

Cllr R Wiseman			
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(Vote: For 7, abstentions 1)

52. DECLARATION OF INTEREST

The Chair reminded Members to declare their interests when the relevant item was up for discussion. Declarations of interest were made as indicated below and in accordance with the previously agreed arrangements for “dual-hatted” Members.

53. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

54. URGENT MATTERS

There were no urgent matters brought forward.

55. PUBLIC PARTICIPATION

The Chair advised the Committee and members of the public of the details in respect of the Council’s public participation scheme.

56. PLANNING APPLICATIONS

57. APPLICATION NO. 1/0855/2021/FUL

The following Councillors had attended the virtual site visit listed below:

Councillors: M Brown, R Lock, P Christie, R Craigie, P Watson, C Leather and R Boughton

Application No. 1/0855/2021/FUL - Change of use from multi-use building (Class D2) to a single holiday let, installation of windows and external staircase leading to timber deck with glass balustrade to support the existing elopement and micro wedding business - Duckhaven Stud, Cornborough Road, Westward Ho!

Interests: Councillor Pennington declared a prejudicial interest – after speaking on the application as a Ward Member for Monkleigh & Putford and not as a Plans Committee Member - left the room and took no part in the debate and decision making

Officer Recommendation: Grant

The planning application had been called into Plans Committee by Councillor Christie if the Officer is minded to approve, for the following reasons:

ST09/ST14

ST09 A facility that is currently and used intermittently with the external lighting could be seen to void this policy if used permanently with domestic style lighting
 ST14 The comments by the AONB team indicate how this policy could be voided

Prior to the presentation Members were advised of the following update:

- Councillor Pennington had also called in the application if the Officer recommendation was to refuse. As the recommendation was to approve, Councillor Pennington's call in had not been added to the report.

The Development Management Team Leader presented the report and informed Members of the main planning considerations.

Councillor Lock asked if the wording in the Design & Access Statement which says that the Covid 19 pandemic can be considered as a material consideration with considerable weight being given, was accurate.

The Planning Manager confirmed whilst it can be considered a material consideration, it is for the decision taker to consider the weight afforded to it.'

Councillor Lock suggested that, if the application was to be approved, the following additional conditions be imposed:

- That no furniture such as tables and chairs be allowed on the timber decked balcony at any time.
- Condition 4 – to include the word “elopement” – elopement and micro weddings

During the debate the following concerns/issues were raised:

- History to the site – the number of previous planning applications for both Ocean Kave and Sunset Rooms. Original application for Sunset Rooms emphasised that the rooms were needed to make the Kave viable and economic benefit to the business. There were concerns that this application is not for weddings, but for 12 months holiday use and will be another piecemeal development.
- Following comments from Members in relation to further development on the site, it was suggested that the applicant submit a Business Plan to show what the future plans for the site are. The advice from the Planning Manager was, it would be unreasonable to ask the applicant to put in a Business Plan.
- Roof lights – light spill having an impact on the AONB. Members were referred to Condition 7 which addresses this issue.
- Catering facilities on the site – Members were advised of the preference now for smaller weddings and there will be one Chef who will use the catering facilities in the Sunset Rooms.

- Condition 5 to be robust, to ensure marquees, tents etc. are not assembled on the site.
- Building now not visible, the balcony will make the building more obtrusive.

The Planning Manager and Development Management Team Leader addressed Members concerns, most of which had been covered by the Conditions set out in the report.

The Planning Manager advised the Committee that should they be minded to refuse the application contrary to the recommendation, they would need to have robust reasons including a list of relevant policies which the application is in conflict with.

The following refusal reasons were put forward:

- The proposal will result in a detrimental impact on the protected landscape of the AONB due to additional light spill from the roof lights contrary to Policy DM08a of the adopted North Devon & Torridge Local Plan and Paragraph 176 of the NPPF.

It was proposed by Councillor Lock that the application be approved. There was no seconder to the motion.

It was proposed by Councillor Leather, seconded by Councillor Craigie that the application be refused.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr R Boughton	X		
Cllr M Brown	X		
Cllr P Christie	X		
Cllr R Craigie	X		
Cllr C Leather	X		
Cllr R Lock		X	
Cllr D McGeough			
Cllr P Pennington			
Cllr P Watson	X		
Cllr R Wiseman			

(Vote: For 6, Against 1)

RESOLVED:

That the application be refused for the reasons as stated above.

The Planning Manager read out a statement received from Mr M Wilson objecting to the application.

Mr P Marlow addressed the meeting objecting to the application.

Councillor Pennington, Ward Member, addressed the meeting.

Councillor Laws, adjoining Ward Member, addressed the meeting.

58. APPLICATION NO. 1/0031/2021/FULM

Application No.1/0031/2021/FULM - Change of use from agricultural land to Caravan/holiday park to extend existing holiday park - Land At Smytham Manor Leisure, Little Torrington, Devon

Interests: None

Officer Recommendation: Grant

The planning application had been referred to Plans Committee because Councillor Wiseman, an Elected Member of the Council, is related to the applicant and is employed by the Company.

Prior to the presentation, the Principal Planning Officer gave the following verbal update:

The applicant emailed on the 05/10/2021 requesting that condition 4 be changed to the following:

- "No touring caravans shall remain or be brought onto the site between 10th November and 28th February each calendar year"

The planning officer would have no objections to a similar condition, but would request is it amended to:

- "No caravans, motorhomes or tents shall remain on site or be brought onto the site between 10th November and 28th February each calendar year. Any caravan or motorhome taken off site during this period shall be removed from the park in its entirety."

Reason: To limit the landscape harm which would arise from the siting of caravans on this site overwinter and limit the site as a touring site.

The Principal Planning Officer presented the report and informed Members of the main planning considerations.

During the debate, the Principal Planning Officer gave clarification on the following matters raised by Members:

- Condition 4 not required - Members were informed of the importance of the "all year-round tourism condition" and the duty Officers have to encourage

tourism. Following the site visit the Officer did not think the site was suitable for static caravans.

- Restriction on November to February – the park closes during these dates (although not obliged to close). The Officer did not feel it appropriate for caravans to be on the site during the winter months.
- The agricultural grade was confirmed as “good to moderate – Grade 3”. There is nothing in the Policy per say for the Grade 3 agricultural land to be

retained and within the report does have in principle policy support.

Councillor Craigie recommended that an additional condition be imposed to ensure that more trees are planted around the Northern and Western boundaries of the site.

It was proposed by Councillor Lock, seconded by Councillor Watson that the application be approved.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr R Boughton	X		
Cllr M Brown	X		
Cllr P Christie	X		
Cllr R Craigie	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr D McGeough			
Cllr P Pennington	X		
Cllr P Watson	X		
Cllr R Wiseman			

(Vote: For- Unanimous)

RESOLVED:

That the application be Granted, subject to the conditions as set out in the report, an amendment to Condition 4, and an additional landscaping condition with the wording of that condition being delegated to Officers in conjunction with the Chair and Vice Chair.

59. APPLICATION NO. 1/0630/2021/FUL

Application No.1/0630/2021/FUL - Creation of a compound to include a kiosk unit, concrete slab for placement and 1.8m high steel palisade perimeter fencing - The Sportsground, Kingsley Road, Bideford

Interests: Councillor Christie declared a personal interest – dual hatted – Bideford Town Council

Officer Recommendation: Grant

The planning application had been referred to Plans Committee as the proposed scheme is sited on land in the ownership of Torrridge District Council. The Principal Planning Officer presented the report and informed Members of the main planning considerations.

Following a brief discussion, it was proposed by Councillor Watson, seconded by Councillor Lock that the application be approved.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr R Boughton	X		
Cllr M Brown	X		
Cllr P Christie	X		
Cllr R Craigie	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr D McGeough			
Cllr P Pennington	X		
Cllr P Watson	X		
Cllr R Wiseman			

(Vote: For – Unanimous)

RESOLVED:

That the application be Granted, subject to the conditions as set out in the report.

60. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions.

61. COSTS ON APPEALS

There were no Costs on Appeals.

62. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions.

63. PLANNING DECISIONS

RESOLVED:

That the Planning decisions for the period 20 August 2021 to 23 September 2021 be noted.

The meeting commenced at 9.30am and closed at 11.05am

Chair:

Date: