b>APPLICATION No:</b>	<b>00552/2014</b>
<b>APPELLANT:</b>	Mr R Barnett
<b>PROPOSAL:</b>	Revised scheme for extension and alterations to dwelling.
<b>LOCATION:</b>	Little Ground, Lodge Hill, Okehampton, Devon EX20 1JH
<b>APPEAL STATUS:</b>	<b>APPEAL LODGED</b>
<b>APPEAL START DATE:</b>	7-Jan-2015
<b>APPEAL DECISION:</b>	
<b>APPEAL DECISION DATE:</b>	



**APPLICATION No:** 01128/2014  
**APPELLANT:** Mr A Ranford  
**PROPOSAL:** Householder application for the erection of a garage/workshop.  
**LOCATION:** 6 Devonshire Gardens, North Tawton, Okehampton, Devon EX20 2ES  
**APPEAL STATUS:** **APPEAL LODGED**  
**APPEAL START DATE:** 7-Jan-2015  
**APPEAL DECISION:**  
**APPEAL DECISION DATE:**

**APPLICATION No:** 01111/2014  
**APPELLANT:** Mr H Bushin  
**PROPOSAL:** Householder application for extensions and alterations to dwelling.  
**LOCATION:** Cornhill, Upcott Hill, Okehampton, Devon EX20 1SQ  
**APPEAL STATUS:** **APPEAL LODGED**  
**APPEAL START DATE:** 8-Jan-2015  
**APPEAL DECISION:**  
**APPEAL DECISION DATE:**

**APPLICATION No:** 00627/2014  
**APPELLANT:** Mr P Green  
**PROPOSAL:** Prior notification of the Change of Use of agricultural building to dwelling house and associated operational development.  
**LOCATION:** Greenlane Bridge Farm, Sampford Courtenay, Okehampton, Devon EX20 2SA  
**APPEAL STATUS:** **APPEAL DECIDED**  
**APPEAL START DATE:** 2-Sep-2014  
**APPEAL DECISION:** Appeal Dismissed  
**APPEAL DECISION DATE:** 09-Jan-2015

**\*P&L 54 DELEGATED DECISIONS**  
The Committee received and noted the list of delegated decisions (page 41 to the Agenda).

**P&L 55 TO DETERMINE WHETHER TO ADOPT A PROCEDURE FOR LICENSING HORSE DRAWN OMNIBUSES, DRIVERS AND CONDUCTORS TO OPERATE WITHIN THE WEST DEVON BOROUGH COUNCIL AREA**

The Business Support Manager (EH&H) presented a report (page 53 to the Agenda) seeking the Committee's view on whether to adopt a licensing procedure, including officer delegation, in connection with licensing Horse Drawn Omnibuses, drivers and conductors. An enquiry had been received to provide such a service over a specific route but the Council did not have a by-law or policy to enable such a licence to be considered.

The Committee was requested to make a recommendation to Council to either adopt a procedure for licensing horse drawn omnibuses with an appropriate fee structure or to decline to do so. The report before the Committee showed that consultation had taken place with other

local licensing authorities and with Animal Aid's Horse Consultant who had expressed a willingness to make a presentation to Councillors should the decision made to proceed with adopting a licensing regime.

In coming to a view, the Committee appreciated that this was an in principle decision, and noted that if the principle was approved then each application should be taken to Committee for determination.

It was **RESOLVED** to **RECOMMEND** that Council:

- (i) Adopt a procedure for the licensing of Horse Drawn Omnibuses, driver(s) and conductors within the West Devon Borough Council area and for the drafting of the related licensing procedure, conditions, code of conduct and preparation of Byelaws, together with the power to grant, revoke, suspend or refuse to transfer or renew an omnibus licence, driver, conductors licence, to the Head of Environmental Health and Housing/Service Group Manager; and
- (ii) To approve an initial annual fee of £550 for the application to grant an omnibus licence and £150 for the application to grant an annual omnibus drivers or conductors licence and to delegate the review of fees to the Planning and Licensing Committee.

(The Meeting terminated at 12.15 pm.)