

**NORTH DEVON COUNCIL**

Minutes of a meeting of Planning Committee held at Barnstaple Rugby Club Main Room - Barnstaple Rugby Club on Wednesday, 14th August, 2019 at 10.00 am

PRESENT: Members:

Councillor Ley (Chairman)

Councillors Davies, Fowler, Gubb, Knight, Mackie, Prowse, D. Spear, L. Spear, Tucker and Yabsley

Officers:

Lead Planning Officer (North), Senior Solicitor/Monitoring Officer, Senior Planning Officer and Planning Officer

Also Present:

Councillors Biederman and Mack

**5. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Chesters, Lane and Leaver.

**6. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 12TH JUNE 2019.**

RESOLVED that the minutes of the meeting held on 12<sup>th</sup> June 2019 (circulated previously) be approved as a correct record and signed by the Chairman.

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

(a) Planning application 66450: Reserved Matters Application For Primary School (Outline Planning Permission 53881), Land West Of Tews Lane, Bickington, EX31 3WJ

The Chairman reported that in pursuance to minute 4 of the meeting held on 12<sup>th</sup> June 2019, he had not been able to ascertain whether representations had been made to Devon County Council regarding the much needed strategic review of the highway network.

The Highways Officer (PY), Devon County Council confirmed that the Head of Place had been in contact with David Black, Head of Service for Devon County Council

regarding arranging a meeting with David Black. The Highways Officer confirmed that the meeting would also include himself, Brian Hendsley and the Devon County Councillor.

**8. DECLARATION OF INTERESTS**

The following declaration of interest was announced:

Councillor Mackie	Planning application 66565: Prejudicial interest as she had job shared with the applicant for 10 years and had a close working relationship.
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**9. 65895: RETROSPECTIVE APPLICATION FOR THE INSTALLATION OF SOLAR PANELS. COMMERCIAL HOUSE, 11 THE STRAND, BARNSTAPLE, DEVON. EX31 1EU.**

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

Mr Mike Matthews (applicant) addressed the Committee.

Councillor R. Mack (Ward Member) addressed the Committee.

In response to a question, the Senior Planning Officer (MB) confirmed that such development was not permitted by Class J of Part 14 of the General Permitted Development Order 2015 as amended; in the case of a building in a Conservation Area where the solar PV equipment would be installed on a wall or roof slope which fronts a highway. There was also a planning appeal decision from elsewhere in Barnstaple Town Centre supporting this view. The current planning application was therefore considered necessary.

RESOLVED (unanimous) that the application be APPROVED as the procedures and planning policies had been adopted prior to the Devon Climate Declaration being adopted and therefore the Council needed to be more progressive.

**10. 66565: DEMOLITION OF EXISTING GARAGE AND ERECTION OF ONE NEW DWELLING. LAND ADJACENT TO 1 HIGHER ROAD, FREMINGTON, BARNSTAPLE, DEVON. EX31 3BG.**

Councillor Mackie declared a prejudicial interest in the above application and left the meeting during the consideration thereof.

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

Mr Chris Marshall (objector), Mr Colin Stott (objector), Mr Ken Davies (objector), Mr Ian Smith (objector), Mr Steven Sherry (agent) addressed the Committee.

Councillor Prowse left the meeting.

Councillor Biederman (Ward Member) addressed the Committee.

In response to a question, the Lead Planning Officer confirmed that there was no longer a standard included within planning policy for the number of car parking spaces provided for a dwelling. Previously, it was 1 ½ spaces per dwelling. The provision of two car parking spaces and a turning area had been included in the plan for this application. There was not sufficient space on the site to provide additional car parking spaces to serve 4 Higher Road.

The Highways Officer (PY) advised the Committee that the boundary line on the submitted plan was incorrect as it included and enclosed part of the public highway. A stopping up order had been served on the Highways Authority which it was anticipated that the Highways Authority would object to. As the plan had been drawn incorrectly, there was a need for the applicant to demonstrate that two parking spaces could still be provided on the site. The double garage was originally provided for 4 Church Hill. The occupiers of 4 Church Hill no longer had any provision for parking. It was understood that the occupants parked in a layby nearby, however this was not satisfactory and on street parking was being lost. Visibility was achievable towards the junction, however was restricted in the other direction by the adjoining property and on street parking. The application was unacceptable in highways terms and would have a severe impact. It also fell short legally as an incorrect drawing had been submitted.

In response to questions, the Lead Planning Officer advised that there was no formula for the calculation of amenity space for a dwelling.

RESOLVED (unanimous) that the application be REFUSED for the following reasons:

- (a) The due to the following highways objections the Committee concluded that the highways impact was severe:
  - (i) The proposed development was likely to result in an increase in the volume of traffic entering and leaving the county road through an access that does not provide adequate visibility from and of emerging vehicles, with consequent risk of additional danger to all users of that road and interference with the free flow of traffic;
  - (ii) The proposal would result in the loss of vehicle parking facilities and would, therefore, encourage parking on the highway, with consequent risk of additional danger to all users of the road and interference with the free flow of traffic;

- (iii) Inadequate information had been submitted to satisfy the Local Planning Authority and the Local Highway Authority that the proposal was acceptable in terms of the proposed parking arrangements.
- (b) Lack of amenity space provided;
- (c) If the building had to be moved further back on the site would result in over-intensification.

**11. 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.

**12. 66688: INSTALLATION OF ONE 10M LENGTH OF DEMONSTRATION RAILWAY TRACK. FORMER RAILWAY LINE, SLADE, ILFRACOMBE, DEVON. EX34 8RH.**

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.

Chairman

The meeting ended at 11.34 am

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