

West Devon Development Management and Licensing Committee



West Devon
Borough
Council

Title:	Agenda								
Date:	Tuesday, 15th June, 2021								
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 Hipsey</td> <td style="width: 33%;">Cllr Ratcliffe</td> </tr> <tr> <td>Cllr Leech</td> <td>Cllr Renders</td> </tr> <tr> <td>Cllr Mott</td> <td>Cllr Southcott</td> </tr> <tr> <td>Cllr Moyse</td> <td>Cllr Vachon</td> </tr> </table>	Cllr Hipsey	Cllr Ratcliffe	Cllr Leech	Cllr Renders	Cllr Mott	Cllr Southcott	Cllr Moyse	Cllr Vachon
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Cllr Leech	Cllr Renders								
Cllr Mott	Cllr Southcott								
Cllr Moyse	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 20 April 2021

5. Planning Applications

5 - 30

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: <http://westdevon.gov.uk/searchlanding>

WARD NAME	Bridestowe
APPLICATION NUMBER	2295/20/FUL
LOCATION	"Land At SX 445 910", East of West Headson Farm, Bratton Clovelly
DEVELOPMENT	Retrospective application for gate to field for access to livestock

WARD NAME	Bridestowe
APPLICATION NUMBER	3384/20/FUL
LOCATION	"Land to the East West Headson Farm, Bratton Clovelly
DEVELOPMENT	READVERTISEMENT (Revised

description) Retrospective change of use from agricultural to mixed agricultural/equestrian use, with hardstanding and earth banks

WARD NAME
APPLICATION NUMBER
LOCATION

Bridestowe
2926/19/FUL
"Field At SX 445 910", East of West Headson Farm, Bratton Clovelly

DEVELOPMENT

Agricultural building / dry store for fodder and agricultural implements.

- | | | |
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| 6. | Planning Appeals Update | 31 - 34 |
| 7. | Update on Undetermined Major Applications | 35 - 36 |

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Agenda Item 4

At a Meeting of the **DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held via Teams on **TUESDAY** the **20th** day of **April 2021** at **9:30am**

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 Moyse	Cllr B Ratcliffe
Cllr M Renders	Cllr P Vachon

Head of Development Management (PW)
Planning Case Officer (CS)
Solicitor (BF)
Democratic Services Manager (DW)
Specialist Democratic Services (JY)
Senior Case Officer, Democratic Services (KH)

***DM&L 61 APOLOGIES FOR ABSENCE**

There were no apologies forwarded to this Meeting.

***DM&L 62 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 and remained in the meeting and took part in the debate and vote thereon. Cllr J Yelland declared an interest as she had been contacted by an objector to the application being heard, however she remained of an open mind and prepared to listen to all views.

***DM&L 63 URGENT BUSINESS**

There was no urgent business brought forward to this Meeting.

***DM&L 64 CONFIRMATION OF MINUTES**

The Minutes of the Development Management and Licensing Committee Meeting held on 23rd March 2021 were confirmed as a correct record.

***DM&L 65 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the application(s) 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: 4205/19/HHO Ward: Tavistock South East

Site Address: 11a Mount Tavy Road, Tavistock

**Development: READVERTISEMENT (Revised plans received)
Retrospective householder application for enlargement of
patio area.**

Speakers included:

Objector – Dr Sue Andrew
Town Council Representative – Cllr Paul Ward
Borough Ward Member – Cllr Spettigue

RECOMMENDATION: Recommendation: Conditional Approval
Conditions:

- 1 Adherence to plans
- 2 Obscure glazed screen/fence on west side elevation of patio to be installed within 3 months of decision.
- 3 Install drainage within 3 months of decision

During discussion, the following points were raised.

- Concerns that a Heritage assessment was not made
- Considerable harm to Conservation Area
- Intrusive to neighbours privacy and amenity value
- Could be seen from public vantage points

COMMITTEE DECISION: REFUSED

The proposed decking, by its projection over the river and use of materials which are inconsistent with the natural character of the river frontage, fails to conserve and enhance the character of the Tavistock Conservation Area and results in harm to the amenities of neighbouring properties adjacent to and opposite the site, contrary to DEV1, DEV21 and DEV23 of the JLP.

***DM&L 66 PLANNING APPEALS UPDATE**

The Head of Development Management updated the Members on each of the outstanding planning appeals.

***DM&L 67 UNDETERMINED MAJOR APPLICATIONS REPORT**

The Head of Development Management updated the Members on each of the undetermined Major applications.

(The Meeting terminated at 10.44am)

Chairman

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PLANNING APPLICATION REPORT

Case Officer: Oliver Gibbins

Parish: Bratton Clovelly **Ward:** Bridestowe

Application No: 2295/20/FUL

Agent/Applicant:

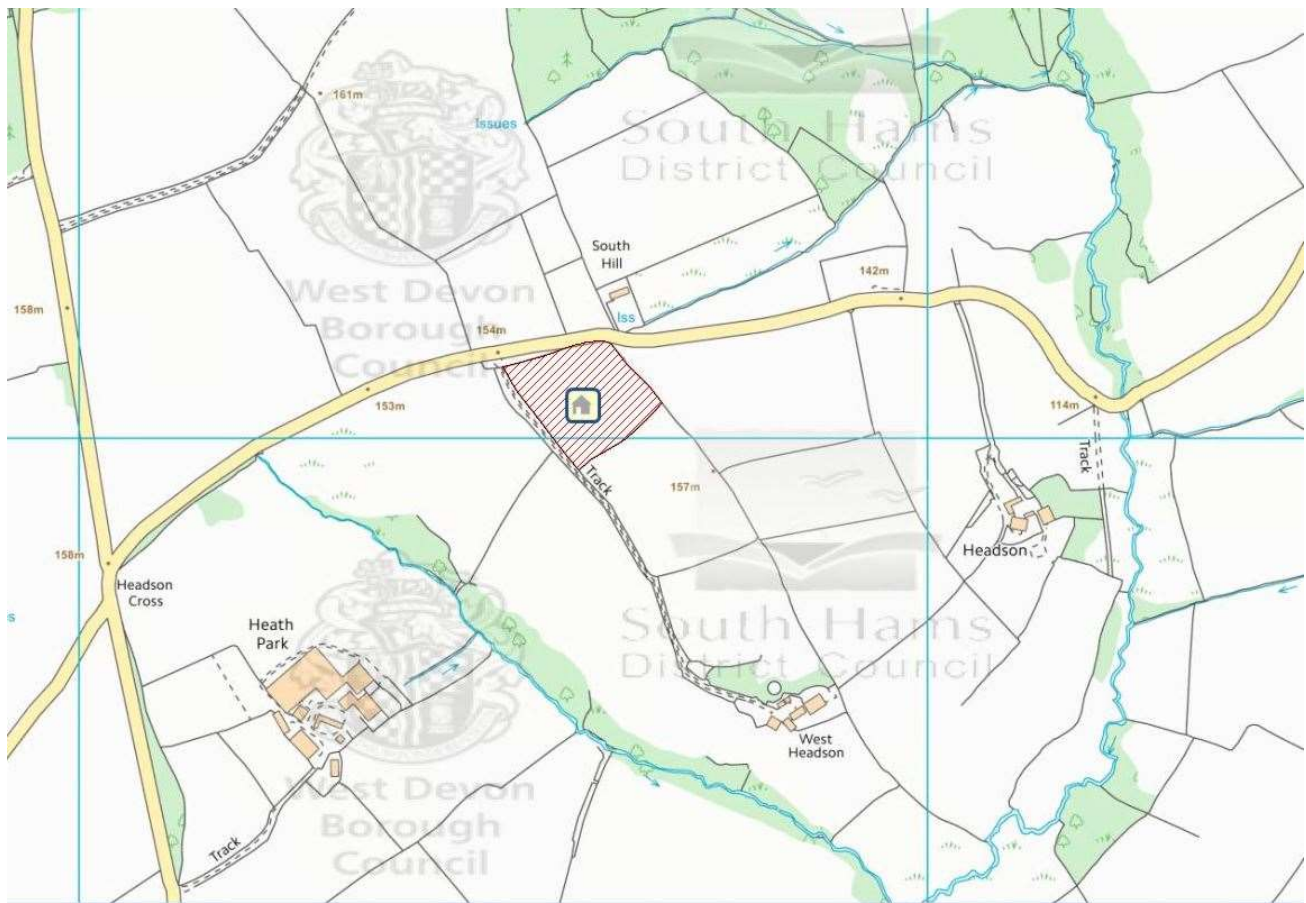
Mrs Anna Clarke
Rosefield
2 Elmfield Meadow
Northlew
EX20 3BN

