

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **10th** day of **MARCH 2015** at **11.15 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	

Development Manager
Principal Planning Officer
Planning Officer (LD)
Planning Officer (JC)
Planning Officer (NG)
Strategic Planning Officer (RB)
Solicitor
Committee & Ombudsman Link Officer

In attendance: Cllr A Leech

P&L 56 APOLOGY FOR ABSENCE

An apology for absence was received from Cllr D Wilde.

P&L 57 DECLARATIONS OF INTEREST

Cllr L J G Hockridge – Application 01399/2014 – Personal – Had discussed the application with the applicant.

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

***P&L 58 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 10th February 2015 (page 3 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 59 PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Manager (page 14 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: Laura Davies

Ward: Lew Valley

Application No: 01379/2014

Agent/Applicant:

Mrs A Burden
Luscombe Maye
59 Fore Street

Applicant:

Mr J Dixon
Lands End Farm
Northlew, Devon

Totnes
Devon TQ9 5NJ

Site Address: Barn, Broomhill, Northlew, Devon,

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.

Recommendation: Conditional Consent

Conditions

1. Development in Accordance with Approved Plans
2. Surface Water Drainage - within 3 months of the date of decision.
3. Protected Species - Prior to works re-starting on site, details of proposed re-provision within the building for bats and barn owls, in accordance with the recommendations set out in the Ecological Survey Report submitted in relation to application 01485/2011 (available on the Council's website) shall be submitted to and approved in writing by the Local Planning Authority. Such provision shall be implemented on site and retained permanently unless otherwise agreed in writing.
4. The application site shall only be used for agricultural purposes, unless otherwise agreed in writing by the Local Planning Authority.

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 hard-surfacing. 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

SPEAKER: Mrs C Hoyte – Agent

The Committee had undertaken a site inspection and had noted that the works so far carried out to barn appeared to be more excessive than generally required to accommodate a small number of sheep and other farming accoutrements. Having listened to the applicant's agent's presentation the Chairman moved that the application be granted as recommended by the case officer: the motion was seconded by the Vice-Chairman but upon being put to the vote the motion was **LOST**.

It was then moved by Cllr Pearce and seconded by Cllr Cann that the application be refused as there had been substantial alteration to the historic barn, including residential style openings. Upon being put to the vote, the application was **REFUSED** for the following reasons:

1. the work undertaken to the barn including a damp proof course, insulated cavity walling and domestic style openings go beyond that reasonably expected for an agricultural building.

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Okehampton West

Ward Members: Cllr M Marsh; Cllr M Morse

Application No: 00977/2014

Agent/Applicant:

Mr S Blakeman
Rose Cottages
North Road
Exbourne
Okehampton
Devon
EX20 3SH

Applicant:

Mrs A Y Martin-Fleming
129 Station Road
Okehampton
Devon
EX20 1EH

Site Address: 129 Station Road, Okehampton, Devon, EX20 1EH

Development: Retrospective application for part change of use of garden to a mixed use of residential garden and holiday use to include the retention of a yurt, a timber building (known as the Bird Box) and ancillary building to provide kitchen and bathroom facilities, construction of decking and associated works.

Reason item is being put before Committee: The application is being called to committee by Cllr Marsh due to concerns regarding overdevelopment of the site.

DEFERRED pending site inspection:

1. Effect on the amenity of adjoining occupiers
2. Relationship of proposal to other development

Key issues for consideration:

Principle of development

Impact upon landscape and area tree preservation order

Residential amenity considerations

Highway considerations

Site Description:

The proposal site is the residential curtilage to no. 129 Station Road, which is a large end of terrace dwelling, located within the built-up part of Okehampton, towards its southern edge, outside of a settlement envelope and adjacent to Okehampton Train station. The site is accessed via a private lane which encircles no.129 Station Road (dividing the dwelling from its garden) and neighbouring properties.

The application site area measures approximately 0.34ha and includes a parking area, a grassed garden area and a wooded area covered by an area tree preservation order.

To the north the site shares a common boundary with Simmons Park, to the east with a residential property called The Coach House, to the south with a vehicular access track/bridleway known as Tramlines Lane and to the west with the host dwelling no.129 Station Road.

To the south of the site there is Okehampton Station (Dartmoor Railway), Okehampton Youth Hostel and Adventure Okehampton.

The Proposal:

Retrospective planning permission is sought for the change of use of part of a residential garden to a tourist accommodation use. The application includes the retention of several structures and reuse of an existing building to be used as camping/holiday accommodation. This includes:

- A yurt measuring approximately 4.9m in diameter and 2.85m in height located approximately 7m from the southern boundary (approximately 21m from the host dwelling no.129 Station Road) on a raised decking area;
- A structure known as the Bird Box constructed with horizontal timber boarding and a steel clad roof, measuring between 3.1 & 6m in height located within trees on the eastern side of the application site (approximately 27m from The Coach House) on raised decking;
- Change of use of existing building to ancillary toilet/washroom building;
- Parking area to the west of the garden area.

Consultations:

County Highways Authority

Environmental Health Section

9. Submission of Waste Audit Statement
10. Adherence to plans
11. Adherence to Flood Risk Assessment (FRA)
12. Noise condition
13. Contaminated land condition
14. Foul and surface water drainage condition
15. Archaeology condition
16. Landscape condition
17. 10% Renewable energy on-site or reduction in energy use over and above Building regulations.
18. Provision of ducting for high speed broadband
19. Retail area maximum of 250m²
20. Retail unit to be a neighbourhood retail use/convenience goods

Key issues for consideration:

Financial Implications (Potential New Homes Bonus for major applications):

It is estimated that this development has the potential to attract New Homes Bonus of £397,533 per annum, payable for a period of 6 years.

Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

Site Description:

The site forms part of a larger site allocated in the Council's adopted Core Strategy 2011. The application site is identified as parcel 2 of SP22a in the East of Okehampton Masterplan (here on in referred to as The Masterplan). It comprises approximately 14.7 hectares in size. It is mainly in agricultural use for grazing and is bordered to the east by the dense woodland of the Stockley Valley, to the north and east by Chichacott Lane and to the south by Crediton Road.

There are various constraints within and around this site, these include heritage and archaeological assets; to the west of Parcel 2 on the boundary of Chichacott Road is a Roman Fort, which is protected as a Scheduled Ancient Monument (SAM). This is a nationally significant asset. Some evidence of the fort is still available on the ground and as such the visual setting of this important heritage feature will be an important consideration in the layout of new development.

The Environment Agency has identified a flood zone through the Stockley Valley. This is classified as flood zone 3, which is considered to be at high risk of flooding. As such, residential development in this area is considered to be 'more vulnerable' and should not be located here. It is therefore proposed that no development takes place within the identified flood zone. There is also a minor watercourse in the northern part of the parcel. The watercourses and the woodlands which surround them are important habitats for local biodiversity.

The Stockley Valley forms a dense area of woodland and runs along the eastern boundary of Parcel 2. Lowland mixed deciduous woodland is present here. There is also a network of locally distinctive hedgerows present on this parcel. Parcel 2 can be viewed from the northern boundary of the Dartmoor National Park and in views towards Dartmoor. However, this area of land is relatively low lying and relates both physically and visually with surrounding built up development.

The Proposal:

Up to 375 new residential units, a 250m² neighbourhood retail unit and a new primary school and accompanying Section 106 package:

- Phasing – this will deliver the roundabout to the link road at the completion of a certain number of units
- Suds management and maintenance
- Landscape and ecology management and maintenance
- POS provision and maintenance
- Market housing mix
- Affordable housing including phasing, mix and tenure
- Access arrangement to land for DCC to deliver link road
- Clawback agreement – allows for revisiting the viability of the scheme in order to ‘top up’ the section 106 contributions (and take off-site affordable housing monies) to a maximum of the full amount currently required IF the scheme is more viable at this future time. The viability will first be revisited in this way at the commencement of construction of the 150th unit and then twice more following this throughout the build.

Section 106 monies.

There is a general Section 106 ‘pot’ of £5,820,614, plus an additional £332,500 resulting from the primary school site development.

These monies are recommended to be divided as follows based upon the aspirations of the community, the Masterplan, the prioritisation of infrastructure within the Infrastructure Delivery Plan and with input from the local ward members.

There are not sufficient funds available to provide all the contributions and infrastructure required. As such the Section 106 package recommended is as follows:

- Offsite highway contribution towards delivery of the link road and town centre access road (this amount is adequate to either deliver the entire of the remainder of the link road, or a proportion of the link road and the town centre access road) It is on a per dwelling basis of £4,140 per dwelling
- £5,000 to DCC for a traffic regulation order to alter the extent of the 30mph areas around the site
- Education contribution – primary and secondary including a contribution towards the purchase of a site to provide a new primary school (2 bed plus, market units only to make this contribution):
Primary - £4,032 per 2 bed+ market dwelling
Secondary - £2,736 per 2 bed+ market dwelling (after the 67th unit)
- Sport pitches and recreation minimum £50,000, maximum £503,700 (amount to be dictated by monies remaining following education contribution which is dependent upon number and type of units built)
- Affordable Housing on site 6% - minimum 80% rented, 20% other intermediate housing.

Consultations:

Okehampton Hamlets Parish Council
Okehampton Town Council
Environmental Health Section

Affordable Housing Officer
Countryside Officer
Open Space Sport and Recreation officer
Landscape Officer
Development Engineer
Environment Agency
Dartmoor National Park
RSPB
English Heritage
Highways Agency
Police Architectural Liaison Officer
DCC Archaeology
South West Water
Natural England
DCC Highways
DCC Education
Representations: 3 representations received

Conclusion

Having regard to all of the policy considerations listed and the requirements established in the Masterplan, it is considered that there are merits to the proposal in terms of the strategic allocation set out in Core Strategy Policy SP22.

Whilst it is unfortunate that the development is not able, at this point in time, to deliver/contribute to all the infrastructure requirements requested, it is able to provide adequate monies to offset the majority of the education contribution required and enough money to deliver the link road, in combination with delivering the roundabout in kind. Similarly there is some affordable housing being delivered and an amount towards pitch provision which would aid in the upgrade of current pitches or similar.

Although in outline only, the proposal allows for many of the aspirations of the site such as protection of the Roman road and building remains on site, POS onsite, the northern end of the link road and the provision of a site for a 420 place Primary School and up to 375 homes which will help to boost the Council's five year housing land supply. The scheme is also found to be acceptable in relation to highway safety, landscape, drainage and ecology.

Overall then although the scheme is providing a very low percentage of affordable housing and the S106 contributions are below that required to fulfil all those requested, the scheme is considered to be providing all that it can in the current development economics climate. With a safeguard of a claw-back built into the S106 it is considered overall to be an appropriate scheme for this site.

The Committee expressed its disquiet over the low percentage of affordable housing agreed with the Council's Affordable Housing Officer but understood the reasoning for this.

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Thrushel

Ward Member: Cllr D Horn

Application No: 01399/2014

Agent/Applicant:

Mr P Wonnacott
Rodds Bridge Farm
Bude
Cornwall
EX23 0LS

Applicant:

Mr & Mrs Robbins
Nethercott
Welltown Farm
Polson Bridge
Launceston
Cornwall
PL15 9QU

Site Address: Nethercott, Welltown Farm, Polson Bridge, Launceston, Cornwall PL15 9QU

Development: Householder application for erection of single storey extension to south west elevation.

Reason item is being put before Committee: Called to Committee by Cllr Horn – ‘The reason being that it had Parish Council support, all reasonable attempts had been made to conform to policy plus the need of the Applicant on Health and Wellbeing grounds’.

REFUSED for the following reasons:

1. The proposed extension, by reason of its design, scale, massing and siting, is considered to unacceptably harm the character of the existing barn conversion which is considered to be a non-designated heritage asset. As such the proposed extension is considered to be contrary to policies SP1 and SP20 of the West Devon Borough Council Core Strategy 2011, policy H40 of the West Devon Borough Council Local Plan Review (as amended 2011), the Re-use of Rural Buildings SPD and the National Planning Policy Framework.

Key issues for consideration:

- Impact upon the character, appearance and significance of the converted barn

Site Description:

Nethercott, Launceston is an impressive detached, stone built bank-barn conversion with a natural slate roof and timber windows and doors. The barn was most likely constructed in the first half of 19th century and is considered to be a non-designated heritage asset. The barn was converted under planning reference no. 0967/2000/TAV. It is considered to be a high quality conversion that successfully retains the character of this traditional bank barn.

The proposal site is to the east of Launceston, Cornwall, in open countryside. Views from the site are mainly open countryside, with agriculture providing a predominant use of the land in the wider area.

The Proposal:

This application proposes the erection of a single storey extension at first floor level to the south-western side elevation of the property.

The proposed extension would be constructed at first floor adjacent to the main entrance door (at first floor) that serves the kitchen. It would extend 3.0 metres out from the property, 3.9 metres in depth, 2.2m to eaves height and 3.15m to ridge height. The porch would be constructed with a stone dwarf wall, a natural slate roof and stained hardwood timber windows and door. Both the eaves and the roof ridge of the proposal fall short of the existing roof eaves and ridge. A half hip roof is proposed to match the roof of the barn.

Consultations:

County Highways Authority
Environmental Health Section
Lifton Parish Council
Representations – 1 representation received

SPEAKER: Mr C Robbins – Applicant

PLANNING APPLICATION REPORT

Case Officer: Mrs Nicola Glanville

Ward: Drewsteignton

Ward Member: Cllr P Ridgers

Application No: 01422/2014

Applicant:

Mr I Wheeler
High Wynds
Martin Farm
Whiddon Down
Okehampton
Devon
EX20 2QL

Site Address: Martin Farm, Whiddon Down, Okehampton, Devon, EX20 2QL

Development: Householder retrospective application for the erection of a shed for the storage and repair of classical motor vehicles (hobby use).

Reason item is being put before Committee – This application has been called to Committee by Cllr Ridgers for the following reason:

‘This application is brought to committee having regard to the local concerns in respect of the size of the building and its potential for business use.’

