

NORTH DEVON COUNCIL

Minutes of a special meeting of the PLANNING COMMITTEE held at the Civic Centre, Barnstaple on Thursday 16th April 2015 at 10.00 a.m.

PRESENT: Members:

Councillor Ley (Chairman)

Councillors Chesters, Clark, Edgell, Flynn, Haywood, Lane, Moore, Tucker, Turner, Worden (minutes 200-210 only) and P. Yabsley.

Councillors Biederman, Brown, Cann, Davis, Greenslade, Manuel, Prowse and Spear attended the meeting in accordance with Standing Order 9 (3).

Officers:

Planning Manager (MK), Head of Legal (KM), Lead Planning Officer (JW), Lead Planning Officer (BP), Senior Planning Officer (TB), Senior Planning Officer (MB), Senior Planning Officer (DS) and Member Services Officer (JG).

193 APOLOGIES

Apologies for absence were received from Councillors Croft, Fowler and Hockin.

194 DECLARATIONS OF INTEREST

The following declarations of interest were announced:

Councillor Chesters	Planning application 58854: Disclosable Pecuniary interest as she was the applicant.
	Planning application 58294: Personal interest as the architect was also her architect.
Councillor Edgell	Planning application 58318: Personal interest as a Member of the Devon County Council Highways Committee.
Councillor Flynn	Planning application 58820: Personal interest as the builder was known to her.
	Planning application 58854: Personal interest as the applicant was a former employer.
Councillor Greenslade	Planning application 57503: Personal interest as a Member of Devon County Council, Member of the

Fire Authority and his Son in Law was a Police Officer.

Councillor Haywood Planning application 58643: Disclosable Pecuniary interest as the North Devon Council's representative on the North Devon Homes' Board.

Planning application 58646: Disclosable Pecuniary interest as the North Devon Council's representative on the North Devon Homes' Board.

195 **57503: ERECTION OF 105 DWELLINGS WITH ASSOCIATED CAR PARKING, PUBLIC OPEN SPACE & INFRASTRUCTURE (AMENDED PLANS). LAND AT RALEIGH PARK, BARNSTAPLE, DEVON EX31 4JD.**

The Committee considered a report by the Planning Manager (circulated previously - now appended).

The Senior Planning Officer advised the Committee that Devon County Council Highway Authority was satisfied that the appropriate modelling had been applied in respect of the traffic impact assessment undertaken for the area. He informed the Committee of a further communication from the Pilton Resident Group received since publication of the agenda.

In response to a question, the Devon County Council Highway Officer confirmed that evidence had been submitted to suggest that the proposed scheme was safer than alternative proposals put forward.

Mr. Pugsley, Mr. Bishop, Mr. Moloney, Mr. Pugsley on behalf of Mr. Brailey (objectors) and Mr. Danks (agent) addressed the Committee.

Councillor Greenslade addressed the Committee in his capacity as Ward Member for the area expressing concern regarding the safety of the proposed junction arrangements and affect of the Ilfracombe Southern Extension in relation to traffic congestion and overloading at Pilton Bridge junction.

In response to questions, the Planning Manager advised that in his opinion, the Authority could not justify a reason of refusal in respect of severe cumulative impact alone. He further advised that the previously approved Ilfracombe Southern Extension application had been taken into account in reaching the recommendation before the Committee in terms of the likely traffic flows over a period of three to five years.

RESOLVED (6 For, 4 Against) that the application be APPROVED as recommended by the Planning Manager.

Councillor Moore requested that his vote against the above application be recorded in the minutes.

**196 57721: ERECTION OF OCCUPATIONAL DWELLING
(REVISED DESCRIPTION & SIZE OF DWELLING). LAND TO
THE REAR OF BEECHWOOD HOUSE, NORWOOD FARM,
BARNSTAPLE, DEVON EX31 3JS.**

The Committee considered a report by the Planning Manager (circulated previously - now appended).

Mrs. Gold (agent) addressed the Committee.

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

**197 58318: ERECTION OF A DWELLING. LAND AT
GOODLEIGH, BARNSTAPLE, DEVON.**

The Committee considered a report by the Planning Manager (circulated previously - now appended).

The Senior Planning Officer advised that since publication of the agenda, the Clerk to Goodleigh Parish Council had confirmed that spaces would remain in the applicant's ownership and that the management and the maintenance of those spaces would be under the provision of the Parish Council which would pay a peppercorn rent subject to them being provided for the wider community use. Furthermore, correspondence with the Head of Goodleigh Primary School sought to achieve the safest solutions within the locality for the beneficial interest of the school with particular regard to traffic calming measures.

Councillor Prowse addressed the Committee in his capacity as Ward Member for the area. He advised that the Parish Council had unanimously supported the application, however it was not convinced that suggested traffic calming measures would necessarily improve the traffic issues.

In response to a question, the Devon County Council Highway Officer addressed the Committee and advised that both of the current junction arrangements remained substandard and therefore the Highway Authority maintained its objection to the proposal.

RESOLVED (unanimous) that the application be APPROVED subject to a Section 106 legal agreement requiring the long term maintenance and management of the parking spaces by Goodleigh Parish Council to be available for use by the community and further conditions being delegated to the Planning Manager for the following reasons: -

- (a) Since the previous appeal decision there had been traffic calming measures implemented in the area;
- (b) There were no recorded incidents at either junction during the last three year period;

- (c) The North Devon Council's Heritage Officer did not consider the application would cause an adverse harm to the character and appearance of the area;
- (d) The application complied with Policy HSG 3 of the Local Plan as it was well related to the main built up settlement and was sustainable; and
- (e) The addition of eight parking spaces would help to alleviate parking pressures close to the school and was considered to be a positive community benefit.

198 ADJOURNMENT OF MEETING

RESOLVED, that the meeting be adjourned for lunch.

RESOLVED, it being 12:40p.m. that the meeting re-convene in order for the remaining business to be transacted.

199 58119: ERECTION OF 12 OPEN MARKET & 4 AFFORDABLE DWELLINGS, BMX TRACK & SCHOOL LEARNING FACILITY WITH ASSOCIATED ROADS, INFRASTRUCTURE & PLANTING. LAND OFF VELATOR CLOSE, BRAUNTON, DEVON EX33 2DT.

The Committee considered a report by the Planning Manager (circulated previously - now appended).

Mr. Needham, Mr. Needham on behalf of Mr. Rowe, Mr. Dibble (objectors), Mr. Major (Chairman of Braunton BMX Club), Mr. Upton on behalf of the applicant, Mr Newton (in support) and Councillor Spear (Braunton Parish Council representative) addressed the Committee.

Councillor Spear addressed the Committee in his capacity as local adjoining Ward Member for the area expressing his concerns in relation to flooding, highway issues, traffic congestion and ecology of the estuary.

Councillor Davis addressed the Committee in her capacity as Ward Member for the area with particular concern over flooding, parking arrangements and proposed numbers of affordable housing.

The Lead Planning Officer confirmed that the provision of a BMX track in the locality was a requirement/desire of the village and that it had been difficult finding suitable sites.

Mr. Dart of the Environment Agency addressed the Committee advising that he was supportive of the attenuation measures proposed as part of the application.

Councillor Chesters referred to an e:mail that she had received from the Head of Southmead School incorporating the views of the Governors and advising that it would not be prepared to offer any parking facilities.

Councillor Chesters further expressed concern regarding the loss of the green belt which separated the villages of Braunton and Wrafton.

RESOLVED (unanimous), that the application be REFUSED for the following reasons: -

- (a) the proposed development was located in the countryside on a site that in landscape terms provide an important visual break between the settlements of Braunton and Wrafton and was contrary to Policies HSG1, HSG8, ENV1 of the adopted North Devon Local Plan and Policy BRA03 of the emerging Joint Local Plan; and
- (b) the advantages proposed by the application did not outweigh the adverse harm it would cause in respect of those Policies set out above.

200 58133: OUTLINE APPLICATION FOR 3 NO. DWELLINGS (AMENDED PLANS). LAND OFF WHITESTONE LANE, KNOWLE, BRAUNTON, DEVON EX33 2ND.

The Committee considered a report by the Planning Manager (circulated previously - now appended).

RESOLVED (unanimous) that the application be DEFERRED at the request of the applicant.

201 58294: VARIATION OF CONDITION 36 (RESTRICTION OF DWELLING HEIGHT) ATTACHED TO PLANNING PERMISSION 56054 TO ALLOW FOR DISTRIBUTION OF DWELLING HEIGHTS AS DETAILED ON THE REVISED SCALE AND MASSING STRATEGY (AMENDED DESCRIPTION AND AMENDED PLANS). LAND AT ALLENSTYLE, YELLAND, DEVON EX31 3ED.

The Committee considered a report by the Planning Manager (circulated previously - now appended).

Naomi Dwyer (objector), Mr. Huxtable (applicant) and Mr. Steart (agent) addressed the Committee.

Councillor Cann addressed the Committee in his capacity as local adjoining Ward Member for the area expressing concern regarding the height of the proposed dwellings.

Councillor Biederman addressed the Committee in his capacity as Ward Member for the area and urged the Committee to adhere to its previous decision in respect of permission being restricted for single storey dwellings.

RESOLVED (10 For, 1 against) that the application be REFUSED as the proposed variation of condition would create a visually intrusive form of development that would be out of keeping with the character and appearance of the locality.

202 **58335: RESIDENTIAL DEVELOPMENT FOR 70 DWELLINGS (INCLUDING 21 AFFORDABLE UNITS) AND ASSOCIATED INFRASTRUCTURE. LAND AT ALLENSTYLE ROAD, YELLAND, DEVON.**

The Committee considered a report by the Planning Manager (circulated previously - now appended).

Mrs. Polton, Mrs. Wrigley, Annette Burgess (objectors), Mr. Huxtable (land owner) and Mr. Greenfield (applicant) addressed the Committee.

Councillor Cann addressed the Committee in his capacity as adjoining local Ward Member for the area and expressed concern with particular regard to drainage issues and the siting of the affordable housing element of the scheme.

Councillor Biederman addressed the Committee in his capacity as Ward Member for the area expressing concern regarding the design being out of keeping with the character and appearance of the area and the increase in the number of dwellings proposed without the necessity of a viability assessment.

Following discussion relating to the siting of the proposed affordable housing element, the Lead Planning Officer referred to the comments of the Housing Enabling Officer received since publication of the report.

RESOLVED, it being 3:40 p.m., that in accordance with Standing Order 20 the meeting continue in order for the remaining business to be transacted.

RESOLVED (6 For, 4 Against) that the application be DEFERRED for the following reasons:-

- (a) to seek to provide alternative design and materials which would be less visually intrusive and more in keeping with the character and appearance of the area; and
- (b) to re-consider the provision and grouping of the affordable housing element of the scheme.

203 **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.

204 ORDER OF AGENDA

RESOLVED, that application 58646 be considered prior to application 58643 on the agenda and that application 58854 be moved to the end of the agenda.

203 58646: ERECTION OF 16 DWELLINGS, ASSOCIATED ACCESS, LANDSCAPING, CAR PARKING & AMENITY SPACE. LAND AT GOODLEIGH ROAD, BARNSTAPLE, DEVON.

Councillor Haywood declared a disclosable pecuniary interest in the above application, left the room and was not present during the consideration or voting thereon.

The Committee considered a report by the Planning Manager (circulated previously - now appended).

The Senior Planning Officer advised further to his recommendation set out in the report, that he would wish to secure a Devon County Council sustainability package as part of the proposed Section 106 legal agreement.

The Planning Manager read out a statement on behalf of Mrs. Ash (objector).

Councillor Brown addressed the Committee in her capacity as Ward Member for the area in support of the application.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Planning Manager subject to a Devon County Council sustainability pack being included as part of the Section 106 legal agreement.

204 58643: DEMOLITION OF 18 UNUSED GARAGES & ERECTION OF THREE HOUSES & FOUR FLATS (AMENDED DESCRIPTION, PLANS & INFORMATION). LAND AT CROW VIEW, GORWELL ESTATE, BARNSTAPLE, DEVON EX32 7JW.

The Committee considered a report by the Planning Manager (circulated previously - now appended).

Mr. Snooks (Regenerations Manager for North Devon Homes) and Mr. Scallon (Landscape Consultant) addressed the Committee.

Councillor Brown addressed the Committee in her capacity as Ward Member for the area in support of the application.

RESOLVED (7 For, 0 Against, 1 Abstention) that the application be APPROVED subject to a Section 106 legal

agreement, conditions being delegated to the Planning Manager together with a replanting scheme being delegated to the Planning Manager in consultation with the local Ward Member for the following reason: -

- (a) the loss of trees was outweighed by the benefits of the scheme having regard to the delivery of affordable homes and the re-development of the area.

207 **58820: ERECTION OF DWELLING. 'SUMMERS',
BICKINGTON, BARNSTAPLE, DEVON EX31 2JG.**

The Planning Manager declared an interest in the above application, left the room and was not present during the consideration or voting of the above application.

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

Mr. Kingdon (agent) addressed the Committee.

Councillors Clark and Tucker declared a personal interest in the above application as the agent was known to them.

Councillor Cann addressed the Committee in his capacity as Ward Member for the area and advised that if the Committee was minded to approve the application, it may wish to condition a tree planting scheme to minimise the impact on neighbouring objectors. It was later confirmed that this tree had already been planted.

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

208 **58947: LISTED BUILDING APPLICATION TO REPLACE
STRUCTURAL ROOF TIMBERS, RELAY EXISTING SLATES
AND REPLACEMENT OF INTERNAL PLASTER WITH
VENTED DRY LINING SYSTEM (AMENDED DESCRIPTION).
CASTLE LODGE, NORTH WALK, BARNSTAPLE, DEVON.**

The Committee considered a report by the Planning Manager (circulated previously - now appended).

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

209 **58958: PRIOR NOTIFICATION FOR PROPOSED
DEMOLITION OF BUILDING. SOUTH MOLTON RECYCLE,
SOUTHLEY ROAD, SOUTH MOLTON, DEVON EX36 4BL.**

The Committee considered a report by the Planning Manager (circulated previously - now appended).

The Lead Planning Officer advised that following receipt of a detailed site plan and demolition statement, she sought delegated authority from the Committee to approve the application and apply conditions accordingly.

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

210 **58854: VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO PLANNING PERMISSION 57606 TO ALLOW ALTERATIONS TO ACCESS ARRANGEMENTS. ASHFORD INN FRUIT FARM, BRAUNTON ROAD, BARNSTAPLE, DEVON EX31 4AU.**

Councillor Chesters declared a disclosable pecuniary interest in the above application, left the room and took no part in the consideration or voting thereon.

The Committee considered a report by the Planning Manager (circulated previously - now appended).

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

Chairman

The meeting ended at 5.50 p.m.

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