Applicant:

Mrs Anna Clarke
Rosefield
2 Elmfield Meadow
EX20 3BN

Site Address: Land At SX 445 910, East of West Headson Farm, Bratton Clovelly

Development: Retrospective application for gate to field for access to livestock



Reason item is being put before Committee

Cllr Southcott has requested that this application is determined by the Committee for the following reason:

Due to the objections to this application from the neighbouring parish council of Bratton Clovelly and the local neighbours I believe it would be best if this application be considered by the

planning committee. If for no other reason I believe your decision deserves the support of the committee.

Cllr Mott has requested that this application is determined by the Committee for the following reason:

Loss of ancient hedgerow and impact on the wider landscape.

Recommendation: Approval

Conditions:

1. Approved plans
2. Detail of the gate
3. Landscape plan
4. Ecological mitigation.

Key issues for consideration:

The impact of the development on the character and appearance of the area and highway safety.

Site Description:

The site is a 4 acre piece of land located on the southern side of the road between Broadwoodwiger and Bratton Clovelly, approximately 1.2km south west of Bratton Clovelly.

This field was originally part of the agricultural holding at West Headson Farm, which is located to the south west of the site. This was sold to the applicant who has set up a small scale independent holding.

The site is located in the open countryside, enclosed by field boundaries, with the roadside northern boundary of the site being formed of a Devon Bank with significant trees.

On the northern side of the highway, close to the site access point, is a Grade II listed cottage known as South Hill.

The site is not within a designated or protected landscape and the area is characterised by rural development.

The Proposal:

This application, which is retrospective in nature is for the retention of an access and gate to the site.

The access has been gained through cutting through a Devon Bank to create a gap of approximately 4 m, and providing visibility splays to both directions. The surface has been gravelled.

Consultations:

- County Highways Authority – No objection. Visibility in the leading traffic direction is adequate. Visibility in the trailing traffic direction is restricted by the alignment of the adjoining carriageway and vegetation, but is considered adequate having regard to the speed and number of vehicles passing the site.
- Lewdown Parish Council – No comments to make. The Council does not appreciate applications made retrospectively
- Bratton Clovelly Parish Council – Object
 - 1) The overbearing nature of the entrance. The entrance gate itself is wide but this is exacerbated by the widening of the total gap. For such a small parcel of land, this entrance is overly large and it's design and appearance is not in keeping with other field gates in the area.
 - 2) Loss of ecological habitat – This gate has caused the destruction of a large piece of Devon Bank which has been present for hundreds of years. The unnecessary size has led to even more damage. This habitat is vital to the survival of many small mammals and the higher feeding chain. The turning circle at roadside is also impacting on the verge opposite due to the size of vehicles using such a large gate.
 - 3) Access and Highways - We do not believe this gate is sited in a safe position for entering and exiting the field. It is on a bend in the road and on a hill and is dangerous for the, quite speedy, traffic that uses the road, as well as those using the gate.
 - 4) Vehicles using the gateway, being very close to a residential property, are causing excessive noise and disturbance where one was tranquillity and the oversized gate allows for very large and noisy vehicles to take advantage of the access point.
 - 5) The road the proposed gate is on is one of only three main roads to Bratton Clovelly village. It is a quaint and historic village and this road is the A30 link that takes in beautiful and bucolic views reroute. The proposal deeply affects the visual amenity enjoyed by those driving or cycling to and from the village. 6) The proposed gateway is very close to a grade II listed building, South Hill Cottage, and it is the council belief that it is closer than building requirements allow, impacting greatly on the site of this property.
- Conservation Officer – No harm to the setting of the listed building, would recommend some landscaping to soften the impact.

Representations:

11 letters of objection are reported, summarised as follows:

- Harmful impact on the character and appearance of the area
- Harm to amenity from flies, noise, odour and disturbance
- Loss of agricultural fields
- Impact on landscape
- Agricultural need has not been justified; the field is used for equine purposes and pheasant breeding
- Harmful impacts upon nearby listed building
- Sets a precedent for overdevelopment and small fields to be sold off to be developed, noting this land is now for sale

- Dangerous access on a blind bend and has increased traffic to/from the site
- Contrary to local and national policy
- Hasn't considered trees or ecology
- The gate is huge and out of keeping with the rural area
- Piecemeal applications should be refused and submitted in a single comprehensive application
- The Devon Bank should be restored and the field returned to pasture
- Applicant does not own the land for visibility splays
- There is no public benefit
- The stables and bird pens require planning permission; they are not temporary

7 letters of support are reported identifying:

- The access is safe and there will not be any added disruption
- Compatible with the character and appearance of the area.
- Access is essential to provide care for the animals
- The applicant supplies good quality products and should be supported
- The land was sold as agricultural so can't be maintained without access

Relevant Planning History

3384/20/FUL - READVERTISEMENT (Revised description) Retrospective change of use from agricultural to mixed agricultural/equestrian use, with hardstanding and earth banks – Pending consideration (approval recommended)

2926/19/FUL - Agricultural building / dry store for fodder and agricultural implements - Pending consideration (approval recommended)

ANALYSIS

Principle of Development/Sustainability:

The access is required to the site as the existing access from the lane to the west was not available as part of the sale of the land, and has been sealed up. It is understood that the original access to the field was not sold with the parcel of land and is not available to the applicants.

The access has been positioned in a part of the road which has reasonably good visibility and also not in a part of the hedge bank which was heavily planted with significant trees. It is required to provide access into an existing agricultural field.

The field amounts to approximately 4 acres and the applicant identified that she has 2 horses and 10 rams, as well as pheasant chicks which are kept in a brooder unit and pen. The applicant has advised she purchases 6-10 lambs annually and that there is also a requirement to store hay, dry food and agricultural machinery on the land.

The existing field, at 4 acres, was already used for agriculture as part of a much larger holding, and the use for agriculture is an important part of the rural economy. This is a land use that is accepted and established.

Policy TTV1 of the Joint Local Plan, Prioritising growth through a hierarchy of sustainable settlements, identifies that the site is located in the Countryside. In the Countryside, TTV1

identifies that development will only be permitted if it can be demonstrated that it will support the principles of sustainable development and sustainable communities, including as provided for in Policies TTV26 and 27.

Policy TTV2 supports agricultural and other land-based rural businesses.

Policy TTV26 identifies that the special characteristics and role of the countryside will be protected. As this proposal is not considered to be an isolated development in the countryside, paragraph 2 of Policy TTV26 is key and sub-paragraph (iv) is the main consideration relevant to this application; this requires that development responds to a proven agricultural, forestry or other occupational need that requires a countryside location.

It is therefore considered the provision of the access can be supported in principle through Policies TTV1, TTV2, TTV26 and DEV15.

Design/Landscape/Heritage:

The site is not located in a nationally protected landscape and the northern boundary is formed by the Class C road which links Broadwoodwidge to Bratton Clovelly. The western boundary is formed by the access to West Headson Farm and the south and eastern boundaries adjoin farm land.

The access has required the removal of a section of Devon Bank, and whilst this does have an impact on the character and appearance of the area it is required to serve the land as there is no other access to it available to the applicant. It is considered that this form of access can be accommodated within the rural landscape and is compatible with the character and appearance of the area.

There is a grade II listed building located to the north of the site known as South Hill, the access point of which is set approximately 20m away, on the other side of the highway. This is a detached dwelling within its own defined curtilage.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Planning Authorities to consider whether to grant planning permission which affects listed buildings or their setting, and the desirability of preserving the building or its setting or any features of special architectural or historic interest.

JLP Policy DEV21 identifies that great weight is given to the conservation of the Plan Area's designated heritage assets.

Section 16 of the NPPF concerns the historic environment, requiring decisions to take account of impacts of developments upon heritage assets.

The plans have been reviewed by the Council's Heritage Specialist who has advised that this development will not result in any harm to the significance of that heritage asset.

Given the rural character in this location it is considered that the access could benefit from some softening and as such a landscaping condition is justified in terms of Policy DEV23, which requires that development is required to conserve and enhance the landscape.

Neighbour Amenity:

This is a small-scale rural enterprise that requires a countryside location. The scale of the activities on the site are relatively small scale given the number of animals and size of the holding. Whilst the comings and goings from and to the site will result in some noise generating disturbance this is not considered to be harmful to the amenity of neighbouring residents.

Highways/Access:

This is a small-scale rural enterprise, comprising of activities that require a countryside location. The activities on the site are relatively small-scale, given the limited number of animals and size of the holding. Whilst vehicle movements to and from the site will no doubt result in some noise-generating disturbance, this is considered to be limited, typical of rural farming activities and is not considered to be so harmful to the amenity of neighbouring residents that it would warrant refusal of the application.

The response from Devon County Council Highways Authority was originally categorised as 'Standing Advice' but further advice was sought following the receipt of representations raising concerns about highway safety issues.

The visibility available in the leading traffic direction is adequate and although the visibility in an eastern direction is restricted by the alignment of the adjoining carriageway and vegetation, it is considered adequate having regard to the speed and number of vehicles passing the site. DCC concluded there are no objections from a highway safety point of view.

A letter of objection has been received from the original landowner, indicating he owns the highway verge and is intending to erect fencing. DCC have checked their records and the verge is shown as highway land maintainable at public expense. It is worth noting that the erection of a fence adjacent to a highway may need planning permission.

The application is considered to comply with JLP Policy DEV29 and the NPPF, particularly paragraphs 108 and 109.

Other Matters:

Policy DEV26 identifies that development is required to result in a net gain in biodiversity. However this development has resulted in the loss of a section of Devon Bank which clearly does not result in a net gain in biodiversity. Whilst the position of the access has resulted in the minimisation of the loss of trees, a planning condition that requires ecological mitigation through the planting and landscaping of the site will be required to deliver a net gain in biodiversity.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

Relevant policy framework

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 Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of 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).

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
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
TTV28 Horse related developments 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
DEV21 Development affecting the historic 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

Neighbourhood Plan

None

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 11, 83, 108 and 109, and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: JLP Supplementary Planning Document.

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.

Schedule of Conditions

1.The development hereby approved shall be retained in accordance with the following drawings: Site Location Plan received 27/01/2021; and Block Plan and Site Plan received 27/07/2020.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

2. Within 2 months of the date of this decision details of the gate to include scaled drawings shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained in perpetuity.

Reason: No details of the gate were provided on the application and it is important that the design of the gate relates well to the rural character.

3. Within 2 months of this decision a landscaping plan shall be submitted to and approved in writing by the Local Planning Authority. The landscaping plan shall show how planting will be used to mitigate the visual impact of the development. The development shall be carried out in accordance with the approved details and maintained in perpetuity.

Reason: To ensure that the development is sympathetic to the rural character of the area.

4.Within 2 months days of this decision details of how the development will provide ecological mitigation to mitigate the loss of the Devon Bank which is of ecological value shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans and maintained in perpetuity.

Reason: To ensure that the ecological loss of the Devon Bank can mitigated on the site.

PLANNING APPLICATION REPORT

Case Officer: Oliver Gibbins

Parish: Thrushelton **Ward:** Bridestowe

Application No: 3384/20/FUL

Agent/Applicant:

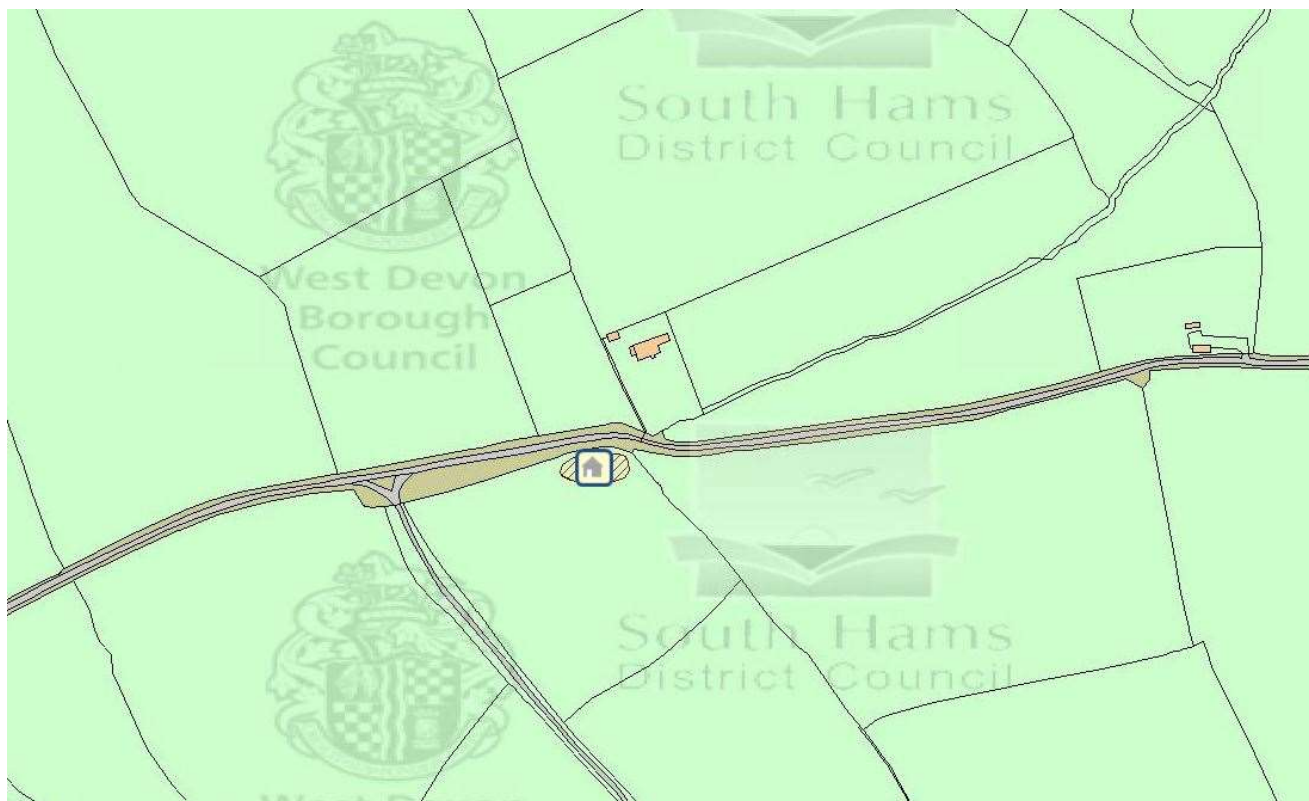
Mrs A Clarke
Rosefield
2 Elmfield Meadow
Northlew
EX20 3BN

Applicant:

Mrs A Clarke
Rosefield
2 Elmfield Meadow
EX20 3BN

Site Address: Land to the East of West Headson Farm, Bratton Clovelly, Okehampton, EX20 4JP

Development: READVERTISEMENT (Revised description) Retrospective change of use from agricultural to mixed agricultural/equestrian use, with hardstanding and earth banks



Reason item is being put before Committee

Cllr Southcott has requested that this application is determined by the Committee for the following reason:

Due to the objections to this application from the neighbouring parish council of Bratton Clovelly and the local neighbours, I believe it would be best if this application be considered by the planning committee. There are issues that need an airing, in particular the retrospective nature

of the planning applications and the issues involved. If for no other reason I believe your decision deserves the support of the committee.

