

West Devon Development Management and Licensing Committee



West Devon
Borough
Council

Title:	Agenda								
Date:	Tuesday, 3rd March, 2020								
Time:	10.00 am								
Venue:	Chamber - Kilworthy Park								
Full Members:	<p style="text-align: center;">Chairman Cllr Yelland Vice Chairman Cllr Pearce</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Cheadle</td> <td style="width: 33%;">Cllr Moyse</td> </tr> <tr> <td>Cllr Crozier</td> <td>Cllr Ratcliffe</td> </tr> <tr> <td>Cllr Hipsey</td> <td>Cllr Renders</td> </tr> <tr> <td>Cllr Mott</td> <td>Cllr Vachon</td> </tr> </table>	Cllr Cheadle	Cllr Moyse	Cllr Crozier	Cllr Ratcliffe	Cllr Hipsey	Cllr Renders	Cllr Mott	Cllr Vachon
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Cllr Mott	Cllr Vachon								
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.								
Committee administrator:	Kathy Hoare Senior Case Manager - Democratic Services								

1. Apologies for Absence

2. Declarations of Interest

Members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have in any items to be considered at this meeting.

[If Councillors have any questions relating to predetermination, bias or interests in items on this Agenda, then please contact the Monitoring Officer in advance of the meeting]

3. Items Requiring Urgent Attention

To consider those items which, in the opinion of the Chairman, should be considered by the Meeting as matters of urgency (if any).

4. Confirmation of Minutes

1 - 4

Meeting held on 4 February 2020

5. Consultation on Planning applications - Woolwell, South Hams

5 - 12

APPLICATION NUMBER: 4185/19/OPA

**LOCATION: Land at Woolwell, Part of the Land at Woolwell
JLP Allocation (Policy PLY44)**

DEVELOPMENT

Outline application for provision of up to 1,640 new dwellings; up to 1,200 sqm of commercial, retail and community floorspace (A1-A5, D1 and D2 uses); a new primary school; areas of public open space including a community park; new sport and playing facilities; new access points and vehicular, cycle and pedestrian links; strategic landscaping and attenuation basins; a primary substation and other associated site infrastructure. All matters reserved except for access.

APPLICATION NUMBER: 4181/19/OPA

**LOCATION: Land off Towerfield Drive, Woolwell, Part of the
Land at Woolwell, JLP Allocation (Policy PLY44)**

DEVELOPMENT

Outline application for up to 360 dwellings and associated landscaping, new access points from Towerfield Drive and Pick Pie Drive and site infrastructure. All matters reserved except for access.

6. Planning Appeals Update

13 - 14

Agenda Item 4

At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held at the Council Chamber, Council Offices, Kilworthy Park, Drake Road, **TAVISTOCK** on **TUESDAY** the 4th day of **February 2020** at **10.00am**

Present:

Cllr J Yelland – Chairman

Cllr T G Pearce – Vice Chairman

Cllr R Cheadle

Cllr P Crozier

Cllr S Hipse

Cllr C Mott

Cllr D E Mo

Cllr B Ratcliffe

Cllr M Renders

Cllr P Vachon

Head of Development Management Practice (PW)
Development Management Senior Specialist (AHS)

Specialist, Development Management (LM)

Solicitor (DF)

Senior Case Officer, Democratic Services (KH)

Other Members also in attendance:

Cllrs R Musgrave, J Spettigue, M Ewings, N Heyworth

***DM&L 29 DECLARATION OF INTEREST**

Members were invited to declare any interests in the items of business to be considered and the following were made:

Cllr T G Pearce declared a personal interest in all applications by virtue of being a Member of the Devon Building Control Partnership. He remained in the meeting and took part in the debate and vote on the item.

***DM&L 30 URGENT BUSINESS**

There was no urgent business.

***DM&L 31 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 7 January 2020 were confirmed and signed by the Chairman as a correct record.

***DM&L 32 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the applications that had been prepared by the Development Management Specialists and considered also the comments of the Town and Parish Councils together with other representations received, which were listed within the presented agenda report and summarised below, and **RESOLVED** that:

**Site Address: Land adjacent to Callington Road, Callington Road,
Tavistock**

Application for additional two dwellings

Speakers included:

Applicant – Mr David Russell, Bovis Homes

Objector – Mr Paul Richardson

RECOMMENDATION: Delegated to Head of Practice for Development Management to approve subject to DCC engineers being satisfied re embankment stability information and a satisfactory deed of variation to the original outline S106 to ensure that these two units count towards any unit number triggers.

