

Minutes of a meeting of the **WEST DEVON DEVELOPMENT MANAGEMENT & LICENSING COMMITTEE** held on **TUESDAY** the **8th** day of **November 2022** at **10.00am** in the **COUNCIL CHAMBER, KILWORTHY PARK**

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

Cllr N Heyworth	Cllr B Ratcliffe
Cllr T Leech	Cllr M Renders
Cllr C Mott	Cllr T Southcott
Cllr D Moyses	Cllr J Spettigue

Head of Development Management (JH)  
Planning Officer (NG)  
Monitoring Officer (DF)  
Democratic Services Officer (KH)

**\*DM&L.21 APOLOGIES FOR ABSENCE**

No apologies were received

**\*DM&L.22 DECLARATION OF INTEREST**

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting. Cllr Yelland declared an interest in application 2844/22/FUL as she was related to the applicant and left the room when this item was discussed and voted on. In the interest of transparency she stated that she had received correspondence from both a supporter and an objector in regard to application 2603/22/FUL and had been forwarded to the Planning Officer in line with the Code of Conduct.

As the applicant of application 2603/22/FUL was West Devon Borough Council the Monitoring Officer granted the Committee Members a dispensation so as to allow them to look at this application.

**\*DM&L.23 URGENT BUSINESS**

There was no urgent business brought forward to this meeting.

**\*DM&L.24 CONFIRMATION OF MINUTES**

The minutes from the Licensing Sub-Committee from 23 August had a typo and a word was missed from one of the objectors' statements. The amended version was signed as a true copy.

**\*DM&L.25 PLANNING, LISTED BUILDING, TREE PRESERVATION ORDER AND ENFORCEMENT REPORTS**

The Committee proceeded to consider the report that had been prepared by the relevant Development Management Specialists on each of the following Applications 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:

**(a) Application No: 2844/22/FUL**

**Ward: Okehampton  
South**

**Site Address: 2, Crediton Road, Okehampton**

**Development: Alterations to roof structure & associated works**

**Recommendation: Conditional Approval**

**Conditions:**

1. Standard time limit
2. Adhere to plans
3. Adhere to ecology Report
4. Installation of bat and bird box on completion of development
5. Details of fibre cement slates to be submitted and agreed in writing with LPA
6. Details of proposed Upvc windows to be submitted and agreed in writing by LPA

The Planning Officer took members through the report and stated That the key issues were:

- Visual impact on the setting of the conservation area (site within CA buffer-zone)
- The site is not Listed nor within the setting of a Listed Building
- Neighbour Amenity
- Design & Materials
- Environmental Hazards
- Ecology

Since the publishing of the officer's report the agent had submitted details of the colour and type of roofing tile and these were acceptable and in keeping with the conservation area, therefore condition 5 in the report was no longer required. In debate Members commented on the positives of bringing the building back into use.

**Committee Decision: Conditional Approval**

**Conditions:**

1. Standard time limit
2. Adherence to plans
3. Adherence to Ecology Report
4. Installation of bat and bird box on completion of development
5. Details of proposed Upvc windows to be submitted and agreed in writing by LPA

**(b) Application No: 2603/22/FUL**

**Ward: Tavistock North**

**Site Address: West Devon Borough Council**

**Development: Erection of 3 flagpoles 8 meters high to replace**

## Single 8 meter high flagpole

### Recommendation: Conditional Approval

#### Conditions:

1. Time
2. Accordance with plans
3. Carbon reduction implementations

#### Speakers

Objector: Hilary Moule

Supporter: Chris Brooks

The Planning Officer made a correction to the report stating that reference was made to a Neighbourhood Plan for Tavistock when in fact there was no adopted Neighbourhood Plan. There were also additional representation received. The new points raised were summarised as follows:

- Concerns remain that this represents a waste of taxpayers money.
- The proposal is not considered to meet aims regarding carbon reduction (particularly the use of fibreglass).
- Loss of the foliage mentioned by officers and residents that screens the proposal has died back over the past 6 months however the site is still described as not visible from the road or nearest houses.
- A number of Councillors were contacted about concerns and did not respond.
- The report concludes the impact on residents would not be significant but this is refuted by the objector who believes the noise impact from apparatus associated with the flagpole will be 'considerable' for the nearest residents.

