

# West Devon Development Management and Licensing Committee



West Devon  
Borough  
Council

<b>Title:</b>	<b>Agenda</b>
<b>Date:</b>	<b>Tuesday, 1st September, 2020</b>
<b>Time:</b>	<b>9.30 am</b>
<b>Venue:</b>	<b>Remote -Skype Meeting</b>
<b>Full Members:</b>	<p style="text-align: center;"><b>Chairman</b> Cllr Yelland <b>Vice Chairman</b> Cllr Pearce</p> <p><i>Members:</i> Cllr Cheadle Cllr Moyse Cllr Crozier Cllr Ratcliffe Cllr Hipsey Cllr Renders Cllr Mott Cllr Vachon</p>
<b>Interests – Declaration and Restriction on Participation:</b>	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.
<b>Committee administrator:</b>	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 28 July 2020

**5. Planning Applications**

**5 - 10**

To see Letters of Representation and further supplementary information relating to any of the planning applications on the agenda, please select the following link and enter the relevant Reference number: <http://westdevon.gov.uk/searchlanding>

<b>WARD NAME</b>	<b>Bridestowe</b>
<b>APPLICATION NUMBER</b>	<b>1499/20/FUL</b>
<b>LOCATION</b>	<b>Foxcombe Farm, Lewdown, Okehampton</b>
<b>DEVELOPMENT</b>	<b>Conversion of existing cabin into annex for holiday use with associated works</b>

**6. Planning Appeals Update**

**11 - 12**

# Agenda Item 4

At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held via Skype on **TUESDAY** the 28th day of **JULY 2020** at **9.30am**

**Present:** Cllr J Yelland – Chairman  
Cllr T G Pearce – Vice Chairman

Cllr R Cheadle	Cllr P Crozier
Cllr S Hipsev	Cllr C Mott
Cllr D E Moyse	Cllr B Ratcliffe
Cllr M Renders	Cllr P Vachon

Head of Development Management Practice (PW)  
Planning Case Officer  
Solicitor (BF)  
Specialist, Joint Local Plan (PB)  
Senior Case Officer, Democratic Services (KH)

**Other Members also in attendance:**

Cllrs T Southcott, J Spettigue

**\*DM&L 5 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 6 URGENT BUSINESS**

There was no urgent business.

**\*DM&L 7 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 30 June 2020 were confirmed and signed by the Chairman as a correct record.

**\*DM&L 8 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:

(a) **Application No: 1055/19/FUL** **Ward: Bridestowe**

**Site Address: Field at East Linnacombe Farm, Sourton Down, Okehampton, EX20 4HR**

**Erection of single-storey agricultural building for general agricultural storage using existing access**

Speakers included: Supporter – Mr Ed Persse: local Ward Member - Cllr Caroline Mott

**RECOMMENDATION:** Conditional Approval

**COMMITTEE DECISION:** Conditional Approval

**(b) Application No: 0806/20/FUL Ward: Bridestowe**

**Site Address: Lobhill Cottage, Lewdown, EX20 4DS**

**Erection of dwelling in residential garden with associated works (resubmission of 0106/19/FUL)**

Speakers included: Supporter – Mr Chris Burton: local Ward Member – Cllr Terry Southcott

**RECOMMENDATION:** Refusal

**COMMITTEE DECISION:** Refusal

**(C) Application No: 1919/19/FUL Ward: Tavistock South East**

**Site Address: Land adjacent to Breckland, Down Road, Tavistock, Devon, PL19 9AG**

**Variation of conditions 1 (plans) and 3 (vegetation border) of planning permission 2138/18/FUL (Erection of 2 dwellings)**

Speakers included: Supporter – Mr Ed Persse: local Ward Member- Cllr James Spettigue

**RECOMMENDATION:** Conditional Consent

During discussion, Members raised concerns over the increased proximity of the units to properties at Deer Leap and in particular numbers 11 and 12. Concerns also raised over the size and scale of the units deemed to be a variation to that previously approved. The development being in breach of sections of the Joint Local plan.

