

## **PLANNING COMMITTEE**

**17 MARCH 2020**

**Present:**

Councillors Haines (Chairman), Bradford, Bullivant, Clarence, H Cox, Hayes, Jeffery, Keeling, Kerswell, MacGregor, Nuttall, Nutley, Parker, Phipps and Wrigley

**Members in Attendance:**

Councillors Dewhurst, Connett, Cox, Parker-Khan, Russell, Swain and Thorne

**Apologies:**

Councillors Goodman-Bradbury, Colclough, J Hook, Jenks, Patch and J Petherick

**Officers in Attendance:**

Rosalyn Eastman, Business Manager, Strategic Place  
Trish Corns, Democratic Services Officer  
Nick Hill, Solicitor  
Verity Clark, Senior Planning Officer  
Christopher Morgan, Trainee Democratic Services Officer

**81. MINUTES**

The Minutes of the meeting held on 18 February 2020 were confirmed as a correct record and signed by the Chairman.

**82. CHAIRMAN'S ANNOUNCEMENTS**

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

**83. DECLARATIONS OF INTEREST.**

None

**84. PLANNING APPLICATIONS FOR CONSIDERATION**

- a) **TEIGNMOUTH - 19/01476/FUL - Land Adjacent 6 Mulberry Street, Teignmouth - Two dwellings**

The Committee considered the report of the Business Manager – Strategic Place Development Management together with comments of public speakers,

## Planning Committee (17.3.2020)

additional information reported by the officers and information detailed in the late representations updates document previously circulated.

Public Speaker- Objector – Spoke on concerns about overlooking, loss of natural light to surrounding properties, overdevelopment of the site, detrimental to the amenities of neighbouring residents, no parking provision, current lack of parking for existing residents, necessity of cars in towns for elderly residents, construction vehicles will block the road, and there is a lack of space in the area.

Public Speaker- Supporter – Spoke on the site being brownfield, a sustainable development and in accordance with policy, it is acceptable in terms of proportion to neighbouring dwellings, easy walking distances to the main shopping area, public transport links and facilities, and no need to use cars, the rear boundary wall will be retained, and there is sufficient distances between the site and nearest dwellings to not be overbearing.

Comments from Councillors included: Overdevelopment, one dwelling would be sufficient, fragile retaining wall, land is currently poorly used, site is tight to develop on, bad access to site, concerns about construction equipment taking up space, the site is only 2 stories so it is not overbearing, several issues raised are building control matters, long walk into town, lack of parking on site, lengthy construction time, and it is an unrealistic development.

In response the Business Manager referred to the Council's Declaration of Climate Emergency. The site is close to town and in walking distance to town centre, facilities and public transport. Such developments near town centres should be encouraged. Parking spaces were not required and the proposal was in accordance with policy. In regard to reference to the proposal constituting overdevelopment, the Business Manager advised that the footprint of the proposed dwellings were comparable to existing as were the separation distances between properties on Parson Street and Mulberry Street.

The reasons for refusal were discussed by the Committee.

It was proposed by Councillor MacGregor that the applications be refused on the grounds of: overdevelopment and overlooking. This seconded by Councillor Wrigley.

Resolved

Permission be refused for the following reasons:

1. Overdevelopment
2. Overlooking
3. (12 for, and 3 against)

Note: The refusal of this application was contrary to the advice of the Business Manager as set out in the agenda report. The Committee considered that the proposed application was unacceptable for the reasons detailed above, and below.

Statement of reasons

The decision to reuse the application was against officer recommendation. The Committee considered the application unacceptable and the site unsuitable for development for the reasons given.

- b) **ILSINGTON - 20/00179/FUL - 1 Mounthill Cottages, Beaumont Close - Retention of detached building with ancillary accommodation serving 1 & 2 Mounthill Cottages and external changes including replacement of garage doors with windows**

The Committee considered the report of the Business Manager – Strategic Place Development Management.

It was proposed by Councillor Haines and Seconded by Councillor Parker and

RESOLVED

Permission be granted subject to the following conditions:

1. Works in accordance with approved plans
2. Additional accommodation shall only be used for purposes ancillary to the dwellings they serve and shall not be used for commercial purposes.

(15 for, and 0 against)

- c) **ASHCOMBE - 20/00026/VAR - Owl Cottage, Woodhouse Farm - Removal of conditions 2 & 3 on planning permission 2002/3997/26/04 (Change of use and conversion of redundant outbuilding to form additional holiday cottage on existing holiday complex) to permit occupancy of the existing dwelling on a permanent basis**

The Committee considered the report of the Business Manager – Strategic Place Development Management together with comments of public speakers, additional information reported by the officers and information detailed in the late representations updates document previously circulated.

Public Speaker, Supporter – Application supports local businesses by providing accommodation for employees, need to adapt to changing economic circumstances and keep the Estate viable, which is on the verge of financial difficulty and which supports local businesses, lack of housing stock in the area due to second homes, there is local demand for accommodation, and the current residents are valuable members of the community, providing services to local people.

The Chairman referred to a representation from a Ward Member unable to attend the meeting in support of the application advising that refusal could risk the viability of the Estate, and effect the community which the estate supported.

Comments from Councillors included: The inhabitant is an agricultural engineer who could work from elsewhere, benefits of being able to work from home, keep village population from falling, rural worker support, no structural change to the dwelling is required and therefore the effect on the AGLV was negligible, need

## Planning Committee (17.3.2020)

for suitable conditions, lack of amenities in Ashcombe, accords with Policy S22, lack of evidence that the previous use of the dwelling as holiday accommodation was redundant, open market dwelling in the countryside contrary to policy, and approval of which would set a precedent; the Estate supports the community and local businesses; and approval could be personal to the applicant.

In response to comments, the Business Manager advised that this was an open market dwelling in the countryside contrary to policy, there was no evidence for permanent occupancy, no justification; and that approval personal to the applicant was not encouraged, and difficult to enforce.

Other comments by Councillors included: Could this be classified as a class Q, lack of evidence for the application, which should be requested of the applicant; the application is ambiguous; and a condition may be added in regards to the addition of more evidence.

The Business Manager reiterated that policies in the Local Plan were clear, the application was contrary to policy, and there was no evidence for approval of permanent occupancy. The Solicitor emphasised that there was no sound reason to make an exception to policy in this case. A new application would be required with evidence and justification for permanent occupancy for an agricultural/rural worker.

It was proposed by Councillor Wrigley that the application be approved on the basis that it is not a new build in the countryside, it is already used for permanent occupancy, and it would support the Estate on the verge of financial difficulty, which supports the community. This was seconded by Councillor MacGregor.

Resolved

Permission be granted with unconditional consent.

Note: The approval of this application was contrary to the advice of the Business Manager as set out in the agenda report. The Committee considered that the application was acceptable for the reasons detailed above, and below.

### Statement of reasons

The decision to approve the application was against officer recommendation. The Committee considered the application acceptable for the following reasons; the application will not alter the existing building, the application is unique, it is not a new build in the countryside, it is already used year round, and it would support the Estate on the verge of financial difficulty, which supports the community and local businesses.

(13 for, 1 against, and 1 abstention)

## **85. ENFORCEMENT REPORT - LAND AT LEMONFORD CARAVAN PARK, BICKINGTON**

## Planning Committee (17.3.2020)

The Business Manager presented the agenda report and the recommendation. Site licence requirements and planning permission history was being investigated to assess what action could be taken.

Comments from Councillors included: Similar cases elsewhere in Teignbridge, need for Officers to monitor the occupancy register of such sites more frequently, enforcement action should be taken in the interest of neighbouring residents, no permitted development rights, and concerns about making occupants homeless.

It was proposed by Councillor Wrigley, seconded by Councillor Nutley and

Resolved

Delegated Authority be granted to the Business Manager to take enforcement action as necessary, and provide a future update to the Committee.  
(14 for and 1 against)

### **86. APPEAL DECISIONS - TO NOTE APPEAL DECISIONS MADE BY THE PLANNING INSPECTORATE.**

The Committee noted the appeal decisions made by the Planning Inspectorate.

The Business Manager referred to Section 215 Untidy Land Notices recently served on two properties, one in Bovey Tracey and one in Teignmouth which had successfully resulted in the sites being cleared.

The meeting started at 10.00 am and finished at 11.15 am.

Chairman