

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **4th** day of **JUNE 2024** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

Present Cllr R Cheadle– Chairman
Cllr T Southcott– Vice-Chairman

Cllr A Cunningham	Cllr C Mott
Cllr M Ewings	Cllr M Renders
Cllr S Guthrie	Cllr P Vachon
Cllr N Jory	Cllr S Wakeham

Other Members in attendance:
Cllr Edmonds

Officers in attendance:
Head of Development Management (JH)
Senior Planning Officer (BH)
Monitoring Officer (DF)
Senior Democratic Services Officer (KH)

***DM&L.1 APOLOGIES FOR ABSENCE**

There were no apologies received at the meeting.

***DM&L.2 DECLARATION OF INTEREST**

There were no declarations of Interest given at the meeting.

***DM&L.3 URGENT BUSINESS**

There were no items of urgent business brought forward to this meeting for consideration.

***DM&L.4 CONFIRMATION OF MINUTES**

The Minutes from the Development Management and Licencing Committee meeting held on 14 May 2024 were agreed as a true and correct record.

***DM&L.5 STATEMENT FROM THE MONITORING OFFICER**

Prior to the applications being heard, the Monitoring Officer made a statement setting out the legal framework for the determination of planning applications so that members of the public who might not be familiar with how planning applications were to be determined, could understand the approach that the Committee needed to follow. The following points needed to be taken into account;

- Regard was to be had to development plan policies and other material considerations;
- Material considerations were those about development or use of land;
- Decisions were to be taken in accordance with the development plan unless other material considerations suggested otherwise.

- The Committee would need to establish whether a development proposal complied with the development plan read as a whole
- Where policies conflicted, the Committee had to undertake a balancing exercise involving the use of its planning judgement; and
- Development plan policies must be read sensibly; with words having their ordinary and natural meaning.

***DM&L.6 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the report and presentation that had been prepared by the relevant Planning Officer on the following application and considered the comments of the local parish council together with other representations received, which were listed within the presented agenda report and summarised below:

(a) Application Number: 0302/24/ARM Ward: Tamarside

Site Address: Wooladon Farm, Liftondown, PL16 0DD

Development: Application for approval for reserved matters following outline approval reference 2531/21/OPA relating to access, appearance, landscaping, layout, scale of erection of a dwelling for a farm manager together with access drive, plus the discharge of Conditions 6 (BNG), 7 (CEMP) and 8 (LEMP) (resubmission of 2531/21/OPA)

Recommendation: Refusal

Key Issues: Scale, massing and design, landscaping, biodiversity, drainage, appropriateness of the dwelling for an agricultural farm manager in perpetuity.

The Planning Officer took the members through the presentation on the application stating that there was already outline permission for a dwelling. She outlined the main reasons for refusal of this application.

- The quantum of both residential and farm related floor space not being supported by an essential agricultural need in the specific location.
- The size of the dwelling being unlikely to be affordable for an agricultural farm manager in perpetuity. That was a requirement of TTV26.
- Insufficient information to demonstrate the surface water drainage can be accommodated within the red line boundary. Insufficient information to discharge some of the conditions.

Public Speakers:

Supporter: The agent stated the application was for a farm manager's dwelling for an extensive family business covering 540 acres, which employed 165 people. He stated that West Devon

had no policy relating to the size of a rural worker's dwelling. He added that there would be few public views into the proposed dwelling. He felt it would not harm the local landscape. He stated that the issue with the drainage could be addressed in a condition if the application was to be passed. He referred to two planning appeal decisions on agricultural dwellings where the applications were refused on the grounds of scale and affordability.

Lifton Parish Council: The Vice Chair of Lifton Parish Council stated that the Parish Council was fully behind the application.

Ward Member: The Ward Member explained he called the application into Committee as there was no policy guidance for agricultural dwellings in the countryside.

His understanding was that the applicant had 4 businesses in current operation, the farm shop, horticulture, agriculture and the farm estate. Each depended on each other to trade effectively. The combined businesses employed a combined employment of 165 people from Lifton and the surrounding areas. The applicants were full time managers of the businesses and on call 24/7. He commented that it was an established highly effective business demonstrating a strong agricultural need. The family owned successful business had every likelihood of remaining affordable in the long term. He concluded in stating he supported the application.

Committee Debate:

- A Member spoke on the exceptional business that the applicants currently ran. However, they struggled with the size/mass being proposed in relation to policy TTV26.
- In response to a Member question the Planning Officer stated that there has to be enough land and business activity to support the dwelling in perpetuity.

The Head of planning referred to Policy TTV26 when advising Members on making their decision. She stated that the principle of a dwelling on the site was established, however Members needed to be mindful of the impact of the type of development on the countryside.

Committee Decision: Refusal

***DM&L.7 PLANNING APPEALS UPDATE**

The Head of Development Management took the Committee through the planning appeal cases listed in the published agenda papers and Members proceeded to note the content of the updates. In particular she commented on application 4439/22/FUL which was dismissed on the grounds of the impact on the rural landscape amongst other reasons.

***DM&L.8 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Committee received an update from the Head of Development Management on the Undetermined Major Planning Applications that were listed in the published agenda papers and proceeded to note the contents of the update given.

(The Meeting ended at 10.50am)

Chairman