

**NORTH DEVON COUNCIL**

Minutes of a meeting of Planning Committee held at Virtual - Online meeting on Wednesday, 8th July, 2020 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

Councillors Chesters, Crabb, Davies, Fowler, Gubb, Knight, Lane, Leaver, Mackie, Prowse, D. Spear, L. Spear, Tucker and Yabsley

Officers:

Solicitor, Lead Planning Officer (South), Senior Planning Officer (MB), Planning Officer (OM), Parks, Leisure and Culture Officer and Contracts Delivery Manager

Also Present:

Councillors Lofthouse and Worden

**74. VIRTUAL MEETINGS PROCEDURE - BRIEFING AND ETIQUETTE**

The Chair outlined the virtual meeting procedure and etiquette to the Committee and attendees.

The Senior Corporate and Community Services confirmed the names of those Councillors and officers present and advised that members of the public and press were also in attendance.

**75. APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

**76. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 10TH JUNE 2020**

RESOLVED that the minutes of the meeting held on 10 June 2020 (circulated previously) be approved as a correct record and signed by the Chair.

**77. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY**

The Chair advised that following the conclusion of the meeting, an informal meeting would be held for the Committee to receive an update in relation to a planning application at West Down.

**78. DECLARATION OF INTERESTS**

There were no declarations of interest announced.

**79. 71278: EXTENSION TO DORMER WINDOWS, 8 AND 10 BROADWAY, FREMINGTON, BARNSTAPLE, DEVON, EX31 2NR**

The Committee considered a report by the Head of Place (circulated previously – now appended).

Councillor Mackie, in her capacity as Ward Member, addressed the Committee.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Head of Place.

**80. 71405: RESERVED MATTERS APPLICATION FOR THE ERECTION OF A NEW SWIMMING FACILITY IN AN EXTENSION TO THE EXISTING CENTRE, TO INCLUDE 25M SWIMMING POOL AND LEARNER POOL, SPORTS HALL AND ASSOCIATED FACILITIES; TOGETHER WITH THE EXTENSION OF THE EXISTING CAR PARKING, RELOCATION OF HGV PARKING TO ACCOMMODATE THE NEW CAR PARKING, HARD AND SOFT LANDSCAPING (OUTLINE PLANNING PERMISSION 63351), TARKA TENNIS CENTRE, SEVEN BRETHERN BANK, BARNSTAPLE, DEVON, EX31 2AS**

The Committee considered a report by the Head of Place (circulated previously – now appended).

The Lead Planning Officer referred to an email that had been circulated to the Committee on 7 July 2020 and contained additional information and emails received from the agent, the Council's Sustainability Officer and Contracts Delivery Manager and outlined the main points to the Committee. She advised that Parkwood had advised that specific targets had been set for different community groups and ages to encourage wider participation and use. Parkwood had also confirmed that if demand for more cycle parking increased additional bike stands would be provided. She advised that condition 21 of the outline planning consent dictated that the building was to meet BREEAM level good, which had been demonstrated. Outline planning consent could not be revisited. The Hydrock BREEAM pre-assessment provided an overview of the BREEAM New Construction 2018 assessment process

and its potential applications for the development. The assessment was a clear indication of the quality of the overall design and factors such as energy efficient, construction and reduction of water usage. Air Source Heat Pumps and Combined Heat and Power were the most suitable energy source. The final BRE certification was conditioned for no later than 6 months post completion. The Combined Heat Plant was common practice to install as the energy efficiency was so high and met the requirements of the outline planning permission conditions and building regulations. Once the facility was operational the energy efficiency could be assessed and any additional technology could be incorporated if required. The orientation and design of the building was to provide an active frontage which was visible with links to the Tarka Trail. The swimming pool was located to the north to avoid glare, with sports activities located at the front of the building to encourage participation. The sports hall and ski hall were less visible. The life span of the building was 60 years. The Committee had recently received a presentation on the National Design Guide.

The Committee noted a typographical error contained on page 36, which should have stated “will become a **Bike Studio**”.

Molly Leonard (agent) and Mark Kentell (applicant – representing North Devon Council) addressed the Committee.

Councillor Lofthouse (Ward Member) addressed the Committee.

In response to questions, the Lead Planning Officer advised that Policy BAR13 of the Joint Local Plan referred to the redevelopment of Seven Brethren. The access and egress to Seven Brethren was important for the future and could be reviewed as part of the emerging policies in relation to Anchorwood Bank, however it could not be changed as part of this scheme. The points of access to the Leisure Centre would not change. Bus routes may be changed in the future which would be dependent upon demand. The Joint Local Plan did not include a standard for the provision of bike stands and there was no evidence that the numbers provided for in the scheme would be insufficient. Sound principles for design had been applied to the scheme and by nature leisure centre buildings were large. The design principles for the scheme had been applied for other leisure complexes to make them attractive and exciting building to enter. The outlook over the river was recognised and soft landscaping was proposed which would soften the visual impact longer term. Biodiversity had been considered across the whole of the site. There were positive gains in terms of landscaping. Hard landscaping would be required for cycle and footpaths. Additional land could be allocated for leisure in the future if required. There were good pedestrian and cycle routes around the site. Any improvements in terms of connectivity to the Tarka Trail were difficult to achieve. Cycleways were located north and south of the site with links to the town. Pedestrians would access the site using existing routes. The outline application controlled the standard of BREEAM and this matter could not be revisited. Air quality had been dealt with as part of the outline application. The reserved matters to be considered as part of this application was set out in the report. The leisure centre would be linked to the Tarka Tennis centre, therefore it had been designed to “marry” the two buildings together by reflecting the design of the Tarka Tennis centre. It was proposed that a pedestrian footbridge would be provided in the future as part of the Larkbear

development. Solar panels would be difficult to access and maintain and there were roof loading issues. Changing the orientation of the building was not minor or a straight forward matter and would result in a major redesign of the scheme. If the scheme was redesigned further 21 days public consultation period would be required. The application had been subject to public consultation and engagement with Members.

