

TORRIDGE DISTRICT COUNCILPLANS COMMITTEE MEETINGTown Hall - Bridge Street, Bideford, EX39 2HSThursday, 16 January 2025 - 9.30 am

PRESENT	Councillor C Leather (Chair)	
	Councillors P Hames, K Hepple, D Smith, C Wheatley, H Thomas and S Newton	
ALSO PRESENT	S Dorey	- Head of Legal & Governance (Monitoring Officer)
	H Smith	- Planning Manager
	P Stapley	- Principle Planner
	T Vanstone	- Senior Electoral & Democratic Services Officer
	S May	- Corporate Support Officer
	J Slade	- Performance & Monitoring Team Leader
	M Munro	- Planning Support Assistant

47. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor P Pennington, with Councillor H Thomas substituting.

Councillor J Whittaker gave apologies with Councillor S Newton substituting.

Councillor D Bushby also gave apologies.

Councillor R Lock gave apologies, therefore Councillor C Leather (Vice-Chair) was Chair of the meeting.

48. MINUTES

It was proposed by Councillor Leather and seconded by Councillor D Smith and –

Resolved:

The Minutes of the meeting held on the 5th December 2024 were agreed and signed as a correct record.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr D Bushby			
Cllr K Hames	x		
Cllr K Hepple	x		
Cllr C Leather	x		
Cllr D Smith	x		
Cllr Thomas			x
Cllr C Wheatley	x		
Cllr S Newton			x

(Vote: For – 5, Against – 0, Abstention - 2)

49. 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.

50. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

There were no Part II items.

51. URGENT MATTERS

There were no urgent matters.

52. PUBLIC PARTICIPATION

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

53. PLANNING APPLICATIONS

(a) Application No. 1/0978/2024/FUL

The following Councillors attended the virtual site visit:

Councillors: P Hames, K Hepple, C Leather, D Smith, H Thomas, C Wheatley.

Application No. 1/0978/2024/FUL - Installation of two changing room facilities and re-location of existing shed - Bideford Victoria Park Bowling Club, Park Lane, Bideford, Devon, EX39 2QL.

Interests – None

Officer Recommendation – Grant

The application has been referred to the Plans Committee as the site is owned by Torridge District Council.

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

The Planning Officer also gave a verbal update:

- There is an addition of bird boxes to proposed plans and elevations as well as a shed plan and elevation
 - o RET-23/2/7 A Received 7/1/25
 - o RET 23/2/6 B Received 7/1/25
 - o RET 23/2/5 A Received 7/1/25

In response to queries, the Planning Officer informed Members that due to the size of the proposed building, there is no policy to insist this application include renewable energy and/or water capture provisions. The Planning Manager detailed that, although Members may make suggestions, Officers advice would be that adding such a condition would not be proportionate or reasonable for this application.

It was proposed by Councillor P Hames that renewable energy and water saving provisions be added as a condition. Councillor H Thomas seconded this recommendation.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames	x		
Cllr K Hepple		x	
Cllr C Leather		x	
Cllr D Smith		x	
Cllr Thomas	x		
Cllr C Wheatley		x	
Cllr S Newton		x	

(Vote, For – 2, Against – 5, Abstention – 0)

It was proposed by Councillor C Leather and seconded by Councillor D Smith that the application be approved with the informative advisory that, if possible solar and water retention be included.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames	x		
Cllr K Hepple	x		
Cllr C Leather	x		
Cllr D Smith	x		
Cllr Thomas	x		
Cllr C Wheatley	x		
Cllr S Newton	x		

(Vote, For – Unanimous)

RESOLVED:

That the application be granted subject to the conditions as set out in the report, with the addition of the informative advisory regarding solar and water.

(b) Application No. 1/0976/2024/FUL

Application No.1/0976/2024/FUL - Retrospective creation of vehicular access, including installation of gates, wall, fence, and hedgebank; the partial removal of the unauthorised boundary wall and fencing; closing of the existing vehicular access; and associated works, including landscaping (Affecting a public right of way) - River View, Bidna Lane, Northam, Bideford, Devon, EX39 1NU.

Interests – Councillor P Hames declared a personal interest – dual-hatted – Northam Town Council.

Officer Recommendation – Grant

The application was called in by Councillor P Hames for the following reason – ‘To enable members of the Plans Committee to consider planning issues relating to the application.’

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

The Principal Planning Officer also gave a verbal update:

- The following additional public representations were received in relation to the planning application.

Objection Comment x 2

- o Accuracy of the gate height.
- o Scale of pillars and gate.

- Hedgebank details and design.
- Permitted development consideration of gate pillars.
- Request for Condition relating to removal of concrete beneath hedgebank.
- Proposed Minimum height condition, only being at 1.9 metres.
- Wording of Condition 4 only referring to one hedgebank.

Members stated that the proposed revisions contain slight improvements to the original application, however the main consideration of character and appearance had not been sufficiently addressed.

The Planning Officer answered queries about:

- Mechanics of the electric gate in relation to height
- The height of the pillars
- Concerns over concrete at the base of the hedgerow
- Visibility from Bidna Road.

The Principal Planning Officer and Planning Manager clarified permitted development rights and detailed how it is monitored and enforced as a requirement of Biodiversity Net Gain.

Councillor P Hames proposed to refuse the application as the revised plans still have an adverse impact on the area. Councillor Newton specified further stating that the Committee had concerns about the proposed hedgebank and pillar height.

Councillor D Smith seconded the proposal to refuse.

Members were in agreement that the revised plan did not address all of the concerns, however the applicant will have the opportunity to discuss these issues with the Planning Officer in order to amend and reapply.

Councillor C Leather proposed that the application be deferred. Councillor K Hepple seconded this proposal.

The Planning Manager asked that Members be clear on the refusal reason. The policies cited as a reason for refusal were ST09, DM08A, DM04, ST04.

It was proposed by Councillor P Hames, seconded by Councillor D Smith that the application be refused.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames	x		
Cllr K Hepple		x	
Cllr C Leather		x	
Cllr D Smith	x		
Cllr Thomas	x		
Cllr C Wheatley	x		
Cllr S Newton		x	

(Vote, For – 4, Against – 3, Abstentions – 0)

The motion for refusal was carried.

RESOLVED:

That the application be refused due to the adverse impact on the area arising from the gates and pillars, citing polices ST09, DM08A, DM04, ST04.

As the first proposal was carried, no vote was taken for the second proposal.

Veronica Leat addressed the Committee objecting to the application.

Keith Goodred addressed the Committee objecting to the application.

(c) Application No. 1/0917/2024/TDC

The following Councillors attended the virtual site visit:

Councillor P Hames, K Hepple, C Leather, D Smith, C Wheatley S Newton.

Application No. 1/0917/2024/TDC - Application for approval of technical details for conversion of existing barn to 1no. dwelling and associated works following grant of permission in principle 1/0109/2022/PIP

Interests: None

Officer Recommendation: Refuse

The planning application had been called into Plans Committee by

Councillor P Pennington for the following reason - *'Amongst other consideration DM27 stands out as good use of a redundant rural building'*.

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

Members asked Officers to specify the difference between permission in principle and technical consent, which was provided.

The Committee queried the requirements for a report on the effect on amenity, asking if this was the only 'stumbling block' for the application. The Principal Planning Officer stated that the lack of report is the only refusal reason. He then stated that Environmental Protection had raised concerns which meant a report was requested, however the applicant was not forthcoming, and the application was recommended for refusal on that basis.

Councillor S Newton, citing the National Planning Policy Framework, advised Members of his concerns over residential amenity rights if this application was approved. He stated that there must be a regard for the livelihood of the farmstead close by.

Members expressed that physical site visits, for applications such as these are important as it aids in understanding the full context.

Councillor K Hepple proposed to refuse the application.

The Chair, Councillor C Leather reminded the Committee that this application has planning in principle and proposed to approve the application.

The Planning Manager advised that residential amenity rights sit within statutory nuisance legislation yet recognised that there have been instances where it has become an issue. The Planning Manager referenced the National Planning Policy Framework and highlighted the importance of integration and that the applicant must demonstrate that amenity would be satisfactory. It was then noted that no such information/evidence had been provided.

Councillor H Thomas seconded the proposal to refuse.

It was proposed by Councillor K Hepple, seconded by Councillor H Thomas that the application be refused.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr K Hames	x		
Cllr K Hepple	x		
Cllr C Leather		x	
Cllr D Smith	x		
Cllr Thomas	x		
Cllr C Wheatley	x		
Cllr S Newton	x		

(Vote, For – 6, Against – 1, Abstention – 0)

RESOLVED:

That the application be refused for the following reason –

In the absence of technical evidence to assess impacts arising from noise, odour, flies and lighting at the agricultural unit to the south of the application site, the Local Planning Authority cannot be certain that there would not be an unacceptable amenity impact upon future occupants of the proposed development, given the close proximity to, and the scale of, these existing third-party agricultural buildings. It is therefore not possible to confirm that the proposed development complies with Policies DM01 (Amenity Considerations) and DM04 (Design Principles) of the North Devon and Torridge Local Plan and Paragraphs 135, 198 and 200 of the National Planning Policy Framework.

Carl Ranscombe addressed the Committee supporting the application.

Councillor P Pennington, Ward Member, provided a letter which was read aloud to the Committee supporting the application.

54. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions.

55. COSTS ON APPEALS

The Committee noted the Costs on Appeal.

56. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions.

57. PLANNING DECISIONS

RESOLVED

That the Planning decisions for the period 22/11/2024 and 08/01/2025 be noted.

58. PART II - CLOSED SESSION

There were no Part II items.

The meeting commenced at 9.30 am and closed at 11.05 am

Chair:

Date: