



202. 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.

203. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

There were no Part II items.

204. URGENT MATTERS

There were no urgent matters.

205. PUBLIC PARTICIPATION

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

206. PLANNING APPLICATIONS207. APPLICATION NO.1/0557/2025/FUL

The following Councillors attended the virtual site visit:

Councillors: Lock, Leather, Hames, O’Rourke, Pennington, and Smith.

A recording of the virtual site visit was sent to Councillors Bushby, Kenneally, and Harding.

**Application No.1/0557/2025/FUL** - Creation of 9 bedroom House of Multiple Occupancy (Sui Generis) in lieu of permission 1/0144/2025/FUL. Ground floor and basement retained in part as commercial use, 18 South Street, Torrington, Devon.

**Interests** – Councillor Smith, a member of Torrington Town Council Planning Committee.

**Recommendation** - Grant

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

With the increase from 6 to 9 bedrooms, Members asked about potential HMO occupancy. The Planning Officer advised that the exact number is unknown, but the rooms meet size standards and a maximum occupancy can be set by condition.

Members raised concerns about accessibility, particularly relating to the ground floor bathroom and access route through the alleyway.

Although Members understood that fire regulations fall outside planning considerations, they noted that this remained a concern.

Members raised concerns about waste and recycling capacity for the expected number of occupants. The Planning Officer advised that Torridge District Council's Waste and Recycling team had no further comments following the submission of the waste-storage drawings, and noted that a condition could require a detailed waste and recycling plan. The Planning Manager added that the issue could also be addressed through the HMO licence.

Councillor Hames noted that the issues raised are covered by HMO licensing regulations and do not provide planning grounds for refusal, but he acknowledges Member's concerns about accessibility and waste management.

Councillor Bushby asked whether the HMO is intended for specific groups, such as local residents or single people. The Planning Officer confirmed there is no indication that it is aimed at vulnerable individuals. The Planning Manager added that anti-social behaviour would be managed by the operator, and the application does not require consideration of specific occupants. She also noted that the Housing Delivery Lead has identified a housing need.

The Chair proposed approval of the application, with an added condition limiting occupancy to 9 and requiring a pre-commencement waste management plan. Councillor Hames seconded the proposal.

Councillor Leather stated that he had spoken with the Waste and Recycling Manager, who expressed concerns particularly about collection arrangements. Councillor Leather expressed his worries that the volume of waste would clutter the alleyway and create amenity issues for neighbouring properties. He also felt that increasing the number of bedrooms was not sensible, raised concerns about fire safety, and noted that the property would be inaccessible for disabled people.

Councillor Kenneally referred to Policy DM04, noting that it requires design and development to include measures to prevent crime and anti-social behaviour, as he felt it supported Members' concerns. The Planning Manager clarified that where such issues depend on management arrangements rather than physical design, they fall outside planning considerations.

Members asked about the strength of a management plan and whether it would be approved by the Chair and Vice-Chair. Officers said they could draft a plan which the Chair and Vice-Chair can amend. The Planning Manager added that, while such matters don't usually return to Committee, they could do so at Members' discretion, though the separate licensing regime must be considered.

Members sought clarification on enforcement. The Planning Manager explained that enforcement is a different regime, but any issues that arise would be investigated.

It was proposed by the Chair and seconded by Councillor Hames that the application is approved subject to:

- A limit of 9 occupants.
- A pre-commencement waste management plan, both inside and out.
- That rooms are retained for their purpose.

A recorded vote was taken.

COUNCILLOR	For	Against	Abstain
<b>Cllr D Bushby</b>		X	
<b>Cllr P Hames</b>	X		
<b>Cllr N Kenneally</b>		X	
<b>Cllr C Leather</b>		X	
<b>Cllr R Lock</b>	X		
<b>Cllr K O'Rourke</b>		X	
<b>Cllr P Pennington</b>	X		
<b>Cllr D Smith</b>		X	
<b>Cllr S Harding</b>		X	

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

**Resolved –**

**The motion was lost.**

To aid a refusal, Members referred to Policy DM04 (paragraph 13.38) regarding accessibility, Policy DM01 on residential amenity, Policy H3 of the Neighbourhood Plan, and NPPF paragraph 135(f), which relates to creating places that are safe, inclusive, and accessible.

Councillor Leather proposed to refuse the application listing the policies above. This was seconded by Councillor Kenneally.

A recorded vote was taken.

COUNCILLOR	For	Against	Abstain
<b>Cllr D Bushby</b>	X		
<b>Cllr P Hames</b>		X	
<b>Cllr N Kenneally</b>	X		
<b>Cllr C Leather</b>	X		
<b>Cllr R Lock</b>		X	
<b>Cllr K O'Rourke</b>	X		
<b>Cllr P Pennington</b>		X	
<b>Cllr D Smith</b>	X		
<b>Cllr S Harding</b>	X		

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

**Resolved –**

**That the application is refused.**

Martyn Evans addressed the Committee as a member of the public in support of the application.

208. APPLICATION NO.1/0763/2025/FUL

The following Councillors attended the virtual site visit:

Councillors: Lock, Leather, Hames, O'Rourke, Pennington, and Smith.

A recording of the virtual site visit was sent to Councillors Bushby, Kenneally, and Harding.

**Application No.1/0763/2025/FUL**- . Erection of building for flexible use under use classes B2 and B8, Land at Halfpenny Yard, Devon.

**Interests** – The Chair declared an interest and withdrew from the discussion. Councillor Leather then assumed the role of Chair for this application.

**Recommendation** - Refuse

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

Councillor Bushby left the meeting at 10:30am

Members noted they had heard the Parish Council supported the application, but no representation had been received. The Principal Planning Officer explained that a late comment was submitted on the 2<sup>nd</sup> February, expressing general support with no further detail.

Members emphasised the importance of supporting local rural business to help retain valuable skillsets within Torridge.

Councillor O'Rourke proposed to approve the application with flexible B2 use. This was seconded by Councillor Kenneally.

The Principal Planning Officer noted the need to consider Local Plan policies. He explained that while the authority generally supports rural business – as shown by previous permissions on this site – the current proposal is for flexible B2 use with no definite rural connection. He also highlighted that the application does not demonstrate that there are no other suitable sites.

The Planning Manager referred to policy DM14, rural economy and suggested that this application is a larger scale than this policy considers. She furthered citing policy NPPF 89, rural business and recognition that employment on the site is to

serve local needs. Therefore, to suggest that this flexible B2 use, without any restriction is contrary to the Local Plan and National Policy.

The Planning Manager reminded Members about the concerns raised by the neighbour and the Environmental Protection Team.

Members acknowledged the constraints faced by Officers but expressed concern that similar situations seem to be recurring.

Councillor Hames sought clarification on the purpose of the application, noting that the speakers described it as a taxi-maintenance facility, yet the application seeks flexible B2 and B8 use rather than specifically proposing vehicle maintenance.

Members suggested adding conditions, such as prohibiting the sale of goods to the general public.

The Principal Planning Officer outlined the proposed split between B2 and B8 floorspace and explained that, because of this, Natural England had not been consulted. He advised that if the Committee wished to overturn the recommendation, a new condition specifying the floorspace split would be required; otherwise the application would need to be deferred for consultation. He added that the applicant is aware and has agreed to this.

The Planning Manager outlined possible conditions – including limits on operating hours, restrictions on flooring areas, and a prohibition on selling goods to the public – which could be delegated to the Chair and Vice-Chair for agreement.

Members referred to policies ST74 and NPPF89 to support their recommendation to approve the application.

A recorded vote was taken.

<b>COUNCILLOR</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
<b>Cllr D Bushby</b>			
<b>Cllr P Hames</b>	X		
<b>Cllr N Kenneally</b>	X		
<b>Cllr C Leather</b>	X		
<b>Cllr R Lock</b>			
<b>Cllr K O'Rourke</b>	X		
<b>Cllr P Pennington</b>	X		
<b>Cllr D Smith</b>	X		
<b>Cllr S Harding</b>	X		

(Vote: For – Unanimous)

**Resolved –**

**That the application is granted subject to conditions being finalised by Officers in consultation with the Chair and Vice-Chair.**

Harrison Jennings addressed the Committee as applicant in support of the application.

Councillor Lock spoke as Ward Member in support of the application.

209. APPLICATION NO.1/0837/2025/FUL

The following Councillors attended the virtual site visit:

Councillors: Lock, Leather, Hames, O'Rourke, Pennington, and Smith.

A recording of the virtual site visit was sent to Councillors Bushby, Kenneally, and Harding.

**Application No.1/0837/2025/FUL** - Erection of two-storey side extension and decking with associated alterations, The Mount, Lakenham Hill, Northam

**Interests** – Councillor Hames, dual-hatted (Northam Town Council)

**Recommendation** - Refuse

The Principal Planning Officer presented the report and informed the Committee of the main planning considerations. This included a verbal update which detailed:

**Northam Town Council**

- 'The Council considered the matter at its committee meeting on the 13<sup>th</sup> November 2025, resolving "to recommend the proposal be granted permission, noting concern that the proposal did not accommodate solar PV panels. The Council considered that to not install solar panels was a missed opportunity"'.

**Northam Neighbourhood Plan**

- 'The Northam Neighbourhood Plan (NNP) was formally submitted by Northam Town Council to Torridge District Council, in accordance with Regulation 15 of The Neighbourhood Planning (General) Regulations 2012 (as amended), on 13<sup>th</sup> May 2025. The NNP was subject to formal public consultation, in accordance with Regulation 16 of the aforementioned regulations over the period 13 August to 26 September 2026. **The NNP is currently subject to an independent examination with the outcome of that examination still awaited.** National planning policy indicates that the weight given to an emerging plan should be determined by having regard to the stage of plan preparation, the level of outstanding objection and the degree of consistency with national planning policy. **Given that the findings of the examination are yet to be issued and no analysis has been completed by the independent examiner as to the level of outstanding objection, no material weight is currently being afforded to the policies and proposals contained within the aforementioned Plan.'**

Councillor Leather said the application is an improvement on previous ones and meets Policies ST06, DM24, DM01, DM05, and ST03. He also noted that the area includes a large nursing home opposite the site and a mix of property sizes along the street.

Councillor Leather proposed to approve the application.

Councillor Hames said that although earlier designs were unacceptable, the revised application includes improvements which means he will support it. He added that energy-generation, water saving, and wildlife-protection measures should also be considered.

The Planning Manager said there is no policy requiring energy generation, though it could be added as an informative. She detailed that the committee may choose to condition biodiversity net gain, for example through bat or bird boxes.

Councillor Hames seconded the proposal to approve the application, adding an informative on energy generation. Councillor Leather accepted this amendment.

To support their approval Members referred to policies ST01, ST14, ST09, DM01, DM04 (a,c,d,h,i), DM05, DM06, DM08, NPPF paragraph 135 (a,b).

It was proposed by Councillor Leather and seconded by Councillor Hames that the application is approved.

A recorded vote was taken.

<b>COUNCILLOR</b>	For	Against	Abstain
<b>Cllr D Bushby</b>			
<b>Cllr P Hames</b>	X		
<b>Cllr N Kenneally</b>	X		
<b>Cllr C Leather</b>	X		
<b>Cllr R Lock</b>	X		
<b>Cllr K O'Rourke</b>	X		
<b>Cllr P Pennington</b>	X		
<b>Cllr D Smith</b>	X		
<b>Cllr S Harding</b>	X		

(Vote: For – Unanimous)

**Resolved –**

**That the application is approved subject to an informative regarding energy generation to be agreed with the Chair and Vice-Chair.**

Mike Leigh addressed the committee as applicant in support of the application.

210. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions.

211. COSTS ON APPEALS

There were no costs on appeal.

212. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions.

213. PLANNING DECISIONS

**1/0812/2025/LBC** – Members expressed that they are saddened by the bank's closure.

Members raised concerns about the refusal of agriculture related applications. The Planning Manager noted that these represented only a small proportion compared with the number that have been approved.

The Committee sought clarification on the term 'decline to determine'. The Planning Manager explained that this allows Officers to close an application where there has been no response despite repeated attempts to make contact. She agreed to provide an example to the Committee for information.

**Resolved –**

**That the Planning decisions for the period 26<sup>th</sup> November 2025 – 27 January 2026 be noted.**

214. EXCLUSION OF PUBLIC215. PART II - CLOSED SESSION

There were no Part II items.

The meeting commenced at 9.30 am and closed at 11.20 am

Chair:

Date: