

PLANNING COMMITTEE

TUESDAY, 23 JANUARY 2018

Present:

Councillors Smith (Chairman), Kerswell (Vice-Chairman), Austen, Bullivant, Clarence, Colclough, Dennis, Fusco, Hayes, J Hook (was Brodie), Mayne, Nutley, Orme, Pilkington, Prowse, Rollason, Winsor and Connett (Reserve)

Members Attendance:

Councillors

Apologies:

Councillors Jones, Keeling and Parker

Officers in Attendance:

Nick Davies, Business Manager, Strategic Place
Frances Robinson, Solicitor
Claire Boobier, Planning Officer
Trish Corns, Democratic Services Officer
Hannah Milford, Legal Assistant
Maureen Pearce, Team Leader Design & Heritage

295. CONFIRMATION OF THE MINUTES OF THE PREVIOUS MEETING

The Minutes of the meeting held on 19 December, 2017 were confirmed as a correct record and signed by the Chairman. (18 votes for and 0 against).

296. MATTERS OF URGENCY/REPORT ESPECIALLY BROUGHT FORWARD WITH THE PERMISSION OF THE CHAIRMAN.

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 the application. The Chairman also welcomed public speakers to the meeting.

297. DECLARATIONS OF INTEREST.

There were no declarations of interest.

298. PLANNING 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 late representations updates sheet previously circulated.

- a) **NEWTON ABBOT 17/02793/FUL, Waste Bulking Station, Brunel Road - Demolition of existing pre-cast concrete silo and erection of new portal framed unit to house new sort line and baler equipment**

It was proposed by Councillor J. Hook, seconded by Councillor Prowse and

Resolved

Permission be granted subject to the following conditions:

1. Standard 3 year time limit for implementation.
 2. Development to proceed in accordance with the approved plans.
- (17 votes for and 0 against)

- b) **TEIGNMOUTH - 17/02668/FUL - 44 Higher Brimley Road - Change of use of dwelling to HMO (House in Multiple Occupation)**

Public speaker Objector – Objected on the following grounds: overcrowding of the building; no assurance that each room will be single occupancy; small room sizes; detrimental to the amenities of neighbours, particularly on-street parking in an already congested parking area, and difficulty for refuse collection trucks; and only two residents parking permits will be available for the property.

Comments from Councillors included: overcrowding of property; the plans show a double bed in each room but the application is conditioned for single occupancy only; limiting residents to nine will be difficult to enforce; fire safety and fire escape route through a ground floor flat kitchen is not acceptable; and Devon County Highways recommends refusal due to the on-street parking congestion.

In response to potential refusal reasons, the Business Manager advised that significant weight is given to the Planning history of the site, and the previous reasons for refusal are addressed with the current application. The Fire Officer has no objection in principle. The Council's housing services advises that the room sizes meet minimum standards. The highway situation is the same as at the time of the previous application, however no highway objection was submitted previously. Therefor the weight that should be given to this objection is questionable. Fire concerns are the responsibility of building control legislation. It is a sustainable location, close to the town, schools, and train and bus services. Residents do not need a car.

Further comments made by Councillors included: the limit to nine residents will be difficult to monitor, particularly with residents having staying guests; potential for on-street parking to migrate to areas of double yellow lines because of the lack of on-street parking spaces, causing a danger to road users; it is an unusual situation to have a house manager for an HMO; some bedrooms show toilet and cooking facilities which renders those rooms liable for a separate Council tax valuation, and therefore unaffordable; the rooms would be affordable for young professionals, but this is the wrong location for this proposal; the amenity area is insufficient and

unacceptable immediately outside one of the rooms.

It was proposed by Councillor Fusco, seconded by Councillor Orme and

Resolved

That permission be refused for the following reasons:

1. Insufficient amenity space.
 2. Highways – lack of parking and the affect this would have on an already heavily parked area.
 3. Overdevelopment of the property resulting in overcrowding.
- (17 votes for and 0 against)

Note: The refusal of the application is contrary to the recommendation of the Business Manager. The Committee considered the application unacceptable for the reasons above.

c) **STARCROSS 17/02632/FUL, 9 Royal Way - Two storey extension and conversion of integral garage into a study**

Public Speaker, Objector – The proposal will result in: overdevelopment of the site; the construction will adjoin her neighbouring property and she has a right to maintain the elevational wall; and detrimental to the street scene and Exe Estuary.

Public Speaker, Supporter – The materials will match the existing, the existing balcony will be replaced with the rear extension; 2 vehicles can park off street at the front of the property; in relation to concerns from neighbours about the ability to maintain their property, the proposed extension is no different to any other extension.

Comments made by Councillors included: the rear extension will detrimentally affect the existing 'stepped' development which is the gateway to Starcross and overlooks the A379 and Exe Estuary; the conversion of the garage will put additional pressure on an already congested on street parking area; there is only one off street parking space in front of the garage; a second vehicle cannot park in front of the garage without driving over a footpath and grass verge.

It was proposed by Councillor Prowse, seconded by Councillor Connett and

Resolved

Consideration deferred pending a Member site inspection.
(15 votes for, 1 against and 1 not voted)

d) **STARCROSS 17/02727/FUL - Brickhouse Farm Barn, Mamhead - Conversion of storage barn to wedding/function venue including new access track, associated parking and landscaping**

Public Speaker, Supporter – The proposal is a diversification to assist the running of the farm and vineyard; it would secure the long term use of the barn, and heritage asset; local florists and businesses would be used; it would increase local employment; the junction is no different to any other in the countryside with limited visibility; drivers are cautious when emerging onto the main road; the increase in traffic will be insignificant compared to the overall traffic; and there is no evidence or statistics of any accidents or near misses at the junction.

Comments made by Councillors included: the proposal meets policies in the Local Plan by providing employment, the vineyard encourages tourism, it would provide an event venue for the local community; the protection of the barn; there is no County highway data to evidence any accidents or near misses; no material evidence to support the highway concerns; the junction is typical of Devon country lanes; the previous application was withdrawn to reduce the number of people at any one event; the 28 day rule could apply; a previous application for new stables at Mamhead with highway concerns was granted and the business is thriving with no consequential road accidents.

The Business Manager advised on conditions should the Committee be minded to approve the application.

It was proposed by Councillor Connett, seconded by Councillor Fusco and

Resolved

Permission be granted subject to the following conditions, and any additional conditions identified in the next 7 days agreed in consultation with the Ward Member and the Chairman.

1. Standard 3 year time limit for commencement.
2. Development to be carried out in accordance with approved plans.
3. Notwithstanding the submitted plans the canopy above the first floor window north elevation shall not be installed.
4. Door schedule shall be provided and approved prior to installation of doors to ensure doors are appropriate in character.
5. Notwithstanding condition 2 above, the soft and hard landscaping works for the walled garden shown on drawing 1710-02B is not approved. With the exception of removing the topsoil within the walled garden to expose the existing cobbles, no works shall take place in this area until such time as the promoter/developer has contacted the Local Planning Authority to arrange a site inspection of the existing cobbles, and following the site inspection the promoter/developer has submitted to the Local Planning Authority and the Local Planning Authority has agreed a soft and hard landscaping scheme for the walled garden.
6. Prior to the commencement of the proposed external works to the barn, a sample of the corrugated iron to be used on the barn shall be submitted to and approved in writing by the Local Planning Authority.
7. Notwithstanding condition 2 above, the use of granite for the new gate posts is not approved, prior to installation of the new entrance gate and posts, details of an alternative material for the gate posts and elevation details of the proposed gate and associated posts shall be submitted to and approved in writing by the Local Planning Authority. Only the approved gate and posts shall be installed.

8. Notwithstanding condition 2 above, the use of Grasscrete for the construction of the parking bays is not approved. Prior to the construction of the parking bays an alternative material for the parking bays shall be submitted to and approved in writing by the Local Planning Authority. Only the approved material shall be used in the construction of the parking areas.

9. Notwithstanding condition 2 above, alternative material(s) for the terrace marked on drawing 1710-02B as 'round house terrace' and the 'service vehicle access' marked on the same plan shall be submitted and approved in writing by the Local Planning Authority. Only the approved material(s) shall be used in the creation of the service vehicle access and terrace.

10. Prior to the barn being brought into use as an events/wedding venue a landscaping scheme detailing an additional hedge bank in the form of a dropped hedgebank, positioned along the eastern perimeter of the track/parking terrace shall be submitted to and approved in writing by the Local Planning Authority. Once approved it shall be planted in the first available planting season following approval and retained thereafter;

11. Landscaping scheme for all external planting shall be submitted and approved in writing prior to the building being brought into use as a wedding/events venue and shall once approved be planted in the first available planting season following approval.

