

NORTH DEVON COUNCIL

Minutes of a meeting of Planning Committee held at virtual - online meeting on Wednesday, 11th November, 2020 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

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

Officers:

Head of Place, Solicitor, Lead Planning Officer (North), Lead Planning Officer (South), Senior Planning Officer, Planning Officer and Planning Officer

Also Present:

Councillor Worden

109. VIRTUAL MEETINGS PROCEDURE - BRIEFING AND ETIQUETTE

The Chair outline the virtual meeting procedure and etiquette to the Committee and attendees.

The Senior Corporate and Community Services Officer confirmed the names of those Councillors and officers present and advised that members of the public were also in attendance to listen to proceedings.

110. APOLOGIES FOR ABSENCE

The were no apologies for absence received.

111. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 14TH OCTOBER 2020 (ATTACHED)

RESOLVED that the minutes of the meeting of 14th October 2020 (circulated previously) be approved as a correct record and signed by the Chair.

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

(a) Armistice Day

The Chair advised that the Committee would be holding a two minute silence at 11.00 a.m.

(b) Lee Bay Hotel

The Chair requested an update to be provided to the Committee in relation to the design brief for the Lee Bay Hotel that had been approved by the Strategy and Resources Committee.

The Committee were advised that:

- The design brief approved by the Strategy and Resources Committee would be a material consideration which the Committee would need to take into consideration as part of the determination of a planning application for the site.
- The Applicant, owners of the Lee Bay Hotel and the Residents Association had been fully involved in the preparation of the design brief. There had been no representations from either side and both the owners, and the community, had appeared happy with the outcome.

(c) Land adj. Pearldean, West Devon

The Head of Place advised that a report in respect of planning application 60385 Land adj to Pearldean, West Down, had not been completed prior to the deadline for this Committee but should hopefully be ready for next month with a special meeting of the Committee would be convened if necessary.

113. DECLARATION OF INTERESTS

The following declarations of interest were announced:

Councillor Leaver	Planning application 71864: Prejudicial interest as her husband was involved in an application concerning the adjacent property and the land was mentioned within the report.
Councillor Ley	Planning application 71864: Prejudicial interest as the objectors were more than just acquaintances. The Senior Corporate and Community Services Officer read a statement from Councillor Ley to the Committee explaining the reasons why he had called the application in for consideration.

114. 70952: CONVERSION OF SHOP TO FORM ONE FLAT AT COASTAL BOROUGH ROAD, COMBE MARTIN, ILFRACOMBE, DEVON, EX34 0DQ

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

In response to a question from the Committee, Councillor Gubb advised that the area had last flooded in 1958.

The Committee noted that the Environment Agency was using a new flood modelling system.

RESOLVED that (12 for and 1 abstained) that the application be REFUSED as recommended by the Head of Place.

115. 71864: CHANGE OF USE OF LAND TO A RESIDENTIAL TRAVELLER SITE AND ASSOCIATED OPERATIONAL DEVELOPMENT AT LAND AT FOLLY LANE, SOUTH MOLTON, DEVON.

Councillors Leaver and Ley declared a prejudicial interest and left the meeting during the consideration of this item.

Councillor Mackie resumed the meeting, acting as Chair.

The Chair advised that this Application had been called in by Councillor Ley, who had since requested to withdraw his consultation response which had been based on the description of the site which had now been clarified to his satisfaction.

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

Councillor Ian Cowley (Bishops Nympton Parish Council), John Peard (applicant) and Amanda Sing (objector) addressed the Committee.

The Committee adjourned for the two minute silence at 11.00am.

The Committee re-commenced the meeting at 11.02am.

The Senior Corporate and Community Services Officer read statements from the following in support of the application: Natasha Rowley, Laura Wyatt, Keith Parsons, Roger Wildman and Jennifer Smith.

Councillor Worden addressed the Committee as adjoining Ward Member. He confirmed unanimous support from South Molton Town Council for approval for the application as a site for one family.

In response to questions from the Committee, the Solicitor (DH) advised that personal conditions were only appropriate where there were strong compassionate or personal grounds for doing so. Otherwise, the conditions should be applied to the site only.

In response to comments from the Committee, the Lead Planning Officer (JW) advised that:

- A minor redraft to condition 4 could be made to restrict the use of the site and that it be amended to “The residential accommodation on the site at any one time shall be restricted to one mobile home and one touring caravan to be used as a single occupancy. The touring caravan shall not be occupied as a separate residential unit whilst on site. The caravans shall only be located in positions specifically allocated by approved drawing JL20 – BLOCKPROPOSED rev B, The site shall not be used at any time for the stationing of any other caravans that are occupied residentially by persons in transit.
- Condition 6 could be amended to replace the wording “the mobile home and the static caravan” with “the mobile home and touring caravan”.
- The applicant was looking to use the site as an all year base. When travelling they would be using the touring caravan.
- Any restrictions to the number of days per year which the site could be occupied would be difficult to monitor.
- It was accepted that this was not an allocated site but as there was a shortfall of permanent permitted gypsy and traveller pitches there was an increased urgency to provide them.
- This would be considered as an exceptional development site.
- In response to questions, the Planning Officer (RB) outlined the paragraphs in the report in relation to the need for the site (page 30 onwards) to the Committee.

RESOLVED that (10 for and 1 abstained) that the application be APPROVED as recommended by the Head of Place subject to conditions 4 and 6 being amended as follows:

(a) Condition 4 - “The residential accommodation on the site at any one time shall be restricted to one mobile home and one touring caravan to be used as a single occupancy. The touring caravan shall not be occupied as a separate residential unit whilst on site. The caravans shall only be located in positions specifically allocated by approved drawing JL20 – BLOCKPROPOSED rev B, The site shall not be used at any time for the stationing of any other caravans that are occupied residentially by persons in transit.

(b) Condition 6 - be amended to replace the wording “the mobile home and the static caravan” with “the mobile home and touring caravan”.

RESOLVED that the meeting be adjourned for three minutes to allow opportunity for Councillors Leaver and Ley to return to the meeting.

116. 71957: CHANGE OF USE TO LAND TO CREATE ADDITIONAL CURTILAGE, INSTALLATION OF TREATMENT PLANT AND ONE FLUE AT BARN ADJACENT HOLTGATE, CHITTLEHAMHOLT, DEVON.

Councillors Ley and Leaver re-joined the meeting.

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

RESOLVED (unanimous) that the application be APPROVED as recommended by the Head of Place.

117. APPEALS REPORT

The Committee considered and noted a report by the Head of Place (circulated previously) regarding planning and enforcement appeal decisions received since those reported at the last meeting of the Committee.

Chair

The meeting ended at 11.57 am

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