Cllr Mott has requested that this application is determined by the Committee for the following reason:

Detrimental impact on the landscape.

Recommendation: Conditional approval

Conditions

1. Approved plans
2. No commercial equine use
3. Manure management
4. Lighting

Key issues for consideration:

The key issues relate to the principle of the development, the impact on residential amenity, the character and appearance of the area and nearby listed building.

Site Description:

The site is a 4 acre piece of land located on the southern side of the road between Broadwoodwiger and Bratton Clovelly, approximately 1.2km south west of Bratton Clovelly.

This field was originally part of the agricultural holding at West Headson Farm, which is located to the south west of the site. This was sold to the applicant who has set up a small scale independent holding.

The site is located in the open countryside, enclosed by field boundaries, with the roadside northern boundary of the site being formed of a Devon Bank with significant trees.

On the northern side of the highway, close to the site access point, is a Grade II listed cottage known as South Hill.

The site is not within a designated or protected landscape and the area is characterised by rural development.

The Proposal:

This retrospective application is for the change of use of the land from agriculture to a mix of agriculture and equine, as well as the provision of a hard standing and earth banks.

The site is used for grazing of sheep and raising of pheasants as well as containing stabling for horses.

The earth banks are 1.43m high, located in the northern section of the site and contain the development of the site to form a small "compound".

The hard standing is provided in the northern section of the site and formed of compacted stone.

Consultations:

- County Highways Authority - No highway implications.
- Bratton Clovelly Parish Council - Object

Councillors were concerned that the application is for change of use of buildings that didn't exist until very recently and that it should have been for erecting the buildings in the first place.

They also objected on the following grounds:

1. The over bearing nature and design and appearance of the proposed hard standing is out of keeping with the rural aspect.

It is very visible from the road and a joining properties, one of which is a grade two listed building. According to TTV28 the "new track should follow the contours of the land" and be a "darker material" but the actual track is very a light colour and very obvious, running across the middle of the open land and visible from the road. "Artificial mounding of soil should be avoided" new banks form a big part of the application.

This road is one of the main ways into Bratton Clovelly (a conservation area) and is a gateway to the village. This change of use and hard standing development is detrimental to the visual amenity of visitors to Bratton Clovelly and local residence.

2. There is a disturbance from smells to nearby properties from waste heaps near the gate that are not disposed of as described in the application

3. The layout and density of the buildings do not relate well to the pasture land surrounding it and have a detrimental impact on the listed building nearby. TTV28 suggests that developments should be grouped near existing features such as farm buildings, but there were none prior to this development and that "Open fields and remote corners should be avoided". Prior to this application this field was both open grazing and remote from any farm buildings.

There has been a huge increase in traffic as a result of horses needing to be checked on 2-3 times a day. Previously this field was rarely visited by vehicles and the access was not from the road, so caused little disturbance.

- Lewdown Parish Council – Object. The proposal was thought to be detrimental to the surrounding local environment. It was also thought that it was too close to a listed building. A section of Devon bank hedgerow has been removed.
- Conservation Officer – No harm to the setting of the listed building. The scheme could benefit from some landscaping to assist in the naturalisation of the entrance.

Representations:

2 letters of objection, summarised as follows:

- Increased traffic generation and transport impacts
- Detrimental impact on the character and appearance of the area and impact on the landscape
- Excessive development that is out of keeping with rural area
- Development isn't meeting an agricultural need and is contrary to TTV26
- Not an appropriate location as it is isolated
- The siting of the pens and stables are not mobile and require permission
- Concerns over waste generation and pollution
- Piecemeal applications should be refused and submitted in a single comprehensive application
- Adverse impacts upon nearby residential properties
- Inadequate room for all the uses
- Note that both Parish Councils object

1 letter of support has been received, summarised as follows:

- Sensible action to take to bring the parcel of land more in to line on paper for its actual usage
- Still an agricultural tie to the land in regards to the livestock kept at said field and with any activity for example the act of making hay for the livestock and horses

Relevant Planning History

2295/20/FUL - Retrospective application for gate to field for access to livestock – Pending consideration (approval recommended)

2926/19/FUL - Agricultural building / dry store for fodder and agricultural implements - Pending consideration (approval recommended)

ANALYSIS

Principle of Development/Sustainability:

It is understood that the applicant purchased the site from a local landowner in July 2018. It fronted onto the highway and was the only frontage able to provide access as the original access was not available.

The field amounts to approximately 4 acres and the applicant identified that she has 2 horses and 10 rams, as well as pheasant chicks which are kept in a brooder unit and pen. The applicant has advised she purchases 6-10 lambs annually and that there is also a requirement to store hay, dry food and agricultural machinery on the land.

The existing field, at 4 acres, was already used for agriculture as part of a much larger holding, and the use for agriculture is an important part of the rural economy. This is a land use that is accepted and established. The sale of the land to the applicant, a small-holder, has necessitated the requirement for structures and development that would have otherwise been serviced through the main farmstead.

Policy TTV1 of the Joint Local Plan, Prioritising growth through a hierarchy of sustainable settlements, identifies that the site is located in the Countryside. In the Countryside, TTV1 identifies that development will only be permitted if it can be demonstrated that it will support

the principles of sustainable development and sustainable communities, including as provided for in Policies TTV26 and 27.

The principle of using the land for agriculture is already existing and is clearly supported through Policy TTV2, Delivering sustainable development in the Thriving Towns and Villages Policy Area. Under parts 3 and 4, this policy supports the objectives of rural sustainability, the growth and expansion of rural business and enterprise as well as supporting the development and diversification of agricultural and other land based rural businesses.

Furthermore Policy DEV15 (6) identifies that development will be supported which meets the essential needs of agriculture. As a result this development can be supported through Policy DEV15.

Turning to the second element of the application, the equine use, it is noted that this is a much smaller part of the operation on the site; this application however, is just for the land use and not any other structures. Policy TTV28, Horse related developments in the countryside, identifies that horse related development will be supported where:

- 1. There is adequate land and, for commercial uses, adequate off-road riding facilities available for the number of horses to be kept on the land.*
- 2. Existing buildings are reused where possible but where new buildings are necessary, these are well-related to existing buildings, commensurate in size with the number of horses to be kept on the land and the amount of land available for use by those horses.*
- 3. There is an agreed comprehensive scheme of management for any ancillary development including hardstanding, access roads, parking, fencing, lighting, storage, waste disposal, manèges and sub division of fields.*
- 4. The proposal, either on its own or cumulatively, with other horse related uses in the area, is compatible with its surroundings and adequately protects water courses, groundwater and the safety of all road users.*

The site is considered to be adequately sized to accommodate the scale of equine development proposed, with just 2 horses. There is no commercial equine use taking place, and a condition is imposed to ensure no commercial use occurs in the future, given this could increase traffic generation and noise disturbance.

There are no existing buildings on the site which could be reused and subject to conditions for waste management and lighting, the site is laid out in a way as to provide an acceptable layout.

Concerns raised in terms of there not being any justification for this proposal are noted, but the change of use from agriculture to a mixed agriculture/equine use are not deemed to conflict with any policy, nor result in harmful impacts (discussed later in this report). The proposal is therefore considered to be acceptable in principle, in line with the aforementioned policies.

