

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the 7<sup>th</sup> day of **APRIL 2015** at **10.00 am**.

**Present:**

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

**Substitute:** Cllr A Leech

Development Manager  
Planning Team Leader  
Planning Officer (JC)  
Solicitor (DH)  
Committee & Ombudsman Link Officer

**In attendance:** Cllr D Cloke

**P&L 62 APOLOGY FOR ABSENCE**

An apology for absence was received from Cllr W G Cann OBE (Substitute: Cllr A Leech).

**P&L 63 DECLARATION OF INTEREST**

Cllr R E Baldwin – Application 00107/2015 – Personal – Ward Member

Cllr A Leech – Application 00977/2014 – Personal – Chairman of Okehampton Town Council's Planning Committee

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

**\*P&L 64 CONFIRMATION OF MINUTES**

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

**\*P&L 65 PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Development Manager (page 17 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:** James Clements

**Ward:** Okehampton West

**Ward Members:** Cllr C 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.

**GRANTED** subject to the following conditions:

1. Standard time condition
2. Permission to be in accordance with submitted plans
3. Scheme of landscaping
4. Removal of permitted development rights (Part 4 Class B)
5. No external lighting
6. Use to be related to No.129 Station Road
7. Yurt canvas sheeting to be professionally cleaned annually
8. Holiday accommodation only

**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  
Okehampton Town Council  
South West Water

Ecologist

Representations: 6 representations received

**SPEAKER:** Mr T Thompson – Objector

During the discussion prior to making a decision two Members expressed their concern about building control and health & safety issues, however, the Development Manager advised that these issues were outside the remit of the Planning & Licensing Committee's powers and only the planning issues need to be considered.

**PLANNING APPLICATION REPORT**

**Case Officer:** Mark Wadsworth

**Ward:** Milton Ford

**Ward Member:** Cllr R Baldwin

**Application No:** 00107/2015

**Agent/Applicant:**

Trewin Design Partnership  
1 Stanhope Square  
Holsworthy  
Devon  
EX22 6DR

**Applicant:**

Mr & Mrs Weymouth  
1 Cannon Barn Cottages  
Lewdown  
Devon  
EX20 4BT

**Site Address:**

Land Adjacent To Cannon Barn Cottages, Lewdown, Devon EX20 4BT

**Development:**

Erection of single dwelling to include Podiatry Clinic, parking and amenity space.

### **Reason item is being put before Committee**

Whilst recognising the need to control new development outside Lewdown settlement boundary along the former A30; the proposal does relate to the erection of a 'live-work' unit to accommodate the applicant's business. It is considered the committee should consider this planning balance.

### **REFUSED** for the following reasons:

1. Planning consent is sought for residential development on an unallocated Greenfield site. If permitted this would result in a new isolated home in the open countryside where no special circumstances have been forwarded by the applicant to justify the proposal, and so the proposal does not satisfy the aims of paragraph 55 of the NPPF, Policy 31 of the WDBC Local Plan Review and Strategic Policy 5 of the Core Strategy.
2. Outside of the defined settlement limits of Lewdown there is significant sporadic development alongside the old A30, particularly along the northern side of the road, immediately to the west of the village. There are concerns that development on the application site will set a precedent for the development of other gap sites along the old A30 which would be difficult to resist and would consolidate ribbon development alongside the old A30 to the detriment of the open character and appearance of the area. As such the proposed new dwelling would detract from the open character of the landscape contrary to Policy NE10 of the WDBC Local Plan Review and SP17 of the LDF Core Strategy.

### **Key issues for consideration:**

- Principle of development
- Pattern of development
- Design
- Neighbour Amenity
- Highways/Access
- Affordable Housing Contribution
- Drainage

### **Site Description:**

The site is located on the north side of the old A30 highway to the west of village of Lewdown, outside the village settlement boundary. The old A30 was built at an elevated grade, which falls away to the north. The boundaries of the site are delineated by Devon Hedgerows along the northern, western and southern boundaries of the site. There is an existing vehicular access onto the site whilst alongside the highway is a metalled footpath and wide grass verge. The site is currently in use as private garden associated with the nearby 1 Cannon Barn Cottages. It should be noted that the use of the site as domestic garden is not authorised. It will be necessary to submit a Certificate of Lawful Existing Use (CLUED) application to determine whether the use of the site as domestic garden is lawful.

### **The Proposal:**

The proposal is to construct a two-storey, three-bedroom dwelling on the site. To the side of the property would be built a single-storey, flat-roof extension which would

accommodate the applicant's podiatry business. As the site steps down from the old A30 only the first floor and pitched roof of the building would be readily visible from the highway. The new dwelling would be constructed using natural stone, slate, timber and aluminium windows and doors. Vehicles will be able to gain access into the site via the existing field access. The intention is to retain the existing hedgerows along the boundaries of the site.

**Consultations:**

County Highways Authority  
Environmental Health Section  
Borough Engineer  
Lewdown Grouped Parish Council  
Countryside Officer  
Representations: 4 representations received

**SPEAKER:** Mr J Trewin – Agent

**PLANNING APPLICATION REPORT**

**Case Officer:** James Clements

**Ward:** Exbourne

**Ward Member:** Cllr T Hill

**Application No:** 01471/2014

**Agent/Applicant:**

Ford Gilpin Riley  
Mr A Saunders  
4 Baring Crescent  
Exeter  
EX1 1TL

**Applicant:**

Mrs A Collier  
Shapwick Grange  
Uplyme  
Lyme Regis  
DT7 3SP

**Site Address:** Upcott Farm, Broadwoodkelly, Winkleigh, EX19 8DY

**Development:** The part conversion and rebuilding of an existing farm house to provide two new dwellings and the part retention/part rebuilding of an existing dwelling, including the enlargement of residential curtilages to provide rear garden areas together with associated car parking and vehicular/external areas.

**Reason item is being put before Committee**

The proposed two new dwellings in the open countryside, constitutes a departure from the development plan.

**GRANTED** subject to the following conditions:

1. Standard time limit
2. In accordance with submitted plans
3. Details/samples of materials
4. Details/drawings of architectural detailing (windows, cills, chimneys etc)
5. Detailed structural survey
6. Retention of the bee boles unless otherwise agreed in writing by the Local Planning Authority
7. Removal of PD rights (A-H)
8. Removal of PD Rights (fences/walls)
9. Details of boundary treatment

10. Landscaping scheme including Devon hedgebank
11. New stonework to match existing
12. Surface and foul drainage
13. Details of permanent and inbuilt provisions for bats, Barn Owls and other bird species
14. A timing condition to avoid any disturbance of bats and nesting birds
15. Removal of modern agricultural buildings prior to commencement
16. A full scheme of repair to be submitted to and approved in writing by the Local Planning Authority
17. Occupational condition

**Key issues for consideration:**

Principle of development

Impact upon the non-designated heritage asset

Design and landscape considerations

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

None

**Site Description:**

Upcott Farm is an isolated farmstead located 1.2km to the north east of Broadwoodkelly and 1.2km to the south west of Winkleigh. The farm is accessed from an unclassified road to the east of the property by a track approximately 150m in length. The farmstead includes a dilapidated farmhouse and a number of traditional and modern barns. The buildings are located on an elevated piece of land with views of Dartmoor to the south. The farm house can be viewed from the highway to the south east of the property.

Upcott Farm house is a 2-storey building constructed in cob, render and stone with a natural slate roof. It is evident from the building's character and appearance that it was at some point in its history a terrace of three residential properties. Overall the building is in a poor condition with structural concerns identified in a structural appraisal submitted with the application. The only part of the building which has an existing residential use is the western part of the terrace (cottage 1).

**Cottage 1:**

This is the oldest part of the building constructed in cob and render and originally dates from the late 15<sup>th</sup> century or first half of the 16<sup>th</sup> century and retains a number of beams at ground floor ceiling height including a substantial chamfered beam (with simple stop to the chamfer) and a fire place. The building would have originally been 1½ storey with a thatched roof and it is likely that it has been raised on two separate occasions (possibly 17 & 19<sup>th</sup> centuries). This part of the building was used as a dwelling until approximately 12 months ago.

**Cottage 2:**

The middle terrace is also constructed in cob and dates from the 17<sup>th</sup> or 18<sup>th</sup> century. It has been used for residential storage related to cottage 1 but has not been used as an independent dwelling in living memory. Cottage 2 has three bee boles (a cavity or alcove in a wall where a bee skep is placed) in its southern elevation, constructed in lime plaster set within the cob wall. This feature is unusual and has archaeological interest.

**Cottage 3:**

The eastern end of the building (cottage 3) was constructed in the late Georgian/Victorian period. Its roof and upper floor collapsed in the past few years. Cottages 2 & 3 have a relatively modern two-storey rear extension. Cottage 3 also has a stone built two-storey extension built in the 19<sup>th</sup> century.

The farmstead also has a number of traditional and modern outbuildings closely related to the farm house. They include a single storey barn built in stone and cob attached to cottage 1, three stone barns, an open fronted timber barn and two modern steel portal framed agricultural buildings. The application redline does not include two stone barns or modern agricultural structures to the south west of the farm house.

### **The Proposal:**

Planning permission is sought for the part conversion and rebuilding of an existing farm house to provide two new dwellings and the part retention/part rebuilding of an existing dwelling.

The proposal also includes the enlargement of existing gardens to the rear of the farm house to be enclosed by a traditional Devon hedgebank. A turning area and 6 parking spaces would be provided to the south of the farm house adjacent to the access track.

The two-storey rear extensions and would be removed to be replaced with smaller lean-to rear extensions.

An existing cob/stone barn attached to the western gable of the building would be demolished. A timber barn to the south east of the farm house would be demolished to create a parking area for the dwellings. A small stone barn would be retained adjacent to cottage 1 for use as a log store. Two stone barns located approximately 20-30m to the south west of the terrace would continue to be used for agricultural purposes. The two modern agricultural buildings would be removed before development commences.

### **Consultations:**

County Highways Authority  
Environmental Health Section  
Broadwoodkelly Parish Council  
Ecologist  
Drainage Officer  
Devon County Highways  
Conservation Officer  
Landscape Officer  
Representations: none received

**\*P&L 66      PLANNING APPEALS UPDATE**

<b>APPLICATION No:</b>	<b>00240/2014</b>
<b>APPELLANT:</b>	RM Builders
<b>PROPOSAL:</b>	Erection of dwelling

**LOCATION:** Land adjacent to 16 Buddle Close, Tavistock, Devon  
**APPEAL STATUS:** **APPEAL DECIDED**  
**APPEAL LODGED**  
**APPEAL START DATE:** 2-Jun-2014  
**APPEAL DECISION:** Appeal Dismissed  
**APPEAL DECISION DATE:** 24-Feb-2015

**APPLICATION No:** **00482/2014**  
**APPELLANT:** Notemachine  
**PROPOSAL:** Retrospective advertisement application for ATM surround and fascia.

**LOCATION:** Martin the Newsagent Ltd, 8 – 9 Fore Street, Okehampton, Devon EX20 1AN

**APPEAL STATUS:** **APPEAL DECIDED**  
**APPEAL LODGED**  
**APPEAL START DATE:** 29-Jul-2014  
**APPEAL DECISION:** Appeal Split Decision  
**APPEAL DECISION DATE:** 16-Mar-2015

**APPLICATION No:** **00481/2014**  
**APPELLANT:** Notemachine  
**PROPOSAL:** Retrospective advertisement application for ATM surround and fascia.

**LOCATION:** Martin the Newsagent Ltd, 8 – 9 Fore Street, Okehampton, Devon EX20 1AN

**APPEAL STATUS:** **APPEAL DECIDED**  
**APPEAL LODGED**  
**APPEAL START DATE:** 29-Jul-2014  
**APPEAL DECISION:** Appeal Allowed  
**APPEAL DECISION DATE:** 16-Mar-2015

**\*P&L 67 DELEGATED DECISIONS**

The Committee received and noted the list of delegated decisions (page 39 to the Agenda).

**\*P&L 68 CHAIRMAN'S REMARKS**

This being the Committee's last Meeting the Chairman took the opportunity to thank both the Members and the Officers for their commitment, hard work and support during the past four years of the Council and wished all well for the future.

(The Meeting terminated at 11.07 am.)