Pre-commencement conditions:

Drainage

Tree protection plan

Conditions

1. Standard time limit full
2. Accord with plans list
3. Contaminated land condition
4. Contaminated land condition
5. Contaminated land condition
6. Tamar Valley EMS standard condition
7. Electric vehicle charging points
8. Drainage
9. Tree Protection plan prior to commencement
10. Landscaping scheme

COMMITTEE DECISION: Delegated to Head of Practice for Development Management to approve subject to DCC engineers being satisfied re embankment stability information and a satisfactory deed of variation to the original outline S106 to ensure that these two units count towards any unit number triggers.

(b) Application No: 4105/19/TCA Ward: Milton Ford

Site Address: “Elderberry Cottage”, The Parade, Milton Abbot

T1: Ash –Crown height reduction by approximately 4m, damaged Limb removal at approximately 6m from ground level, deadwood removal (exempt). Tree is showing signs of ash dieback.

RECOMMENDATION: Approval

COMMITTEE DECISION: Approval

***DM&L 33 PLANNING APPEALS UPDATE**

The Committee received and noted the updated lists of Planning Appeals.

***DM&L 34 PLANNING PERFORMANCE INDICATORS**

The Committee noted the Planning Performance Indicators.

(The Meeting terminated at 11.35am)

Chairman

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Agenda Item 5

REPORT ON PLANNING APPLICATIONS IN NEIGHBOURING AUTHORITY

Report Authors: Gina Small/ Ian Lloyd

Parishes: All **Wards:** All

Application Numbers: A. 4185/19/OPA &
B. 4181/19/OPA

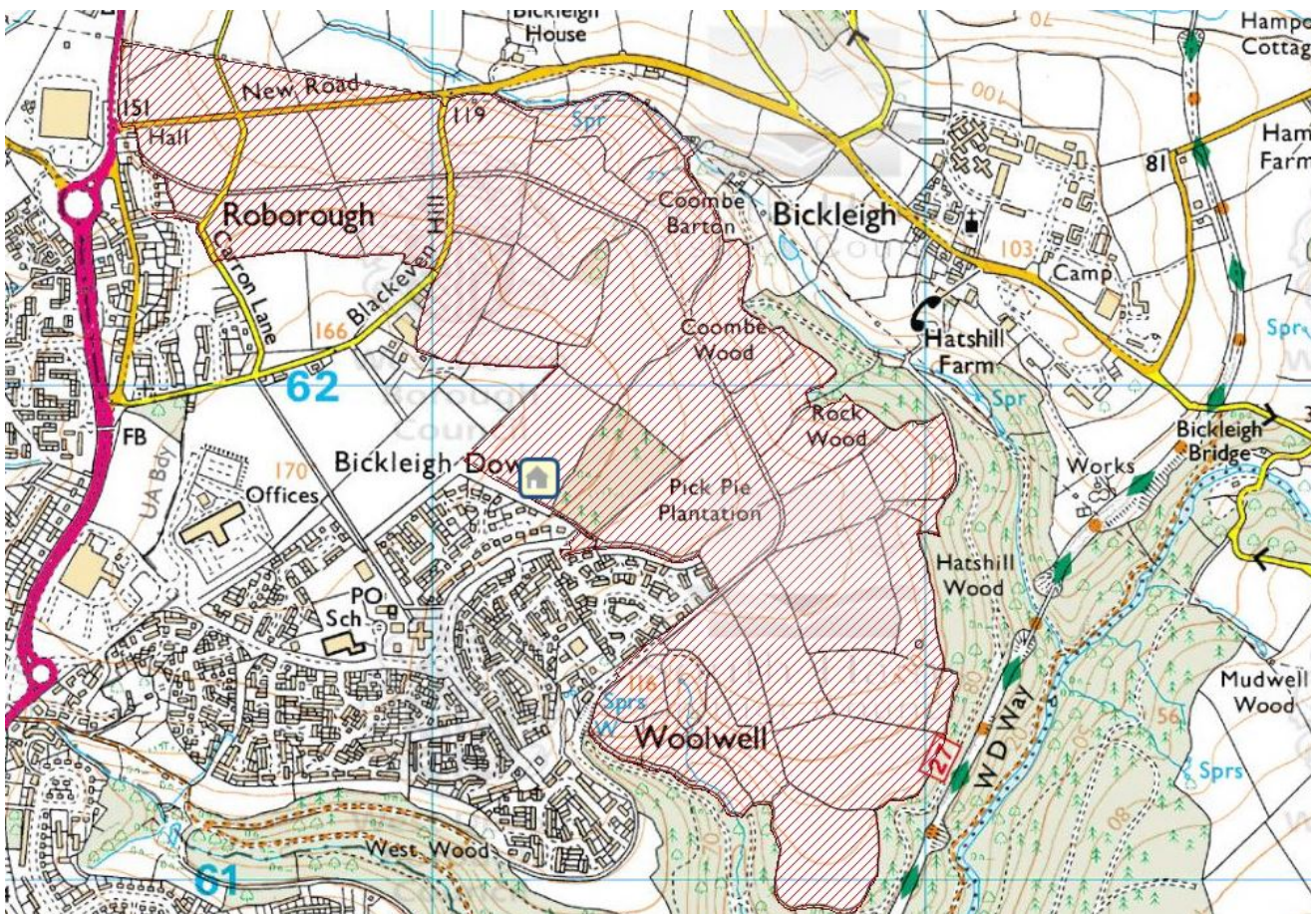
Agent/Applicant:
Keith Fenwick
Pegasus Group
39 Bennetts Hill
Birmingham B2 5SN

Applicant:
Rockspring Barwood Plymouth Ltd c/o
Agent

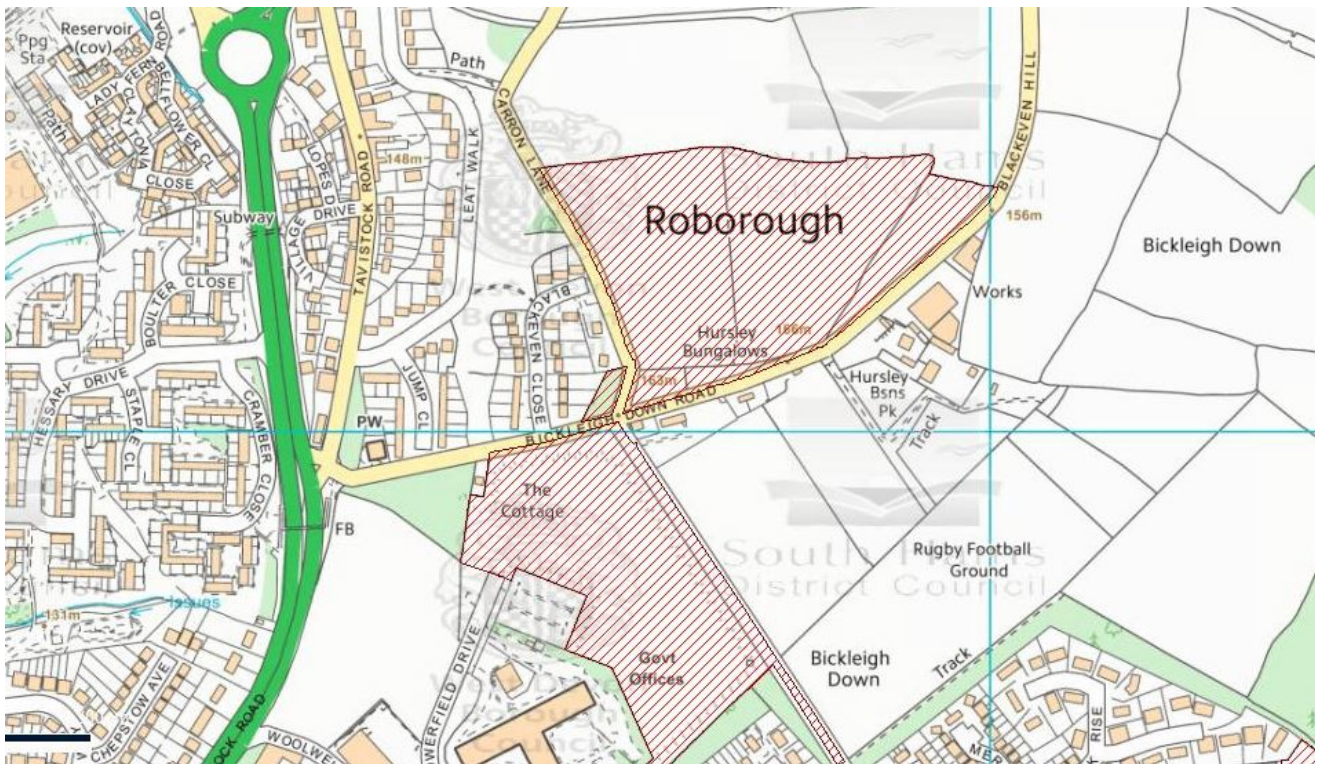
Site Addresses:

