

NORTH DEVON COUNCIL

Minutes of a meeting of Planning Committee held at Barnstaple Rugby Club on Wednesday, 11th May, 2022 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

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

Officers:

Lead Planning Officer (North), Lead Officer (South), Senior Planning Officer, Solicitor, Legal Advisor and Planning Officer

Also Present:

Councillors Pearson

13. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Chesters, Davies and Yabsley.

14. TO APPROVE AS CORRECT RECORDS THE MINUTES OF THE MEETINGS HELD ON 13TH APRIL 2022 (ATTACHED) AND 25TH APRIL 2022 (ATTACHED)

RESOLVED that the minutes of the meetings held on 13 April 2022 and 25 April 2022 (circulated previously) be approved as correct records and signed by the Chair.

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

(a) Planning Committee Site Inspection – 25 May 2022

The Chair advised that an additional site inspection would be undertaken on 25 May 2022 in relation to planning application 66229, Land off Bideford Road, Roundswell.

(b) Enforcement Case

The Chair advised that as there had been no planning or enforcement appeal decisions to be considered under item 9 on the agenda, that he would provide an update on another enforcement case.

16. DECLARATION OF INTERESTS

There were no declarations of interest received.

17. 72859: LEE BAY HOTEL, LEE, ILFRACOMBE, DEVON EX34 8LR

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

The Lead Planning Officer (North) outlined the report.

The Lead Planning Officer (North) reported the receipt of a late letter of representation received on 10 May 2022 from Malcolm Haines, owner of Chapel Cottage which had been circulated via email to Members of the Committee the same day. The matters raised within the letter had been addressed within the report and as part of his presentation on the outcome of the site inspection held on 25 April 2022.

Alan Bannister (objector), David Biggerstaff (objector) and Duncan Powe (applicant) addressed the Committee.

Councillor Pearson addressed the Committee as Ward Member.

In response to comments raised, the Lead Planning Officer (North) advised the following:

- It was recommended that a condition be imposed to remove permitted development rights.
- The Committee was not able to legally include a condition regarding the occupancy of properties being primary residency in accordance with planning policy.
- As vacant building credit would apply in this instance, officers were not in a position to secure affordable housing.

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

- Further conditions outlined on page 68 included the securing of a Construction Environmental Management Plan.
- The Parish Council would receive a financial contribution for the maintenance of the public conveniences.
- The Landscape Environmental Management Plan would include landscaping conditions recommended by the Sustainability Officer to ensure net gain. If any changes were required to this Plan the applicant would need to seek approval from the Local Planning Authority.
- Further to a question regarding lighting and dark skies, the Committee were advised that conditions imposed upon a planning application went with the

land. Therefore, these conditions would be enforceable if there was non-compliance by the occupants. These conditions would be controlled and enforced by the Local Planning Authority.

- The red lines on the plan denoted the existing structures that were on the site and the dark lines denoted the proposed structures. There were elements of the structures that would be retained and the rear wall of the former hotel structure would be brought forward on the site to ensure the stability of the road.
- The developer had not provided timescales for the construction works to take place and suggested that the Committee may wish to ask the applicant this question. However, the Construction Environmental Management Plan would put safeguards in place during the construction.
- Vacant building credit applied in this instance and therefore officers were not in a position to secure affordable housing.
- The developer would be requested to provide contact details for the site manager. The Committee could also request that the developer keeps the community and Residents Association updated on construction works.

Councillor Fowler (in his capacity as Ward Member) addressed the Committee.

RESOLVED (unanimous) that the application be APPROVED subject to the finalisation of planning conditions and the securing of a Legal Agreement being delegated to the Head of Planning, Housing and Health as recommended by the Lead Planning Officer (North).

18. 75090: 15 WESTAWAY CLOSE, BARNSTAPLE EX31 1RU

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

The Planning Officer (BC) outlined the report.

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

19. 74789: LAND TO WEST OF JUNCTION OF MANOR ROAD AND VICARAGE ROAD, LANDKEY EX32 0JB

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

The Senior Planning Officer (SM) outlined the report.

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

20. 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.

As there were no planning or enforcement appeal decisions received since the last meeting of the Committee, the Chair raised a previous enforcement case relating to the Oakland's Poultry Farm, East Anstey and proceeded to close the meeting before discussing further.

Chair

The meeting ended at 11.14 am

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