12. Notwithstanding condition 2 above, the new access drive, passing bays and new sweet chestnut and beech trees shown adjacent to the new track on drawing 1710-02B are not approved in the alignment shown with the exception of the access point and visibility splays onto the highway. Prior to the construction of the access drive a drawing shall be submitted to show a track with passing bays which is positioned in closer proximity to the existing hedge boundary and this drawing shall include details of the surface material of the track and show soft landscaping works adjacent to the track to screen the drive from wider views. These landscaping details shall include details of plant species, positioning, and an implementation and management plan for the landscaping works. Once approved only the approved drive and landscaping works shall be implemented and retained as such thereafter.

13. Prior to the commencement of external works to the building in connection with the hereby-approved change of use a detailed specification of rainwater goods to be used including materials and sections, and materials and sections for any new external steps shall be submitted to and approved in writing by the Local Planning Authority. Once approved works shall proceed in accordance with the approved details and be retained as such thereafter.

14. No works to which this consent relates shall commence until a method statement to ensure the preservation of the Daisy Wheels in the plasterwork has been submitted to and approved in writing by the Local Planning Authority. Once approved works shall proceed in accordance with the approved method statement.

15. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

16. Bat report recommendations to be implemented.

(16 votes for, 0 against and 1 not voted).

Note: The approval of the application is contrary to the recommendation of the Business Manager. The Committee considered the application acceptable for the reasons above.

e) **STARCROSS 17/02759/LBC - Brickhouse Farm Barn, Mamhead - Conversion works to storage barn to use as wedding/function venue including new access track, associated parking and landscaping**

It was noted that this application related to works to the listed building and not change of use.

It was proposed by Councillor Connett, seconded by Councillor Prowse and

Resolved

Listed Building Consent be granted subject to the following conditions, and any additional conditions identified in the next 7 days agreed in consultation with the Ward Member and the Chairman.

1. Standard 3 year time limit for commencement.
2. Development to be carried out in accordance with approved plans.
3. Notwithstanding the submitted plans the canopy above the first floor window north elevation shall not be installed.
4. Door schedule shall be provided and approved prior to installation of doors to ensure doors are appropriate in character.
5. Notwithstanding condition 2 above, the soft and hard landscaping works for the walled garden shown on drawing 1710-02B is not approved. With the exception of removing the topsoil within the walled garden to expose the existing cobbles, no works shall take place in this area until such time as the promoter/developer has contacted the Local Planning Authority to arrange a site inspection of the existing cobbles, and following the site inspection the promoter/developer has submitted to the Local Planning Authority and the Local Planning Authority has agreed a soft and hard landscaping scheme for the walled garden.
6. Prior to the commencement of the proposed external works to the barn, a sample of the corrugated iron to be used on the barn shall be submitted to and approved in writing by the Local Planning Authority.
7. Notwithstanding condition 2 above, the use of granite for the new gate posts is not approved, prior to installation of the new entrance gate and posts, details of an alternative material for the gate posts and elevation details of the proposed gate and associated posts shall be submitted to and approved in writing by the Local Planning Authority. Only the approved gate and posts shall be installed.
8. Notwithstanding condition 2 above, the use of Grasscrete for the construction of the parking bays is not approved. Prior to the construction of the parking bays an alternative material for the parking bays shall be submitted to and approved in writing by the Local Planning Authority. Only the approved material shall be used in the construction of the parking areas.
9. Notwithstanding condition 2 above, alternative material(s) for the terrace marked on drawing 1710-02B as 'round house terrace' and the 'service vehicle access' marked on the same plan shall be submitted and approved in writing by the Local

Planning Authority. Only the approved material(s) shall be used in the creation of the service vehicle access and terrace.

10. Prior to the barn being brought into use as an events/wedding venue a landscaping scheme detailing an additional hedge bank in the form of a dropped hedgebank, positioned along the eastern perimeter of the track/parking terrace shall be submitted to and approved in writing by the Local Planning Authority. Once approved it shall be planted in the first available planting season following approval and retained thereafter;

11. Landscaping scheme for all external planting shall be submitted and approved in writing prior to the building being brought into use as a wedding/events venue and shall once approved be planted in the first available planting season following approval.

