

**NORTH DEVON COUNCIL**

Minutes of a meeting of the PLANNING COMMITTEE held at the Rugby Club, Barnstaple on Wednesday 12<sup>th</sup> September 2018 at 10.00 a.m.

PRESENT: Members:

Councillor Ley (Chairman)

Councillors Chesters (minutes 46 to 49), Croft, Edmunds, Flynn, Gubb, Lane, Leaver, Spear, Tucker, Worden and Yabsley.

Officers:

Head of Place, Head of Corporate and Community Services (minutes 46 to 49), Lead Planning Officer (BP), Senior Planning Officers (MB and JM), Solicitor (DH) and Senior Corporate and Community Services Officer (BT).

Also Present:

Highways Officer (PY), Devon County Council

**46 APOLOGIES FOR ABSENCE**

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

**47 MINUTES**

RESOLVED that the minutes of the meetings held on 8<sup>th</sup> August 2018 and 7<sup>th</sup> September 2018 (tabled) be approved as correct records and signed by the Chairman subject to minute 39 being amended to include “unsustainable development in the countryside” as a reason for refusal.

**48 DECLARATIONS OF INTEREST**

The following declarations of interest was announced:

Councillor Chesters	Planning application 63345 – disclosable pecuniary interest as owner of part of the site.
---------------------	---

**49 62954: DEMOLITION OF EXISTING DWELLING AND ERECTION OF ONE DWELLING WITH DETACHED GARAGE (BAT EMERGENCE SURVEY AND AMENDED DRAWINGS) (FURTHER INFORMATION AND AMENDED DRAWING) (AMENDED DRAWINGS AND ECOLOGICAL SUMMARY AND MITIGATION STRATEGY) (FURTHER LETTER AND AMENDED PLAN) (FURTHER BAT SURVEY), ATLANTIS LODGE, MOOR LANE, CROYDE, EX33 1PA.**

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

The Lead Planning Officer (BP) reported the receipt of a late letter of objection received from a solicitor on behalf of the owners of a property immediately east of the site which had been circulated via email to the Committee.

The Committee noted typographical errors contained within condition 2 on page 35 of the agenda whereby in certain instances reference to the date for plans and drawings should state “2018” and not “2017”.

Dr Alistair Bremner (owner), Rebecca Randall (on behalf of Mr and Mrs Gillespie – objectors) and Guy Greenfield (applicant) addressed the Committee.

In response to questions, the Lead Planning Officer confirmed that he had undertaken a site visit recently and confirmed that it was being used as a dwelling. The applicant had advised that the property was occupied by a local family following the grant of planning permission for a dwelling. The applicant had also submitted additional evidence to confirm that it was being used as a dwelling, which included bank statements indicating that rent had been received and confirmation that the property was registered for Council Tax as a dwelling in 2012. There had been two planning permissions granted for the change of use from a guest house to a dwelling. The applicant would be required to obtain an European Protected Species Licence from Natural England

RESOLVED (10 for, 0 against, 1 abstained) that the application be APPROVED as recommended by the Head of Place.

**50 63345: DEMOLITION OF EXISTING BUILDING/STRUCTURES AND USE OF LAND FOR THE STATIONING OF UP TO 116 STATIC HOLIDAY CARAVANS WITH RECREATION AREA; CONSTRUCTION OF NEW CLUBHOUSE (D2) INCORPORATING RECEPTION, SWIMMING POOL, ENTERTAINMENTS ROOM, AMUSEMENT ARCADE, SHOP (A1), STORE (B8) AND ASSOCIATED FACILITIES INCLUDING CHILDRENS PLAY AREA AND EQUIPMENT; REALIGNMENT OF SITE ACCESS AND ASSOCIATED HIGHWAYS WORKS; LANDSCAPING (AMENDED PLANS) (ADDITIONAL DRAINAGE INFORMATION), TARKA HOLIDAY PARK, BRAUNTON ROAD, BARNSTAPLE, EX31 4AU.**

Councillor Chesters declared a disclosable pecuniary interest in the above application and left the meeting.

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

The Senior Planning Officer (MB) reported the receipt of additional letters of representation since the publication of the agenda from Peter Heanton-Jones MP, David Relph, and Mr Evans which had been emailed to the Committee and tabled and also advised members of a representation from Ms Prosper. He confirmed that the policy context within the report was correct and appropriate consideration had been carried out.

The Senior Planning Officer (MB) advised the Committee of a late consultation response received from Devon County Council Lead Flood Authority, which he read to the Committee.

The Highways Officer outlined the historic context approach to dual carriageways. He advised that Devon County Council Highways was progressively seeking the reduction of traffic speeds along the A361 dual carriageway. This could be achieved by the building of a roundabout. Initially when consulted, concerns had been raised regarding safety and the existing arrangements in place to access public transport and it had been concluded that the access arrangements were not safe. It was proposed that a roundabout would be built through a section 278 agreement with the Highways Authority which would achieve traffic calming, reduction of vehicle speeds, safer access arrangements and suitable capacity. Speed analysis had been conducted which included the Chaddiford Lane/Pottington Road junction. The proposed roundabout scheme now satisfied the Highways Authority requirements.

The Senior Planning Officer recommended that if planning permission was granted as detailed in the report this shall be “subject to a further flood infiltration scheme to achieve acceptable surface run off being submitted to the satisfaction of the Head of Planning and that it be subject to further consultation”.

Dale Hall (objector), John Bleach (representing the Parish Council), Jane Moss (on behalf of Dr Nicola Whittaker), Morag Evans (objector), Mike Moss (objector), Andrew Evans (objector) and Ian Butter (agent) addressed the Committee.

In response to questions, the Senior Planning Officer advised that the Strawberry Fields property had been granted planning permission as dwellings not as a care home. The benefits identified by the applicant had been set out in the report and the need had been identified. He understood that noise complaints had been raised about an open day. The detailing of the new build and details of materials could be controlled through planning conditions. Proposed staffing figures had been supplied by the applicant and included within the report. The main increase in numbers of staff were in relation to the proposed clubhouse and swimming pool.

In response to a question, the Highways Officer advised that the proposed roundabout was not based on capacity. The perceived risk would continue with the existing access to the site. The roundabout would improve safety and would be fit for purpose in terms of capacity.

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

- (a) adverse impact on the landscape contrary to policies DM18 of the emerging Joint Local Plan and ENV1 of the existing Local Plan and ST07 of the emerging Joint Local Plan;
- (b) contrary to policy DM18 of the emerging Joint Local Plan in terms of the scale of development in relation to the existing development;
- (c) negative impact on the residential amenity including noise on adjacent properties (Strawberry Fields) and on the village of Ashford contrary to policies DM01 of the emerging Joint Local Plan and DVS3 of the existing Local Plan.

## **51 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.

## **52 64843: ERECTION OF A LOCAL NEEDS DWELLING (REVISED SITING OF DWELLING), LAND NORTH OF THE SHIPPEN, MILLTOWN**

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

The Senior Planning Officer (JM) referred to the Planning Committee site inspection that was undertaken on 7<sup>th</sup> September 2018. She confirmed that it was her understanding that there were four donkeys housed at the property known as “The Shippen”. She also confirmed that the distance of 500 metres from the site to the main built settlement was correct.

The Senior Planning Officer (JM) reported the receipt of a finalised consultee response from Environmental Health.

The Highways Officer confirmed that the visibility splays were 60 metres in both directions which addressed the concerns previously raised. His preference was for a formal speed assessment to be carried out which involved a check over a continuous period of 7 days in this particular location.

Councillor Spear (Parish Council representative), Joanna Jeffery (applicant) and John Dunkley (on behalf of Paula Rooke-Ley – objector) addressed the Committee.

The Senior Corporate and Community Services Officer read a statement to the Committee which had been submitted by the agent who was unable to attend the meeting.

RESOLVED that it being 1.00 pm that the meeting continue in order for the remaining business to be transacted.

In response to a question, the Highways Officer advised that he was unaware of the criteria for the positioning of road signs for villages.

In response to questions, the Senior Planning Officer advised that in planning terms there was no control over the location of road signs for villages. Consideration had been given to the main built form of the settlement. She was unaware whether a local housing needs assessment had been undertaken for Milltown but the applicants fulfilled the local needs criteria for the area. There was no residential use on the site at present.

RESOLVED (unanimous) that the application be APPROVED subject to the wording of the conditions being delegated to the Head of Place to include securing a Section 106 agreement to ensure local need occupancy in perpetuity and conditions regarding a 3 year time frame for commencement, the plans schedule, the removal of permitted development rights to extend the dwelling, the erection of a fence as recommended by Environmental Health, details of materials to be used and visibility splays to be 60 metres in both directions for the following reasons:

- (a) It was considered that the application complied with policies DVS1 and ENV6 of the existing Local Plan and policies DM04, DM08 and ST14 of the emerging Joint Local Plan;
- (b) Provides benefits to the community and village by allowing the applicants to reside in a local needs dwelling;

- (c) Meets the local needs criteria in policy HSG4 in the existing Local Plan and policy DM24 of the emerging Joint Local Plan.

Chairman

The meeting ended at 1.28 p.m.

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