

TORRIDGE DISTRICT COUNCIL

PLANS COMMITTEE MEETING

Town Hall - Bridge Street, Bideford, EX39 2HS

Thursday, 1 February 2024 - 9.30 am

PRESENT

Councillor R Lock (Chair)
Councillor P Hames (Vice-Chair)
Councillors L Bach, D Bushby, C Leather, P Pennington,
C Wheatley and J Whittaker

ALSO PRESENT

S Dorey	- Head of Legal & Governance (Monitoring Officer)
H Smith	- Planning Manager
K Evely	- Development Manager
R Steppel	- Planning Officer
S Reed	- DCC Historic Officer
T Vanstone	- Senior Electoral & Democratic Services Officer
K Brown	- Democratic Services Officer

Councillors: C Cottle-Hunkin, L Ford and K James.

1. APOLOGIES

Apologies for absence were received from Councillor P Christie with Councillor H Thomas substituting, Councillor K Hepple with Councillor D Bushby substituting and Councillor D Smith with Councillor L Bach substituting.

2. 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.

3. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

4. URGENT MATTERS

The Chair had no urgent matters.

Following concern from Councillor P Hames regarding the demolition of Middledock application, the Chair advised it was not on the agenda and to speak to the Head of Communities & Place and the Economic Development Manager with his concerns.

5. PUBLIC PARTICIPATION

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

6. PLANNING APPLICATIONS

(a) Application No. 1/0059/2023/NMAT

The following Councillors had attended the site visit: D Bushby, P Hames, C Leather, R Lock, W Lo-Vel, C Wheatley and J Whittaker. Councillor P Pennington was sent the recording of the meeting.

Application No. 1/0059/2023/NMAT - Non-material amendment to planning approval 1/0969/2022/LA (Repositioning of modular units) – Sully House, Clovelly Road Industrial Estate, Bideford.

Interests – The Committee declared a personal interest – all are elected Members of Torridge District Council

Officer recommendations – Grant

The planning application had been called into Plans Committee as Torridge District Council is the applicant.

The Development Manager presented the report advising the committee why this was a non-material amendment and the reasons for the amendment to be granted.

The Chair confirmed why this had not been determined by the Chair and Vice Chair.

There were no speakers for this application.

It was proposed by Councillor C Leather, seconded by Councillor P Pennington that the application be approved.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr L Bach	X		
Cllr D Bushby	X		
Cllr P Hames	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr P Pennington	X		
Cllr H Thomas	X		

Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For - unanimous)

Resolved:

That the application be approved subject to the conditions set in the report.

(b) Application No. 1/1146/2023/OUT

The following Councillors attended the site visit:

Councillors: D Bushby, P Hames, C Leather, R Lock, W Lo-Vel, C Wheatley and J Whittaker. Councillor P Pennington was sent the recording of the meeting.

Application No. 1/1146/2023/OUT – Outline application for 1 no. dwelling with all matters reserved – Land At Grid Reference 241658 113849, Newton St Petrock

Interests – none were declared.

Officer recommendations – Refuse

The planning application had been called into Plans Committee by Councillor C Cottle-Hunkin, Ward Member for Shebbear and Langtree for the following reasons:

I am calling in the decision in support of this application because it is for a local need. The young couple grew up in Newton St Petrock and would now like to raise their family in the same community, around a support network of other family members.

The location of the proposed dwelling is not in the open countryside but would fit in well adjoining a small settlement of properties at Newton St Petrock Cross. There is also a small derelict shed currently on the site which would be removed as part of the application.

The location is also perfect for them in terms of school transport as it is on the pre-existing bus routes to the local primary and secondary schools which the children would attend, as well as having a public bus stop nearby.

The applicants are both working parents, with Mr Davey running his own carpentry business and both work locally providing for the community. This is a great opportunity for them to build their family home together and I believe as a Council we should be supporting

this type of application and opportunities which really help build our communities and help young people thrive.

In the absence of the case officer, the Planning Manager presented the report.

A verbal update was given which included the following:

Consultee response: Newton St Petrock Parish Council

- Local Needs requirement Comments: The Parish Meeting expressed general outline support for the development of the proposed plot.
- As the design and plan evolves, the Parish would wish to see:
 - a. The retention of the maximum amount of Devon bank and hedging facing the road as possible.
 - b. The preservation of a young oak tree situated at the field gate - the likely access to the plot.
- The Parish would also point out that [reported] Japanese Knotweed is present in the bank between the road and the field in a position close to this site.

Members were then informed of the main planning considerations.

The Chair invited Members to ask questions and make comments.

Following a question from Councillor P Pennington, clarification was given on the meaning of FPEG and whether Newton St Petrock Parish Council had given a verbal response.

In response to a suggestion for a S106 to be added, the Planning Manager advised as this was not an open market dwelling S106 was not applicable and it was not open to members to seek an alternative proposal.

Councillor P Hames proposed that the application be approved, this was seconded by Councillor D Bushby.

The Planning Manager advised if Members were minded to approve the application consideration would need to be given to which policies support the application.

The debate continued where some Members expressed their sympathy to the family however could not go against policy and recommended that the application be re-submitted as a local need dwelling with more detail.

It was also noted that there were no objections from neighbours, Environmental Protection and DCC Highways therefore could not see

a reason to object to the application.

Following a query from Councillor L Bach asking if the application were approved, could conditions be imposed, the Planning Manager advised that would have to be a different proposal and the committee are not able to change it. Currently there was no policy position to support the application - this application would go against the Local Plan which is the lawful starting point for decision making. The Planning Manager urged caution with approving the application and if approved clear justification would be needed along with material reasons.

Following further debate Councillor P Hames withdrew his proposal.

Councillor D Bushby proposed that the application be granted, there was no seconder for this proposal.

The Chair quoted policies that would cover the application. The Planning Manager advised that at this stage in the application, there are no policies to support it and highlighted the conflict with the principal policies concerning development in the countryside.

It was expressed that if the application were to be granted then TDC could incur costs if challenged.

It was proposed by Councillor C Leather, seconded by Councillor P Pennington that the application be refused.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr L Bach			X
Cllr D Bushby		X	
Cllr P Hames	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr P Pennington	X		
Cllr H Thomas	X		
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For – 7, Against – 1, Abstentions - 1)

Resolved:

That the application be refused subject to the reasons set out in the report.

Sara Bridgman, applicant, spoke in support of the application.
Councillor C Cottle-Hunkin, Ward Member, spoke in support of the application.

(c) Application No. 1/0838/2023/FUL

The following Councillors attended the site visit:

Councillors: D Bushby, P Hames, C Leather, R Lock, W Lo-Vel, C Wheatley and J Whittaker. Councillor P Pennington was sent the recording of the meeting.

Application No. 1/0838/2023/FUL – Part retrospective application for all weather turnout – Land At Grid Reference 244858 129911, Northam, Devon

Interests – Councillors P Hames, C Leather and J Whittaker declared personal interests - dual hatted – Northam Town Council.

Councillor L Bach declared a prejudicial interest - pre-determination, therefore took no part in the debate and decision making.

Officer recommendations – Refuse

The planning application had been called into Plans Committee by Councillor Ford on the basis that the location has evolved to be mainly an equine area.

The Principal Planner presented the report and provided the following verbal update:

- The surface finish of the area will be sand and fibre, so the appearance will be granular sand with some short fibres in it.
- The use is predominantly as an all-weather turnout for her stallion, youngstock and broodmares.
- It is likely to be used at times for breaking and training of young horses as it is a safe and fenced area, which will include riding. Its more regular use will be a turnout area.
- Its use will be entirely private for Mrs Jobson Scott and her horses, with no commercial letting.

The Chair invited Members to ask questions and give comments.

Mr Stephen Reed, Historic Officer from DCC had attended the meeting and addressed issues raised by Members which included:

- Costs.
- The boundary of the heritage site
- Why it had gained the title of the heritage site in 2015.

- There is currently a lack of information about the site.
- There are visitors to the site.
- Vibration work might disturb the land and structures of the heritage site.

Councillor D Bushby proposed that the application be approved, which was seconded by Councillor P Pennington.

Councillor P Hames proposed the application be refused, there was no seconder for his proposal.

The debate continued where it was advised that justifications would be required to approve the application.

As no objections had been received from Natural England, ANOB, Environment Agency, Environmental Protection and nothing from the residents or Northam Town Council then some Members could see no reason to refuse. It was discussed that it could be approved on policies DM16, ST07 and ST09.

The Planning Manager and Principal Planner gave advice on the conditions to be imposed should Members be minded to approve the application.

The Committee agreed the wording of the conditions be delegated to Officers in conjunction with the Chair and Vice Chair.

It was proposed by Councillor D Bushby, seconded by Councillor P Pennington that the application be granted subject to the wording of the conditions being delegated to Officers in conjunction with the Chair and Vice Chair.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr L Bach			X
Cllr D Bushby	X		
Cllr P Hames		X	
Cllr C Leather	X		
Cllr R Lock	X		
Cllr P Pennington	X		
Cllr H Thomas			X
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For – 6, Against – 1, Abstentions - 2)

Resolved:

That the application be Granted subject to the wording of the conditions being delegated to Officers in conjunction with the Chair and Vice Chair.

Sally Jobson-Scott, applicant, spoke in support of the application.
Rebecca Fearnley, agent, spoke in support of the application.
Councillor L Ford, Ward Member, spoke in support of the application.

(d) Application No. 1/1145/2023/OUT

The following Councillors attended the site visit:

Councillors: D Bushby, P Hames, C Leather, R Lock, W Lo-Vel, C Wheatley and J Whittaker. Councillor P Pennington was sent the recording of the meeting.

Application No. 1/1145/2023/OUT – Outline application for 1 no. local needs dwelling with all matters reserved – Land At Grid Reference 242151 105665, Holemoor, Bradford.

Interests – no interests were declared.

Officer recommendations – Refuse

The planning application had been called into Plans Committee by Councillor K James for the following reasons:

- The application is to enable young people to remain in the community they were born into and have grown up in.
- The site is well positioned to the Community.
- Following funding Rural. DEFRA to ACRE and SRN, Councils should investigate, using Rural Enablers, ways of retaining young people in Rural Areas. Quote from the report, “Nobody living in a Rural Area should be disadvantaged by where they live. But so often they are.”

The Planning Officer presented the report and informed members of the main planning considerations and the Consultee response - Bradford and Cookbury Parish Council:

‘The Parish Council supports this application. It is important that we retain our young people in this area.’

The Chair opened the debate to Members.

Following a query surrounding the bus stop, the Planning Officer advised the bus frequency had altered since the report was published.

The Planning Manager provided information on the services and facilities that were required for a local need application and that this area did not have services or facilities as per the definition of a rural settlement. She also advised that reasons would be needed to go against the Local Plan policy although advised that whilst the Officer recommendation was the correct policy interpretation it would be open to members to consider the unique relationship of the school and village hall to the site.

In response to a query regarding a previous application which was similar, the Planning Manager advised the previous application was not in a rural settlement area and explained the criteria for a rural settlement. The Planning Manager also clarified that this previous approval was made by Plans Committee against officer recommendation at a time when the Council could not demonstrate a five year housing land supply.

It was clarified why other properties nearby had been allowed permission.

The Planning Manager gave advice on the conditions to be imposed should Members be minded to approve the application.

The Committee agreed the wording of the conditions be delegated to Officers in conjunction with the Chair and Vice Chair.

It was proposed by Councillor D Bushby, seconded by Councillor R Lock that the application be granted subject to the wording of the conditions being delegated to Officers in conjunction with the Chair and Vice Chair.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr L Bach	X		
Cllr D Bushby	X		
Cllr P Hames		X	
Cllr C Leather		X	
Cllr R Lock	X		
Cllr P Pennington	X		
Cllr H Thomas	X		
Cllr C Wheatley	X		
Cllr J Whittaker		X	

(Vote: For – 6, Against – 3, Abstentions - 0)

Resolved:

That the application be Granted subject to the wording of the conditions being delegated to Officers in conjunction with the Chair and Vice Chair.

Lauren Oke, applicant, spoke in support of the application.
Councillor K James, Ward Member, spoke in support of the application.

7. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions and congratulated officers.

8. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions.

9. PLANNING DECISIONS

The Planning decisions for the period 23.11.2023 to 24.01.2024 were noted.

The meeting commenced at 9.30 am and closed at 12.13 pm

Chair:

Date: