

TORRIDGE DISTRICT COUNCILPLANS COMMITTEE MEETINGTown Hall - Bridge Street, Bideford, EX39 2HSThursday, 9 May 2024 - 9.30 am

- PRESENT** Councillor R Lock (Chair)
 Councillor P Hames (Vice-Chair)
 Councillors C Leather, K Hepple, W Lo-Vel, P Pennington,
 D Smith, C Wheatley and J Whittaker
- ALSO PRESENT** S Dorey - Head of Legal & Governance (Monitoring
 Officer)
 H Smith - Planning Manager
 J Clements - Principal Planning Officer
 N McGill - Planning Officer
 K Brown - Democratic Services Officer
 S Cawsey - Democratic Services Officer
- Councillor A Brenton

14. MINUTES

It was proposed by Councillor Leather, seconded by Councillor Hepple and –

Resolved:

That the Minutes of the meeting held on 11 April 2024 be agreed and signed as a correct record.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames	X		
Cllr K Hepple	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr Lo-Vel			X
Cllr P Pennington			X
Cllr D Smith	X		
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For 7, Abstentions 2)

15. 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.

16. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

17. URGENT MATTERS

There were no urgent matters brought forward.

18. PUBLIC PARTICIPATION

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

19. PLANNING APPLICATIONS

(a) Application No. 1/0658/2023/REMM

The following Councillors had attended the site visit listed below:

Councillors: R Lock, P Hames, K Hepple, C Leather, J Whittaker, P Pennington, D Smith, C Wheatley and J Whittaker

Application No. 1/0658/2023/REMM - Reserved matters application for layout, scale, appearance, internal access and landscaping for the construction of 82 dwellings pursuant to outline planning permission 1/1015/2014/OUTM - Land North Of Clovelly Road, Abbotsham, Devon

Interests: None

Officer recommendation: Grant

The planning application had been called into Plans Committee by the Ward Member, Councillor Annie Brenton, for Plans Committee to consider:

- Details of provision of carbon footprint mitigation of dwellings
- Viability of school in terms of Devon County Council commitment
- Drainage provision
- Water run-off
- Sewage provision

- What percentage of the S106 allocations will be realised by completion of Phase 1 of the development

The Principal Planning Officer advised Members of the following update:

Additional wording to Condition 2 – “..... and western access road to include implementation plan shall be submitted to and approved in writing by the Local Planning Authority.”

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

The Planning Manager and Principal Planning Officer provided further information and advice on concerns raised as follows:

- Details on the energy aspect – to ensure as many of the properties as possible have solar panels on them. The installation of gas boilers instead of more energy efficient systems did not address climate change.
- The Principal Planning Officer referred to the Energy Statement presented to Committee which stated a minimum of 312 panels and maximum of 409 panels. If the application was approved a condition could be imposed to tie in the Energy Statement and Layout Plan showing where the panels will be situated. Heating – there is no strict policy in place therefore it is difficult to stipulate that air source heat pumps are required, and the existing Building Regulations standards still allows gas. What is being proposed goes above what is required by Building Regs.
- Cycle linkages – no linkage to neighbouring areas. Members were advised this application will secure links to the boundary.
- No formal play spaces on the site in this phase of the scheme – was advised there is a play area up the road. Phase 2 will bring forward further formal play equipment as part of an overarching open space strategy. Phase 1 includes play features in the form of ‘play on the way.’
- Ecology – there are badgers, bats etc. all going to be affected. Wildlife on the site not being dealt with if having to contribute to another site.
- Drainage – One attenuation tank was not enough. The Officer advised drainage had been designed in terms of climate change and there had been no objections from South West Water or Devon County Council asking for a second attenuation tank.

- Treatment boundary – access to Moreton House there is a strategic buffer mix – native trees, hedgerows which will in time provide an effective screen.
- No bungalows proposed for the site.
- Bin collection areas on private land – refuse vehicles will not go on private roads. Residents will therefore have to carry refuse/bins etc. to points along the main road.