- A. Land at Woolwell Part of the Land at Woolwell JLP Allocation (Policy PLY44);
- B. Land off Towerfield Drive, Woolwell - Part of the Land at Woolwell JLP Policy PLY44

MAP FOR SITE ADDRESS A 4185/19/OPA



MAP FOR SITE ADDRESS B 4181/19/OPA



Recommendation: Reported for information/ decision without officer recommendation

In view of the shared working arrangements described below, for transparency and to avoid any possibility of pre-determination, officers will present and explain the applications and answer Member's questions but not offer opinion.

Resolution(s) Required: Members have delegated authority to comment on applications in neighbouring Authorities and the applications are presented in order for Members to consider whether they wish to make formal representations on the planning applications as a neighbouring Authority to South Hams District Council as Local Planning Authority.

Considerations:

Background
Principle of Development/ Sustainability;
Policy

1. Site Descriptions:

As described in the submitted Design & Access Statements, these applications cover part of the land within the Woolwell Strategic Allocation, the components of which are outlined in Policy PLY44 of the JLP (reproduced in full under the Policy section below). It is anticipated that other land within the allocation area will likely come forward through a separate planning application in the future.

Application A comprises the majority of the land within PLY44, 177 hectares, bounded by Tavistock Road (A386), encompassing land either side of New Road and Bickleigh Down Road, bordering Pick Pie Drive and other parts of the existing Woolwell estate and extending to the valley bottom to the north and east of Woolwell.

The application is made by Barwood, the land owned by Maristow Estates.

Application B: is 11.66 hectares in two parcels, one bounded by Towerfield Drive and separated by Bickleigh Down Road.

The application is made by Barwood, the land owned by Plymouth City Council (PCC).

2. The Proposals:

Application A: Outline application for provision of up to 1,640 new dwellings; up to 1,200 sqm of commercial, retail and community floorspace (A1-A5, D1 and D2 uses); a new primary school; areas of public open space including a community park; new sport and playing facilities; new access points and vehicular, cycle and pedestrian links; strategic landscaping and attenuation basins; a primary substation and other associated site infrastructure. All matters reserved except for access.

Application B: Outline application for up to 360 dwellings and associated landscaping, new access points from Towerfield Drive and Pick Pie Drive and site infrastructure. All matters reserved except for access.

Both applications are in outline with all matters reserved apart from access.

3. Consultations:

Consultations are underway, including with WDBC as a neighbouring Authority.

4. Considerations:

Background

West Devon Borough Council, South Hams District Council and Plymouth City Council together produced the Plymouth & South West Devon Joint Local Plan 2014-2034 (the JLP).

The JLP is a strategic plan which sets a shared direction of travel for the long term future of the area, with the identified key purpose being to establish an over-arching strategic framework for sustainable growth and the management of change, providing the statutory development plan for Plymouth, South Hams and West Devon.

The JLP is the spatial strategy for meeting the needs of Plymouth and South West Devon for new homes, jobs and services through an integrated approach to the strategic planning of the Plan Area as part of the wider region.

The application land falls within the boundary of the Plymouth Policy Area. This incorporates the administrative area of Plymouth along with Plymouth's urban fringe where major development is committed (including the new community at Sherford).

The two applications together encompass the majority (but not all) of land within Policy PLY44 in the JLP.

In addition to a JLP, WDBC, SHDC and PCC have some joint working arrangements. The Development Management Lead Specialist services both the WDBC and SHDC Planning Committees and the Urban Fringe Team, led by Gina Small, has responsibility for major

development applications within the boundaries of SHDC and PCC in the Plymouth Policy Area (notably Sherford, Langage and Woolwell).

SHDC has a Planning Performance Agreement (PPA) with the developer which sets out a programme and year-long determination period involving a review following the initial consultation period; a series of topic based workshops to drill down deeper into issues raised; possible revisions/ re-consultation if required in the autumn and Committee consideration in December 2020.

The applications will be processed by the Urban Fringe Team lead by Gina Small, with Ian Lloyd as case officer. A number of colleagues have been identified to lead assessment of topic areas such as highways, green infrastructure, design coding, heritage etc. and who will lead discussions with internal and external consultees.

The above officers who prepared this report and will present the scheme to Members will also likely ultimately make the final recommendation on the schemes present the applications for decision at the SHDC planning Committee and cannot therefore offer opinion or pre-judge any aspect of the proposals.

5. Principle of Development/ Sustainability:

The land is allocated for a residential-led sustainable urban extension in the JLP under policy PLY44, reproduced in full below:

Policy PLY44

Woolwell sustainable urban extension and community park

Land at Woolwell is allocated for comprehensive residential led mixed use development to provide a sustainable urban extension and a defined edge to the north of the city, including a new community park. Provision is made for in the order of 2,000 new homes (about 1,560 of which are anticipated to come forward within the plan period). Development should provide for the following:

1. Delivery in accordance with a strategic masterplan and design code that should be prepared for the site and consulted upon in advance of the consideration of any planning application. This masterplan will:
 - i. Identify the design philosophy and phasing of the development.
 - ii. Include a detailed transport and access strategy which establishes key road, walking and cycling routes and public transport, maximising the permeability of the site by all forms of sustainable transport, both within the development and to connecting routes in the vicinity.
 - iii. Set out a landscape strategy that responds to the sites location and relationship with Dartmoor National Park.
2. The main access arrangements are to be agreed prior to the commencement of development and delivered commensurately with the associated phase of the development. Additionally, there should be no occupation of new homes until the A386 Woolwell to the George Junction Transport Scheme has been implemented, with the exception of where this can be accommodated without resulting in a severe impact on the operation of the local road network.
3. A form of development which utilises natural features with appropriate strategic landscaping that is sensitive to its location and relationship with the Dartmoor National Park resulting in a clearly defined edge of the city.
4. Delivery of a new Community Park that will form part of the network of Strategic Greenspace sites. It will therefore need to be of a sufficient scale, design and quality and must be multi-functional in nature. The park must:

- i. Meet the recreational needs of the new community to prevent an unacceptable impact on South Dartmoor Woods European Protected Site.
 - ii. Provide a minimum of a 40m landscape buffer between the edge of development and the Plym Valley Strategic Green Space and setting of Dartmoor National Park.
 - iii. Deliver high quality accessible greenspace that incorporates areas for active recreation and play in line with local standards.
 - iv. Provide a high quality network of walking, cycling and horse riding routes through the Park that link into the adjacent Plym Valley Strategic Green Space.
 - v. Incorporate elements of the Sustainable Urban Drainage system that must be designed to fit within the landscape setting of the Park and provide wildlife and amenity benefits.
 - vi. Incorporate new playing pitches in line with local standards and associated infrastructure, such as changing rooms, required to support the new community. Facilities will be located in an appropriate area that does not conflict with the other functions of the park.
 - vii. Mitigate the impacts of the development on biodiversity and incorporate biodiversity enhancement measures.
 - viii. Utilise the old tramway for pedestrian and cycle connections through the development and providing the opportunity for onward links to the Plym Valley Strategic Green Space.
5. Appropriate local facilities to support the new and existing residents and to enhance the sustainability of the area, including a new primary school and appropriate contributions to mitigate the development on secondary schools in Plymouth.
 6. A second road access to Woolwell which is capable of accommodating traffic from the existing community and planned new development, with due consideration to the needs of public transport accessibility, and which leads to improved traffic flow around the area and which reduces the impact of the development on the key transport corridor and routes.
 7. Contributions to strategic highway improvements and programmes.
 8. Provision of opportunities and plots for self or custom build homes.
 9. Maximise opportunities for on-site energy generation.

