

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 7 October 2020 at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
G Barnell, E J Berry, Mrs C P Daw,
L J Cruwys, S J Clist, C J Eginton,
F W Letch, D J Knowles, R F Radford and
B G J Warren

Apologies

Councillor(s)

S J Penny

Also Present

Councillor(s)

R M Deed, R J Dolley and R Evans

Present

Officers:

Jenny Clifford (Head of Planning, Economy and Regeneration), Eileen Paterson (Group Manager for Development), Maria De Leburne (Legal Services Team Leader), Alison Fish (Area Team Leader), Oliver Dorrell (Planning Officer), Sally Gabriel (Member Services Manager) and Carole Oliphant (Member Services Officer)

76 REMOTE MEETINGS PROTOCOL (0.03.56)

The *Remote meeting protocol was **NOTED**.

Note: *Remote meeting protocol was previously circulated and attached to the minutes

77 APOLOGIES AND SUBSTITUTE MEMBERS (0.04.22)

Apologies were received from Cllr S Penny who was substituted by Cllr C Eginton.

78 PUBLIC QUESTION TIME (0.04.46)

There were no questions from Members of the Public

79 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (0.05.20)

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

80 MINUTES OF THE PREVIOUS MEETING (0.05.30)

The Minutes of the meeting held on 23rd September 2020 were agreed as a true record.

81 **CHAIRMAN'S ANNOUNCEMENTS (0.08.13)**

The Chairman had no formal announcements to make

82 **DEFERRALS FROM THE PLANS LIST (0.08.37)**

There were no deferrals from the plans list

83 **THE PLANS LIST (0.08.37)**

The Committee considered the applications in the *Plans list.

Note: *List previously circulated and attached to the signed minutes.

a) 20/00900/FULL - Erection of a dwelling at Land at NGR 293520 110000, (The Barn, Way Farm), Bickleigh.

The Planning Officer outlined the contents of the report by way of a presentation which detailed the site location, small copse of mature trees, the modest increase in curtilage, the existing public footpath and the existing plans.

He explained that the barn had an existing Class Q approval which was for a single storey dwelling with a floor area of 168sqm and that the new proposal was for a two storey dwelling with a floor area of 290sqm. He explained that the height of the building would rise from 4.5m to the eaves to 5.5m to the eaves on the principal south-east elevation and from 5.5m to the ridge to 6.2m to the top of the roof on the north-west elevation under the new proposals.

Consideration was given to:

- The increase in height of the proposed building
- The entrance into the site from the existing opening
- The visual impact of the existing barn
- If the new proposal would be a betterment of the existing Class Q approval
- The views of the agent that the existing Class Q would produce an ugly building and that the new proposal would be a betterment of the barn
- The views of the Ward Member who stated that the existing building was hard on the eye and the new proposal would be an improvement, that there were numerous barns and outbuildings in the surrounding area and the proposal would have no impact on the beauty of the vista

It was therefore **RESOLVED** that: planning permission be refused as recommended by the Head of Planning, Economy and Regeneration

(Proposed by the Chairman)

Reason for the Decision – as set out in the report

Notes:

- i.) Simon Archer (Agent) spoke
- ii.) Cllr R Dolley spoke as Ward Member
- iii.) Cllr E J Berry requested that this vote against the decision be recorded

b) 20/00176/FULL - Erection of dwelling following demolition of barn at Land & Buildings at NGR 301235 112854, (Orchard House), High Street.

At the Planning Committee on 9th September 2020, members deferred consideration of the application to allow for an independent survey of the barn to take place along with a viability assessment of the structure.

The Area Team Leader explained that officers had made contact with the applicant who had advised that they wished for the application to be returned to the Planning Committee for consideration without such information being obtained.

She outlined the contents of the report by way of a presentation which included the site location plan, the proposed site plan, access from the High Street including residents parking, proposed elevations and floor plans. Photographs showed the north elevations of the barn, the boundary to the existing building and the damage to the roof and walls.

In response to a question asked the Group Manager for Development Management confirmed that officers had had conversations with the applicant about providing a survey which included who would pay for the requested report. She confirmed that the Council paying for the report itself was not an option as there was no budget for this. She explained that if the Council paid for this additional survey it would set a precedent and put additional resources for the Planning Department at risk.

The Legal Services Team Leader explained that the identity of the applicant was irrelevant and not a material consideration and that Members should concentrate on the planning considerations only.

In response to a question asked the Head of Planning, Economy and Regeneration explained that as a Planning Authority the Council was permitted to determine applications for an application that was wholly owned by the Council and that this was permitted in law. She explained that any applications for the Council itself, staff or companies it owned could not be delegated to officers and would always be brought before the Planning Committee for determination.

Consideration was given to:

- That Building Control Officers agreed with the applicants structural integrity of the barn
- There was a policy regarding the integrity of rural buildings but the barn was within a settlement limit of Halberton and not in open countryside
- The Health and Safety report that the building was no longer safe
- The barn had been neglected for over 20years
- The original proposal to convert the barn into a dwelling
- The views of the Parish Council who stated that the barn was of notable historic interest
- The barn was not listed but was in a conservation area

- The barn was beyond economic repair

It was therefore **RESOLVED** that: planning permission be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by Cllr E J Berry and seconded by Cllr C Eginton)

Reason for the Decision – as set out in the report

Notes:

- i.) Cllr E J Berry made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as he had received letters from local residents
- ii.) Cllr R F Radford made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as he had spoken to the Parish Council
- iii.) Cllrs G Barnell, S J Clist and F W Letch requested that their vote against the decision be recorded
- iv.) Cllr B G J Warren requested that his abstention on voting be recorded

84 MAJOR APPLICATIONS WITH NO DECISION (2.00.00)

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

It was **AGREED** that:

Application 20/1409/MOUT – Outline hybrid application for the erection of 5.2ha of B2 and B8 industrial units and retention Basin and Full permission for the erection of 4 industrial units (Plots 5,9 and 10) (4327sqm) Class B1, B2 and B8 Uses and creation of new vehicular access, parking and landscaping be brought before the committee for determination and that a site visit take place if the officers recommendation was one of approval.

Note: *List previously circulated; copy attached to the Minutes

(The meeting ended at 4.20 pm)

CHAIRMAN