**COMMITTEE DECISION: Refusal**

Reason

The proposal by reason of the increased scale of the proposed units and their increased proximity to the properties on Deer Leap would have a detrimental impact on the character of the area and especially on the amenity and privacy values of 11 and 12 Deer Leap. Contrary to Dev 1 part 1 Dev 10 Dev 2.1 of the JLP

(The Meeting terminated at 14.05pm)

---

**Chairman**

This page is intentionally left blank

## PLANNING APPLICATION REPORT

**Case Officer:** Oliver Gibbins

**Parish:** Lewtrenchard **Ward:** Bridestowe

**Application No:** 1499/20/FUL

**Agent/Applicant:**

Mr C Munson - Studio Winter Chartered  
Architect  
Studio Winter Chartered Architect  
The Guildhall  
Liskeard  
Cornwall  
PL14 3JE

**Applicant:**

MA & HMD Spooncer  
Foxcombe Farm  
Lewdown  
EX20 4PH

**Site Address:** Foxcombe Farm, Lewdown, Okehampton, EX20 4PH

**Development:** Conversion of existing cabin into annex for holiday use with associated works



### Reason item is being put before Committee

Cllr Southcott:

Having read your report and all the other correspondence pertaining to this application I feel I cannot, at this time, support delegation in this particular case.

I therefore call in this application into committee for consideration. I have grave concerns regarding the policies within the JLP in that they completely disadvantage the rural and farming community diversification.

## **Recommendation: Refusal**

### **Reasons for refusal**

The proposal development would result in tourism accommodation in an unsustainable rural location with restricted access to services and amenities reliant on the private car. The proposal is therefore contrary to Policies SPT1, SPT2, TTV1, TTV2 DEV15 and DEV29 of the Plymouth and South West Devon Joint Local Plan 2014-2034; and the National Planning Policy Framework (notably but not limited to paragraph 83).

### **Key issues for consideration:**

Principle of the development.

---

### **Site Description:**

The application site forms part of the curtilage of Foxcombe Farm, which is located in the countryside between Bridestowe and Lewdown.

The site is not in an AONB or within the setting or nearby any listed buildings.

### **The Proposal:**

This is an application for planning permission for a unit of a self-contained holiday accommodation which is partly retrospective. The building is in the form of a timber clad outbuilding.

### **Consultations:**

- County Highways Authority - No highway implications
- Town/Parish Council - One of the main decisions for the creation of the West Devon Drive was for the support and development of existing holiday destinations and to encourage new holiday retreats, it is considered to be beneficial to encourage more visitors to the area.
- Drainage – Standing advice.

### **Representations:**

None

### **Relevant Planning History**

APP/K1128/W/18/3217159: Lower Leigh Farm, TQ7 4AG



APP/K1128/W/19/3241910: Hillfield Village, TQ6 0LX  
APP/Q1153/W/20/3244495: Land at SX 471 100 (Beaworthy), EX21 5AX;  
APP/Q1153/W/19/3242298: Liphill Quay, PL20 7JY

## **ANALYSIS**

Principle of Development/Sustainability:

Policy SPT1 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (JLP) sets out the Council's overall approach to delivering sustainable development. Policy SPT2 identifies the principles that are to guide the delivery of , amongst other things, sustainable rural communities, indicating that these should be well served by public transport, walking and cycling opportunities and have an appropriate level of services and facilities, and have reasonable access to a vibrant mixed use centre. Policy TTV1 sets out that growth will be delivered according to a hierarchy of settlements, with development in the countryside permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities. Policy TTV2 indicates that specific objectives of rural sustainability include the delivery of, amongst other things, sustainable rural tourism development.

