

NORTH DEVON COUNCIL

Minutes of a meeting of the PLANNING COMMITTEE held at the Rugby Club, Barnstaple on Wednesday 11th July 2018 at 10.00 a.m.

PRESENT: Members:

Councillor Ley (Chair)

Councillors Bonds, Chesters, Crabb, Croft, Edmunds, Flynn (minute 21 to 29), Fowler, Lane, Leaver, Spear, Tucker, Worden and Yabsley (minutes 26 to 31).

Also Present:

Councillors Barker and Wilkinson

Officers:

Head of Corporate and Community Services, Lead Planning Officer (BP), Senior Planning Officers (MB, JM and TB) and Senior Corporate and Community Services Officer (BT).

21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Gubb and Prowse.

22 MINUTES

RESOLVED that the minutes of the meeting held on 13th June 2018 (circulated previously) be approved as a correct record and signed by the Chairman subject to Councillor Crabb being recorded as giving his apologies under minute 13.

23 ITEM BROUGHT FORWARD BY THE CHAIRMAN

The Chairman advised that should the Committee agree to hold a site inspection for any planning applications, that the date and time would be arranged following the conclusion of the meeting.

24 DECLARATIONS OF INTEREST

The following declarations of interest was announced:

Councillor Lane Planning application 64939: Disclosable pecuniary interest as the applicant.

25 62954: DEMOLITION OF EXISTING DWELLING & ERECTION OF ONE DWELLING WITH DETACHED GARAGE (BAT EMERGENCE SURVEY & AMENDED DRAWINGS) (FURTHER INFORMATION & AMENDED DRAWING) (AMENDED DRAWINGS & ECOLOGICAL SUMMARY & MITIGATION STRATEGY) (FURTHER LETTER & AMENDED PLAN), ATLANTIS LODGE, MOOR LANE, CROYDE, DEVON, EX33 1PA

The Committee considered a report by the Head of Corporate and Community Services (circulated previously – now appended).

The Lead Planning Officer (BP) advised that the applicant had requested that consideration of the planning application be deferred for at least one committee cycle to allow opportunity to carry out a further Bat Emergence Survey as recommended by Natural England which needed to take place during May to August.

RESOLVED (unanimous) that consideration of the application be DEFERRED for at least one committee cycle to enable the applicant to carry out a further Bat Emergence Survey as recommended by Natural England which needed to take place during May to August.

Councillor Yabsley arrived.

26 64308: DEMOLITION OF REDUNDANT BUILDINGS TO THE REAR OF THE HOTEL & ERECTION OF TEN ANCILLARY HOTEL APARTMENTS FOR GUESTS TOGETHER WITH ASSOCIATED PARKING, LANDSCAPING & ENGINEERING WORKS (ADDITIONAL INFORMATION & AMENDED PLANS), FORMER ROYAL HOTEL, BEACH ROAD, WOOLACOMBE, EX34 7AB

The Committee considered a report by the Head of Corporate and Community Services (circulated previously – now appended).

The Lead Planning Officer (BP) reported that a further 11 letters of objections had been received since the publication of the agenda.

Councillor Wilkinson (Ward Member) addressed the Committee.

Lorna Britton (objector), Brian Henderson (objector), Margaret Henderson (objector), Samantha Waters (objector), Jenny De Havilland (objector on behalf of her son) and Robert Gilmore (agent) addressed the Committee.

In response to questions, the Lead Planning Officer (BP) confirmed that the dimensions submitted by the applicant on the site section drawing had been checked and compared to the elevations. The applicant had confirmed that the plans were accurate. The cross section plan identified the relationship of

the apartments to residential properties in Chichester Park. Environmental Health was satisfied with the noise impact assessment. It had been accepted that a lower level of car parking would be provided for holiday accommodation compared to residential units. The number of staff working on site and the density in relation to the surrounding area were unknown. A condition could be imposed regarding the floor height and ridge levels.

RESOLVED (8 for, 3 against, 0 abstained) that the application be APPROVED as recommended by the Head of Corporate and Community Services subject to the heights of floors and ridge lines being conditioned.

27 **64624: OUTLINE APPLICATION FOR DEMOLITION OF AGRICULTURAL BUILDINGS & ERECTION OF THREE DWELLINGS WITH ASSOCIATED PARKING (ALL MATTERS RESERVED), PARK FARM, LOWER PARK ROAD, BRAUNTON, EX33 2LQ**

The Committee considered a report by the Head of Corporate and Community Services (circulated previously – now appended).

The Senior Planning Officer (JM) advised that in relation to section 106 contributions, further details of the specific projects had not been provided by the Parks and Leisure team.

David Relph (objector) and Nigel Gale (agent) addressed the Committee.

In response to questions, the Senior Planning Officer (JM) advised that the National Planning Policy Framework removed sustainability from Class Q criteria and that ecology is also not a matter for prior approval but must be considered on a planning application. Reference was also made in respect of the ‘fallback position’ to convert under Class Q, which had been established in recent case law. Members were informed these were material considerations. In terms of sustainability, reference to walking distances had been included within the report, however there was no footpath provision.

RESOLVED (12 for, 0 against, 1 abstained) that the application be REFUSED as recommended by the Head of Corporate and Community Services.

28 **64652: INSTALLATION OF A 5MW FLEXIBLE ELECTRICITY GENERATION FACILITY (FEGF) (ADDITIONAL INFORMATION), HALSINGER FARM, BRAUNTON, EX33 2NL**

The Committee considered a report by the Head of Corporate and Community Services (circulated previously – now appended).

The Senior Planning Officer (JM) advised that following the publication of the agenda, late representations had been received from the Biosphere Reserve, Braunton Parish Council, Natural England and 9 additional objections which

did not raise any new issues. She advised that the Biosphere Reserve had raised objections as the application did not follow their own Sustainable Energy Plan, Braunton Parish Council reiterated their earlier objection comments and Natural England did not object.

A proposition for a site inspection was moved and seconded. As there were a number of parties registered to address the Committee, the Chairman asked those registered to speak whether they still wished to speak. All those registered to speak agreed not to address the Committee, with the exception of Peter Verso (agent).

Peter Verso (agent) addressed the Committee.

RESOLVED (unanimous) that the application be DEFERRED pending a site inspection to enable the Committee to view:

- (a) the highways network to the site;
- (b) the impact on residential properties;
- (c) the point of connection of the generation facility;
- (d) the visibility and impact of the proposal on the countryside.

29 ADJOURNMENT OF MEETING

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

RESOLVED that the meeting be re-convened to consider the remaining business.

Councillor Flynn left the meeting.

30 64939: PRIOR APPROVAL FOR CHANGE OF USE OF AGRICULTURAL BUILDING TO TWO DWELLINGHOUSES (CLASS Q(A)(B)) (AMENDED PLAN), BARN SOUTH EAST OF HOLTGATE, CHITTLEHAMHOLT, EX37 9PD

Councillor Lane declared a disclosable pecuniary interest and left the room during the consideration thereof.

The Committee considered a report by the Head of Corporate and Community Services (circulated previously – now appended).

In response to a question, the Senior Planning Officer (TB) confirmed that livestock would be relocated and there would be no future need for an agricultural building. The Class Q order allowed for conversions provided that criteria was met and confirmed that this application met the criteria.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Head of Corporate and Community Services.

31 65072: CHANGE OF USE FROM USE CLASS A1 (SHOPS) TO USE CLASS A5 (HOT FOOD TAKEAWAYS), 16 BUTCHERS ROW, BARNSTAPLE, EX31 1BW

The Committee considered a report by the Head of Corporate and Community Services (circulated previously – now appended).

The Senior Planning Officer (MB) reported that following the publication of the agenda, the receipt of a letter from Barnstaple Town Council that had recommended approval subject to adequate ventilation which prevented noise and nuisance to neighbours and the installation of bollards at the end of Butchers Row and Boutport Street. Devon County Council had been re-consulted following the comments made by the Town Council.

In response to a question, the Senior Planning Officer (MB) advised that the opening hours would be 10 am to 11 pm.

In response to a question, the Head of Corporate and Community Services advised that North Devon Council would retain control over the tenants occupying the units in Butchers Row which was separate from the planning considerations.

Jon Triggs (applicant) addressed the Committee.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Head of Corporate and Community Services.

Chairman

The meeting ended at 12.07 p.m.

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