

NORTH DEVON COUNCIL

Minutes of a meeting of Planning Committee held at Barnstaple Rugby Club Main Room - Barnstaple Rugby Club on Wednesday, 13th February, 2019 at 10.00 am

PRESENT: Members:

Councillor Ley (Chairman)

Councillors Bonds, Chesters, Crabb, Croft, Edmunds, Flynn, Fowler, Gubb, Lane, Leaver, Prowse, Spear, Tucker, Worden and Yabsley

Officers:

Head of Place, Solicitor, Lead Planning Officer (North), Lead Planning Officer (South) and Senior Planning Officer

Also Present:

Councillors Biederman, Mackie and Meadlarkin

73. APOLOGIES FOR ABSENCE

There were no apologies for absence received.

74. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 12TH DECEMBER 2018

RESOLVED that the minutes of the meeting held on 12th December 2018 (circulated previously) be approved as a correct record and signed by the Chairman.

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

- (a) 64059, 64060, 64061, 64062, 64063: Retrospective applications for siting of concrete pads, mobile poultry houses with feed silos, Oaklands Poultry Farm, East Anstey, EX36 3PH

The Chairman reminded the Committee that at its meeting on 14th November 2018, the Committee had resolved to defer consideration of the applications for a maximum of three cycles. Natural England had now confirmed that the site was located within a Site of Special Scientific Interest risk zone and therefore an air quality assessment was required.

The Head of Place advised that if the Committee considered at air quality assessment was a material consideration, then the Council would need to commission the work and this would not be completed prior to the March 2019 Committee meeting.

RESOLVED (unanimous) that consideration of the applications be brought to the next Committee meeting regardless of whether the air quality assessment had been provided by the applicant or not.

76. DECLARATION OF INTERESTS

The following declarations of interest were announced:

Councillor Ley Planning application 65980: Personal interest as he went to the site accompanied by the Planning Officer on one occasion as there was one particular issue at that point outstanding.

Councillor Worden Planning application 63167: Personal interest as he knew several objectors.

Planning application 65980: Personal interest as he knew the applicant.

77. 63167: LEE BAY HOTEL, LEE - DEMOLITION OF EXISTING HOTEL, ERECTION OF 23 DWELLINGS, FORMATION OF NEW PUBLIC OPEN SPACE, EXTENSION TO EXISTING CAR PARK, ERECTION OF CAFE AND WC BLOCK AND ASSOCIATED LANDSCAPING, DRAINAGE AND HIGHWAY WORKS (AMENDED PLANS & DOCUMENTS) (REVISED INFORMATION) (ADDITIONAL INFORMATION)

The Committee considered a report by the Head of Place (circulated previously – now appended).

The Lead Planning Officer advised the Committee that following the deferment of the application by the Committee at its meetings on 10th October 2018 and on 14th November 2018, the applicant had submitted further revised plans as a “compromise” proposal for 21 dwellings. The revised plans had been received on 12th February 2019 and therefore there had been no opportunity to consider them or for consultation to be undertaken with statutory consultees or with the public. He therefore recommended that the application be deferred to enable the statutory consultation to be undertaken. He briefly outlined the revised scheme to the Committee.

In response to a question, the Lead Planning Officer advised that to enable the statutory consultation to be undertaken, the application could be brought to a meeting of the Committee in April at the earliest.

The Chairman advised the Committee that a number of interested parties had registered to speak on the application and asked whether those registered still wished to address the Committee.

Alan Bannister (objector), Paul Scarrott (objector) and Eric Couling (objector) addressed the Committee.

Councillor Meadlarkin (Ward Member) addressed the Committee.

RESOLVED (unanimous) that the application be DEFERRED to enable statutory consultation to be undertaken with consultees and the public on the revised plans received on 12th February 2019.

78. 65724: LAND ADJACENT FREMINGTON CEMETERY, OLD SCHOOL ROAD, FREMINGTON - ERECTION OF ONE BUILDING TO PROVIDE FUNERAL PARLOUR WITH ASSOCIATED OFFICES, WORKSHOPS & GARAGING TOGETHER WITH ERECTION OF SUPERVISORY DWELLING WITH DETACHED GARAGE

The Committee considered a report by the Head of Place (circulated previously – now appended).

The Lead Planning Officer (JW) advised that 25 letters of support had been emailed to the Committee on 11th February 2019, which had been submitted by the applicant following a community engagement exercise that had been undertaken. The letters of support included local businesses and residents.

Chris Howe (supporter), Martin Goff-Jones (objector), Dr Jones (objector), Kenneth Bonewell (objector), Martin Riley (objector), Debbie Polkinghorne (agent) and Jane Gayton (applicant) addressed the Committee.

Councillor Mackie (Ward Member) addressed the Committee.

Councillor Biederman (Ward Member) addressed the Committee. Councillor Biederman declared a personal interest as the applicant was a school friend whom he had known for a number of years.

In response to questions raised, the Lead Planning Officer (JW) confirmed that following the consultation response of the Designing Out Crime Officer, condition 10 had been recommended to secure natural boundary treatments of the site. The application would not change the development boundary within the Local Plan. There was an acceptable argument for this business to be sited in this location and all planning policies had been considered and applied. In relation to the potential conflict with pedestrians, the type of users visiting this site would not be on foot. The application was supported by a detailed Transport Appraisal, which suggested that the potential conflict with pedestrians was minimal. The issue of speed restrictions on the highway network leading to the site had not been explored.

Councillor Mackie (Ward Member) advised the Committee of the speed restrictions on the highway network leading to the site.

In response to a question, the Lead Planning Officer (JW) advised that section 106 contributions had been applied to other planning applications seeking a financial contribution for Devon County Council to secure appropriate road traffic orders.

RESOLVED (unanimous) that the application be APPROVED as recommended by the Head of Place subject to seeking a financial contribution for Devon County Council to explore a road traffic order on Old School Road.

79. ADJOURNMENT OF MEETING

RESOLVED that the meeting be adjourned to enable a five minute comfort break.

RESOLVED that the meeting be re-convened to consider the remaining business.

80. 65904: JORDAN CLOSE, BARNSTAPLE - INSTALLATION OF STONE PATH AND TIMBER POST AND RAIL FENCE, EX32 9DN

The Committee considered a report by the Head of Place (circulated previously – now appended).

RESOLVED (unanimous) that the application be APPROVED as recommended by the Head of Place.

81. 65980: TWINMOOR VIEW, BARNSTAPLE - REMOVAL OF CONDITIONS 3 (PEDESTRIAN/VEHICULAR ACCESS), 4 (ALTERNATIVE ACCESS ARRANGEMENTS) & 5 (EXISTING ACCESS) ATTACHED TO PLANNING PERMISSION 62729 (CONVERSION OF BUILDING TO FORM ONE DWELLING), TO ALLOW THE USE OF THE EXISTING ACCESS

The Committee considered a report by the Head of Place (circulated previously – now appended).

Councillor Tucker advised that he would address the Committee in his capacity as Ward Member but would not take part in the discussions or voting.

The Senior Planning Officer (MB) reported the receipt of one further letter of support since the publication of the agenda.

Katie Palmer (supporter), Peter Malony (supporter), Roger Neve (objector) and Ian Berwick (applicant) addressed the Committee.

In response to a question regarding the accuracy of the last two paragraphs contained within the Hawkcrest letter dated 15th January 2019, the Senior Planning Officer (MB) advised that he could not confirm whether these paragraphs were accurate as he had not been involved with the detailed discussions.

Councillor Ley confirmed that the statement regarding the update provided to the Committee in August 2017 as detailed in the second paragraph on page 174 was accurate, as he had attended the meeting with the Planning Delivery Team Leader. The Planning Manager had obtained a quote from a contractor for the works which were initially estimated at £10,000. Due to the additional works for digging for the installation of the electrical cable to serve the security gate the quote for the works had increased to £16,400. The neighbours had deposited their contributions in an Escrow Account for these works. The contributions would be paid to the applicant who would then pay the contractor.

Councillor Tucker (Ward Member) addressed the Committee. He had sought legal advice from the Monitoring Officer, and had been advised that he could address the Committee as Ward Member but not take part in the consideration of the application or voting.

RESOLVED (11 for, 2 against, 0 abstained) that the application be
REFUSED as recommended by the Head of Place.

Chairman

The meeting ended at 12.35 pm