

PLANNING COMMITTEE

11 JUNE 2024

Present:

Councillors Atkins, Bradford, Bullivant, D Cox (Vice-Chair), Goodman-Bradbury, Hall, MacGregor, Nutley, Nuttall, Palethorpe, C Parker (Chair), Parrott, Sanders and J Taylor

Members in Attendance:

Councillors Swain and Purser

Apologies:

Councillors Buscombe and Hook

Officers in Attendance:

Paul Woodhead, Head of Legal Services & Monitoring Officer

Sim Manley, Interim Head of Development Management

Gary Crawford, Planning Officer

Steven Hobbs, Senior Planning Enforcement Officer

Lucy Downey, Planning Officer

Ian Perry, Planning Team Lead

Christopher Morgan, Trainee Democratic Services Officer

Raine Tudor-Williams, Democratic Services Administration Assistant

Natalia Anderson, Solicitor

25. MINUTES

It was proposed by Councillor Palethorpe and seconded by Councillor Sanders that the minutes of the previous meeting be agreed as a correct record and signed by the Chair.

A vote was taken

Resolved

That the minutes of the previous meeting be agreed as a correct record and signed by the Chair.

26. DECLARATIONS OF INTEREST.

Cllr Nutley declared an interest in application 6a due to his friendship with the applicant. He chose to leave the room during the item and not vote.

Cllr Nutley also declared an interest in item 7 due to his role as ward member resulting in consideration communication with the Parish Council. He spoke on this item but did not vote.

Cllr Bullivant declared an interest in item 6b due to his friendship with the applicant. He chose to leave the room during this item and not vote.

27. 20/00400/FUL ASHBURTON - HIGHER MEAD FARM

The Senior Planning Officer presented the application to the Committee.

It was proposed by Councillor D Cox and seconded by Councillor Macgregor that permission be granted as set out in the agenda report.

A vote was taken. The result was unanimously in favour.

Resolved

That permission be granted subject to the following conditions:

1. Works shall proceed in accordance with approved plans.
2. Within 3 months of this decision notice, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The LEMP shall ensure it details retention of the existing hedge along the southern boundary of the site; and the creation of a Devon bank and native-species hedge along the northern, western and eastern boundaries of the site. The work shall be carried out in accordance with the LEMP.
3. No external lighting shall be installed on, or in association with the caravans hereby approved, except for low-intensity, PIR motion-activated lights on a short timer (maximum 2 minutes), sensitive to large objects only (to avoid triggering by bats or other wildlife).
4. The occupation of the caravans hereby approved shall be for holiday purposes or by persons solely or mainly employed by Parkers Farm Holiday Park only. The caravans shall not be occupied as a person's sole or main place of residence. The owner shall maintain an up-to-date register of the detail of all occupiers, including their names and main home addresses, of the caravans hereby approved and shall make the register available for inspection at all reasonable times by the local planning authority.

28. 24/00265/FUL TEDBURN ST MARY - RED LION INN

The Planning Officer presented the application to the Committee.

Public Speaker, Objector – Spoke On:

- 2 pubs part of village economy
- Social impact with loss of pub
- Community support group
- ACV accepted by Planning Inspectorate

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Public Speaker, Supporter – Spoke on:

- Pub is small and doesn't make a lot of money
- High energy costs of running pub
- No serious offers
- Another pub opposite this one
- Development provides housing for local need

Comments from Councillors included:

- Loss of local facilities
- Community group support for buying pub
- Road access issue
- MP support for ACV
- Applicant wants to sell site
- Similar parking situation to other applications
- No comments from South West Water
- Pub is currently closed so no business happening
- Could change business plan
- Insufficient parking

It was proposed by Councillor Sanders and seconded by Councillor J Taylor that decision be deferred pending a members' site visit in order to investigate concerns relating to the road access and public footpath.

A vote was taken. The result was 8 for and 4 against.

Resolved

That decision be deferred pending a members' site visit.

29. 23/01762/FUL DAWLISH - SEA LAWN TERRACE

The Planning Officer presented the application to the Committee.

Public Speaker, Objector – Spoke on:

- The flat concerned is a second home
- Only one parking space
- Historic terrace
- Dangerous road
- Dawlish Town Council refused application

Comments from Councillors included:

- Historic building
- Private road
- Balcony out of place
- Lack of parking
- Need permission for windows
- No material reasons for refusal
- Sea facing side of building is more attractive
- Good view of back of property

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- Trains would pass below roofline
- No change to roof line

In response Officers clarified the following

- Can only assess visual impact
- Parking isn't part of the proposal
- Balcony is part of the skylight
- Window permission only needed due to being flats
- Other flats have skylights

It was proposed by Councillor Macgregor and seconded by Councillor J Taylor that permission be granted as set out in the agenda report.

A vote was taken. The result was 6 for, 4 against, and 4 abstentions.

Resolved

That permission be granted subject to the following conditions:

1. The development hereby permitted shall be begun before the expiry of three years from the date of this permission
REASON: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby permitted shall be carried out in accordance with the application form and the following documents:

Date Received		
22 Sep 2023		Application Form
22 Sep 2023	PL004 A	Proposed GA (Elevation/Floor/Roof/Section)
22 Sep 2023	PL002 A	Block plan

3. The works hereby approved shall proceed in strict accordance with the recommendations described in the Preliminary Ecological Assessment (Bat & Nesting Bird Survey) by George Bemment Associates, dated 22 December 2023
REASON: In order to ensure compliance with the approved drawings
4. Prior to the occupation of the loft conversion the window in the new dormer on the north west elevation serving the proposed bathroom shall be fitted with a minimum of level 3 obscured glazing over the entirety of the window with no clear areas. The window shall thereafter be permanently retained in that condition.
REASON: To protect the privacy of adjacent occupiers.

30. ENFORCEMENT REPORT WOODLAND - LAND AT CHARDANAY 24/00177/ENF

The Senior Enforcement Officer presented the enforcement case to the Committee.

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Comments from Councillors during discussion included:

- Parish council have reported the breach to the council previously
- Concerns about homelessness as a result of the 6 month notice
- Rationality of the actions taken
- Are the children of occupants attending school
- Is this a gypsy and travellers site?

In response Officers confirmed that:

- This is the second enforcement case
- There is an authorised travellers site nearby

It was proposed by Councillor Sanders and seconded by Councillor Goodman-Bradbury that the enforcement notice be agreed as set out in the report.

A vote was taken – the result was 12 for and 2 against.

Resolved

That

- I. An ENFORCEMENT NOTICE be issued to cease the unauthorised residential use of the land and remove the unauthorised mobile homes / caravans within 6 months ; and
- II. In the event of the notice not being complied with, authorisation be given to take further action as necessary including proceeding to prosecution.

31. APPEAL DECISIONS - TO NOTE APPEAL DECISIONS MADE BY THE PLANNING INSPECTORATE.

The Committee noted the appeals decisions made by the Planning Inspectorate

32. S73 MAJOR DECISIONS SUMMARY

The Committee noted the Major Decisions Summary sheet.

The meeting started at 10.00 am and finished at 11.27 am.

Chair
Cllr Colin Parker