

*These Minutes are draft until agreed and approved by the Planning Committee at the next meeting of the Committee and signed by the Chairman as a correct record.*

## **PLANNING COMMITTEE**

### **11 APRIL 2017**

Present:

Councillor Smith (Chairman)  
Councillor Kerswell (Vice Chairman)  
Councillors Austen, Brodie, Bullivant, Clarence, Dennis, Fusco, Haines (for Colclough), Jones, Keeling, Mayne, Parker, Pilkington, Price, Prowse, Rollason, and Winsor

Apologies: Councillors Colclough and Nutley,

Members in attendance: Councillors Clemens, Goodey, Golder, Gribble and Hellier Laing

Officers in attendance:

Business Manager, Strategic Place – Mr Davies  
Principal Planning Officer - Mr Perry  
Senior Planning Officer – Ms Grunnill  
Solicitor – Mrs Robinson  
Democratic Services Officer – Mrs Corns

#### **439. MINUTES**

The minutes of the meeting held on 14 March, 2017 were approved as a correct record and signed by the Chairman.

#### **440. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman reminded Members that they should not vote on an application if they are not present at the meeting to hear the entire debate on that application. The Chairman also welcomed public speakers to the meeting.

#### **441. DECLARATIONS OF INTEREST**

Members declared interests as detailed below. Those declaring a disclosable pecuniary interest withdrew from the meeting while the application was determined.

#### **442. SITE INSPECTIONS**

The Committee received the report of the Site Inspection Team additional information, comments made by public speakers and by the officers, and information detailed in the updates sheet previously circulated.

PLANNING (11.04.17)

(i) **BISHOPSTEIGNTON 17/00103/REM - Former Bowling Green, Land at Garage Lane - Approval of details for two dwellings (approval sought for appearance, landscaping, layout and scale)**

The Committee noted the following further information:

The Senior Planning Officer recommended the following further condition to those detailed in the report circulated with the agenda, "*louvres to windows installed prior to occupation and maintained thereafter.*"

Public Speaker: Objector – There is no objection to the previous approval for two smaller dwellings or a single, dormer dwelling with a sympathetic scale and design to surrounding properties, residents views and privacy. The current proposal is unacceptable on the grounds of: overlooking and loss of privacy, particularly to the neighbours to the south; out of keeping; too bulky and too large a footprint.

Public Speaker: Supporter - The height of the proposed dwellings is lower than that of the previously approved dwelling, being reduced from three to two storeys; the overall floor area is also reduced; increased amenity space; external materials will match that of surrounding dwellings; siting, design and detailed boundary treatments will address overlooking and loss of privacy issues.

Comments raised by Members of the Committee included: overlooking and loss of privacy concern for the existing dwelling to the south of the site, at a lower level; the surrounding houses are of a mixed design; perhaps too much landscaping which would result in loss of estuary views for existing neighbours; Design is too contemporary and close to a conservation Area; and too large and out of keeping with surrounding dwellings.

It was proposed by Councillor Prowse and seconded by Councillor Winsor that the application be approved as set out in the report circulated with the agenda, and the further condition as recommended by the Senior Planning Officer.

Resolved

Permission be granted subject to the following conditions:

1. Development to be carried out in accordance with the approved plans.
2. Samples or details of the materials to be used on the external surfaces of the building and hard paving and permeable paving to be submitted and approved prior to first use.
3. Full details of tree species/size to be planted and implementation and management plan shall be provided and agreed prior to planting and shall be planted in the first available planting season following the completion of the dwellings.
4. Permitted Development Rights removed for extensions, roof alterations/enlargements and additional windows/doors in the interests of residential amenity.

## PLANNING (11.04.17)

5. Retaining walls and fencing shall be installed prior to first occupation of either dwelling.
6. Prior to the commencement of work on site, a surface water drainage management plan which demonstrates how surface water from the development will be disposed of in a manner that does not increase flood risk elsewhere, shall be submitted and approved in writing by LPA.
7. Louvres to windows installed prior to occupation and maintained thereafter.

**(15 votes for and 3 against)**

### **443. APPLICATIONS FOR CONSIDERATION**

The Committee considered the reports of the Business Manager – Strategic Place together with comments of public speakers, additional information reported by the officers and information detailed in the updates sheet previously circulated.

#### **(i) DAWLISH 17/00385/FUL - 46 Teignmouth Road - Conservatory to front**

*Note: Councillors Mayne, Price and Prowse declared a Paragraph 14 interest by virtue of their close association with the Applicant, and did not vote on the application.*

A member of the Committee queried the windows facing the neighbour to the south, potential loss of privacy and reasonableness of requiring obscure glazing. The Business Manager advised that there is an existing patio area where the conservatory is to be developed, and therefore there would be no significant loss of privacy for the neighbours as a result of the proposal.

It was proposed by Councillor Fusco and seconded by Councillor Clarence that the application be approved as set out in the report circulated with the agenda.

Resolved

Permission be granted subject to the following conditions:

1. Standard three year time limit for commencement.
2. Development to be carried out in accordance with the approved plans.

