

**NORTH DEVON COUNCIL**

Minutes of a meeting of Planning Committee held at Barnstaple Rugby Club Main Room - Barnstaple Rugby Club on Wednesday, 9th March, 2022 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

Councillors Biederman, Chesters, Davies, Fowler, Gubb, Jenkins, Leaver, Mack, Mackie, D. Spear, L. Spear, Walker and Yabsley

Officers:

Service Manager (Development Management), Lead Planning Officer (Majors), Solicitor and Legal Advisor

Also Present:

Councillors York

**103. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Prowse who appointed a substitute, Councillor Biederman, to attend in his place, and Councillor Tucker, who appointed a substitute, Councillor Walker, to attend in his place.

**104. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 9TH FEBRUARY 2022.**

RESOLVED that the minutes of the meeting held on 9<sup>th</sup> February 2022 (circulated previously) be approved as a correct record and signed by the Chair.

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

The Chair gave thanks to the Lead Planning Officer (Majors), Jean Watkins, who would be retiring at the end of March 2022. The Chair thanked her, on behalf of the Planning Committee, for her hard work and contribution to North Devon Council and the Committee during her 30 years of employment. The Chair invited those present to stay on after the meeting to thank her personally.

The Chair advised the Committee that a site visit would be required for an application which would come to the next Planning Committee. Members would be contacted in relation to their availability.

**106. DECLARATION OF INTERESTS**

The following declarations of interest were announced:

Councillor Davies      Planning application 74436: Disclosable Pecuniary interest as Councillor Davies was the agent.

Councillor Davies      Planning application 74469: Disclosable Pecuniary interest as Councillor Davies was the agent.

**107. 74379: MOUNT SANDFORD GREEN, BARNSTAPLE, DEVON, EX32 9LB**

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

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

- Permission had first been granted on the site in 2014, and had been amended twice since then
- It was an allocated site under policy Barnstaple 04 in the North Devon and Torridge Local Development Plan (NDTLDP).
- The site would be delivered in six phases (rather than the originally planned seven phases).
- This was a reserved matters application.
- The layout of phases 2C and 3 had been redesigned to increase the emphasis on green infrastructure.
- A more informal layout had been created, along with green areas, public squares and landmark buildings.
- The proposal exceeded the minimum energy efficiency requirements.
- Ecology surveys had been undertaken by the developers.

Peter Morris (objector) and Matt Steart (agent) addressed the Committee.

The Corporate and Community Services Officer read a statement from Councillor David Luggar (objector) to the Committee.

Councillor York addressed the Committee as Ward Member.

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

- A Bio-Diversity Management Plan had been provided and consultation had been undertaken.

- There was no legal requirement for the application to adhere to the Environment Act as the date of the original permission being granted pre-dated the Act.
- Access to Fairacre from the pedestrian pathways could not be delivered within this application.
- An open-access MUGA was recommended for the site. To remove this would not significantly increase the provision of affordable housing.
- There were green areas and open spaces across the site. The MUGA was recommended for use by older children and teenagers who would not have access to such a facility close by if not provided on site.
- Existing hedgerows would be assessed to ascertain which held the most value in respect of bio-diversity. Certain hedgerows, such as that running from North to South on the site, and those with mature trees would be retained.
- Pathways would not include lockable gates, in order to allow free pedestrian access without issues over permission and issuing of keys.
- Bat corridors would be maintained alongside the A361 and partially across the site.

RESOLVED (12 for, 0 against, 1 abstain) that the application be APPROVED as recommended by the Lead Planning Officer (Majors) subject to the Service Manager (Development Management) being delegated authority to resolve the following matters, with the consultation response of the Sustainability Officer;

- (a) To seek revisions to the layout to improve pedestrian connectivity
- (b) To contact the Highway Authority regarding the junction of Whiddon Lane with the estate road; and.
- (c) To separately contact the developer to seek compliance with outstanding highways and footpath work.

**108. ADJOURNMENT OF MEETING**

RESOLVED that it being 11.27 a.m. the meeting be adjourned for a five minute comfort break and reconvene at 11.33 a.m.

**109. 74592: LAND TO THE WEST OF PORTMORE GOLF COURSE (KNOWN AS MOUNT SANDFORD GREEN) BARNSTAPLE, DEVON**

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

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

- The application was concerned with a modification in respect of applications 54923, 59666 and 60487, specifically in relation to the delivery of affordable housing.
- The developer had provided a viability appraisal which demonstrated a 12.82% return in the site which was lower than the Government guidance which assumed a 15-20% of gross development value (GDV).
- The developer proposed a reduced provision of 20% affordable housing, rather than the initially agreed 30%.
- Consultation with Plymouth City Council (PCC) had confirmed that PCC agreed that 30% affordable housing was 'not viable for the site' and could result in the developer not bringing forward the remaining phases.
- The developer had indicated that they wished to complete the remaining phases if possible.
- Section 106 contributions were required for the provision of amenities such as the leisure centre. The MUGA cost would have been £360,000. There was a preference that the site delivered amenities and just housing.
- The Lead Planning Officer (Majors) recommended that the provision of affordable housing required be reduced to 20% as set out within the report.

Kevin Binmore (supporter) and Graham Bell (objector) addressed the Committee.

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

- A play area had been provided in an earlier stage of the site construction.
- The value of the land had been assessed in accordance with the National Planning Policy Framework guidance. There were no issues with the valuation provided by the developer.

The Service Manager (Development Management) advised that the arrangement with Plymouth City Council to provide viability assessments would be reviewed as part of the Local Plan review process.

RESOLVED (9 for, 3 against, 1 abstained) that the application be approved as recommended by the Lead Planning Officer (Majors).

**110. 74436: LOWER TWITCHEN, BURRINGTON, UMBERLEIGH, DEVON, EX37 9LU**

Councillor Davies re-declared his interest and left the Committee whilst the item was considered.

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

The Service Manger (Development Management) addressed the Committee and presented images of the existing site, along with drawings of the existing dwelling and proposed extension.

RESOLVED (12 for, 0 against, 0 abstained) that the application be APPROVED as recommended by the Senior Planning Officer.

**111. 74469: LOWER TWITCHEN, BURREINGTON, UMBERLEIGH, DEVON, EX37 9JU**

Councillor Davies remained absent whilst the item was considered.

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

The Service Manager (Development Management) addressed the Committee and presented images of the existing site, along with drawings of the existing dwelling and proposed extension.

RESOLVED (12 for, 0 against, 0 abstained) that the application be APPROVED as recommended by the Senior Planning Officer.

**112. APPEALS REPORT**

Councillor Davies returned to the Committee.

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 12.32 pm

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

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