Having regard to the above, the challenge will be to ensure proposals are policy compliant, fulfil the requirements of key policy PLY44 (and others identified under the policy heading below) and constitute a sustainable form of development.

The applications are accompanied by an extensive and comprehensive set of documents, key ones of which include:

- Masterplan
- Parameter Plans
- Environmental Impact Assessment (Environmental Statement) including Landscape Visual Impact Assessment (LVIA)
- Transport Assessment (TA) & Travel Plan TP
- Design & Access Statements (D&AS) and Allocation Wide Design Codes (AWDC)
- Draft Heads of Terms

The submitted Design & Access Statements (D&AS) and complementary document - the Allocation Wide Design Code (AWDC) - have been produced to provide design guidance for the whole Policy PLY44 Allocation area. They are useful documents to gain an understanding of the evolution of the scheme design and which aim to set design principles also guide future design principles.

Landscape impacts can be gauged from the LVIA.

Highways Impacts are assessed through the TA and TP.

The draft Heads of Terms will form the basis of discussions surrounding policy compliant planning obligations.

Land at Woolwell PLY44 is a site allocation in the JLP for a comprehensive residential led mixed-use development to provide a sustainable urban extension and a defined edge to the north of the city, including a new community park, anticipated to:

- deliver in the order of 2,000 new homes (about 1,560 anticipated to come forward within the JLP period to 2034);
- delivery of the site in accordance with a strategic masterplan and design code;

The applications follow pre-application engagement involving community consultation including public consultation events held in June 2018 over two days, a stand in the City Centre of Plymouth and a Community Focus group meeting to discuss the Masterplan in more detail.

The Masterplan (appendix a) sets out the key transport links, based on a three-access strategy: new roundabout to the North of the site; proposed new access link at Pick Pie Drive and a second new access through Towerfield Drive. In addition to this walking and cycling links have been identified linking to and through the site.

The Masterplan seeks to demonstrate:

- capacity for in the order of 2,000 homes;
- transport links;
- how the landscape strategy responds to the site's location and relationship with Dartmoor National Park (DNP) with green infrastructure including new 13.47 ha. Community Park with a minimum 40m landscape buffer to the Plym Valley/ buffer for the DNP and ecological mitigation;
- location of the Sustainable Urban Drainage system;
- location of the playing pitches;
- location of the new primary school and local centre;

The Parameter Plans set the parameters for future reserved matters applications – land use, density, building height and green infrastructure.

6. Policy

The JLP is the starting point for considerations. Under Section 38(6) of The Planning and Compensation Act 2004, applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

Following adoption of the JLP by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

Adopted policy names and numbers may have changed since the publication of the Main Modifications version of the JLP.

The relevant development plan policies are set out below:

The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.

SO1 Delivering the spatial strategy
SO4 Delivering growth in the Derriford and Northern Corridor Growth Area
SO11 Delivering high quality development
SO12 Delivering infrastructure and investment
SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT3 Provision for new homes
SPT4 Provision for employment floorspace
SPT7 Working with neighbouring areas
SPT8 Strategic connectivity
SPT9 Strategic principles for transport planning and strategy
SPT10 Balanced transport strategy for growth and healthy and sustainable communities
SPT11 Strategic approach to the historic environment
SPT12 Strategic approach to the natural environment
SPT13 Strategic infrastructure measures to deliver the spatial strategy
SPT14 European Sites – mitigation of recreational impacts from development
PLY44 Woolwell sustainable urban extension and community park
PLY45 Plym Valley Strategic Greenspace
PLY47 Strategic infrastructure measures for the Derriford and Northern Corridor Growth Area.
PLY61 Development in Plymouth's urban fringe
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV3 Sport and recreation
DEV4 Playing pitches
DEV5 Community food growing and allotments
DEV7 Meeting local housing need in the Plymouth Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV12 Purpose built student accommodation in the Plymouth Policy Area
DEV18 Protecting local shops and services
DEV19 Provisions for local employment and skills
DEV20 Place shaping and the quality of the built environment
DEV21 Development affecting the historic environment
DEV23 Landscape character
DEV25 Nationally protected landscapes
DEV26 Protecting and enhancing biodiversity and geological conservation
DEV27 Green and play spaces
DEV28 Trees, woodlands and hedgerows
DEV29 Specific provisions relating to transport
DEV30 Meeting the community infrastructure needs of new homes
DEV31 Waste management
DEV32 Delivering low carbon development
DEV34 Community energy
DEV35 Managing flood risk and water quality impacts
DEL1 Approach to development delivery and viability, planning obligations and the Community Infrastructure Levy

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning and other documents are also material considerations in the determination of the application:

Dartmoor National Park Management Plan 2014 – 2019

Neighbourhood Plan

The Bickleigh Parish Neighbourhood Plan (NP) 2016-2034 has been made and is a material consideration as part of the development plan. A number of policies and aims are relevant to the outline application and will be relevant to future Reserved Matters applications, including design issues and parking standards.

7. Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in providing the information contained in this report.

The above report is intended to provide a basis, in conjunction with the application documentation, for any Member decision to comment formally on the applications as neighbouring Authority to the determining Authority.

Name and signature: Gina Small/ Ian Lloyd

Date: 18/02/2020

Agenda Item 6

West Devon Borough Council
PLANNING AND LICENSING COMMITTEE 3-Mar-20
Appeals Update from 23-Jan-20 to 23-Feb-20

Ward Bridestowe

APPLICATION NUMBER : **3974/18/PIP** APP/Q1153/W/19/3237103
APPELLANT NAME: Professpr Bernard McNeils
PROPOSAL : Application for permission in principle for 2 new dwellings
LOCATION : Eversfield Manor Road From Wrixhill Bridge To Boasley Cross Bratton Clovelly Devon
EX20 4JF
APPEAL STATUS :
APPEAL START DATE: 11-November-2019
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 24-January-2020

Ward Drewsteignton

APPLICATION NUMBER : **4168/17/FUL** APP/Q1153/W/18/3217614
APPELLANT NAME: Mr D Bifulco
PROPOSAL : Retention of existing building, retrospective application for hedge
removal and replacement to north of barn to be retained
LOCATION : Skywood Spreyton Crediton EX17 5AF
APPEAL STATUS :
APPEAL START DATE: 15-May-2019
APPEAL DECISION: Upheld (Conditional approval)
APPEAL DECISION DATE: 27-January-2020

Ward Tavistock North

APPLICATION NUMBER : **2199/19/FUL** APP/Q1153/W/19/3238088
APPELLANT NAME: Mr R Moule
PROPOSAL : Construction of single dwelling on disused former agricultural land
(resubmission of 2851/18/FUL)
LOCATION : Land at SX479750, North of Buddle Close Butcher Park Hill Tavistock
APPEAL STATUS :
APPEAL START DATE: 11-November-2019
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 24-January-2020

Ward Tavistock South East

APPLICATION NUMBER : **2966/19/TPO** APP/TPO/Q1153/7723
APPELLANT NAME: Mr Michael Richards
PROPOSAL : T2: Beech - Crown raise on North side to 5m from ground level. Lateralreduction on North
West side by 3m. T3: Beech - Crown raise on South side to 4m from ground level. Reduce
secondary branch on East side to the union by 5m. Lateral reduction of tertiary branches by
up to 1.2m to balance. Reasons- to reduce overhang onto parking area and house, reduce
risk of branches falling into garden and reduce excessive shading.
LOCATION : The Sheiling Down Road Tavistock PL19 9AG
APPEAL STATUS :
APPEAL START DATE: 27-January-2020
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER : **3542/19/TPO** APP/TPO/Q1153/7799
APPELLANT NAME: Mr Brian May
PROPOSAL : T1: Fir - Fell due to roots causing damage of steps and safety/trip
hazard and causing light depravation to nearby oak
LOCATION : Virginia Cottage Mount Tavy Road Tavistock PL19 9JE
APPEAL STATUS :
APPEAL START DATE: 06-February-2020
APPEAL DECISION:
APPEAL DECISION DATE:

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