

NORTH DEVON COUNCIL

Minutes of a meeting of the PLANNING COMMITTEE held at the Rugby Club, Barnstaple on Wednesday 8th August 2018 at 10.00 a.m.

PRESENT: Members:

Councillor Ley (Chair)

Councillors Bonds, Chesters, Croft, Edmunds, Flynn, Fowler, Gubb, Lane, Leaver, Prowse, Spear, Worden and Yabsley.

Officers:

Head of Place, Lead Planning Officers (BP and JW), Senior Planning Officer (JM), Solicitor (DH) and Senior Corporate and Community Services Officer (BT).

35 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Tucker.

36 MINUTES

RESOLVED that the minutes of the meeting held on 11th July 2018 (circulated previously) be approved as a correct record and signed by the Chairman.

37 ITEMS BROUGHT FORWARD BY THE CHAIRMAN

(a) Site Inspections

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

(b) Growth Agenda

The Chairman advised the Committee that a request had been made by the Acting Economic Growth Manager to provide an update to the Committee following the conclusion of the meeting regarding the Growth agenda. This was following on from the recent workshop that had been held on the Growth agenda.

The Committee considered that the presentation would be more appropriate at the Extraordinary Council meeting on 14th August 2018.

38 DECLARATIONS OF INTEREST

There were no declarations of interest announced.

**39 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) reported the receipt of 35 additional letters of objection and 5 new comments since the publication of the agenda. The late representations received had not raised any new issues. She reported the outcomes of the Committee site inspection that had taken place on 6th August 2018. She confirmed that in relation to HGV accessing the site via East Street in Braunton, that the Highways Authority had raised no objections. She suggested that further conditions be included requiring the submission of full details of the materials and colour finish to be used on the buildings and fencing and that prior to the commencement of development the submission of an operational phase plan to control the movements of gas and HGV delivery vehicles.

The Committee noted a typographical error on page 22 and that reference to the National Planning Policy Framework should refer to paragraph 38.

The Chairman introduced Mike Tichford who had been appointed as the new Head of Place to the Committee.

Liz Spear (representing the Parish Council), Elizabeth Wood (objector), Chris Dent (objector), Ranald Fowler (objector), Patricia Wheble (objector), Barry Dawes (objector), David Relph (objector), Peter Verso (agent) and Steven Manning (applicant) addressed the Committee.

The Solicitor gave advice to Councillors Spear and Prowse regarding the need to declare an interest as Liz Spear had addressed the Committee on behalf of the Parish Council.

Councillor Spear declared a personal interest as Liz Spear was his wife.

Councillor Prowse declared a personal interest as Liz Spear was his sister.

In response to questions, the Senior Planning Officer (JM) confirmed that the installation of cable routes would be carried out under permitted development rights. The flexible electricity generation facility would be a back up to the national grid where outages may occur and where there was demand. The Fire Authority had not submitted a consultation response to the application. The noise assessment submitted was based on the entire operations installed on the site which included all noise generating factors. Environmental Health was satisfied with details included within the noise assessment. Devon County Council was responsible for any road closures that may be required as part of the cable route installation, and this was not a materially planning matter this was not included in the scheme. The site would contain hazardous substances. The Health and Safety Executive and Environment Agency would be required to issue a permit. As there were no policy specifics contained within the current Local Plan or emerging Local Plan, reference was made

to the National Planning Policy Framework and the presumption in favour of sustainable development applied. The system was autonomous, therefore no lighting was proposed with the exception of the provision of emergency lighting for health and safety.

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

- (a) the North Devon Local Plan limited development in a countryside location and that the installation of a flexible electricity generation facility was not required to be located in the open countryside and results in harm to the landscape as a result of the overall height of the development;
- (b) the application was contrary to policies ENV1, ST07, DM08A and ST14 of the Local Plan.

40 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.

41 64405: DEMOLITION OF CARE HOME AND ERECTION OF 21 DWELLINGS (AMENDED DESCRIPTION AND AMENDED PLANS), BEECH HOUSE, NORTH ROAD, SOUTH MOLTON, EX36 3AZ

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

The Lead Planning Officer recommended to the Committee that delegated authority be given to the Head of Place to finalise the section 106 agreement and wording of conditions to include the removal of permitted development rights for plot 10.

Mr Ayre (objector) addressed the Committee.

The Lead Planning Officer recommended additional conditions to include the provision of a 2m closed bordered fence for plots 10 and 11, delegated authority to negotiate with the applicant on the inclusion of criteria within the Building for Life and to seek confirmation that the garage dimensions were 6m by 3m.

In response to questions, the Lead Planning Officer confirmed that garages were not provided for all plots. The amenity area for plot 7 was 28 sq m. There was not currently an adopted standard for the size of amenity areas. Government required vacant building credits to be included within the calculations for contributions towards affordable housing. The section 106 education contributions were towards new primary, secondary and early years delivery. Both the primary and secondary schools would require expansion in the future. The Police had confirmed that there

were now no objections. Devon County Council Lead drainage authority had now removed its objection to the application. Condition 13 would require the former care home to be surveyed prior to clearance. The site was currently closed and there was no opportunity for public parking. It was anticipated that there may be some informal parking on the new development. The character of South Molton in this locality was 100% two storey properties. A significant number of bungalows were being provided on a housing development close by to the site.

Councillor Yabsley declared a personal interest as a Member of Devon County Council.

RESOLVED (10 for, 0 against, 3 abstained) that the application be APPROVED subject to:

- (a) the Head of Place being delegated authority to finalise the section 106 agreement and wording of the conditions;
- (b) the inclusion of an additional condition for the provision of a 2m closed bordered fence for plots 10 and 11 and the removal of permitted development rights for plot 10;
- (c) negotiations being undertaken with the applicant on the inclusion of criteria within the Building for Life;
- (d) confirmation being sought that the garage dimensions were 6m by 3m.

Chairman

The meeting ended at 12.15 p.m.

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