JLP Policy DEV15 sets out, amongst other aspects, that: support will be given to proposals in rural areas which are in suitable locations; and that camping, caravan, chalet or similar facilities that respond to an identified local need will be supported provided the proposal has no adverse environmental impact. It requires development proposals to, amongst other aspects, avoid a significant increase in the number of trips requiring the private car and facilitate the use of sustainable transport, including walking and cycling, where appropriate. It also sets out that Sustainable Travel Plans will be required to demonstrate how the traffic impacts of the development have been considered and mitigated. Adding to this, JLP Policy DEV29 requires development to, amongst other things, promote sustainable transport choices and facilitate sustainable growth.

The applicants have sought to justify this development on the basis that it will help support the diversification of the existing farm and also responds to an identified need, and does have some links to cycle paths.

In terms of the diversification it is accepted that the development is located on a farming enterprise and this will provide some local employment benefits. In addition the letter from a holiday specialist does indicate that there is a demand for this form of accommodation.

The site is accessed via an unlit and narrow road and which has no pavement to the West Devon Drive. This section of the West Devon Drive is also unlit and has no pavement and it is approximately 2km to the closest bus stop where access to the 6A Exeter to Bude service is available. This has 4 services per day (in each direction). This is further than the indicative 600m identified within table 3.2 of the JLP, this is an aspiration and does not need to be applied on an inflexible way in rural areas.

In terms of footpaths the closest footpath is located to the approximately 1km to the east of the Bridestowe 2b footpath and located approximately 8km from the National Cycle Route 27.

The site is located in a rural location between Bridestowe, 3.8km to the east, and Lewdown, 2.6km to the west. This distance combined with the unlit and limited amount of pavements

result the site having a poor level of access to facilities and would be reliant on the private car. In addition the site is not well served by public transport.

Turning to the policy considerations it is noted that the proposal will contribute positively with Policy TTV2 parts 3 and 4 which seek to support the growth and expansion of rural businesses and enterprise and the diversification of agricultural and rural businesses. However based on the fact that the site does not have good access to walking, cycling or public transport will not constitute sustainable rural tourism and would therefore be dependent on the car and therefore would be a unsustainable form of tourism.

The Council have also series of appeal decisions which have considered similar proposals against the policy as detailed below:

APP/K1128/W/18/3217159: Lower Leigh Farm, TQ7 4AG

APP/K1128/W/19/3241910: Hillfield Village, TQ6 0LX

APP/Q1153/W/20/3244495: Land at SX 471 100 (Beaworthy), EX21 5AX;

APP/Q1153/W/19/3242298: Liphill Quay, PL20 7JY

Overall there has been a consistent application of tourism policies in the plan which confirm the interpretation against the spatial strategy of the Joint Local Plan at planning appeal. This indicates that in order to be supported by the policies tourism must be sustainable.

It can be concluded that the proposed development would not be in a suitable location, with particular regard to access to services and facilities and it therefore conflicts with JLP Policies SPT1, SPT2, TTV1, TTV2, DEV15 and DEV29. The proposal would also be inconsistent with the provisions in the Framework in relation to supporting a prosperous rural economy and promoting sustainable transport.

#### Design/Landscape:

The building, which is currently under construction, is located in curtilage of the existing farm dwelling house. The building has the appearance of an ancillary outbuilding such as a summer house and is therefore compatible with the character and appearance of the area.

#### Neighbour Amenity:

The occupation of the unit of accommodation would be in close association with the occupiers of the existing dwelling. However there is sufficient space within the curtilage to accommodate the unit without giving rise to significant loss of amenity.

#### Highways/Access:

This development will not adversely impact on highway safety.

#### Other Matters:

Matters relating to drainage and biodiversity can be conditioned on this scale of development.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004***

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

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.**

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT3 Provision for new homes  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area  
TTV26 Development in the Countryside  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV15 Supporting the rural economy  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
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

### **Neighbourhood Plan**

Until adopted this cannot hold significant weight.

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 83 and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: JLP SPD

### **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 reaching the recommendation contained in this report.

This page is intentionally left blank

# West Devon Borough Council Agenda Item 6

## PLANNING AND LICENSING COMMITTEE 1-Sep-20

Appeals Update from 10-Jul-20 to 13-Aug-20

### Ward Bere Ferrers

APPLICATION NUMBER : **2535/19/HHO** APP/Q1153/D/19/3243333  
APPELLANT NAME: Mr Oliver Ricahrds & Janice Scott  
PROPOSAL : Householder application for proposed two storey rear extension and detached garage (resubmission of consent 1967/18/HHO)  
LOCATION : 2 Morwellham Tavistock PL19 8JL  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 04-May-2020  
APPEAL DECISION: Partially upheld  
APPEAL DECISION DATE: 20-July-2020

---

APPLICATION NUMBER : **2537/19/HHO** APP/Q1153/D/19/3243332  
APPELLANT NAME: Mr & Mrs R & N Backaller  
PROPOSAL : Householder application for proposed two storey rear extension and replacement detached garage  
LOCATION : 1 Morwellham Tavistock PL19 8JL  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 04-May-2020  
APPEAL DECISION: Partially upheld  
APPEAL DECISION DATE: 20-July-2020

---

### Ward Buckland Monachorum

APPLICATION NUMBER : **1739/19/OPA** APP/Q1153/W/19/3241348  
APPELLANT NAME: Mr & Mrs Harold & Helen Butland  
PROPOSAL : Outline application with some matters reserved for erection of 5no. detached dwellings including access and turning  
LOCATION : Land at SX 487 681 adjacent to Butland Meadow Buckland Monachorum Yelverton  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 26-February-2020  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 06-August-2020

---

### Ward Milton Ford

APPLICATION NUMBER : **1334/19/FUL** APP/Q1153/W/20/3245715  
APPELLANT NAME: Mr & Mrs F Griffiths  
PROPOSAL : Change of use of holiday let to dwelling  
LOCATION : Little Acorns R/O 7 Burnshall Cottages Chillaton PL16 0HX  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 04-March-2020  
APPEAL DECISION: Upheld  
APPEAL DECISION DATE: 20-July-2020

---

APPLICATION NUMBER : **3144/19/FUL** APP/Q1153/W/20/3244500  
APPELLANT NAME: Mrs Sarah Young  
PROPOSAL : Siting of shepherd hut for holiday use with associated access track and park/turn area  
LOCATION : Land at Tuell Down Milton Abbot  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 12-May-2020  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 03-August-2020

---

APPLICATION NUMBER : **3404/19/OPA** APP/Q1153/W/20/3248731  
APPELLANT NAME: Mr M Bassett  
PROPOSAL : Outline application with some matters reserved for erection of 5 dwellings and access road  
LOCATION : Land at SX 447 766 East of Summer Green Lamerton  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 12-May-2020  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 30-July-2020

---

### Ward Tamarside

APPLICATION NUMBER : **3185/19/FUL** APP/Q1153/W/20/3249800  
APPELLANT NAME: Mr W Ould  
PROPOSAL : Erection of dwelling (resubmission of 0309/19/FUL)  
LOCATION : Robins Croft Liftdown PL16 0DA  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 03-June-2020  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 05-August-2020

---

**Ward Tavistock North**

APPLICATION NUMBER : **2278/19/OPA** APP/Q1153/W/20/3249932  
APPELLANT NAME: Mr & Mrs Simon Reeves  
PROPOSAL : Outline application with some matters reserved for erection of new  
dwelling in the garden  
LOCATION : 22 Glanville Road Tavistock Devon PL19 0EB  
APPEAL STATUS : Appeal decided  
APPEAL START DATE: 12-May-2020  
APPEAL DECISION: Dismissed (Refusal)  
APPEAL DECISION DATE: 30-July-2020

---

APPLICATION NUMBER : **3342/19/FUL** APP/Q1153/W/20/3255592  
APPELLANT NAME: Mrs J Eldridge  
PROPOSAL : New single storey dwelling  
LOCATION : 9 Old Launceston Road Tavistock PL19 8NA  
APPEAL STATUS : Appeal Lodged  
APPEAL START DATE: 23-July-2020  
APPEAL DECISION:  
APPEAL DECISION DATE:

---