12. Notwithstanding condition 2 above, the new access drive, passing bays and new sweet chestnut and beech trees shown adjacent to the new track on drawing 1710-02B are not approved in the alignment shown with the exception of the access point and visibility splays onto the highway. Prior to the construction of the access drive a drawing shall be submitted to show a track with passing bays which is positioned in closer proximity to the existing hedge boundary and this drawing shall include details of the surface material of the track and show soft landscaping works adjacent to the track to screen the drive from wider views. These landscaping details shall include details of plant species, positioning, and an implementation and management plan for the landscaping works. Once approved only the approved drive and landscaping works shall be implemented and retained as such thereafter.

13. Prior to the commencement of external works to the building in connection with the hereby-approved change of use a detailed specification of rainwater goods to be used including materials and sections, and materials and sections for any new external steps shall be submitted to and approved in writing by the Local Planning Authority. Once approved works shall proceed in accordance with the approved details and be retained as such thereafter.

14. No works to which this consent relates shall commence until a method statement to ensure the preservation of the Daisy Wheels in the plasterwork has been submitted to and approved in writing by the Local Planning Authority. Once approved works shall proceed in accordance with the approved method statement.

15. No works to which this consent relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

16. Bat report recommendations to be implemented.
(17 votes for and 0 against).

f) **WOODLAND 17/02827/FUL, Chardonnay - Extension to existing authorised gypsy site to provide two additional, pitches**

The Business Manager referred to the report circulated with the agenda at page 51. The reason for refusing the previous application in October 2017 has been addressed in the current application. The additional pitches are proposed for a

different location onsite and are no longer underneath the power cables.

Public Speaker, Objector – Woodland residents object to the proposal; 22 objections representing 40% of households; contrary to Local Plan Policies S1 unsustainable site with no public transport, S22 development in the countryside, WE6 pitches are not required due to the Council already having a 5 year supply; 30 minute walk to school along an unsafe and narrow country lane; disproportionate number of pitches compared with the number of village residents; an unsuitable distance from facilities; and opening up the field to further unsustainable development.

Comments from Councillors included: inappropriate development for the site; no public transport; inappropriate distance from facilities; unsustainable; such pitches should be sited within easy access to facilities and adjacent to communities; and unsuitable to increase the site when it is within countryside.

In response to Councillor's questions the Business Manager advised that it was reasonable to consider balanced communities. However the previous application was refused only on the proximity to powerlines. This issue has been addressed. It is difficult to introduce other reasons as to why the application is unacceptable when these were not reasons for refusing the previous application.

It was proposed by Councillor Colclough, seconded by Councillor Smith and

Resolved

Permission be refused for the following reasons:

1. Contrary to Local Plan Policy WE6 because there is already a 5 year supply of pitches.
 2. Unsustainable site.
 3. Contrary to Local Plan Policy S22 – development of a greenfield site in the Countryside.
- (10 votes for, 5 against and 1 abstention).

Note: The refusal of the application is contrary to the recommendation of the Business Manager. The Committee considered the application unacceptable for the reasons above.

299. ADOPTION OF CRITERIA FOR ASSESSMENT OF LOCAL HERITAGE ASSETS - REGISTER FOR LOCAL HERITAGE ASSETS

The Conservation Officer referred to the additional representation summaries on the updates sheet.

Comments from Councillors included the provision in the procedure for decisions to be called into the Planning process. It was agreed that this be added.

It was proposed by Councillor Smith, seconded by Councillor Prowse and

Resolved

The Criteria for Assessment for Local Heritage Assets be adopted, and the preparation of a Register for Local Heritage Assets be commenced. (13 votes for and 0 against).

300. APPEAL DECISIONS

The Committee noted appeal decisions made by the Planning Inspectorate on appeals against refusal of planning permission as set out in the report circulated with the agenda.

301. TEIGNBRIDGE RESIDENTIAL DESIGN GUIDE

The Business Manager referred to the report circulated with the agenda. The purpose of the Guide is to cover a range of local character and distinctiveness. The process complies with the Council's 10 year Strategy of 'Great Places to Live and Work.'

Comments from Councillors included concern that the Guide lacked a section on sustainable design. The Business Manager advised that this could be considered at the consultation process.

Resolved

- a) That the draft Teignbridge Design Guide Supplementary Planning Document (SPD) and supporting documents are approved for consultation with the final version being approved at a future Executive.
- b) That the consultation include a question about whether any other issues should be covered by the Design Guide.
(11 votes for and 2 against).

Chairman