**(15 votes for and 0 against)**

#### **(ii) KENN 17/00382/FUL - Haldon Ridge Travellers Site, Haldon Hill, Kennford Extension of the existing gypsy and traveller site with the formation of 3 permanent gypsy and travellers' caravan pitches with individual amenity buildings, recycle bins, site roads and secure caravan store**

Comments raised by Members of the Committee included: there is no objection from the Parish Council; the current site is a success and more desirable than the previous site.

## PLANNING (11.04.17)

It was proposed by Councillor Prowse and seconded by Councillor Keeling that the application be approved as set out in the report circulated with the agenda, with further conditions and amendments as detailed in the updates sheet.

Resolved

The Business Manager, Development Management be authorised to grant planning permission after 2 May 2017 in any event or following receipt of a consultation response from Natural England (if received before this date):

Subject to:

A: mitigation being secured to address any concerns raised through consultation with Natural England including through additional conditions as required; and,

B: the following planning conditions:

1. Standard 3 year time limit for commencement.
2. Development to proceed in accordance with approved plans/documents.
3. Maximum of 3 pitches.
4. Residential use only no business use.
5. Occupation by gypsies or travellers only.
6. Landscaping details to be submitted, agreed, implemented and maintained.
7. No external lighting unless first agreed.
8. Vehicular access to be completed prior to first occupation with 120 metres visibility splays in both directions at a distance 2.4 metres back from the carriageway edge.
9. Parking to be provided to each plot prior to its occupation and thereafter retained.
10. Works shall be implemented outside the nesting bird period or additional surveys undertaken.
11. Trees shall be surveyed for bat roosts and other protected species prior to removal.
12. Details of a full scheme and programme for the provision of off-site replacement heathland habitat including to address residual disturbance prior to occupation.
13. Submission of a LEMP that includes addressing the recommendations of the Ecological Report including the delivery of biodiversity enhancement.

**(18 votes for and 0 against)**

- (iii) BOVEY TRACEY - 16/01731/COU - Station Park, Haytor View - Change of use from B8 to mixed use classes B1, B2, B8 and Sui Generis (display and selling of vehicles) and a change of working hours from 7am to 9:30pm Monday to Friday and 7am to 7pm Saturdays**

The Principal Planning Officer recommended amendments to the conditions detailed in the report circulated with the agenda and the updates sheet as follows:

## PLANNING (11.04.17)

Permission be granted subject to the following conditions:

1. Development to proceed in accordance with the approved plans
2. Within one month from the date of decision a scheme to prevent nuisance to the occupiers of nearby dwellings by restricting light emitted from the building shall be submitted, approved, implemented and maintained.
3. Noise levels arising from works should not exceed the background noise by more than LAeq 5 dB.
4. The hours of working on site, including collections and deliveries, shall be restricted to:  
B1, B2 and B8 use: 7.00am until 7.00pm Mondays to Fridays  
7.00am until 1.00pm Saturdays  
Closed Sundays and Bank Holidays  
Car/Van Sales: 7:00am until 9:30pm Mondays to Fridays  
7:00am until 7:00pm Saturdays  
Closed Sundays
5. No external lighting shall be installed other than in accordance with a detailed scheme which shall have been submitted to and agreed in writing by the Local Planning Authority prior to installation.
6. Waste storage and disposal shall be carried out in accordance with a detailed scheme which shall have been submitted to and agreed in writing by the Local Planning Authority.
7. Areas for open storage and the height of any storage shall be in accordance with details which shall be agreed in writing by the Local Planning Authority.
8. Within one month following the date of this decision full details of the proposed surface water run-off arrangements shall be submitted for approval.

The Committee also noted the receipt of one further representation of objection, particularly referring to the use of the site by bats and the detrimental effect of external lighting.

Public Speaker: Objector – Between Haytor View and Station Park is a depleted woodland; the Applicant has not fulfilled past planning conditions; the site adjoins the cycle route, which is increasingly busy since the cycle/pedestrian bridge was constructed over the A38; no need - there is no shortage of industrial sites . There are 10 units for rent on either the Heathfield industrial estate or the King Charles business park; Station Park is not a recognised business park; existing planning conditions are for storage and distribution only; no additional employment opportunities for local residents; the B1 and B2 use has existed only because it has not been enforced against; long opening hours will be detrimental to the amenity of neighbours; the depleted woodland does not provide adequate screening from neighbours; plastic covers are unsuitable for the use of the units; noise, dust and light pollution; the site is not suitable for an industrial unit.

## PLANNING (11.04.17)

Public Speaker: Supporter – Residents' concerns mainly refer to noise pollution; the recommended conditions include a condition restricting noise levels which will address the issue.

Comments raised by Members of the Committee included: a recommended site visit to assess the proximity of dwellings to the site, and effect on residents' amenity; and control of pollution to water courses.

The Principal Planning Officer advised that South West Water and the Environment Agency would be consulted on surface water drainage proposals.

It was proposed by Councillor Kerswell and seconded by Councillor Prowse that consideration of the application be deferred pending a Members' site inspection to assess the effect of the amenity of neighbours of Haytor View.

Resolved

Consideration deferred pending a Members' site inspection.  
**(15 votes for and 3 against)**

DENNIS SMITH  
Chairman