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Planning Committee - 25 May 2022

NORTH DEVON COUNCIL

Minutes of a meeting of Planning Committee held at 18 St Andrews Road, Fremington, and Old Bideford Road, Barnstaple, on Wednesday, 25th May, 2022 at 10.00 am

PRESENT: Members:

Councillor Ley (Chair)

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

Officers:

Lead Officer (South) and Senior Planning Officer

Also Present:

Councillors Biederman, Walker and Cann

21. APOLOGIES FOR ABSENCE

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

22. DECLARATION OF INTERESTS

The following declarations of interest were announced:

Councillor Leaver Planning application 66229: Personal interest as a Devon County Councillor.

Councillor Yabsley Planning application 66229: Personal interest as a Devon County Councillor.

23. 73875: LAND NORTH OF ST ANDREWS ROAD, FREMINGTON,

The Lead Officer (South) advised the Committee that the application had been called in to Committee to consider the amenities and highways issues.

Councillor Leaver arrived at 10.05am

The Lead Officer (South) identified number 18 St Andrews Road, as the dwelling to be demolished to create the access road to the proposed development.

The Lead Officer (South) advised the Committee that:

- there was the potential to erect acoustic fencing of a height of two metres to the boundary either side of no.18
- The fence lines were highlighted in red on the plan.
- Devon County Highways had no objection to the plan for the access / junction.
- St Andrews Road was 5.1m wide and the proposed access road was 5.5m.

The Committee viewed the boundaries at either side of no.18 St Andrews Road.

The resident of 19 St Andrews Road (property adjacent no.18) advised the Committee that the windows at the front of her property were a sitting room and bedroom.

Resident of no. 20 confirm the uses of side windows in their property as serving a lounge and bedroom, and No.16 has a conservatory which they largely live in.

The Lead Officer (South) advised that these were classed as 'Habitable rooms' and were covered by amenity considerations for ambient lighting levels.

In response to questions from the Committee, and Ward Member, the Lead Officer (South) advised:

- The height of a permitted boundary fence at the front of a property would be checked.
- The height when bordering a highway could be affected depending on the visibility.
- The width of the public footpath would be covered at Committee.
- The site could not been seen from the Tarka Trail. Photographs of the site from a wider range of views would be presented at Committee.
- The agricultural grade of the land was 3B and 4.

The Committee viewed the access to the site from the existing entrance in St Andrews Road.

- This location would be the pedestrian and cycle access only.
- Councillors entered the site, up to the point at which the crops were planted. They were shown the direction of Church Farm, the boundary of the site, the direction of Chilpark, and the direction of the football pitch.

The Ward Member advised that the changing room facilities for the pitch would be those on the former Army camp site.

Cllr Jenkins sought clarification over the distance to the playing pitch from the changing facilities. Lead Officer advised this would be measured and provided at committee.

Cllr Prowse left the meeting at 10.45am

The Committee viewed the proposed informal pedestrian access to the site from Barracks Road which passed Church Farm.

The Lead Officer (South) advised that this would be an un-promoted access for pedestrians, creating a right of way.

Cllr Gubb left the meeting at 10.56am

The Committee viewed the road at the end of the access route to Church Park. This was partially owned by BDW Ltd. A yellow line had been drawn on the ground by the owners of Church denoting where they considered their ownership began. The Committee was advised that there was a joint right of way/access along this road. The Lead Officer advised Members that issues of landowner ship or challenge over right of access were civil matters and the purpose of the site visit was to consider only matters relating to amenity impacts and safety (crime and disorder impact) in relation to the informal access route proposed.

The Committee viewed Church Park field, the site.

The Lead Officer (South) identified the rear of no. 18 St Andrews Road from the field and confirmed that some of the trees at the rear of the property would be removed to create the access. The trees did not have a Tree Protection Order (TPO).

24. ADJOURNMENT OF MEETING

RESOLVED that it being 11.09 a.m. the meeting be adjourned and reconvene at 12.00 noon at the location of the second site.

25. 66229: LAND OFF BIDEFORD ROAD, ROUNDSWELL

Councillor Gubb re-joined the meeting.

The Senior Planning Officer advised the Committee:

- The application was for outline permission for access to the site. It was only access that was being fixed at this stage. This consisted of two separate access points – Old Bideford Road and Old Torrington Road.
- There would be no vehicular access on the site itself between the proposed residential and extra care housing. There would be only be pedestrian and cycleway access through the site.

The Committee continued on to the site through a pathway in the wooded area which was just past Birch Lane. This was the route of the proposed vehicular access to Site 'A' as shown on the parameters plan. Due to access and conditions of the path, Councillors Gubb, D Spear and L Spear remained at the roadside.

Once on the site, the Senior Planning Officer identified:

- The wooded area which bordered the industrial area to the south of the site.

The areas to the south and west of the site where the existing trees would be retained and where there would be 10m wide wildlife corridors as shown on the parameters plan.

In answer to questions from the Committee, the Senior Planning Officer advised:

- An arboriculture report has been submitted with the application. There would be a requirement for some trees to be felled. A LEMP would be conditioned on the grant of approval which would need to be submitted at the reserved matters stage.
- The layout and design of the site would be part of the reserve matters stage although a connection of the footpath/cycleway to the Larkbear site, across Old Torrington Toad, would be sought.
- Highways had no concerns regarding the proposed accesses.

Councillor Gubb left the meeting 12:30pm

Councillors D Spear and L Spear re-joined the group.

The Councillors continued along Grange Avenue and stopped near no.13 and the Senior Planning Officer advised that the trees seen at the rear of the property formed the boundary along this side. The Senior Planning Officer commented that whilst street scene elevations/sections had been submitted they were for illustrative purposes only.

The Councillors continued along Old Torrington Road where they were advised of the second vehicular access (to 'Site B' as shown on the parameters plan), then stopped opposite the junction to the Larkbear development, along Riverton Road. They were advised this was an allocated site in the North Devon and Torridge Local Plan for 820 dwellings. The Councillors noted the location of the existing bus gate. The Senior Planning Officer advised of the HATOC decision to move the bus gate onto Old Torrington Road. The Senior Planning Officer confirmed that since the resolution of HATOC to approve the arrangements for the Bus Gate and its restrictions DCCHW had been asked for revised comments. DCCHW had confirmed they still had no objections.

The Councillors continued along Gratton Way where the Senior Planning Officer advised that the site would follow the route of the tree line to the rear of the industrial units (behind Western Truck Rental) to the rear of Sainsburys.

The Senior Planning Officer showed the Committee the cycle/footpath at the rear of Sainsburys which was currently a dead end. The possibility of opening up this path could be explored under reserved matters.

Chair

The meeting ended at 1.00 pm

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

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