The Planning Manager advised the Committee that many of the concerns/points raised had been considered at the Outline application stage.

Details of conditions etc. discussed and agreed at that stage were provided.

The Committee recognized the joint working of Officers and Developers to make this a good and acceptable development.

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

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames		X	
Cllr K Hepple	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr Lo-Vel	X		
Cllr P Pennington	X		
Cllr D Smith	X		
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For 8, Against 1)

RESOLVED:

That the application be Granted subject to the conditions as set out in the report, the rewording of condition 2 as stated above and an additional condition regarding the Energy Statement with the wording being delegated to Officers in conjunction with the Chair and Vice Chair.

Mr J Richards, Agent, addressed the Committee in support of the application.

Councillor A Brenton, Ward Member, addressed the Committee.

(b) Application No. 1/0082/2024/FUL

The following Councillors had attended the site visit listed below:

Councillors: R Lock, P Hames, K Hepple, C Leather, J Whittaker, P Pennington, D Smith, C Wheatley and J Whittaker

Application No. 1/0082/2024/FUL - Construction of agricultural storage building for machinery and straw - Holsworthy Livestock Market, Holsworthy Agri Business Park, New Market Road

Interests: None

Officer recommendation: Grant

The planning application had been referred to Plans Committee because the applicant is Torridge District Council.

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

It was proposed by Councillor Hames, seconded by Councillor Wheatley that the application be approved.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames	X		
Cllr K Hepple	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr Lo-Vel	X		
Cllr P Pennington	X		
Cllr D Smith	X		
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For - Unanimous)

RESOLVED:

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

(c) Application No. 1/0139/2024/FUL

The following Councillors had attended the site visit listed below:

Councillors: R Lock, P Hames, K Hepple, C Leather, J Whittaker, P Pennington, D Smith, C Wheatley and J Whittaker

Application No. 1/0139/2024/FUL - Retrospective detached domestic garage and store ancillary to dwelling - 5 Derriton Road, Pyworthy, Holsworthy

Interests: None

Officer recommendation: Grant

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

- The application is retrospective
- Previous application for structures in front of these properties have been subject to enforcement
- Concerns that the application states it is ancillary to the dwelling
- Strong local objection
- Committee decision should provide clarity

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

The Planning Officer addressed the objection reasons outlined in the representations received, with particular reference being made to the breach of an existing covenant held by the Council. Members were advised it is a different Legal Agreement, and although it sits alongside planning it must be disregarded when considering a planning application. Responsibility lies with the owner of the covenant and, should the Committee approve the application, approval must also be sought from the owner.

Councillor Lock recommended an additional condition be imposed stating that the building not to be used for residential purposes in perpetuity. The Planning Manager advised an additional condition was not necessary as Condition 2 could be amended to include

further details.

Further information and planning advice was provided by the Planning Manager.

Following a brief discussion, it was agreed an amendment to Condition 2 be included and for the wording to be delegated to Officers in conjunction with the Chair and Vice Chair.

Legal advice was given by the Head of Legal & Governance (and Monitoring Officer).

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

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames		X	
Cllr K Hepple	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr Lo-Vel	X		
Cllr P Pennington	X		
Cllr D Smith		X	
Cllr C Wheatley	X		
Cllr J Whittaker		X	

(Vote: For 6, Against 3)

RESOLVED:

That the application be Granted subject to the conditions as set out in the report and an additional condition as stated above with the wording being delegated to Officers in conjunction with the Chair and Vice Chair.

Lesley Wheeler addressed the Committee objecting to the application.

20. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions.

21. COSTS ON APPEALS

There were no Costs on Appeals.

22. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions – AGMB Applications.

23. PLANNING DECISIONS

RESOLVED

That the Planning decisions for the period 28.03.2024 – 30.04.2024 be noted.

The meeting commenced at 9.30am and closed at 11.45am.

Chair:

Date: