

At a Meeting of the **PLANNING & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the **18th** day of **AUGUST 2015** at **10.00 am**

Present: Cllr D K A Sellis – Chairman
Cllr M J R Benson – Vice-Chairman
Cllr R E Baldwin Cllr C W G Cann OBE
Cllr L J G Hockridge Cllr C Mott
Cllr D E Moyse Cllr G Parker
Cllr T G Pearce

Substitute: Cllr P R Sanders for Cllr A Roberts

Lead Specialist – Development Management (AHS)
Planning Officer (BD)
Affordable Housing Officer (AR)
Legal Officer (Mr Paul Clough)
Senior Case Manager (KT)

In attendance: Cllrs D Cloke, C Edmonds, J Evans, A Leech, J Moody, R Sampson & J Sheldon

***P&L 17 APOLOGIES FOR ABSENCE**

An apology for absence was received from Cllr A Roberts (Substitute: Cllr P R Sanders).

***P&L 18 DECLARATION OF INTEREST**

Cllr G Parker – 00578/2015 – Cllr Parker declared that he had spoken to the applicant at length regarding this application and therefore felt he had predetermined the decision. He spoke in his capacity as a local Ward Member and then withdrew from the meeting for the debate and vote.

Cllr P R Sanders – 00578/2015 – Cllr Sanders declared a personal interest by virtue of being a known friend of the applicant. He left the meeting for the duration of this item.

Cllr T G Pearce declared a personal interest in all applications by virtue of being on the Management Board of Devon Building Control Partnership. He remained in the meeting throughout and took part in the debate and vote on all items.

***P&L 19 CONFIRMATION OF MINUTES**

The Minutes of the Meeting held on 21 July 2015 (page 1 to the Agenda), were confirmed and signed by the Chairman as a correct record.

***P&L 20 PLANNING, LISTED BUILDING AND ENFORCEMENT REPORTS**

The Committee considered the applications prepared by the Lead Specialist – Development Management 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**:

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Drewsteignton

Ward Members: Cllr Ridgers

Application No: 00054/2015

Agent/Applicant:

Aardvark EM Ltd
Higher Ford
Wivellscombe
Taunton TA4 2RL

Applicant:

Powerhawk Limited
North Beer Farm
Spreyton
Devon EX17 5AP

Site Address: Land at NGR SX 698988, Spreyton, Devon

Development: Erection of a single wind turbine with a hub height of 40m and maximum blade tip height of 67m, formation of new vehicular access track and associated infrastructure. The application is accompanied by an Environmental Statement.

Reason item is being put before Committee

Ward Member stated that he 'fully supported the objections listed by Spreyton Parish Council'.

COMMITTEE DECISION: To **REFUSE** the application

Reasons for Refusal:

1. The proposed wind turbine by reason of its location, scale and movement would harm the significance of the Grade II* listed buildings Combe Farmhouse and Hendicott and Grade II listed buildings Week and Stockhay. As such the proposal is contrary to policies SP1, SP3, SP17, SP18, SP20 and BE3 of the West Devon Borough Council Core Strategy 2011 and West Devon Local Plan Review 2005 and guidance set out within the NPPF.
2. The proposed wind turbine by reason of its location, scale and movement with existing turbines and the proposed turbines at Denbrook would cause detrimental cumulative impact upon the visual amenity of the surrounding landscape contrary to policies SP1, SP3, SP17, SP20 & NE10 of the West Devon Borough Council Core Strategy 2011 and West Devon Local Plan Review 2005 and guidance set out within the NPPF.
3. The proposed wind turbine, by reason of its siting and scale would introduce a discordant feature into this tranquil rural landscape leading to an adverse impact upon the landscape character of the area. The proposal is therefore considered to be contrary to policies SP1, SP3, SP17, SP20 & NE10 of the West Devon Borough Council Core Strategy 2011 and West Devon Local Plan Review 2005 and guidance set out within the NPPF.

4. It has not been adequately demonstrated that the planning impacts to the landscape and upon the heritage assets in the locality identified by the affected local communities have been fully addressed and therefore a planning judgment has been made by the Local Planning Authority that the proposed wind turbine does not have community backing which is contrary to the written Ministerial Statement released on the 18th June 2015 from the Secretary of State for Communities and Local Government and paragraph 14 of the Planning Practice Guidance.

Key issues for consideration:

The main issues for consideration include the principle of development, pre-application consultation process, impact upon landscape character, visual and cumulative impact; impact upon amenity of nearby residents with regard to visual impact, noise/amplitude modulation & shadow flicker; heritage; highway safety, site access & construction of access track and ecology.

The Proposal:

Planning permission is sought for the erection of a wind turbine with a hub height of 40m and maximum tip height of 67m, formation of a vehicular access track and associated infrastructure.

Consultations:

- Landscape officer
- County Archaeologist
- Environmental Health
- Highway Authority
- Spreyton Parish Council
- Bow Parish Council
- Mid Devon District Council
- Conservation Officer
- Historic England
- NATS
- Natural England
- Environment Agency
- Ecology

Representations: 94 letters of objection

Speakers: Mr R Langley – Objector
Mrs Angela Hawkins – Applicant
Cllr K Whitaker – Spreyton Parish Council

Conclusion:

Members had a detailed debate about all the issues relating to this application including the addendum within the presented report that set out the latest legal position in respect of the Ministerial Statement. Members raised concerns over the greater harm caused to the landscape by the cumulative effect of this application to the landscape and it being industrial development in the countryside.

PLANNING APPLICATION REPORT

Case Officer: Ben Dancer

Ward: Tavistock North

Ward Members: Cllrs N Jory, J Moody and J Sheldon

Application No: 00569/2015

Agent/Applicant:

Mr R Page
21 Maynard Park
Bere Alston
Yelverton
PL20 7AR

Applicant:

Ms Irene Chambers
The Round House
Launceston Road
Tavistock

Site Address: Higher Wilminstone Farm, Wilminstone, Tavistock PL19 0JT

Development: Change of use of existing agricultural buildings into self storage units.

Reason item is being put before Committee:

Cllr Sheldon: I am calling this application to Committee on the basis that the residents as outlined in three letters of objection do not agree with Devon County Council Highways as to the suitability of the access road and its potential use. There will also be further loss of amenity as business expands on this site, increasing noise and nuisance to that already suffered from this site by local residents.

Cllr Moody: Given the concerns raised by local nearby residents, the issues of potential highways issues to the site and the past planning history of Higher Wilminstone, I feel it preferable that all the issues related to this application ought to be considered by the Planning and Licensing Committee.

COMMITTEE DECISION: Deferral for site inspection.

The Proposal:

Change of use of former agricultural building into self storage units with associated parking

Consultations:

Tavistock Town Council
Devon County Council Highways Authority
Borough Engineer

Representations: Three letters of representation all objecting to the application.

PLANNING APPLICATION REPORT

Case Officer: James Clements

Ward: Tavistock South West

Ward Members: Cllrs J Evans and G Parker

Application No: 0078/2015

Agent/Applicant:

Mr Michael Gerry
1 Alder Road
Tavistock
PL19 9LW

Site Address: 1 Alder Road, Tavistock, PL19 9LW

Development: Householder retrospective application for erection of boundary wall and fence.

Reason item is being put before Committee:

At the request of Cllr Parker in the interests of transparency. The applicant felt that he had been given inconsistent advice by officers – positive advice led to the submission of the first application which consequently received a decision of refusal.

COMMITTEE DECISION: Approval

Reasons for Approval: Good design, visually attractive, in keeping with existing wall and therefore sympathetic.

The Proposal:

The application is for retrospective planning permission for the erection of a dwarf stone wall (approximately 0.9m in height) and timber fence above (up to 1.9m) to the front and side garden areas of the residential property.

Consultations:

Tavistock Town Council
Devon County Council Highways Authority
Environmental Health
Landscape Officer

Representations: The application was accompanied by 20 letters of support. One further letter of support was received.

Speakers: Mr Michael Gerry – Applicant
Cllr J Evans – Ward Member
Cllr G Parker – Ward Member

Conclusion: The Case Officer outlined the history of the application and the reason for the recommendation of refusal. Members stated that works had been undertaken sympathetically and that the application was complicated by some of the work being permitted development.

***P&L 21 PLANNING APPEALS UPDATE**

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

(The Meeting terminated at 12.45 pm)

Dated this 15th September 2015

Chairman