Design/Landscape/Heritage:

The site is well screened by a Devon Bank and the use for equine, which is not uncommon across the borough, can be accommodated within the landscape without causing harm to the character and appearance of the area. The earth banks and hard standing are not prominent features within the landscape.

The proposal is therefore consistent with Policy DEV23 of the Joint Local Plan which requires development to be sited to respect the quality of an area, conserve and enhance features such as trees and hedgerows and to mitigate or secure landscape enhancements where necessary.

In so far as heritage impacts, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Planning Authorities to consider whether to grant planning permission which affects listed buildings or their setting, and the desirability of preserving the building or its setting or any features of special architectural or historic interest.

JLP Policy DEV21 identifies that great weight is given to the conservation of the Plan Area's designated heritage assets.

Section 16 of the NPPF concerns the historic environment, requiring decisions to take account of impacts of developments upon heritage assets.

The change of use of land and minimal works required to form the hardstanding and earth banks has no impacts on the nearby listed building.

Neighbour Amenity:

This is a small-scale rural enterprise, comprising of activities that require a countryside location. The activities on the site are relatively small-scale, given the limited number of animals and size of the holding. Whilst vehicle movements to and from the site will no doubt result in some noise-generating disturbance, this is considered to be limited, typical of rural farming activities and is not considered to be so harmful to the amenity of neighbouring residents that it would warrant refusal of the application.

Concerns have been raised regarding waste management and potential nuisance from manure storage. A planning condition is imposed to secure details of how waste will be stored and disposed of.

Highways/Access:

A new access to the site has already been created and is subject to a retrospective application (2295/20/FUL, also in this Committee agenda). There are no objections from a highway safety point of view from the Highways Authority.

There will undoubtedly be vehicle movements as a result of this proposal, however, with the imposition of the condition preventing commercial use, these will be minimal.

Other matters:

Concerns raised in terms of waste management are addressed by condition.

The Council has no powers to insist the applicant submit one single application for all elements under consideration but it is not considered dealing with these individually affects the acceptability, or otherwise of the proposals.

Finally, in respect to the pheasant pens and stables, these do not form part of this application. An initial judgement was made that they did not need planning permission. Should their use become permanent, permission would be required. An informative is attached accordingly.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

Relevant policy framework

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 Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of 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).

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
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
TTV28 Horse related developments 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
DEV21 Development affecting the historic 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

Neighbourhood Plan

None

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 11 and 83, and section 16, and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: JLP Supplementary Planning Document.

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.

Schedule of Conditions:

1. The development hereby approved shall in all respects be retained in accordance with the following drawings: Site Location Plan received 11/05/21 and "Site Sections" and "Block Plan" received 15/10/20

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

2. The equine use hereby approved shall not be for commercial purposes or any trade or business.

Reason: The site is not suitable for a commercial scale of activity in relation to neighbouring amenity.

3. Within 2 months of this decision, details of how waste will be managed and disposed of shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: To minimise the impact of the development on the environment.

4. Details of any external lighting shall be submitted to and approved and in writing by the Local Planning Authority, prior to its installation. The development shall be carried out in accordance with the approved details and maintained in perpetuity.

Reason: The site is in a rural location and it is important that sensitive lighting is considered in order to conserve the landscape

INFORMATIVE

The application relates to the change of use of land, hardstanding and earth banking. It does not relate to any bird pens, shelters or stables. Should these be deemed permanent structures, an application for planning permission will be required.

PLANNING APPLICATION REPORT

Case Officer: Oliver Gibbins

Parish: Thrushelton **Ward:** Bridestowe

Application No: 2926/19/FUL

Agent/Applicant:

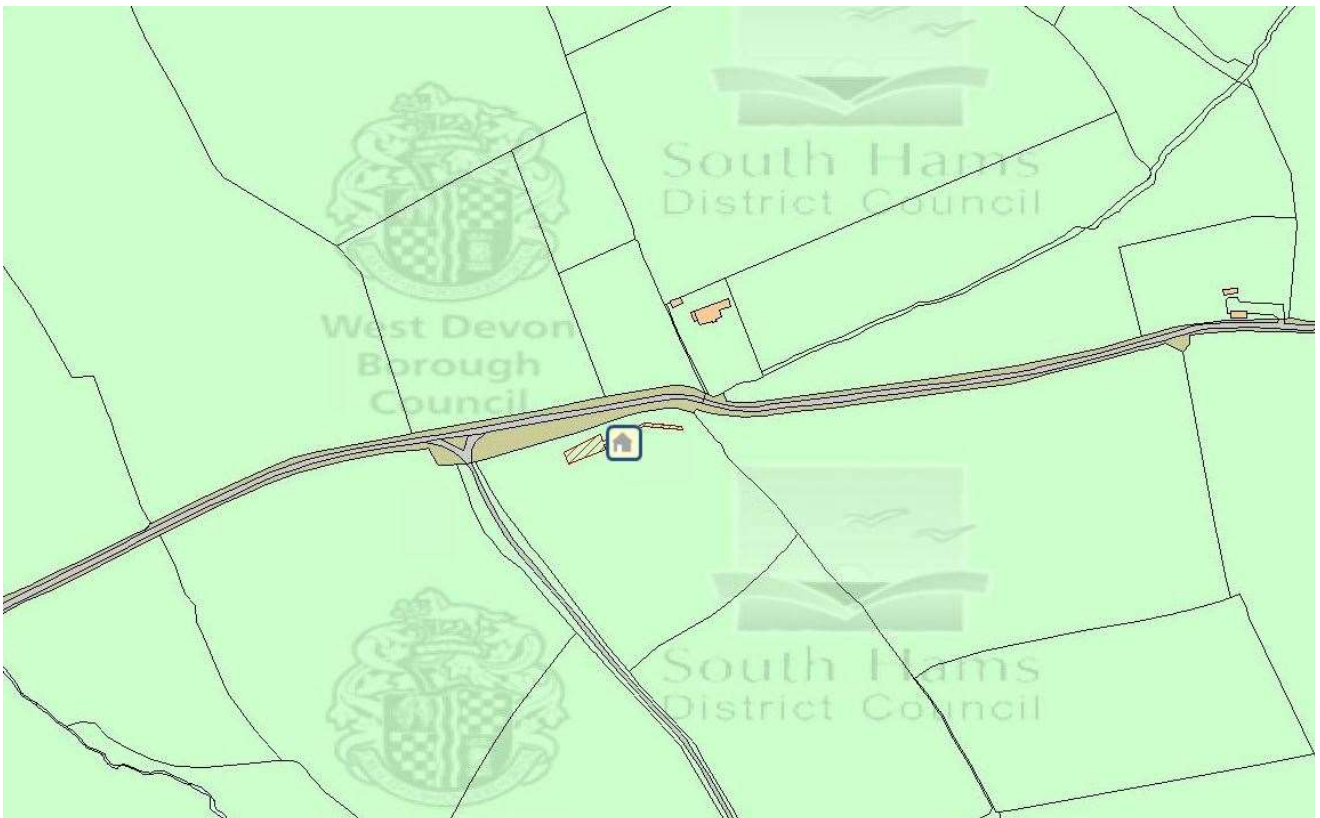
Mrs Anna Clarke
C/O 2 Elmfield Meadow
Rosefield
Station Road
Northlew
EX20 3BN

Applicant:

Mrs Anna Clarke
C/O 2 Elmfield Meadow
Station Road
Northlew
EX20 3BN

Site Address: Field at Sx 445 910, to the East of West Headson Farm, Bratton Clovelly, Okehampton, EX20 4JP

Development: Agricultural building / dry store for fodder and agricultural implements.



