



## Public Document Pack

North Devon Council  
Brynsworthy Environment Centre  
Barnstaple  
North Devon EX31 3NP

K. Miles  
Chief Executive.

### **PLANNING COMMITTEE**

A meeting of the Planning Committee will be held in the Barum Room - Brynsworthy on **WEDNESDAY, 9TH NOVEMBER, 2022 at 10.00 am.**

Members of the Planning Committee                      Councillor Ley (Chair)

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

### **AGENDA**

2. To approve as a correct record the minutes of the meeting held on 19th October 2022 (attached) (Pages 9 - 12)

**If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253**

**NOTE: Pursuant to Part 3, Annexe 1, paragraph 1 of the Constitution, Members should note that:**

*"A Member appointed to a Committee or Sub-Committee who:*

- (a) Arrives at a meeting during the consideration of an item; or*
- (b) Leaves a meeting at any time during the consideration of an item;*

*Shall not:*

- (i) propose or second any motion or amendment; or*
- (ii) cast a vote*

*in relation to that item if the Committee or Sub-Committee (as the case may be):*

- (c) Is sitting in a quasi-judicial capacity in relation to that item; or*
- (d) The item is an application submitted pursuant to the Planning Acts and, in such a case, the Member shall also leave the room if at any time the public and press are excluded in respect of that item."*

## **REGISTERING TO SPEAK**

- If you wish to address the Planning Committee you should contact the Committee Administrator in advance of the Committee on 01271 388253 or speak to them just before the meeting commences.

## **WHAT HAPPENS AT COMMITTEE?**

- The Chairman will introduce himself/herself
- The Planning Officer will present his/her report
- The Chairman will call out the names of individuals who have registered to speak
- Speakers will be **restricted to 3 minutes each** (which is timed and bleeped). **A maximum of six supporters and six objectors of the application may speak at committee.** The applicant or agent and representative of the parish council may also speak at committee.
- ***Once public participation has finished, the Planning Officer will be given the opportunity to respond or to clarify any points that have arisen from the public participation exercise***
- The Members of the Committee shall then debate the application (**at this point the public shall take no further part in the debate**)

## **WHEN SPEAKING**

- State clearly your name, who you are representing and whether you are supporting or objecting to the application
- Speak slowly, clearly and loud enough for everyone to hear you, and direct your comments to the Chairman and the Committee
- Try to be brief, avoid being repetitive, and try to prepare what you want to say beforehand.

## **WHAT HAPPENS NEXT?**

- ***A record of the decisions taken at the meeting is produced (known as the “minutes of the meeting”)***
- The minutes of the meeting are published on the Council’s Website:  
[www.northdevon.gov.uk](http://www.northdevon.gov.uk)



**APPOINTMENT OF SUBSTITUTE MEMBERS  
AT MEETINGS OF THE PLANNING COMMITTEE**

In accordance with the North Devon Council Constitution, a Member or Leader or Deputy Leader of a Political Group, appointing a substitute shall notify the Proper Officer of the name of his/her substitute.  
**Notification by a Member purporting to be a substitute Member will not be accepted.**

In the case of a substitution to the Planning Committee, the substitute Member shall sign and lodge this certificate with the Corporate and Community Support Manager confirming the acceptance of the appointment and that they have completed all Planning training modules provided to Members.

**DATE OF PLANNING COMMITTEE: ..... [Insert date]**

For completion by Member of the Planning Committee requiring a substitute

I, Councillor..... [print name], hereby declare that I appoint  
Councillor ..... [insert name of substitute Member] to substitute for  
me at the above mentioned meeting of the Planning Committee:

[signature]..... [date].....  
**OR**

For completion by Leader/Deputy Leader of a political group nominating a substitute

I, Councillor..... [print name of group Leader/Deputy Leader],  
hereby declare that I appoint Councillor ..... [insert name of  
substitute Member of same political Group] to substitute for Councillor  
.....[insert name] at the above mentioned meeting of the Planning  
Committee.

[signature]..... [date].....  
**AND**

For completion by substitute Member accepting appointment of substitute

I, Councillor ..... [print name], hereby confirm that I  
accept the appointment of Substitute for the above mentioned Planning Committee and  
hereby confirm that I have undertaken all appropriate Planning training modules in  
relation to the same.

[signature]..... [date].....

**NOTE: FORM TO BE COMPLETED AND RECEIVED BY CORPORATE AND COMMUNITY SUPPORT  
PRIOR TO THE COMMENCEMENT OF THE MEETING**

## **North Devon Council protocol on recording/filming at Council meetings**

The Council is committed to openness and transparency in its decision-making. Recording is permitted at Council meetings that are open to the public. The Council understands that some members of the public attending its meetings may not wish to be recorded. The Chairman of the meeting will make sure any request not to be recorded is respected.

The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

### **Notes for guidance:**

Please contact either our Corporate and Community Services team or our Communications team in advance of the meeting you wish to record at so we can make all the necessary arrangements for you on the day.

For more information contact the Corporate and Community Services team on **01271 388253** or email [memberservices@northdevon.gov.uk](mailto:memberservices@northdevon.gov.uk) or the Communications Team on **01271 388278**, email [communications@northdevon.gov.uk](mailto:communications@northdevon.gov.uk).



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**NORTH DEVON COUNCIL**

Minutes of a meeting of the Planning Committee site visit held at Land at Stonelands Cross, Rackenford and Land South of Broomhouse Park and West of Willow Rise, Witheridge, EX16 8FD on Thursday, 13th October 2022 at 10.00 am

PRESENT: Members:

Councillor Mackie (Chair)

Councillors Davies, Gubb, Jenkins, Leaver, Mack, D. Spear, L. Spear, Tucker and Yabsley

Officers:

Service Manager (Development Management), Senior Planning Officer and Lead Planning Officer (South)

**69. APOLOGIES FOR ABSENCE**

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

**70. DECLARATION OF INTERESTS**

The following declaration of interest was made:

Councillor Yabsley, personal interest in all items as he was a County Councillor.

**71. 74775: LAND AT STONELANDS CROSS RACKENFORD DEVON**

Also present:

Andy Pryce, Applicant.

Cllr Sarah Child, Rackenford Parish Council.

Cllr Ian Lucas, Rackenford Parish Council.

The Committee received the following statement from the Corporate and Community Services officer:

“Any observations which are made during the course of this site visit by Members of the Planning Committee are limited to those issues identified by the Planning Committee of North Devon District Council. Such observations are made after viewing the site and on the basis of the limited information available on site. Any such observations are, nor should they be taken as an indication that the application is acceptable or unacceptable. A full presentation and consideration of all the planning issues will be made when the matter is determined by the Planning Committee.”

The Committee heard from the Senior Planning Officer:

- This was a hybrid planning application to provide an Agricultural-Hub. The first phase would be full and the following phases were outline planning.
- The development would consist of four buildings over three or four phases.
- Access to the site for staff and service vehicles would be at the South Gate.
- The A361 ran alongside the perimeter to the North.
- The surrounding fields were mostly run as farmsteads.
- The Committee were provided with a copy of the site plan, landscaping plan and example elevations.

The Committee congregated at the South gate to the site which would be the access used for staff and service vehicles. The Committee then walked up the middle of the site where an access opening would be created for traffic onto and off the site. The Committee looked out across the field to the commercial Utilities training business across the road opposite. It was pointed out that the gate at the Northern edge of the site would be blocked up. The site boundaries were generally proposed to remain as existing. It was also pointed out the design of the proposed building and the design of the buildings in the immediate setting.

In response to questions from the Committee, the Senior Planning Officer advised that the following would be presented at the Committee meeting on 19<sup>th</sup> October 2022:

- Reasons why the business owner was moving out of their current site.
- The uses of the other buildings that would be built on the site.
- What the current agricultural grade of the land was.
- A Highways officer to attend committee to explain and provide evidence of his recommendations.
- To set out the biodiversity at the site.
- An update on what the sustainable elements of the development are.
- An update on whether the Developer would consider looking at a wider entrance or slip road into the site.

**72. 73742 AND 74879: LAND SOUTH OF BROOMHOUSE PARK AND WEST OF WILLOW RISE WITHERIDGE TIVERTON DEVON EX16 8FD**

Also present:

Vicki Cole, Practice Manager, Witheridge Medical Centre.

Martin Bagshaw, Agent for applicant.

Tom Tippetts and Ian MacMartin, Representatives for the applicant.

Scott Rossiter, representative of the Cox Family.

Cllr Chris Searle, Witheridge Parish Council.



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The Lead Planning Officer (South) provided the Committee with the following:

- The site was accessed from the main B3137 road into ‘phase 1’, which consisted of 65 dwellings and was recently completed.
- Access to the second phase would be through one road within the development.

The Committee walked to the gated area denoting where the access road to the second phase would be. From this vantage point, they could see the hedge boundaries, which would remain, running around the first field of the second phase.

The Committee traversed to the edge of phase one to a farm access lane running along the perimeter and proceeded along this lane to the start of the second phase site. From here, the Committee moved into a second field. From this vantage point, the existing residential properties could be seen bordering the site along with the Witheridge Medical Centre. The attenuation tank location was pointed out to the Committee at the far end of the site, which lay just behind the Medical Centre building.

At the suggestion of the Planning Manager, the Committee then exited the phase 2 site, walked along Wiriga Road onto Brooke Road, and made its way to the Medical Centre to view where the pedestrian access to the Medical Centre might be made.

The Lead Planning Officer (South) confirmed that the following information would be presented at the Planning committee meeting on 19 October 2022:

- Clarification on the hardening of the lane surface, being mirrored on the offsite length of the lane.
- If the lane were to be adopted as part of the national cycle network, or indeed if cycles would be allowed to use the lane and whether the lane would cease to be a farm access lane.
- An update on whether the developer would be willing to relocate the attenuation tank and provide more parking spaces at the rear of the Medical Centre.

Chair

The meeting ended at 12.10 pm

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