

NORTH DEVON COUNCIL

Minutes of a meeting of Planning Committee held at Barnstaple Rugby Club Main Room - Barnstaple Rugby Club on Wednesday, 19th May, 2021 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

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

Officers:

Lead Planning Officer (North), Senior Solicitor/Monitoring Officer, Chief Executive, Regeneration Manager and Parks, Leisure and Culture Officer

Also Present:

Councillors Pearson

22. APOLOGIES FOR ABSENCE

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

23. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETINGS HELD ON 14TH APRIL 2021 AND 21ST APRIL 2021.

RESOLVED that the minutes of the meetings held on 14 April 2021 and 21 April 2021 (circulated previously) be approved as correct records and signed by the Chair.

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

(a) Lead Planning Officer (North) – Bob Pedlar

The Chair advised the Committee that it was Bob Pedlar's last Committee meeting as he was retiring at the end of the week and that the Committee would pass on their best wishes following the conclusion of the meeting.

25. DECLARATION OF INTERESTS

There were no declarations of interest received.

26. 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) advised the following:

- In December 2019, North Devon Council had entered into a funding agreement with Homes England to forward fund roads, drainage, a community building, a Mixed Use Games Area and a serviced primary school site. The HIF funding loan commitment amounted to £6.5m and was in two tranches. The first milestone as part of the funding agreement was to secure reserved matters approval for the scheme. The deadline for this milestone had already been extended twice and the deadline had been extended to 31 May 2021 and therefore there was a need to determine this application prior to the deadline.
- An update was provided following the decision made by the Committee on 10 March 2021 to defer the application as detailed on pages 70 to 75 and the amendments that had been made to the scheme.
- The pedestrian link through the Tesco site was not part of this application however it could be considered as part of the reserved matter application for the mixed used area.
- A formal consultation response had not been received from Devon County Council Local Highway Authority although an informal response had been received. A representative from the Highways Authority had been invited to attend the Committee meeting but was not present. The Highways Officer had confirmed that funding was still required for the Two Potts junction.
- A formal consultation response had not been received from Devon County Council Lead Local Flood Authority despite being reminded to provide a formal response although an informal response had been received.
- A formal consultation response had been received from the Arboriculturalist. An updated Biodiversity Management Plan had now been received.
- The Housing Enabling Officer had requested the provision of wheelchair accessible dwellings. The applicant had confirmed that two wheelchair accessible dwellings would be provided as part of the first phase.
- The Parks, Leisure and Culture Officer and Sport England had been re-consulted in respect of the proposed changing facilities within the Community Building. The applicant had submitted amended drawings which included the provision of four lockable storage areas.

Councillor Terry Elliot (Ilfracombe Town Council) and Graham Parkhouse (objector) addressed the Committee.

The Senior Corporate and Community Services Officer read responses received by Mike Nixon and Carol Corp (objectors), Richard Spear (objector) and Nicole Stacey (agent) to the Committee.

Councillor Pearson (Ward Member) addressed the Committee.

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

- The provision of 11% affordable housing had been set at the time that the outline planning permission was approved which had been based on the viability assessment undertaken at that time. The clause in Schedule 2 of the section 106 agreement (page 166) allowed for the level of affordable housing to be reviewed. He read the paragraph to the Committee. This could be reviewed soon and the applicant could be requested to undertake this review. The review might result in the percentage of affordable housing provided either increasing or decreasing.
- There was considered to be no impacts on the living conditions of Mike Nixon and Carol Corp.
- Contributions for the cemetery would be sought as part of schedule 8 of the section 106 agreement as detailed on page 176.
- The connectivity between the properties with the town would be considered as part of the reserved matters application for the mixed use hub area.
- The applicant was actively in discussions with interested parties regarding development of the mixed use hub.
- The provision of affordable housing would be integrated within the phases of development.
- The applicant had provided information in the summary document presented to Ilfracombe Town Council regarding the use of natural materials. It would not be all natural materials. A condition had been included regarding the materials.

In response to a question, the Chief Executive advised that the professional officers were satisfied with the advice provided by Plymouth City Council on the viability of schemes, however the Council could consider alternatives in the future. The 11% provision of affordable housing had been approved as part of the outline planning permission.

The Lead Planning Officer (North) confirmed that the viability assessment had not been undertaken by Plymouth City Council for this application.

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

RESOLVED (unanimous) that the Chief Executive be delegated authority to approve the application as recommended by the Lead Planning Officer (North) subject to further discussions taking place with the developer following the issue of planning consent regarding the review of affordable housing and connectivity to the town.

27. 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) advised the following:

- An update was provided following the decision made by the Committee on 10 March 2021 to defer the application as detailed on pages 281 to 284 and the amendments that had been made to the scheme.
- A formal consultation response had not been received from Devon County Council Lead Local Flood Authority despite being reminded to provide a formal response although an informal response had been received.
- A meeting had taken place between the Parks, Leisure and Culture Officer and representatives from the Ilfracombe football and rugby clubs. Amended site, landscaping and drainage plans had been received and had been sent to the Parks, Leisure and Culture Officer and Sport England. Type four drainage would now be provided as requested by Sport England.
- A formal consultation response had been received from the Arboriculturalist. An updated Biodiversity Management Plan had now been received.
- Further discussions had taken place regarding the future management of the facilities. It was understood that North Devon Council would not be willing to adopt the facilities. Other options included the Town Council or a Management Company, although both had drawbacks. This was a separate matter to this application as the applicant was required to submit a management and maintenance scheme under condition 9 of the outline application and a community use scheme under condition 10 of the outline application, both prior to commencement of the development.
- Further details of the proposed Multi Use Games Area (MUGA) had been submitted. It had been agreed that tarmac would be used for the surfacing of the MUGA to allow for a wide use for games.

The Senior Corporate and Community Services Officer read responses received by Mike Nixon and Carol Corp (objectors).

Graham Parkhouse (objector) and Mike Edmunds (supporter) addressed the Committee.

The Parks, Leisure and Culture Officer addressed the Committee. He advised that MUGA surfaces were normally tarmac as they were open door facilities used by all of the youth community and the maintenance was low in cost. He advised that following the previous meeting of the Committee, a meeting had been arranged with all parties including the Youth and Senior Football and Rugby clubs. Following that meeting a letter had been sent to the Lead Planning Officer (North) and the developer. The issue regarding the provision of lockers to enable the changing

rooms to be used on a phased basis had been addressed. The scheme met all of the policy requirements and addressed the existing deficits in the town.

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

- In terms of whether a vehicle charging point would be provided, it was confirmed there no car park would be provided as part of this application to serve the changing facilities.

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

RESOLVED (unanimous) that the Chief Executive be delegated authority to approve the application as recommended by the Lead Planning Officer (North).

28. APPEALS REPORT

The Committee considered and 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.

29. JUDICIAL REVIEW UPDATE

The Committee considered and noted a report by the Senior Solicitor and Monitoring Officer (circulated previously) regarding an update on the Judicial Review proceedings in relation to Ruda Holiday Park, Croyde.

The Senior Solicitor and Monitoring Officer advised that he would obtain the costs of Counsel's opinion and advise Members of the Committee accordingly.

The Lead Planning Officer (North) confirmed that all Planning Officers had been made aware of the case.

Chair

The meeting ended at 12.07 pm

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