During questions the Planning Officer stated the cost of the flagpoles was not a material planning reason.

The objector stated she lived 20 meters from the proposed site for the flagpoles. She noted the wildlife report was missing from the officers report. There are two species of owl and bats in the vicinity and this could have an effect on them.

She stated the amenity loss would be significant to her with noise and disturbance.

She mention there was two flagpoles in town and a redundant one on the corner of Quant Park and asked why more were needed. The existing flagpole is currently buffered by trees, however the site of the proposed ones has no significant trees. The production of fibreglass is toxic and environmentally unfriendly. The 12 representations to oppose the application sited the abuse of taxpayers money. No Officer or Councillor had questioned the finances used to prepare this let along the implementation.

The supporter explained the community and civic role of the council. The Union flag is important to have flying outside the council offices. He stated that when the flag was lowered to show solidarity with Ukraine the authority received strong representation asking why the Union flag was not flying. He explained to Members the strict rules of flying flags and that if two flags were to be flown together you would be showing supremacy to the flag on the top. Having three flagpoles would mean the council could represent its communities and make statements where appropriate. There were constraints as where to site the flagpoles. A rubber weight would be used at the top of the flagpole to stop the noise from the halyard. The existing flagpole would be removed.

A Member asked why it was not brought before the Hub Committee, in the past Members are normally consulted. The Monitoring Officer said it was right for the Member to raise the question but it was a matter to be dealt with elsewhere and outside of the Development Management Committee. The supporter explained the choice of fibreglass poles was due to them being lighter and more slender than a wooden flagpole, giving an easier installation. He explained the constraints on site meant the proposed position was the best compromise.

The Head of Development Management confirmed there was a report completed on the trees and the impact of the development and in the report no concerns were raised on the impact on wildlife.

In debate Members raised concerns over sound pollution. The Head of Development Management confirmed noise was a planning consideration under DEV1 of the Joint Local Plan. The Monitoring Officer explained to Members that whilst noise nuisance was a matter of planning judgement there had to be evidence to back it up.

The cost of ongoing maintenance of three flagpoles was raised. A Member raised concerns of the siting of the flagpoles. The position of the proposed flagpoles on the end of the turning bay of the car park where commercial vehicles turn was less than one meter from the kerbstone where vehicles can turn. The Member felt this was a major health and safety concern should a vehicle hit one of the flagpoles and it was to shatter with the possibility of pedestrians walking along the footpath behind being hit by fibreglass.

#### **Committee Decision: Refusal**

The proposal will have harmful effects and an unacceptable impact on the amenity of local residents by reason of noise disturbance and pollution arising from the apparatus associated with the flying of flags from the proposed flagpoles contrary to Policies DEV1 and DEV 2 (1) of the Joint Local Plan.

The Head of Development Management, relayed to Members that application 1355/19/FUL, 10 Ford Street, Tavistock was upheld and consent was granted for 6 flats but costs were refused. The inspector had deemed the Committee had acted in a correct way.

The S106 on Application 0723/21/FUL for 44 residential dwellings and outline planning for commercial land at Plymouth Road, Tavistock had been delayed due to the landowner having passed away.

**\*DM&L.27 UPDATE ON UNDETERMINED MAJOR APPLICATIONS**

The Monitoring Officer explained to Members that once the S106 is signed in regard to Application 3652/20/FUL land at Plymouth Road, Tavistock, there would be a briefing to Members of the DM&L Committee and Ward Members. The Head of Development Management informed Members that there was a meeting with the applicant that day in regard to application 4004/21/FUL Former Hazeldon Preparatory School, Tavistock. The application would still be recommended for refusal.

(The Meeting terminated at 11.45 am)

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**Chairman**