

NORTH DEVON COUNCIL

Minutes of a meeting of Planning Committee held at Barnstaple Rugby Club on Wednesday, 14th June, 2023 at 10.00 am

PRESENT: Members:

Councillor Davies (Chair)

Councillors Bishop, Bulled, Denton, Haworth-Booth, Knight, Lane, Maddocks, Leaver, Prowse, L. Spear, Walker, Whitehead and Williams

Officers:

Service Manager (Development Management), Lead Planning Officer (North), Lead Planning Officer (Major Applications), Senior Planning Officer, Solicitor, Legal Advisor and Senior Planning Officer

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Crabb.

2. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETINGS HELD ON 8TH MARCH 2023 AND 26TH APRIL 2023

RESOLVED that the minutes of the meetings held on 8 March 2023 and 26 April 2023 (circulated previously) be approved as correct records and signed by the Chair.

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

(a) Highway Training for Councillors

The Chair reminded the Committee of training that would be provided by Highways Officers immediately following the conclusion of the Committee.

(b) Committee meeting: 12 July 2023

The Service Manager (Development Management) advised the Committee that the date of the next meeting of the Committee which was scheduled to be held on 12 July 2023 clashed with the St Andrews Road planning inquiry and as there were no

applications to be considered at the this meeting requested that the meeting be cancelled. She invited Members to attend the planning inquiry.

The Committee agreed to cancel the meeting scheduled on 12 July 2023.

(c) Planning Committee Site Inspections

The Service Manager (Development Management) advised that site inspections by the Committee would be required for two sites prior to the August meeting of the Committee. In relation to planning application 75927 (Westacott), the site inspection was required for Members to view the potential second access and to understand how it related to this application. In relation to planning application 76293 (Brynsworthy), the site inspection was required for Members to view the relationship of the proposal within the development boundary, landscape and visual impacts and scale of the proposed development.

It was noted that the site inspections would be arranged during July 2023.

4. DECLARATION OF INTERESTS

The following declarations of interest were announced:

Councillor C. Leaver – planning application 76423 – disclosable pecuniary interest as her husband had provided professional advice.

Councillor Davies – planning applications 76669 and 76972 – disclosable pecuniary interests as agent for both applications.

5. 76423: PERRIGO, EXETER ROAD, BRAUNTON, EX33 2DL

Councillor C. Leaver declared a disclosable pecuniary interest and left the meeting during the consideration thereof.

The Committee considered a report by the Senior Planning Officer (SE) (circulated previously) in relation to planning application 76423.

The Senior Planning Officer (SE) advised the following:

- That the report incorrectly stated on page 25 of the agenda that the decision was “delegated”.
- That since the publication of the agenda, an email had been received from the agent to confirm the power production from the existing solar panels. The solar array and roof panels were both installed and operational. The annual energy needs was 7 gigawatt hours. The annual night-time energy need was 2 gigawatt hours and the facility seeks to supply 5 gigawatt hours during the daytime of its 7 gigawatt hours energy needs via the solar installations. Grid connection was required to service the night time energy needs. The panels located on the west of the site generated 1 gigawatt hours. The total generation was 8.5 gigawatt hours of which 5 gigawatt hours would be used on

site and 3.5 gigawatt hours would be fed to the grid which would serve approximately 1,200 local homes. The carbon dioxide offsets were equivalent to 62,500 planted trees.

Councillor Walker arrived at the meeting.

Councillor Lane declared a non registerable interest as he knew John Woodward through his business.

John Woodward (agent) addressed the Committee.

In response to questions from the Committee, the Senior Planning Officer (SE) advised the following:

- The temporary permission for 10 years was considered to be sufficient time to allow for the site to be reassessed again at that time and for both parties to look at changes to technology, energy production and Perrigo's requirement for panels in the future. It would also provide opportunity to reassess the land in terms of the 5 year local housing need.
- It was difficult to foresee the economy in 10 years time, however the temporary condition could be reviewed and consideration could be given to extending the time period at that time. The agent had accepted the proposed temporary condition.
- Technical data in relation to storage and calculation of output had not been provided. Consideration needed to be given to the needs of the factory in terms of energy output.
- No information had been provided to advise that the national grid would not be able to take the energy generated.
- Confirmation of the land that was owned by Perrigo and the area that would most likely to be used by Perrigo for its expansion was outlined to the Committee.
- Perrigo's and the Diocese of Exeter responses in relation to the development of the site for delivery of housing were detailed on page 44 of the report. No planning application had been submitted since the allocation of the site for housing in the local plan under BAR02A.
- Land owned by the Diocese of Exeter was outlined to the Committee.