Reason item is being put before Committee:

Cllr Southcott has requested that this application is determined by the Committee for the following reason:

Due to the objections to this application from the neighbouring parish council of Bratton Clovelly and the local neighbours I believe it would be best if this application be considered by the planning committee. There are issues that need an airing, in particular the retrospective nature

of the planning applications and the issues involved. If for no other reason I believe your decision deserves the support of the committee.

Cllr Mott has requested that this application is determined by the Committee for the following reason:

Detrimental impact on the landscape and suitability of a poly-tunnel as an agricultural building.

Recommendation: Conditional approval

Conditions

1. Commencement
2. Approved plans
3. Removal when no longer required for agriculture
4. Landscaping
5. Details of external lighting
6. Drainage - surface water
7. Waste management

Key issues for consideration:

The key issues relate to the principle of the development, the impact on amenity and the character and appearance of the area and the nearby listed building.

Site Description:

The site is a 4 acre piece of land located on the southern side of the road between Broadwoodwidge and Bratton Clovelly, approximately 1.2km south west of Bratton Clovelly.

This field was originally part of the agricultural holding at West Headson Farm, which is located to the south west of the site. This was sold to the applicant who has set up a small scale independent holding.

The site is located in the open countryside, enclosed by field boundaries, with the roadside northern boundary of the site being formed of a Devon Bank with significant trees.

On the northern side of the highway, close to the site access point, is a Grade II listed cottage known as South Hill.

The site is not within a designated or protected landscape and the area is characterised by rural development.

The Proposal:

This application is for planning permission for a 9m x 9m polytunnel which has a semi-circular frame with a white polythene covering, to be used for storage for agricultural instruments, hay and dry fodder.

The polytunnel is to be sited close to the northern boundary of the site.

Consultations:

- County Highways Authority - No highway implications.
- SHDC Agricultural Consultant - Taking into consideration the size of the holding, i.e. 4 acres, and the ability to provide both grazing and conservation of hay for winter fodder, as well as the need to manage the grass, I consider a small structure/building is needed to accommodate the small amount of machinery and fodder used and produced on the holding.
- Lewdown Parish Council – Support
- Bratton Clovelly Parish Council - Object

Overbearing nature of proposal. This proposal is huge and out of proportion with a small 3.5 acre field. It will be above the hedge line and will reduce the land available for farming.

Design and appearance. This is very much bigger (particularly higher) than other, similar, structures in the immediate area and on the road down to the village.

Layout and density of buildings. The completed proposal would not relate well in layout or form to its surroundings. Whilst there are storage facilities in fields leading down to the village of Bratton Clovelly they are generally of a timber construction and set well back from the road. This proposal is not in keeping with current developments in the local area.

There is no access to the proposed property – the current gate was punched through the Devon bank with no planning permission and is on a dangerous bend.

Public visual amenity. The completed proposal would affect the visual amenity of the immediate neighbourhood. This is the main road into Bratton Clovelly from the A30. It is a beautiful drive to a picturesque village and this would be visible for the road by any visitors to the village and would spoil the, otherwise, attractive approach.

- Conservation Officer – No harm to the setting of the listed building. The scheme could benefit from some landscaping to assist in the naturalisation of the entrance.

Representations:

5 letters of objection are reported, summarised as follows:

- Harmful impact on the character and appearance of the area
- Harm to amenity from flies, noise, odour and disturbance
- Concern over slurry/waste run off from this wet field
- Loss of agricultural fields
- Impact on landscape
- Agricultural need has not been justified; the field is used for equine purposes and pheasant breeding
- Harmful impacts upon nearby listed building
- Dangerous access
- Contrary to local and national policy
- Hasn't considered trees or ecology
- The various structures on site are excessive and out of keeping with the rural area
- Piecemeal applications should be refused and submitted in a single comprehensive application

- The Devon Bank should be restored and the field returned to pasture

4 letters of support, summarised as follows:

- There is a need for the development, to store hay and equipment
- The country needs farming to support itself
- Structure is compatible with the character and appearance of the area

Some comments relate to the equine use and are not relevant to this application.

Relevant Planning History

2295/20/FUL - Retrospective application for gate to field for access to livestock – Pending consideration (approval recommended)

3384/20/FUL - Re-advertisement (Revised description) Retrospective change of use from agricultural to mixed agricultural/equestrian use, with hardstanding and earth banks – Pending consideration (approval recommended)

ANALYSIS

Principle of Development/Sustainability:

This application has been under consideration since 2019 and the site has been subject to an enforcement investigation; this identified that the site had been subject to the change of use of the land, and physical development in the form of the provision of a new access onto a classified road.

The field amounts to approximately 4 acres and the applicant identified that she has 2 horses and 10 rams, as well as pheasant chicks which are kept in a brooder unit and pen. The applicant has advised she purchases 6-10 lambs annually and that there is also a requirement to store hay, dry food and agricultural machinery on the land.

The existing field, at 4 acres, was already used for agriculture as part of a much larger holding, and the use for agriculture is an important part of the rural economy. This is a land use that is accepted and established. The sale of the land to the applicant, a small-holder, has necessitated the requirement for structures and development that would have otherwise been serviced through the main farmstead.

Policy TTV1 of the Joint Local Plan, Prioritising growth through a hierarchy of sustainable settlements, identifies that the site is located in the Countryside. In the Countryside, TTV1 identifies that development will only be permitted if it can be demonstrated that it will support the principles of sustainable development and sustainable communities, including as provided for in Policies TTV26 and 27.

Policy TTV26 identifies that the special characteristics and role of the countryside will be protected. As this proposal is not considered to be an isolated development in the countryside, paragraph 2 of Policy TTV26 is key and sub-paragraph (iv) is the main consideration relevant to this application; this requires that development responds to a proven agricultural, forestry or other occupational need that requires a countryside location.

To assist in assessing the application against this policy, the Council has engaged the services of an Agricultural Consultant. The advice from the Consultant concluded:

Taking into consideration the size of the holding, i.e. 4 acres, and the ability to provide both grazing and the conservation of hay for winter fodder, as well as the need to manage the grass, I consider a small structure/building is needed to accommodate the small amount of machinery and fodder used and produced on the holding.

Sub-paragraphs i,ii,iii, and v of Policy TTV26 (2) are considered to be complied with. This is because the development will not impact on public rights of way or bridleways, there are no existing buildings that could be used, the development is required to facilitate agriculture and the land is not classified as Best and Most Versatile Agricultural Land.

TTV26 (2) vi also requires consideration how to be given to how the development relates to the immediate setting of the site, includes a management plan, exit strategy and demonstrates how the degradation of the landscape and natural environment will be avoided.

In terms of the siting on the holding, whilst it is accepted that the polytunnel will be visible from the access point and other nearby vantage points, it has to be acknowledged that farms and agricultural buildings are part of the West Devon landscape and it is considered compatible with the rural character. By siting the polytunnel in close proximity to the northern boundary of the site, which is well screened by the Devon Bank and mature trees, any landscape impacts will be minimised and the setting of the site is not unduly impacted.

In terms of a management plan and exit strategy, this development is small in scale but nonetheless, a planning condition is proposed to ensure the polytunnel building is removed when it is no longer needed for agricultural purposes.

As a result, notwithstanding the objections received, it is concluded that the development meets a proven need for an agricultural use and therefore complies with Policy TTV1 and TTV26 (2).

As this proposal is for an agricultural use which meets the essential needs of agriculture, it is also supported by Policy DEV15 (6). In terms of this policy the site can demonstrate a safe access to the existing highway network, will not result in a significant increase in trips given its small-scale nature, has been able to demonstrate a positive relationship with the site given the scale and siting, and there are no existing buildings which can accommodate the use.

Furthermore, this is an agricultural/land based business and as such, is supported through Paragraph 83 of the NPPF.

Objections concerning other structures on the land are noted, but this application relates solely to the polytunnel, so are not material to the determination. Similarly, the Council cannot insist the applicant withdraw this and the other applications on the Committee agenda and submit as one comprehensive application; a determination must be made on each application as submitted.

