

At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held via Teams on **TUESDAY** the **23rd** day of **March 2021** at **9:30am**

**Present:** Cllr J Yelland – Chairman  
Cllr T G Pearce – Vice Chairman

Cllr R Cheadle	Cllr P Crozier
Cllr S Hipsev	Cllr C Mott
Cllr D E Moyse	Cllr B Ratcliffe
Cllr M Renders	Cllr P Vachon

Head of Development Management (PW)  
Senior Specialist, Development Management (AHS)  
Planning Case Officer (JH)  
Solicitor (BF)  
Democratic Services Manager (DW)  
Specialist Democratic Services (JY)  
Senior Case Officer, Democratic Services (KH)  
South West Highways Officer (PT)

**\*DM&L 54 APOLOGIES FOR ABSENCE**

There were no apologies forwarded to this Meeting.

**\*DM&L 55 DECLARATION OF INTEREST**

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 and remained in the meeting and took part in the debate and vote thereon. Cllr P Crozier declared the applicant for application 0016/20/OPA was a resident in his Ward and was known to him but it would not affect his decision on the application.

**\*DM&L 56 URGENT BUSINESS**

There was no urgent business brought forward to this Meeting.

**\*DM&L 57 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 16<sup>th</sup> February 2021 were confirmed as a correct record.

**\*DM&L 58 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the application(s) that had been prepared by the Development Management Specialists and considered also the comments of the Town and Parish Councils together with other representations received, which were listed within the presented agenda report and summarised below, and **RESOLVED** that:

**(a) Application No: 3424/19/FUL      Ward: Bere Ferrers**

**Site Address: "Field at SX453 669, adjacent to Woolacombe Road" Bere Alston.**

**Development: READVERTISEMENT (Revised plans received)  
Application for 31no. new dwellings and associated access  
road and pedestrian link.**

This application was deferred at the previous DM&L Committee in order to investigate the two junctions (Collytown Cross and the junction between The Down and the B3527). Other matters raised at that meeting including solar panels, road surfacing and lighting have been addressed.

The Planning Officer confirmed since the last meeting further letters of representation had been received, however they were regarding issues already raised.

Speakers included:

Objector – Mr Graham Reed  
Parish Council Representative – Cllr R Musgrave

**RECOMMENDATION:** Recommendation: Delegate to Head of Practice Lead Development Management, in conjunction with Chairman to conditionally grant planning permission, subject to a Section 106 legal obligation, for the following contributions towards:  
- DCC Education -£16,830.00 - OSSR: Off-site Play Contribution of £20,073.60, towards improvements to, and on-going maintenance of, play facilities at the Recreation Ground and/or the Parish Hall and/or Underways at the discretion of the Council Off-site Sports Contribution of £25,835, towards improvements to, and on-going maintenance of, the changing rooms at the Recreation Field, static exercise equipment in the village of Bere Alston and improvements to the basketball area behind the village hall. - Affordable Housing - 9 units. Plots 13, 24 and 27 shared ownership and plots 25, 26, 28, 29,30 and 31 social rented units - Tamar Estuary Special Area of Conservation £14,597.73. - Movement of the 30 mph sign 70 metres to the south east of the site entrance. £5000.00 to carry out the TRO. Conditions (list not in full)

1. Time limit
2. Accord with plans
3. Materials to be agreed before development proceeds beyond slab level.
4. Full details of the hard and soft landscaping of the public open space, including play equipment , fencing, surfacing, bins and benches.
5. Archaeological scheme of investigation
6. Unexpected contamination

7. No commencement until details of access road; ironwork; site compound
8. No occupation until cul de sac carriageway including turning head has been laid out and kerbed, drained and constructed; footways have been provided; visibility splays have been laid out; street lighting for the spine road has been erected where appropriate (based on ecology constraints) ; car parking has been completed.
9. Once constructed the carriageway, turning head, footways and footpaths shall be maintained.
10. No external lighting shall be erected on the site until the type, direction and lux level of that lighting being first submitted to and agreed by the Local Planning Authority.
11. Construction management plan
12. PD removal for sheds, hard surfaces, in the rear garden to protect the net gain in biodiversity
13. Drainage condition
14. Prior to occupation, details of the proposed garden gates shall be submitted to and approved by the Local Planning Authority
15. Prior to occupation of Plots 17, 22 and 11 the route through shall be completed and open for pedestrians to use.
16. Details of the planting for northern hedge shall be submitted to and agreed by the LPA prior to commencement beyond slab level and planting shall be implemented in the next available planting season
- 17 The open space in the middle of the site shall be retained as open space and shall not be used for any other purpose without the prior written consent of the local planning authority.
18. Hedge protection details.
- 19 Hedge retention.
- 20 Prior to their installation details of the boundary treatments shall be submitted to and approved by the Local Planning Authority.
21. LEMP
22. Development to be in accordance with Energy Statement
23. Development to be carried out in accordance with the Goetechnical / geoenvironmental report
- 24 Development to be in accordance with the biodiversity report.

During discussion, the following points were raised:

- The solicitor believed the Neighbour Plan was considered in the report and officers made an assessment with reason. The NP showed that an access onto Woolacombe was identified as an acceptable alternative.
- Concerns over current busy use of Woolacombe Road.

### **COMMITTEE DECISION: REFUSED**

*Policy's H2 and T3 in the Bere Peninsula Neighbourhood Plan identify a preference for the access to this allocated site being off the B3257 road. The application has not sufficiently demonstrated that the use of the preferred access is not feasible, and the proposal is*

*therefore in contravention of Policies H2 and T3 of the Plan. As such the proposal also fails to meet Policy DEV29.1 and DEV29.2 in the Plymouth and South West Devon Joint Local Plan.*

**(b) Application No: 2672/20/HHO    Ward: Tavistock North**

**Site Address: 31, Glanville Road, Tavistock.**

**Development: Householder application for proposed ground floor extension to dwelling house and replacement garage roof.**

Speakers included:

Applicant – Claire Pearce  
Town Councillor – Cllr Graham Parker  
Local Ward Member – Cllr Jeff Moody

**RECOMMENDATION: Approval**

Conditions:

1. Standard time limit
2. Adherence to plans
3. Samples of materials
4. Unexpected contaminated land
5. Sample of the slate or stone to be used on the parapet

During discussions the following points were made:

- Heritage Impacts Assessments should be made compulsory rather than a choice on future applications within a Conservation Area. This will be amended in the future planning review .The Committee were advised they could ask for an impact assessment if they felt they had insufficient information to determine the application before them.
- That details of the coping above slab level to be agreed as a condition

**COMMITTEE DECISION: Approval**

Subject to the above conditions and details of the coping to be agreed above slab level.

**(C) Application No. 0016/20/OPA    Ward: Milton Ford**

**Site Address: Land to the rear of Edgcumbe Terrace, Edgcumbe Road, Milton Abbot.**

**Development: READVERTISEMENT (Revised plans received and Amended development description) Outline application with all matters reserved except access and siting for the erection of 5 dwellings (Resubmission of 0889/19/OPA).**

Speakers included:

Objector – Mr Richard Allen  
Agent - Mr Ed Persse  
Ward Member – Cllr Neil Jory

**RECOMMENDATION: Refusal**

1. The proposal is not considered to constitute sustainable development in that it is tandem backland development which fails to have proper regard to local character and the development context of the village, contrary to the good design aims of the NPPF, JLP Policies SPT1, TTV2, TTV25, DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan and the JLP Supplementary Planning Document.
2. The proposal is considered to be an unneighbourly form of development, likely to result in a loss of privacy and overlooking to the existing dwellings in Edgcumbe Terrace, contrary to the aims of the NPPF in relation to good design, particularly (but not limited to) section 12, DEV1, DEV10 and DEV20 of the Plymouth and South West Devon Joint Local Plan and Appendix 1 of the SPD.
3. The proposal fails to demonstrate that adequate methods of surface water drainage can be provided and maintained through the lifetime of the development, contrary to section 14 of the National Planning Policy Framework, Plymouth and South West Devon Joint Local Plan Policy DEV35, and DEV35.4 of the JLP Supplementary Planning Document.
4. The development fails to demonstrate that there would not be harm to the setting of heritage assets including the Grade 1 listed church and the conservation area, or that a very low level of harm would be outweighed by demonstrable public benefit, contrary to the National Planning Policy Framework, particularly paragraphs 193, 194, 195 and 196 and DEV21 of the Plymouth and South West Devon Joint Local Plan.

**COMMITTEE DECISION: Refusal**

**\*DM&L 59 PLANNING APPEALS UPDATE**

The Head of Development Management updated the Members on each of the outstanding planning appeals.

**\*DM&L 60 UNDETERMINED MAJOR APPLICATIONS REPORT**

The Head of Development Management updated the Members on each of the undetermined Major applications.

(The Meeting terminated at 1.55pm )

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**Chairman**