

**NORTH DEVON COUNCIL**

Minutes of a meeting of Planning Committee held at Virtual - Online meeting on Wednesday, 14th April, 2021 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

Councillors Biederman (substitute for Councillor Prowse) Crabb, Davies, Fowler, Gubb, Jenkins, Mackie, D. Spear and L. Spear.

Officers:

Lead Planning Officer (North), Lead Planning Officer (South), Senior Solicitor/Monitoring Officer, Business Information Systems Manager and Chief Executive

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

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

**2. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Chesters, Councillor Prowse (who appointee Councillor Biederman to be his substitute) and Councillor Tucker.

Apologies were also received from Councillor Mack, who, although had recently been elected to the Committee, had not yet received the required training to allow him to take part in the meeting.

**3. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 10TH MARCH 2021**

RESOLVED that the minutes of the previous meeting held on 10<sup>th</sup> March 2021 (circulated previously) be approved as a correct record and signed by the Chair.

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

The Chair advised the Committee that the two items being covered by the site visit of 21<sup>st</sup> April 2021 would be brought to a special meeting on 28<sup>th</sup> April 2021 for consideration.

**5. DECLARATION OF INTERESTS**

The following declaration of interest was announced:

Councillor Crabb: Planning application 72536 declared a pecuniary and personal interest as the applicant.

**6. 72536: ERECTION OF 3 DWELLINGS (AMENDED PLANS AND ADDITIONAL INFORMATION) AT FORMER EBBERLEY HOUSE, AVENUE ROAD, ILFRACOMBE, DEVON. EX34 9AT**

Councillor Crabb declared a Pecuniary and Personal Interest and left the meeting during the consideration thereof.

The Committee considered a report by the Senior Planning Officer (North) (circulated previously).

The Lead Planning Officer (North) addressed the Committee and advised:

- The applicant was Councillor Crabb, a North Devon Council Councillor who was a member of the Planning Committee.
- The site was in the town centre and was within the conservation area. It was within the development boundary.
- He showed the Committee a photo of the site and advised that the site had looked similar to that over a number of years.
- The application included five parking spaces.
- The site was within Flood Zone one and a Critical Drainage Area.
- The recommendation was for approval subject to a Section 106 agreement and conditions.

Mr Nigel Gale (architect) addressed the Committee.

In response to questions from the Committee, the Lead Planning Officer (North) advised:

- Although planning permissions had previously been granted at the site they had not been built-out. He thought that the site ownership had changed since they were granted.
- The windows from the neighbouring property were partially obscured.
- There was room to turn vehicles before exiting the site onto Avenue Road. This would not be compromised if all the spaces were in use.
- There were no issues regarding the garden of the adjacent property (to the east of the site) being overlooked as there was some distance between the properties.
- It was not usual for a noise assessment to be carried out for domestic developments.

- The operators of the dance studio, which was adjacent to the site, had not raised any issue regarding noise, only that of the potential loss of light. The dance studio was used to teach children tap, ballet and modern dance. It was not a dance club/venue.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Senior Planning Officer.

Councillor Crabb re-joined the meeting.

7. **72588: ERECTION OF 3 DWELLINGS INCORPORATING BIODIVERSITY ENHANCEMENTS, PARKING, LANDSCAPING AND ENTRANCE WORKS AT LAND TO THE SOUTH OF ARLEY HOUSE, HIGH STREET, COMBE MARTIN, ILFRACOMBE, DEVON EX34 0EB**

The Committee considered a report by the Senior Planning Officer (North) (circulated previously).

The Lead Planning Officer (North) addressed the Committee and advised:

- The application was called in by the Ward Member; Councillor Gubb.
- The plans show the three proposed open-market dwellings to the North of the site. Each had a small front garden (to the South) and a decking area to the rear.
- There had been no representations from the home owners of the properties in front of the site. There was a distance between the existing and proposed properties which included the parking spaces.
- The site was included within the Area of Outstanding Natural Beauty (AONB) however it was within a developed area of Combe Martin.
- The archaeology report had been accepted by Devon County Council (DCC).
- A Section 106 agreement would be required.
- The parking provision of two spaces per dwelling was acceptable.
- The main issue with the application was in regards to the highways.
- The site access was a narrow sloped access road from the A399.
- The access route had inadequate visibility.
- The site would create 18 to 24 additional vehicle movements per day.
- The opinion of was that the application did not comply with Policy DM05 of the North Devon and Torridge Local Plan and had significant impact on the highway.
- An access width of 4.1m was the standard of a private drive. The width of the proposed access to the site would be 3.3m
- The Highways consideration (covered on pages 38 to 40 of the agenda) was read out (in part) to the Committee.

John Woodward (agent) addressed the Committee.

In response to questions from the Committee, Paul Young of Devon County Council (DCC) Highways confirmed:

- DCC Highways had raised a number of objections. The objection in relation to the drainage on site had now been resolved.
- The main issue was the access onto the highway. The junction had poor visibility from the access road to the A399. To the immediate west was on-street parking which provided parking for up to one hour. This was well used and cars were able to park overnight at the location. When vehicles were parked the available visibility was reduced to 12 metres.
- The preferred width of an access road was 4.1m. The proposed access would be only 3.3m. This was sub-standard.
- The gradient of the access would be 1 in 7; increasing to 1 in 4 / 1 in 5. The preferred standard was 1 in 15. If there was any rain or ice on the road surface it would be difficult to access the site.
- The access radii was substandard on to the A399. Vehicles would have to straddle the centre of the A399 to gain access or encroach on to the yellow hatch area outside the fire station.
- Despite the fact that there had been no recorded accidents for the junction over the past five years, the lack of data did not prove that the location was safe. Highways maintained that the proposed access via the junction would be unsafe.
- Three dwellings currently used the site for parking. It was expected that those dwelling would still be permitted to park on the site. Therefore, with the three new dwellings the vehicles movements would double from the existing figures. Highways had spoken to the applicant previously regarding the possibility of limiting the available parking although it was deemed that this would only move the problem on to a different location in the village.
- There had been many applications (also at other locations) where there had been mention of safety issues caused by excess run-off (water and ice) over footpaths. The initial objections due to drainage had been resolved due to a soakaway system being created further up on to the site.
- Any difficulties for vehicles caused by the gradient would also cause problems for pedestrians. North Devon Council's Building Control office would be involved in considering any difficulties faced by pedestrians.

Darren Collacott (applicant) addressed the Committee.

In response to further questions from the Committee the Lead Planning Officer (North) advised that any issues regarding accessibility/disabled access would be covered by the architect's plans.

Councillor Gubb addressed the Committee as Ward Member.

In response to questions from the Ward Member, Paul Young of DCC Highways confirmed:

- The plans of the site showed parking for the three new dwellings, plus the existing three spaces used. The consideration was for parking for six

dwellings, DCC looked at the issues in conjunction with the gradient and visibility issues.

- There had been no accidents recorded within 200m of the junction within the last five years. However there had to be material consideration as although there was no data, the junction could not be considered as safe. It was an existing sub-standard access route which would have additional traffic from the site.
- Although sites with similar gradients in the area may, or may not have been given permission, each site was assessed based on its own merits.

RESOLVED (unanimous) that the application be APPROVED as the site was deemed to be a substantial site, compliant with policy, which outweighed (DCC) Highway's objections subject to;

- a) A Planning obligation securing appropriate contributions towards Public Open Space, and
- b) Appropriate and relevant conditions, with power delegated to the Lead Planning Officer to determine the exact wording of the planning obligations and planning conditions, subject to prior consultation with the Ward Member.

8. **72974: LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS AT 8A-9 BUTCHERS ROW, BARNSTAPLE, DEVON, EX31 1BW**

The Committee considered a report by the Senior Planning Officer (North) (MB) (circulated previously).

The Lead Planning Officer (North) (BP) addressed the Committee and advised:

- The application had been called in for consideration as the property was owned by North Devon Council.
- The property was classed as a Heritage Asset.
- The principle consultee was the Conservation Officer who was content with the partial removal of the wall.
- There was no impact on any wildlife species.
- The internal wall could be re-erected in future to re-divide the property into two units.

RESOLVED (unanimous) that the application be approved as recommended by the Senior Planning Officer.

9. **APPEALS REPORT**

The Committee noted a report by the Senior Planning Support Officer (circulated previously) regarding planning and enforcement appeal decisions received since those reported at the last meeting of the Committee.

Chair

The meeting ended at 11.43 am

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