

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **PLANNING COMMITTEE** held on 20 May 2020 at 2.15 pm

### **Present Councillors**

Mrs F J Colthorpe, Mrs C P Daw,  
R F Radford, E J Berry, L J Cruwys,  
S J Clist, R J Dolley, F W Letch,  
D J Knowles, S J Penny and B G J Warren

### **Also Present Councillor(s)**

G Barnell, J M Downes and  
Mrs M E Squires

### **Present Officers:**

Jenny Clifford (Head of Planning, Economy and Regeneration), Kathryn Tebbey (Head of Legal (Monitoring Officer)), Eileen Paterson (Group Manager for Development), Adrian Devereaux (Area Team Leader), Helen Govier (Principal Planning Officer), Lucy Hodgson (Area Team Leader), Sally Gabriel (Member Services Manager) and Carole Oliphant (Member Services Officer)

#### 1 **COUNCILLOR GERALD LUXTON**

The Committee held a minutes silence in respect of Gerald Luxton

#### 2 **ELECTION OF CHAIRMAN (00.03.23)**

**RESOLVED** that Cllr Mrs F J Colthorpe be elected Chairman of the Committee for the municipal year 2020/2021.

(Proposed by Cllr D J Knowles and seconded by Cllr S J Clist).

#### 3 **ELECTION OF VICE CHAIRMAN (00.09.47)**

**RESOLVED** that Cllr D J Knowles be elected Vice Chairman of the Committee for the municipal year 2020/2021.

(Proposed by Cllr B G J Warren and seconded by Cllr R J Dolley).

#### 4 **PROTOCOL FOR REMOTE MEETINGS (00.11.55)**

The Committee had before it, and **NOTED**, the \*Protocol for Remote Meetings.

Note: \*Protocol for Remote Meetings previously circulated and attached to the minutes

5 **APOLOGIES AND SUBSTITUTE MEMBERS (00.13.13)**

There were no apologies or substitute Members

6 **PUBLIC QUESTION TIME (00.13.23)**

There were no questions from members of the public present.

7 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (00.13.52)**

Members were reminded of the need to declare any interests when appropriate.

8 **MINUTES OF THE PREVIOUS MEETING (00.14.06)**

The minutes of the meeting held on 11<sup>th</sup> March 2020 were agreed as a true record and **SIGNED** by the Chairman.

9 **CHAIRMAN'S ANNOUNCEMENTS (00.16.15)**

The Chairman had no announcements to make.

10 **DEFERRALS FROM THE PLANS LIST (00.16.27)**

There were no deferrals from the Plans list.

11 **THE PLANS LIST (00.16.35)**

The Committee considered the applications in the plans list \*.

Note: \*list previously circulated and attached to the minutes.

**a) 19/02022/FULL - Erection of dwelling, formation of new vehicular access and public footpath at Land at NGR 275194 104806 (Woolsgrove Court), Morchard Road, Devon.**

The Principal Planning Officer outlined the contents of the report by way of a presentation highlighting the different aspects of the application including the location of the flood plain, the proposed site plan, block plan, elevations and floor plans.

She explained that Morchard Road is not recognised as a settlement in terms of policy COR17 and was classed as a countryside location and she provided members with revised reasons for refusal:

The harm arising from the provision of a dwelling in this countryside location, in addition to the harm arising to the character, appearance and visual amenity of the site as a result of the scale, mass and design of the proposed dwelling, was considered to significantly outweigh the benefits arising from the scheme. The proposal fails to meet the local plan policies COR1, COR2, COR7, COR9, COR12

and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and policies DM2 and DM14 of the Local Plan Part 3 (Development Management Policies) and paragraph 11 of the National Planning Policy Framework.

Consideration was given to:

- The location of the designated flood zone and the instances of flooding on the site
- The objection from Network Rail
- The views of the applicant's agent with regard to the ridge height of the proposed property being below the height of neighbouring properties. The high quality of the design of the proposed property and that it was designed to be completely carbon neutral. The proposed new footpath and crossing and that the occupants could use the railway link less than 250 yards away
- The views of the acting Ward Member that occupants would not need to rely on a car as there were good bus and rail networks on the doorstep. That residential planning permission had previously been granted to approximately 15 other properties along Two Moors Way and the benefit of the new footpath and crossing which would make a difference and help children to cross the busy road

It was therefore:

**RESOLVED** that: the application be refused as recommended by Head of Planning, Economy and Regeneration

(Proposed by the Chairman)

Notes:

- i.) Cllr F W Letch and E J Berry requested that their vote against the decision be recorded
- ii.) Mr Randall (agent) spoke
- iii.) Cllr Mrs M E Squires spoke as acting Ward Member for Taw Ward

**b) 19/01309/FULL - Erection of a dwelling including demolition of a garage at Fair Havens, Mill Street, Crediton.**

The Principal Planning Officer outlined the contents of the report by way of a presentation highlighting the different aspects of the application including the site location, landscaping, block plans, elevations and floor plans. The presentation included details of the permitted and the extant scheme.

She explained the application history and that the 2003 consent for an extension to the existing bungalow had commenced on time and that the application covered alterations to the original proposal.

Consideration was given to:

- The report of the Planning Working Group who had visited the site
- The materials used for the roof and the cladding and whether these were the same as the original
- What was regarded as permitted development

- The 2003 consent
- Demolition of the existing garage
- The report from the Conservation officer that highlighted the design and materials were not in his view sympathetic to the area but had been previously approved
- The views of the objector who stated that if the Committee were minded to approve the application then they may want to impose conditions concerning the appearance of the roof tiles and more appropriate large planting to shield neighbouring properties from being overlooked
- The views of the applicant's agent with regard to the extensive nature of the extant 2003 consent. The area of non compliance in the ridge line on the roof. The roof tiles were the same material as the original but they had not yet weathered to the same appearance. The proposed planting scheme would mitigate all concerns
- The view of the Town Council that the development was not in line with Policy DM2 and was in a conservation area and it was a prominent building in the area. The inadequacy of the planting scheme and the need for this to be looked at by an expert
- The views of the Ward Member with regard to the developer not having a clear understanding of the heritage of the site and that if the proposal had been brought forward today it would have not been given permission as it was in a conservation area which was not so protected 17 years ago when planning was granted. That if members were minded to approve the application that conditions should be implemented with regard to the roof ridge height, the colour of the roof tiles and an adequate planting scheme

It was therefore:

**RESOLVED** that: the application be deferred until detailed enforceable conditions could be defined to address Members concerns with regard to:

- The requirement for an enhanced landscaping scheme to include semi-mature tree planting to site boundaries
- The colour of the cladding
- The weathering of the roof tiles to tone down the colour
- The need for the amount of roof lights installed and the glare from those that had already been installed

(Proposed by Cllr F W Letch and seconded by Cllr B G J Warren)

Notes:

- i.) Cllrs E J Berry, Mrs F J Colthorpe, Mrs C P Daw, L J Cruwys, S J Clist, R J Dolley, D J Knowles, F W Letch, S J Penny and B G J Warren all made declarations in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as they had received correspondence with regard to the application;
- ii.) Cllr J M Downes made declared a personal interest as the application site was visible from his property;
- iii.) Mrs Partridge spoke as the objector;
- iv.) Mr Marchant (agent) spoke;
- v.) Cllr Mrs Brooks Hocking spoke on behalf of Crediton Town Council

vi.) Cllr J M Downes spoke as Ward Member

12 **MAJOR APPLICATIONS WITH NO DECISION (1.42.01)**

The Committee had before it, and **NOTED**, a \*list of major applications with no decision.

It was **AGREED** that:

Application 20/00594/MFUL Edgeworthy Farm, Nomansland be brought before the committee if the officer recommendation was minded to approve.

Application 20/00273/MFUL Halberton Court Farm, Halberton be brought before the committee if the officer recommendation was minded to approve.

Note: \*list previously circulated and attached to the minutes

13 **APPEAL DECISIONS (1.47.25)**

The Committee had before it, and **NOTED**, a \*list of appeal decisions providing information on the outcome of recent planning appeals.

Note: \*list previously circulated and attached to the minutes

14 **START TIMES OF MEETINGS (1.48.20)**

The Committee **AGREED** the start times for meetings should remain at 2.15pm for the remainder of the 2020/2021 municipal year.

(Proposed by Cllr B G J Warren and seconded by Cllr D J Knowles).

(The meeting ended at 4.06 pm)

**CHAIRMAN**