GRANTED subject to the following conditions:

1. Strict compliance with the drawings
2. Non-commercial use only/ancillary to the dwellinghouse known as High Wynds
3. Boundary condition to retain trees along boundary marked in blue on approved plans.

Key issues for consideration:

- The main planning considerations are siting, design and appearance and amenity of neighbouring occupiers
- Noise

Site Description:

The proposal site is 230m north of a highway and is accessed by private track, with multiple users. The building is located to the left of the track, with in the garden belonging to High Wynds, a domestic residence. The building is situated at the end of the garden, to the south west of the dwelling.

To the south of the site is Dartmoor View Holiday Park, which is a static caravan park and to the north and west are open fields. On the other side of the access track, to the east of the site is another private dwellinghouse, known as New House.

The site is approximately 300m from the settlement of Whiddon Down, 3.5km from South Zeal and 9km from Okehampton. The site is not Listed, nor is it within a Conservation Area.

The Proposal:

The building subject to this application is a timber framed vertically clad, green building. The roof is constructed of Cladco 34/100 rib roof sheets. The building has double width, timber barn doors and a single door in UPVC. The barn measures 11.43m x 8.83m, with an eaves height of 4m.

The applicant collects and renovates classic cars as a hobby. The garage is used to store and renovate these cars.

Consultations:

County Highways Authority
Environmental Health Section
Drewsteignton Parish Council
Representations – None received

SPEAKER: Mr I Wheeler – Applicant

Conclusion:

Given the assessment above the development is considered acceptable in Planning terms and the Officer's recommendation is to Approve with conditions.

***P&L 60 PLANNING APPEALS UPDATE**

APPLICATION No:	01112/2014
APPELLANT:	Mrs C Langley
PROPOSAL:	Retrospective planning permission for change of use of shop to one bed flat.

LOCATION: The Shop, 22 Bridge Street, Hatherleigh, Okehampton, Devon EX20 3HY
APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 30-Jan-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: **00552/2014**
APPELLANT: Mr R Barnett
PROPOSAL: Revised scheme for extension and alterations to dwelling

LOCATION: Little Ground, Lodge Hill, Okehampton, Devon EX20 1JH

APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 7-Jan-2015
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 05-Feb-2015

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 DECIDED**
APPEAL START DATE: 7-Jan-2015
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 05-Feb-2015

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 DECIDED**
APPEAL START DATE: 8-Jan-2015
APPEAL DECISION: Appeal allowed with Conditions
APPEAL DECISION DATE: 06-Feb-2015

APPLICATION No: **00860/2014**
APPELLANT: Mr S Barnett
PROPOSAL: Retention of dwelling – revised scheme to 01885/2011 (retrospective)

LOCATION: Laurel Cottage, Kilworthy Hill, Tavistock, Devon PL19 0EP

APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 10-Feb-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: 00498/2014
APPELLANT: Mr R Jones
PROPOSAL: Removal of condition 14 restricting the use of the stables to non-commercial purposes on planning permission 3260/2002
LOCATION: Stables, Week, Brentor, Tavistock, Devon
APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 18-Nov-2014
APPEAL DECISION: Appeal Allowed with Conditions
APPEAL DECISION DATE: 11-Feb-2015

APPLICATION No: 00497/2014
APPELLANT: Mr R Jones
PROPOSAL: Removal of condition 1 restricting occupation to holiday let of APP/Q1153/A/08/2071702 to allow full time residential occupation.
LOCATION: The Coach House, Week, Brentor, Tavistock, Devon PL19 0NL
APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 18-Nov-2014
APPEAL DECISION: Appeal Allowed with Conditions
APPEAL DECISION DATE: 11-Feb-2015

APPLICATION No: 00635/2014
APPELLANT: Mr J Dennis
PROPOSAL: Erection of 1 turbine (estimated output of 900kw) with 50m hub height, 77m tip height and associated infrastructure
LOCATION: Heane Farm, Runnon Moor Lane, Hatherleigh, Okehampton, Devon EX20 3PL
APPEAL STATUS: **APPEAL LODGED**
APPEAL START DATE: 13-Feb-2015
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION No: 00843/2014
APPELLANT: Mr M Williamson
PROPOSAL: Erection of 4 flats and associated car parking
LOCATION: The Poplars, Westfield Industrial Estate, Tavistock, Devon
APPEAL STATUS: **APPEAL DECIDED**
APPEAL START DATE: 26-Nov-2014
APPEAL DECISION: Appeal Dismissed
APPEAL DECISION DATE: 19-Feb-2015

***P&L 61 DELEGATED DECISIONS**
The Committee received and noted the list of delegated decisions (page 63 to the Agenda).

(The Meeting terminated at 1.50 pm.)