In response to questions from the Committee, John Woodward (agent) was invited to respond to the questions raised and advised the following:

- The calculation of energy output was based on the location assuming available daylight for that field. It was a localised assessment and realistic calculation of what energy output that the panels would produce i.e. 7 gigawatt hours. The default for the energy generated would be for the factory use first with the remainder of the energy generated to be fed into the national grid.
- The applicant had considered that a temporary permission for a 25 year period was more appropriate.

- Perrigo's had an open dialogue with the Diocese of Exeter regarding the housing development, however they had not come forward with a proposal.
- His understanding was that an alternative route for the access was being explored.

In response to a question from the Committee, the Lead Planning Officer (North) advised the following:

- The Council had now received communication that works on the new roundabout at the A361 junction to Perrigo had now commenced. Confirmation would be obtained as to whether this was correct.
- Permission granted for other solar arrays had been for a temporary period of 25 years.

In response to questions from the Committee, the Service Manager (Development Management) advised the following:

- An Environmental Health Officer had been consulted on the potential impact of solar panels on the proposed housing development and advised that there were other examples of housing being located adjoining to solar panels.
- The recommendation was for a temporary 10 year permission, which would give the opportunity to assess the economic and wider impact of the panels. This time period could be increased. A temporary permission rather than a permanent permission was considered more appropriate.
- The life span of a solar array was normally 25 years.
- The Case Officer had spoken to the agent and Economic Development regarding a meeting with Perrigo and adjoining landowners to discuss the location of the solar panels and to get the landowners together. However, the landowners and applicant were not prepared to meet.

Councillor R. Knight addressed the Committee in his capacity as Ward Member.

RESOLVED (7 for, 1 against, 4 abstained) that the application be APPROVED as recommended by the Senior Planning Officer (SE) subject to:

- (a) Condition 3 being amended to increase the time period from 10 to 25 years which falls in line with the standard time period of Council's approval of other PV solar panels; and
- (b) That as it was a corporate issue and Perrigo was a major employer that the Chief Executive be requested to call a meeting of all parties to hold discussions regarding land ownership.

6. ADJOURNMENT OF MEETING

RESOLVED that it being 11.18 am that the meeting be adjourned for a comfort break and reconvened at 11.23 am.

7. 76910: POLICE STATION, SEVEN BRETHERN BANK,

BARNSTAPLE, EX31 2AS

Councillor C. Leaver returned to the meeting.

The Committee considered a report by the Senior Planning Officer (SM) (circulated previously) in relation to planning application 76910.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Senior Planning Officer (SM).

8. 76669: 1 SOUTH MOLTON STREET, CHULMLEIGH, EX18 7BW

Councillor Davies declared disclosable pecuniary interests in relation to planning applications 76669 and 76972 and left the meeting during the consideration of both applications.

Councillor Lane took the Chair for both applications.

The Committee considered a report by the Senior Planning Officer (DB) (circulated previously) in relation to planning application 76669.

The Senior Planning Officer (DB) advised that since the publication of the report, a consultation response had been received from Environmental Health regarding the requirement for the ceiling to meet Building Control regulations in relation to acoustics, noise and insulation.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Senior Planning Officer (DB).

9. 76972: TOWN HALL, FORE STREET, CHULMLEIGH, EX18 7BR

The Committee considered a report by the Senior Planning Officer (DB) (circulated previously) in relation to planning application 76972.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Senior Planning Officer (DB).

10. APPEALS REPORT

The Committee considered and noted the appeal report by the Senior Planning Support Officer (circulated previously).

The Service Manager (Development Manager) presented the appeals decisions to the Committee.

Chair

The meeting ended at 11.44 am

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