

**NORTH DEVON COUNCIL**

Minutes of a meeting of Planning Committee held at Virtual - Online meeting on Wednesday, 10th March, 2021 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

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

Officers:

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

Also Present:

Councillors Pearson

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

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

**154. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Chesters.

**155. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 10 FEBRUARY 2021 (ATTACHED)**

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

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

There were no items to be brought forward.

**157. DECLARATION OF INTERESTS**

Councillor Crabb      Planning application 71532: Personal interest as the Applicant was the Chair of Ilfracombe Rugby Club.

**158.                    71537: PHASE A: RESERVED MATTERS APPLICATION FOR ERECTION OF 347 DWELLINGS AND ERECTION OF COMMUNITY BUILDING TOGETHER WITH ASSOCIATED WORKS (OUTLINE PLANNING PERMISSION 56675 AS AMENDED BY 70654) (AMENDED PLANS AND DOCUMENTS), LAND EAST OF OLD BARNSTAPLE ROAD, ILFRACOMBE, DEVON**

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

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

- The application was for the reserved matters for the erection of 347 dwellings. This was phase A of the development for which outline planning permission had been granted in 2017. That had included a Section 106 agreement. The development was for part of the southern extension- which in whole ran from the west of Old Barnstaple Road to Worth Meadow in the north.
- In 2019 the Council had entered into a funding agreement with Homes England for £6.5m. Homes England had approved an extension for the first milestone for the scheme to be approved by 31<sup>st</sup> March 2021. The Lead Planning Officer (North) read an email received from the Regeneration Manager following attendance at a recent meeting with Homes England regarding their timescales for the funding agreement:  
“I have spoken with HE (Homes England). The key milestone for the HIF (Housing Infrastructure Fund) is delivery of the infrastructure by March 2023. If a deferment of a couple of months meant that the timetable could be squeezed to achieve delivery then that might be ok. A refusal would render this unachievable. HIF would fall away – I am not sure what we do about the 650k already spent”.
- The application set out how it complied with the Building for a Healthy Life Assessment.
- The consultation response to the issue of site access had not yet been provided by Devon County Council Highways following the receipt of amended plans.
- Electric vehicle charging points were situated around the site for public access.
- The drainage system strategy had been submitted but a response was still required from the Devon County Council as Lead Local Flood Authority.
- Devon County Council (DCC) had confirmed that the site for the primary school would need to be safeguarded for future delivery.

- The applicant had instructed a commercial agent in relation to the Mixed Use Hub land. Details of the siting and design would be subject to reserved matters approval.
- The location of the affordable housing shown on amended plans had been agreed and accepted by the applicant and Housing Enabling, including the provision of two 2 wheelchair accessible/user dwellings.
- A response was awaited from the Arboriculturalist in respect of landscaping and biodiversity proposals.
- The amended plans received had updated the design of the changing facilities in the community building. This building would be dual use. The latest drawings had not yet been viewed by the Parks and Leisure Officer.
- The Football and Rugby clubs were looking to jointly run the facilities.

The Corporate and Community Services Officer read statements from Nicole Stacey (agent), Graham Parkhouse (objector) and Richard Spear (objector) to the Committee.

Councillor Pearson addressed the Committee as the Ward Member for the neighbouring ward.

Councillor Crabb addressed the Committee in his capacity as Ward Member.

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

- The total number of dwellings on the application were higher than when originally submitted as the application had been amended. There were 347 dwellings on this site, but the total remained at 750 across both the east and west sites together. This would enable lower density on the west site which was adjacent to a wildlife site.
- The electric charging points would be in public areas, not private property.
- The Design Review Panel had addressed the issues of the site which included a steeply sloping area and hilltop area. Those dwellings nearest the steep slope to the North were to be terraced, with longer gardens, which would help address this.

The Chief Executive confirmed that Homes England had set out milestones which had to be met. The first of which was 31<sup>st</sup> March 2021 by which time the reserve matters should have been agreed. It was possible the date could be moved, although he advised that the final completion date of 31<sup>st</sup> March 2023 would not be negotiable as it would risk the HIF money (£6.5m) being withdrawn.

In response to further questions from the Committee, the Lead Planning Officer (North) confirmed that:

- There was a signed Section 106 agreement which included the contribution to the highways works, including proposed works to Lynton Cross and Two Potts junctions, which would be collected by DCC.
- The Community Building allocation would unlikely become a housing site as it was included in the HIF funding. This building would be started as part of the first phase.
- The level of affordable housing was set when the planning permission was granted. It was based on the viability of the whole site. There was however a review mechanism within the section 106 agreement process after a number of houses had been built and Ward Members could be consulted at that time
- He was unsure of the reasons for the delayed responses from highways and the flood authority. He believed there to be no objections in principle.
- The landscaping scheme had included provision to retain hedgerows wherever possible.
- Consultation responses were outstanding from the Local Highway Authority, Lead Local Flood Authority, Arboriculturalist and Housing Enabling the Parks, Leisure and Community Officer.
- The provision of a medical facility had been included as part of the original planning application.
- The reserved matters applications did not deal with all conditions of the original planning application, which would be submitted at a later date.
- The percentage of affordable housing (11%) was to be provided across both sites.

RESOLVED (10 for, 4 against, 0 abstained) that the application be DEFERRED for a maximum of two cycles for the following reasons;

- a) To allow time for the relevant ward Members and officers to meet to consider the scheme, design and materials, and
- b) To allow for the outstanding responses from Devon County Council Highway Authority, Lead Local Flood Authority, Arboriculturalist and Housing Enabling to be received.

**159. ADJOURNMENT OF MEETING**

RESOLVED that it being 11.58 a.m. the meeting be adjourned for a comfort break and reconvene at 12.05 p.m.

**160. 71532: RESERVED MATTERS APPLICATION FOR USE OF LAND FOR OUTDOOR SPORTS PROVISION (USE CLASS D2) (OUTLINE PLANNING PERMISSION 62544) (AMENDED PLANS AND DOCUMENTS), LAND EAST OF OLD BARNSTAPLE ROAD, ILFRACOMBE, DEVON**

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

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

- The Open Space Officer had raised a number of issues with the application. The plans had now been amended to address the concerns raised.
- The plans had been amended to include new drainage proposals which the developer had initially thought were not required. The drainage plan had been included but the Devon County Council Local Flood Authority had not yet responded to the plans.
- Three storage containers had now been added to the scheme. These would be partially hidden by screening/native planting on three sides.
- The changing facilities had been amended. These were outlined to the Committee as part of planning application 71537.
- The discharge of planning condition 9 relating to management and maintenance was not part of this application and would have to be complied with separately, providing opportunity for further discussion on management issues before development takes place.
- The MUGA (Multi-use Games Area) on the plateau was an off-the-shelf provision which included the fencing.
- A response was awaited from the Arboriculturalist.
- A lighting scheme had not been proposed originally but any future proposal would be controlled by condition.
- Natural England had no objections to the scheme.

Councillor Crabb declared a personal interest as President of the Ilfracombe Rotary Club.

The Corporate and Community Services Officer read statements from Richard Spear (objector), Mike Nixon and Carol Corp (objectors) and Mike Edmunds (objector) to the Committee.

Councillor Pearson addressed the Committee as the Ward Member for the neighbouring ward.

Richard Hopson (Ilfracombe Youth Football Club Secretary) and Clem Bennellick (Manager of Ilfracombe Football Club first team) addressed the Committee.

Councillor Campbell addressed the Committee as the Ward Member.

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

- The site had planning permission and was included as an allocation in the Local Plan.
- There were two multipurpose pitches, within a five hectare area of land with the opportunity to provide additional pitches in future. It would not be an 'all weather' surface. The pitches would be turfed.
- The MUGA would have a tarmac surface.
- The applicant was in discussion with the Football and Rugby Clubs as to their requirements for changing facilities etc. There was a condition to be discharged to set up the organisation of the future running of the new facilities and that it would need to be maintained by both clubs.

Councillor Crabb addressed the Committee as Ward Member. In response to further questions from the Committee, the Lead Planning Officer (North) confirmed that:

- There were no plans to create an 'all weather' surface pitch. There would be a cost implication in doing so. The clubs involved had not felt the pitch was needed to be all-weather and had appeared happy with turf. The two turf pitches were located on the western edge of the site and the MUGA and community facilities would be located between the pitches. Sport England and the Parks, Leisure and Cultural Officer were both satisfied with the proposed turfed pitches.
- The Parks, Leisure and Cultural Officer consulted directly with the football and rugby clubs.
- The Open Space Officer had been involved in discussions and negotiations on the scheme.
- Amended plans had been received and consultation responses from the Devon County Council Lead Local Flood Authority, Arboriculturalist and Parks, Leisure and Culture Officer were awaited.
- Sport England had issues in relation to the building and changing facilities, plus a mention of drainage. They had concerns over the management however this was not a concern to resolve with this application.

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

RESOLVED (unanimous) that the application be DEFERRED for a maximum of two cycles pending;

- (a) the receipt of the consultation responses from the Devon County Council Lead Flood Authority, Arboriculturalist Officer and Parks, Leisure and Culture Officer, and
- (b) to address the issues of the future management of the facility; and
- (c) to allow negotiations to take place with the applicant in relation to the surface and costings for the MUGA.

## **161. 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 1.24 pm

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