

**NORTH DEVON COUNCIL**

Minutes of a PLANNING COMMITTEE held at the Rugby Club, Barnstaple on Wednesday, 14<sup>th</sup> October 2015 at 10.00 a.m.

PRESENT: Members:

Councillor Ley (Chairman).

Councillors Chesters, Crabb, Croft, Flynn, Haywood, Lane, Moore, Prowse, Tucker, Wood and Yabsley.

Also Present:

Councillors Greenslade and Manuel.

Officers:

Chief Planning Officer, Senior Planning Officer (DS), Planning Officer (SJ M-S), Planning Officer (SH), Assistant Solicitor (DH) and Senior Member Services Officer (BT).

**33 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Biederman, Bonds, Fowler and Worden.

**34 MINUTES**

RESOLVED that the minutes of the meetings held on 10th July 2015, 2nd September 2015 and 9th September 2015 (circulated previously) be approved as correct records and signed by the Chairman.

**35 PLANNING COMMITTEE SITE INSPECTION – DATE OF FUTURE MEETING**

The Chairman advised that a date for Planning Committee site inspections to be undertaken would be arranged following the conclusion of the meeting.

**36 DECLARATIONS OF INTEREST**

The following declarations of interest were announced:

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| Councillor Chesters | Personal interest – Planning applications 56932 and 59480 as the agent was the architect that she employed. |
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- Councillor Greenslade      Personal interest – Planning application 56685 as a Member of Devon County Council, Member of the Devon and Somerset Fire and Rescue Authority and his son-in-law was a policeman
- Councillor Ley                Personal interest – Planning application 59744 as one of the objectors was known to him.

**37                    ORDER OF AGENDA**

- (a)      **Planning application 56932: Extension and Alterations to 1 & 2 Parade House Together with Erection of One Dwelling (Amended Plans & Additional Information) (Further Amended Plans), Parade House, The Esplanade, Woolacombe, EX34 7DJ/Planning application 59480: Extension & Alterations to 1 & 2 Parade House Together with Demolition of Garage & Erection of Two Dwellings, Parade House, The Esplanade, Woolacombe, EX34 7DJ**

The Planning Manager reported that following the publication of the reports in relation to planning applications 56932 and 59480 (circulated previously), the agent had requested that both planning applications be deferred following the Planning Inspector's appeal decision in respect of the Parade House, the Esplanade, Woolacombe. He advised the Committee that the Ward Members had been notified of the request and were in agreement with the request of deferral.

Mr J. Woodward (agent) addressed the Committee in relation to the reason why a request for deferral had been requested rather than the application having been withdrawn.

RESOLVED (unanimous) that the application be DEFERRED at the request of the agent and in agreement with the Ward Members.

- (b)      **North Devon's Five Year Land Supply Statement**

The Planning Manager reported that the Committee was due to consider a report under item 7 on the agenda regarding North Devon's Five Year Land Supply Statement. He stated that Ministerial Advice had recently been received which recommended that Local Authority's should produce an annual land supply statement. He advised that following Ministerial Advice in relation to five year land supply and recent appeal decisions it was recommended that consideration of the report be deferred until the next meeting of the Committee. He advised that the outcomes of the Planning Inspector's decision in respect of West Yelland would be reported to the Committee at the end of the meeting.

RESOLVED that consideration of the report on North Devon's Five Year Land Supply Statement be deferred for one cycle following Ministerial Advice and recent Planning Inspector's appeal decisions.

**38** **56685: OUTLINE APPLICATION FOR THE ERECTION OF UP TO 115 DWELLINGS, PROVISION OF ASSOCIATED PARKING, ROAD AND DRAINAGE INFRASTRUCTURE, PUBLIC OPEN SPACE, LANDSCAPING & PEDESTRIAN LINKS (ALL MATTERS RESERVED EXCEPT FOR ACCESS) (AMENDED DETAILS), LAND OFF NORTHFIELD LANE, BARNSTAPLE**

The Committee considered a report by the Chief Planning Officer (circulated previously – now appended).

The Planning Officer advised the Committee that the description of the planning application had been formally amended to 110 dwellings (not 115 as detailed in the description).

The Planning Manager advised that the planning application had previously been granted conditional approval by the Committee on 13<sup>th</sup> August 2014 subject to various matters being resolved to his satisfaction in consultation with the local and adjoining ward members. He confirmed that the reason for the report being brought back to the Committee was to provide an update in respect of those matters.

Mr David Huxford (objector), Mr Brayley (objector), Mr Peter Moloney (objector), Mr Geoff Pugsley (objector), Mr Pugsley (on behalf of Mr Jeremy Bishop) (objector), Ms Helen Chugg (objector) and Mr Simon Fitton (agent) addressed the Committee.

Councillors Greenslade and Manuel (ward members) addressed the Committee.

The Devon County Council Highways Officer addressed the Committee in relation to the empirical evidence that had been produced to support the Traffic Impact Assessment. He confirmed that the Highways Authority had re-examined the Transport Assessment submitted with the application and were satisfied that the cumulative impact of developments and their impacts on the highway junctions in the locality had been taken into account in this work. He confirmed that Devon County Council had approved the scheme for the provision of a roundabout at the A39 hospital junction. There was only a requirement to assess the cumulative impact of the developments until 2018.