Design/Landscape/Heritage:

Whilst the structure will be visible, the applicant has been able to demonstrate a proven agricultural need. Agricultural development is an important part of the rural economy and the impact of the development on the landscape needs to be carefully considered.

The site is not located in a nationally protected landscape and the northern boundary is formed by the Class C road which links Broadwoodwidge to Bratton Clovelly. The western boundary is formed by the access to West Headson Farm and the south and eastern boundaries adjoin farm land.

In terms of topography, the northern parts of the site are relatively flat within the landscape and are enclosed and screened by a Devon Bank with mature tree planting.

The proposed building has been sited close to the northern boundary of the site. This is a sensitively considered location as its positioning minimises the need for access tracks across the field, as well as allowing for the new structure to be read against the existing boundary, therefore not appearing as an isolated or obtrusive feature within the landscape. As a result, it is considered that this development can be accommodated on this site without causing harm to the character and appearance of the area. The development will therefore respect the scenic quality and maintain the area's distinctive sense of place, therefore complying with Policy DEV23 of the Joint Local Plan.

Furthermore, the siting along the boundary, together with the limited scale of the building has resulted in the development being able to demonstrate a positive relationship with the site and is therefore considered in accordance with Policy DEV15.

Given that this site is located in a dark rural area, details of any external lighting will need to be submitted to minimise the impact on the landscape, this would need to be low level functional lighting to ensure the impact on the landscape is minimal. A condition is imposed to secure this.

In terms of the impact on the designated heritage asset, it is noted that there is a Grade II listed building located to the north of the site, known as South Hill. This is a detached dwelling within its own defined curtilage.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Planning Authorities to consider whether to grant planning permission which affects listed buildings or their setting, and the desirability of preserving the building or its setting or any features of special architectural or historic interest.

JLP Policy DEV21 identifies that great weight is given to the conservation of the Plan Area's designated heritage assets.

Section 16 of the NPPF concerns the historic environment, requiring decisions to take account of impacts of developments upon heritage assets.

Whilst the development will be visible from the entrance to South Hill, that in itself does not make it harmful to the heritage asset or its setting. The development is well screened behind the Devon Bank with mature trees. The siting of the development together with the limited scale results in their not being any harm to the heritage asset. Whilst the Conservation Officer has reviewed the plans, the screening that has been suggested is in relation to the application for the new access and not this polytunnel. Nonetheless, a condition is imposed for additional planting to be provided on site to minimise landscape impacts.

As a result, it can be concluded that this development will not result in any harm to the designated heritage asset or its setting and therefore complies with Policy DEV21 of the JLP and guidance in the NPPF.

Neighbour Amenity:

This is a small-scale rural enterprise, comprising of activities that require a countryside location. The activities on the site are relatively small-scale, given the limited number of animals and size of the holding. Whilst vehicle movements to and from the site will no doubt result in some noise-generating disturbance, this is considered to be limited, typical of rural farming activities and is not considered to be so harmful to the amenity of neighbouring residents that it would warrant refusal of the application.

Concerns have been raised regarding waste management and potential nuisance from manure storage. A planning condition is imposed to secure details of how waste will be stored and disposed of.

Highways/Access:

A new access to the site has already been created and is subject to a retrospective application (2295/20/FUL, also in this Committee agenda). There are no objections from a highway safety point of view from the Highways Authority. However, this application relates to just the proposed polytunnel and the issues regarding access are considered in the other application.

Other Matters:

Insufficient information has been submitted to detail surface water drainage. Given the nature of the development and land available to the applicant, it is considered this can be dealt with by a planning condition to ensure that any surface water runoff that results from the polytunnel will encompass sustainable water management measures and managed on site. The development will therefore comply with Policy DEV35.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Planning Policy

Relevant policy framework

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 Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of 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).

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

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

TTV28 Horse related developments 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

DEV21 Development affecting the historic environment

DEV23 Landscape character

DEV26 Protecting and enhancing biodiversity and geological conservation

DEV28 Trees, woodlands and hedgerows

DEV29 Specific provisions relating to transport

DEV35 Managing flood risk and water quality impacts.

Neighbourhood Plan

None

Other material considerations include the policies of the National Planning Policy Framework (NPPF) including but not limited to paragraphs 11 and 83, plus section 16, and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: JLP Supplementary Planning Document.

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.

Conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply 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 approved shall in all respects accord strictly with the Site Location Plan received 17/05/2021 and Block Plan (Untitled) received on 17/05/21.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. Within 28 days of the development being no longer required for agriculture the development shall be removed and the land restored to the satisfaction of the Local Planning Authority.

Reason: The development is in the Countryside and can only be supported through a proven agricultural need.

4. Prior to the installation of the polytunnel hereby approved, details of a landscaping scheme and planting along the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall detail the number, species and planted sizes, together with a programme for implementation of the planting (to be within the first planting season following commencement) and maintenance for a period of not less than 5 years.

Reason: To allow for the development to be accommodated in a rural setting and conserve the character and appearance of the area.

5. Prior to the first use of the development hereby approved, details of any external lighting shall be submitted to and approved and in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained in perpetuity.

Reason: The site is in a rural location and it is important that sensitive lighting is considered in order to conserve the landscape.

6. Prior to the first use of the development hereby approved, full details of the surface water drainage shall be submitted to and approved in writing by the LPA. Details shall include percolation tests that have been carried out in accordance with BRE Digest 365 Soakaway Design (2016), and the results approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained in perpetuity.

Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.

7. Prior to the first use of the development hereby approved, details of how waste will be stored, managed and disposed of shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.

Reason: To minimise the impact of the development on the environment and prevent harm to the amenities of neighbouring residential properties.

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West Devon Borough Council Agenda Item 6

PLANNING AND LICENSING COMMITTEE 15-Jun-21

Appeals Update from 18-Mar-21 to 3-Jun-21

Ward **Bridestowe**

APPLICATION NUMBER: **0806/20/FUL** APP/Q1153/W/21/3267883
APPELLANT NAME: Mr & Mrs J Spooncer
PROPOSAL: Erection of dwelling in residential garden with associated works
(resubmission of 0160/19/FUL)
LOCATION: Lobhill Cottage Lewdown EX20 4DS **Committee**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 13-April-2021
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER: **3372/20/FUL** APP/Q1153/W/21/3270989/3270991
APPELLANT NAME: Mr & Mrs J May
PROPOSAL: Retrospective erection of wooden garden gazebo to replace dilapidated wooden pergola
LOCATION: South Hill Cottage Bratton Clovelly EX20 4JP **Officer member delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 04-May-2021
APPEAL DECISION:
APPEAL DECISION DATE:

APPLICATION NUMBER: **3373/20/LBC** APP/Q/1153/Y/3270991
APPELLANT NAME: Mr & Mrs J May
PROPOSAL: Retrospective listed building consent for erection of wooden garden gazebo to replace
dilapidated wooden pergola
LOCATION: South Hill Bratton Clovelly EX20 4JP **Officer member delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 04-May-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Ward **Buckland Monachorum**

APPLICATION NUMBER: **3144/20/TPO** APP/TPO/Q1153/8245
APPELLANT NAME: Mrs Measelle
PROPOSAL: T1 & T2: Monterey Cypress - Fell as trees 95% and 100% Dead
consecutively
LOCATION: White Willows Green Lane Yelverton PL20 6BW **Officer delegated**
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 26-May-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Ward **Exbourne**

APPLICATION NUMBER: **00600/2015** APP/Q1153/W/20/3255446
APPELLANT NAME: Nr & Mrs Roberts and Catherine Venn
PROPOSAL: READVERTISEMENT (Revision - second glamping unit to now be a newly
constructed unit in an alternative location within the site) Proposed use of two roadman
units as holiday accommodation
LOCATION: Land Opposite Higher Park Iddesleigh Devon Devon **Committee**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 13-January-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 23-March-2021

APPLICATION NUMBER: **2961/20/OPA** APP/Q1153/W/20/3265247
APPELLANT NAME: Mr Roger Brentnall
PROPOSAL: Outline application with all matters reserved for siting of seven
glamping pods in rear garden and associated access track and utilities to service the
pods

LOCATION: The Countryman Sampford Courtenay EX20 2SA **Officer member delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 03-February-2021
APPEAL DECISION: Upheld
APPEAL DECISION DATE: 14-May-2021

APPLICATION NUMBER: **3126/20/FUL** APP/Q1153/W/21/3266399
APPELLANT NAME: Mr Jon Clark
PROPOSAL: Construction of five new dwellings with associated parking and infrastructure (Resubmission of 4033/19/FUL)
LOCATION: Highcroft Broadwoodkelly EX19 8EL **Officer delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 04-February-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 17-May-2021

Ward Hatherleigh

APPLICATION NUMBER: **1437/20/FUL** APP/Q1153/W/21/3267701
APPELLANT NAME: Mr Martyn Bowman
PROPOSAL: Construction of two dwellings and associated works (resubmission of 2178/19/FUL)
LOCATION: Oak Tree Cottage Holsworthy Road Hatherleigh EX20 3LE **Officer member delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 22-February-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 29-April-2021

Ward Milton Ford

APPLICATION NUMBER: **0784/20/FUL** APP/Q1153/W/21/3268291
APPELLANT NAME: Ms R Cruise
PROPOSAL: Proposed Forest School with small classroom building and 8 no. parking spaces
LOCATION: Land Adjacent to Hartwell Barn Sydenham Damerel PL19 8QU **Officer member delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 22-March-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 26-May-2021

APPLICATION NUMBER: **2472/20/OPA** APP/Q1153/W/20/3263800
APPELLANT NAME: Mr R Luxton
PROPOSAL: Outline application with all matters reserved for erection of dwelling
LOCATION: Land at Whimbarn House Ottery Tavistock PL19 8NS **Officer member delegated**
APPEAL STATUS: Appeal decided
APPEAL START DATE: 04-January-2021
APPEAL DECISION: Dismissed (Refusal)
APPEAL DECISION DATE: 19-March-2021

APPLICATION NUMBER: **2976/20/FUL** APP/Q1153/W/21/3271804
APPELLANT NAME: Mr M Bassett
PROPOSAL: Erection of a dwelling
LOCATION: Land between 2 & 3 Summer Green Lamerton PL19 8FJ
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 04-May-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Ward Okehampton North

APPLICATION NUMBER: **0321/20/OPA** APP/Q1153/W/21/3273815
APPELLANT NAME: Mr & Mrs J Searle
PROPOSAL: READVERTISEMENT (Received) Outline application with all matters reserved for 10 new houses (6 local needs housing market and 4open market)

LOCATION: Land at SX 571 979 North of Brandize Cottage Folly Gate
EX20 3AQ
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 25-May-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Committee

Ward Tavistock South East

APPLICATION NUMBER: **1919/19/VAR** APP/Q1153/W/21/3268306
APPELLANT NAME: Mr P Gray
PROPOSAL: READVERTISEMENT (Revised Plans Received) Variation of conditions 1 (plans) and 3
(vegetation border) of planning permission 2138/18/FUL (Erection of 2 dwellings)
LOCATION: Land adjacent to Breckland Down Road Tavistock Devon
PL19 9AG
APPEAL STATUS: Appeal Lodged
APPEAL START DATE: 23-March-2021
APPEAL DECISION:
APPEAL DECISION DATE:

Committee

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Undetermined Major applications as at 4-Jun-21

	Valid Date	Target Date	EoT Date
2391/19/VAR Nicola Glanville	19-Jul-19	18-Oct-19	20-Jan-21
5 The Market Fore Street North Tawton Devon EX20 2GT Variation of condition 2 of planning consent 13457/2009/OKE to amend boundary line and change pedestrian access into the site			
	Valid Date	Target Date	EoT Date
2915/19/FUL Anna Henderson-Smith	18-Dec-19	18-Mar-20	31-Mar-20
Wool Grading Centre Fore Street North Tawton READVERTISEMENT (Revised description and plans received) Conversion of existing Grade II listed mill buildings (A and B) into 7 open market townhouses, conversion of building C into 9 open market flats redevelopment of building D for B1 office use, 4 open market dwellings in G and L and building F restored			
	Valid Date	Target Date	EoT Date
1618/20/FUL Cris Lancaster	5-Jun-20	4-Sep-20	24-Mar-21
Court Cottage Farm Lamerton Tavistock PL19 8RW READVERTISEMENT (Revised plans received) Demolition of redundant farm buildings and erection of 15no. homes (including 4no. affordable) with new access, parking and car port and new community recreation area			
	Valid Date	Target Date	EoT Date
2536/20/OPA Claire Boobier	20-Oct-20	19-Jan-21	26-Jul-21
Land south of Fore Street Fore Street Lifton PL16 0BT Outline application for up to 68 dwellings with POS, landscaping and sustainable drainage system, with vehicular access through the approved access for the adjacent development (2353/18/OPA) - all matters reserved except access			
	Valid Date	Target Date	EoT Date
3652/20/FUL Bryn Kitching	18-Nov-20	17-Feb-21	
Land to the South of Plymouth Road Tavistock Hybrid application comprising full planning application for erection of 45 residential dwellings, formation of accesses, associated public open space, landscaping and infrastructure; and outline planning application for extra care facility for up to 60 units with all matters reserved, except means of access			
	Valid Date	Target Date	EoT Date
4073/20/VAR Cheryl Stansbury	14-Dec-20	15-Mar-21	
Hatherleigh Market Hatherleigh EX20 3HT Application for variation of conditions 2, 3, 5, 6, 7, 17, 18, 19, 22, 26, 28, 29, 30 and 37 of planning consent 1794/18/FUL to realign road, amend layout and house types			
	Valid Date	Target Date	EoT Date
0158/21/FUL Anna Henderson-Smith	18-Jan-21	19-Apr-21	
South Hooe Peninsula Tamar Estuary Bere Alston PL20 7BW The creation of an area of intertidal habitat at South Hooe (Tamar Banks) and the construction of a new earth bund to facilitate a wetland habitat area, consisting of breaching the existing tidal embankment; the closure of the existing drainage outfall in the embankment; associated drainage outlet to facilitate the wetland habitat area; the formation of two borrow pits to provide site won material for the bund; and the diversion of a small section of track			
	Valid Date	Target Date	EoT Date
4257/20/OPA Jacqueline Houslander	19-Feb-21	21-May-21	
Land Opposite Wilminstone Industrial Est at NGR: SX 4918 7541 Old Exeter Road Tavistock Outline application with all matters reserved for erection of 10 dwellings			
	Valid Date	Target Date	EoT Date
0136/21/ARM Anna Henderson-Smith	19-Feb-21	21-May-21	
Land at SX 603 953 Exeter Road Okehampton Application for approval of reserved matters following outline approval 0032/18/OPA for 50 No. dwellings, including 40% affordable			

	Valid Date	Target Date	EoT Date
1391/21/ARM Anna Henderson-Smith	30-Mar-21	29-Jun-21	
Parcel 4A West of Crediton Road Okehampton			Application for approval of reserved matters following outline application 2731/15/OPA for the construction of 89 dwellings, public open space, landscape planting, pedestrian, cycle and vehicular links and associated infrastructure
	Valid Date	Target Date	EoT Date
1766/21/OPA Bryn Kitching	28-May-21	27-Aug-21	
Land at SX 445 766 Lamerton PL19 8QJ			Outline application with some matters reserved for residential development of up to 20 dwellings, formation of new access and associated works