In response to questions, the Contracts Delivery Manager advised the Committee that Germany's passivehaus compliant leisure centres were popular but had a different concept in that they provided spa/sauna facilities and that visits were normally for whole days. If the scheme was changed to a passivehaus compliant leisure centre, it was anticipated that the cost of the scheme would increase by £10m and there was no guarantee that it would be successful. Combined Heat and Power systems were very common use within leisure centres. The all weather pitch had been allocated on a site which was previously a football pitch on reclaimed land, therefore did not enhance biodiversity. Bunding and planting had been planted around the site which did enhance biodiversity. The swimming pool contained less water as the existing pool was deeper due to the high diving boards. The size of the main pool would be increased by the inclusion of two extra swimming lanes. The proposed pool was more flexible in terms of use and had moveable floors to allow it to meet demands. The centre included a larger gym and additional studio classes. Inefficient spaces such as corridors had been removed. The sign on the leisure centre would be lit up with reference to the local area. Parkwood would be responsible for all maintenance. PV solar panels could be included on the building, but there would be an additional cost. The cladding was timber looking composite. The car park was the responsibility of the Council and therefore it would be for the Council to consider the installation of electric vehicle charging points. Funding had been secured from Sport England as the scheme provided a pool which had been designed to meet local needs. Discussions had taken place with the Showmans Guild regarding the future location of the fair. It was anticipated that works would commence on the site on 7 September 2020. Once the leisure centre had been built, there would still be sufficient space for the location of the fair. If the determination of the application was deferred for a period of three months, it would risk the whole scheme collapsing with the loss of funding and the contractor. The procurement of the contractor took two years.

In response to questions, the Parks and Leisure Officer advised that the building had been designed to avoid lighting and glass to the rear to maintain a dark corridor and had been led by ecology. The cladding design had been changed following pre-application comments.

Councillor Knight (in his capacity as Ward Member) addressed the Committee.

RESOLVED (12 for, 0 against and 3 abstained) that the application be APPROVED as recommended by the Head of Place.

81. **71516: APPROVAL OF DETAILS IN RESPECT OF DISCHARGE OF CONDITIONS 6 (DISCONTINUANCE ORDER FOR EXISTING LEISURE CENTRE), 11 AND 12 (REMEDIATION STRATEGY), 13 (FOUNDATIONS WORKS), 14 AND 15 (SURFACE WATER DRAINAGE), 16 (CONSTRUCTION ENVIRONMENT MANAGEMENT PLAN), 17 (NOISE IMPACT ASSESSMENT), 19 (LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN) AND 20 (PROTECTION OF TREES AND HEDGES) ATTACHED TO PLANNING PERMISSION 63351 (OUTLINE APPLICATION FOR THE ERECTION OF A NEW SWIMMING FACILITY IN AN EXTENSION TO THE EXISTING CENTRE TO INCLUDE 25M SWIMMING POOL AND LEARNER POOL, SPORTS HALL AND ASSOCIATED FACILITIES; TOGETHER WITH THE EXTERNAL WORKS COMPRISING THE PROVISION OF A NEW FULL SIZE 3G ARTIFICIAL GRASS PLAYING PITCH, EXTENSION OF THE EXISTING CAR PARKING, RELOCATION OF HGV PARKING TO ACCOMMODATE THE NEW CAR PARKING, HARD AND SOFT LANDSCAPING), TARKA TENNIS CENTRE, SEVEN BRETHERN BANK, BARNSTAPLE, DEVON, EX31 2AS**

The Committee considered a report by the Head of Place (circulated previously – now appended).

Councillor Knight, in his capacity as Ward Member, addressed the Committee.

RESOLVED (13 for, 0 against, 2 abstained) that the application be APPROVED as recommended by the Head of Place subject to the Head of Place being delegated authority to resolve outstanding issues and regarding the inclusion of a condition in relation to routing of heavy plant and construction vehicles and workmen vehicles.

82. **PLANNING AND ENFORCEMENT APPEAL DECISIONS**

The Committee considered a report by the Head of Place (circulated previously) regarding Planning and Enforcement Appeal decisions determined from 1 January 2020 until 26 June 2020.

The Lead Planning Officer advised that future reports to the Committee would only contain appeals determined for the previous month. During 2019, 36 appeals had been determined, 12 of which had been allowed. For the first six months of this year, there had been 33 appeals, two of which had been withdrawn and 9 had been allowed. Of these three had been enforcement appeals where the notices maintained the controls required by the council. None of which had been in relation to decisions taken by the Committee.

RESOLVED that it being 1:00pm that the meeting continue in order for the remaining business to be transacted (unanimous).

The Committee received updates further to appeal decisions determination in relation to planning applications 64059 and 70738.

Chair

The meeting ended at 1.10 pm

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