The Planning Manager confirmed in pursuance to minute 71 (a) of the meeting of the Planning Committee on 13th August 2014, that both he and the Highways Authority were satisfied that the empirical evidence produced to support the Traffic Impact Assessment was accurate and up-to-date and that all outstanding highway concerns had been satisfactorily addressed. In relation to minute 71 (f), he confirmed his understanding that the ward members had been consulted.

RESOLVED (9 for, 0 against, 1 abstained) that the application be APPROVED as recommended by the Chief Planning Officer as minutes 71 (a) and (f) of the meeting held on 13th August 2014 had been addressed to the satisfaction of the Chief Planning Officer.

**39**                    **ADJOURNMENT OF MEETING**

RESOLVED that the meeting be adjourned to enable a comfort break.

RESOLVED that the meeting be reconvened to consider the remaining business to be transacted.

**40**                    **59744: INSTALLATION OF A 25.0 METRE HIGH LATTICE TOWER WITH 6 ANTENNAS AND 2 DISHES, INCLUDING INSTALLATION OF 6 EQUIPMENT CABINETS, ANCILLARY DEVELOPMENT WITHIN 2.2 METRE HIGH FENCING & TURNING AREA, HENSLEY FARM, EAST WORLINGTON, CREDITON EX17 4TG**

The Committee considered a report by the Chief Planning Officer (circulated previously – now appended).

The Planning Officer advised that following the publication of the agenda 2 letters of objection had been received. One of which had been circulated to the Committee by the author of the letter. He advised that the other letter of objection received from Ray Bassingthwaight raised no additional matters that had not already been raised. He reported on the observations made by the Committee at the site inspection on 7th October 2015.

Brian Percival (objector), Mary Stokes (objector), Trevor Reynolds (supporter), Mrs Troake (objector), Mrs Ramsey (on behalf of John Troake) (objector), Steve Bolt (supporter), Wendy Percival (objector), Fanny Mills (objector), Graham Butt (supporter), Mr Brook (objector), Mr Webber (supporter), Mr Ramsey (objector) and Saleem Shamash (agent) addressed the Committee.

Saleem Shamash (agent) confirmed that the application had been submitted as part of a Government sponsored scheme where commercial operators find it economically unviable to invest. The scheme is due to end in March 2016, and therefore if planning permission was not granted by the end of October 2015 the installation of the lattice tower with telecommunication antennas would not be completed.

The Planning Officer confirmed that if the lattice tower were to be re-sited, then a revised planning application would be required.

Councillor Croft (ward member) addressed the Committee.

RESOLVED (9 for, 2 against) that the application be REFUSED for the following reasons and that the applicant be invited to submit a revised scheme reducing the height and resiting the mast further into the field :

- (a) The proposal was considered to be contrary to Policy DVS3 as it had an adverse amenity impact on the occupants of Coombe Cottage and Rull Farm House by reason of its visual impact and proximity;
- (b) The proposal was considered to be contrary to Policy ENV17 and ENV1 by reason of the adverse impact on heritage assets including the setting of the Grade 1 listed building of West Worlington church;
- (c) The proposal was considered to be contrary to Policy TRA9 and in particular conflicted with criterion B in respect of harm to the character, appearance and setting of designated heritage assets;
- (d) The proposal was considered to be contrary to paragraph 134 of the National Planning Policy Framework as the public benefits did not outweigh the harm to West Worlington Church, which is a designated heritage asset.

**41**            **59852: FORMATION OF PUBLIC SEATING AREA, LAND OPPOSITE QUAY HOBLERS, QUAYFIELD ROAD, ILFRACOMBE, EX34 9EN**

The Committee considered a report by the Chief Planning Officer (circulated previously – now appended).

RESOLVED (unanimous) that the application be APPROVED as recommended by the Chief Planning Officer.

**42**            **59991: REPLACEMENT OF GRASS PATH WITH HARD SURFACED PATH, YEO VALLEY COMMUNITY WOODLAND, DERBY ROAD, BARNSTAPLE**

The Committee considered a report by the Chief Planning Officer (circulated previously – now appended).

RESOLVED (unanimous) that the application be APPROVED as recommended by the Chief Planning Officer.

**43**            **ADJOURNMENT OF MEETING**

RESOLVED that the meeting be adjourned to enable a comfort break.

RESOLVED that the meeting be reconvened to consider the remaining business to be transacted.

**44 PERFORMANCE REVIEW**

The Committee considered a report by the Chief Planning Officer (circulated previously) regarding Performance Review.

RESOLVED that the report be noted and that staff be congratulated on their high performance.

**45 CLASS 1 Q PERMITTED DEVELOPMENT RIGHTS**

The Committee considered a report by Chief Planning Officer (circulated previously) regarding Class 1 Q Permitted Development Rights.

RESOLVED that the report be noted.

**46 UPDATE ON PLANNING APPEAL DECISIONS**

The Chief Planning Officer provided an update to the Committee on the outcomes of the recent Planning Inspector's decision in respect of West Yelland.

Chairman

The meeting ended at 1.00 p.m.

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.