

TORRIDGE DISTRICT COUNCILPLANS COMMITTEE MEETINGCaddstown Business Support Centre - BidefordThursday, 28 July 2022 - 9.30 am

PRESENT Councillor C Leather (Chair)
Councillors M Brown, P Christie, R Craigie, D McGeough,
P Watson, R Wiseman, S Harding (substituting for R Boughton)
arrived at 9.50 and S Newton (substituting for R Lock)

ALSO PRESENT S Dorey - Head of Legal & Governance (Monitoring
Officer)
H Smith - Planning Manager
T Vanstone - Senior Electoral & Democratic Services
Officer
S Cawsey - Democratic Services Officer

Councillors A Dart, L Ford, J Gubb and P Hames

APOLOGIES - Apologies for absence were received from R Lock and
R Boughton

11. MINUTES

It was proposed by Councillor Leather, seconded by Councillor Watson and –
Resolved:

That the Minutes of the meeting held on 9 June 2022 be agreed and signed as a
correct record.

A recorded vote was taken.

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

(Vote: For 7, Abstentions 1)

Councillor Harding was not present when the vote was taken

12. 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.

13. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

14. URGENT MATTERS

There were no urgent matters brought forward.

15. PUBLIC PARTICIPATION

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

16. PLANNING APPLICATIONS

Councillor Harding had been asked to substitute for Councillor Boughton after the virtual site visits had taken place. The recording was sent to him which he subsequently watched prior to the meeting.

(a) Application No. 1/0128/2020/FULM

Application No. 1/0128/2020/FULM - Development of 38 dwellings together with access, car parking and associated works - Land Opposite Landon Road Industrial Estate, Bradworthy, Devon

Interests: None

Officer recommendation: Grant subject to a Section 106 Agreement

The planning application had been called into Plans Committee by Councillor Boughton if the Officer recommendation is for approval, for the same reasons as those outlined in the response from Bradworthy Parish Council.

Prior to the presentation Members were informed of the following updates:

- Viability: Increased Affordable Housing provision on site, inclusion of Biodiversity Net Gain off-site contribution and revised contribution for off-site affordable housing;
- Discussions with Ward Members and Chair of Parish Council in relation to Biodiversity Net Gain contribution;
- Update to Ward Members in relation to Heads of Terms to Section 106;
- Clarification of the proposed use of the NHS contribution towards expanding the GP provision at Bradworthy Surgery

The application had previously been considered by Plans Committee on 10 March 2022, when Members resolved to defer the application for clarification of the viability report, Ward Councillor involvement in the Section 106 Heads of Terms and discussions relating to the biodiversity offsetting contribution.

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

During the discussions, concerns/comments made included the following:

- S106 contribution to Bradworthy Surgery – the contribution towards an additional consulting room was an insignificant amount and the S106 monies should pay for the whole of the consulting room.
- Viability Study – concern over using bench mark figures and being unaware of what was actually paid for the land. The Planning Manager explained the District Valuers Office have adopted the land bench mark methodology – it is a tested approach.
- Biodiversity net gain – no benefit to Bradworthy. The Principal Planning Officer explained this matter had been discussed at length with others, and it had been agreed the requirements are onerous and the Parish Council are not in a position to undertake this. The Bisphere have identified projects which can provide the right type of habitat and the requirement for long term maintenance and management of that site.
- S106 contributions - The Principal Planning Officer clarified the position regarding the contribution for affordable housing.

The Planning Manager gave advice in relation to the renegotiation of S106 Agreements.

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

A recorded vote be taken.

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

(Vote: For 6, Against 2)

Councillor Harding was not present when the vote was taken

RESOLVED:

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

Sue Lander on behalf of the Parish Council addressed the Committee objecting to the application

Councillor Dart, Ward Member, addressed the Committee

(b) Application No. 1/0576/2021/FUL

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

Councillors: M Brown, P Christie, R Craigie, C Leather, S Newton, P Watson and R Wiseman

Application No.1/0576/2021/FUL - Erection of 2no. dwellings (Amended description, drawings and supporting documents) - Land Adjacent to Greenacres, Pitt Lane, Appledore

Interests: None

Officer recommendation: Grant subject to a Section 106 Agreement

The planning application had been called into Plans Committee by Councillor Boughton if the Officer recommendation is for approval, for the same reasons as those outlined in the response from Bradworthy Parish Council.

Prior to the presentation Members were informed of the following updates:

- Amended Site Location Plan (2009 P 001 003) – change in blue line
- Post agenda publication representations
- Recommend additional condition to require a detailed method statement of works to ensure the hedgerow translocation is carried out in an appropriate manner at the appropriate time of year

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

Councillor Christie raised the following concerns:

- Open market houses
- Site is within the open countryside

Members acknowledged the amount of work that had been carried out by the applicant to make it a compliant scheme.

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

A recorded vote be taken.

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

(Vote: For 8, Against 1)

RESOLVED:

That the application be Granted subject to the conditions as set out in the report and the additional condition as stated in the updates.

J Smart, Secretary to Appledore Residents Association, addressed the Committee objecting to the application

D Drake addressed the Committee in support of the application

L Johnson addressed the Committee in support of the application

Councillor Hames, Ward Member, addressed the Committee

(c) Application No. 1/0343/2022/FUL

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

Councillors: M Brown, P Christie, R Craigie, C Leather, S Newton, P Watson and R Wiseman

Application No. 1/0343/2022/FUL - Demolition of single dwelling and replacement with new energy efficient single dwelling with associated landscape works (Amended plans and additional supporting information) - 43 Staddon Road, Appledore, Bideford

Interests:

Officer recommendation: Grant

The planning application had been called into Plans Committee by Councillor Hames if the Officer is minded to approve stating the following concerns:

1. ST01 Principle of Sustainable Development. Demolition fails policy ref "prudent use of resources and minimise waste and pollution".
2. ST02 Mitigating Climate Change. Demolition doesn't contribute to environmental sustainability or minimise the environmental footprint.
3. ST05 Sustainable Construction and Buildings. Demolition fails to reduce resource use.
4. DM01 Amenity Considerations. Overlooking and shading of neighbour's property.
5. Construction disturbance.
6. No statement supplied of visual impact on AONB and Northam Burrows SSSI.

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

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

A recorded vote be taken.

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

(Vote: For - Unanimous)

RESOLVED:

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

The Planning Manager read out a statement from David and Sharon Nelson objecting to the application
Mr K Traynor, Agent, addressed the Committee in support of the application.

(d) Application No. 1/0171/2022/FUL

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

Councillors: M Brown, P Christie, R Craigie, C Leather, S Newton, P Watson and R Wiseman

Application No. 1/0171/2022/FUL - Proposed erection of dwelling (Resubmission of 1/0821/2021/FUL) (amended plans & tree survey) - Breckon, Parkham, Bideford.

Interests: None

Officer recommendation: Grant

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

1. It would be in extremely close proximity to the neighbouring property
2. The driveway appears to have a very poor narrow access and may affect the neighbouring property's boundary trees
3. There is very limited parking and turning within the site considering the property is 3 bedrooms
4. There is a sewer pipe running under a portion of the proposed development
5. The property could be construed as too large for the site it is on

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

The key issues raised during the discussion included:

- Drainage system – Members queried whether the system was in the ownership of South West Water as it is situated on private land and South West Water only take responsibility when connected to the main drain.
- Members commented it was unreasonable for the neighbouring property, the Moorings, to have their garden dug up for the benefit of their neighbours.
- Devon County Highways response of “no problem” - Councillor Christie had concerns with the response as it is a narrow road coming out onto a busy road and the lack of visibility because of a high bush on the drive of the neighbouring property. The Planning Officer addressed this concern.
- Tree Survey – tree roots should not be affected by this development. As a number of the trees are ornamental, the Planning Manager stated they would not be protected.
- Overdevelopment of the site.

Councillor Watson proposed approving the application but later

withdrew his motion.

It became evident that some Members were looking to refuse the application, and for this reason the Planning Manager advised that robust refusal reasons would be required, together with the relevant policies.

It was proposed by Councillor Leather, seconded by Councillor Newton that the application be deferred for further information on the drainage and tree survey. Following further discuss this motion was withdrawn.

It was proposed by Councillor Craigie, seconded by Councillor Christie that the application be refused for the following reasons:

- Overdevelopment

A recorded vote be taken.

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

(Vote: For 5, Against 4)

RESOLVED:

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

D Butterworth addressed the Committee objecting to the application
A Omer on behalf of Mrs Butterworth addressed the Committee objecting to the application

A Vickery, Agent, addressed the Committee in support of the application

Councillor Dart, Ward Member, addressed the Committee

In accordance with the Council Constitution it was proposed, seconded and –

Resolved:

That in view of the fact that 3 hours had elapsed since the meeting had commenced, that the meeting should continue.

(Vote: For – Unanimous)

(e) Application No. 1/0510/2022/FUL

The Committee Clerk, Sandra Cawsey, left the meeting as she is the applicant on the following application.

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

Councillors: M Brown, P Christie, R Craigie, C Leather, S Newton, P Watson and R Wiseman

Application No. 1/0510/2022/FUL - First floor extension at rear of property - Re-submission of 1/1249/2021/FUL - 13 Sunnyside, Bideford, Devon.

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 applicant is an employee of Torridge District Council.

Prior to the presentation the Planning Officer advised Members of the following updates:

- Representation from Councillor McKenzie in support of the application
- Representation from neighbouring property objecting to the application

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

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

A recorded vote be taken.

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

(Vote: For - Unanimous)

RESOLVED:

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

The Planning Manager read out statement received from the following:

Mr S Trowbridge objecting to the application
 Ms T Mackie-Brown objecting to the application
 Ms S Cawsey, applicant in support of the application
 Councillor Gubb, Ward Member, in support of the application

17. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions.

18. COSTS ON APPEALS

There were no Costs on Appeals.

19. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions for the period 26 May 2022 – 14 July 2022.

20. PLANNING DECISIONS

RESOLVED

That the Planning decisions for the period 26 May 2022 to 14 July 2022 be noted.

The meeting commenced at 9.30am and closed at 12.55pm

