

TORRIDGE DISTRICT COUNCILPLANS COMMITTEE MEETINGCaddsdwn Business Support Centre, Clovelly Road, BidefordThursday, 3 June 2021 - 9.30 am

PRESENT Councillor C Leather (Chair)
 Councillor M Brown (Vice-Chair)
 Councillors R Boughton, P Christie, R Lock, D McGeough,
 P Watson, R Wiseman and S Langford (substitute for R Craigie)

ALSO PRESENT D Hunter - Legal Services Manager
 S Harrington - Planning Manager
 J Jackson - Development Management Team Leader
 T Blackmore - Principal Planning Officer
 D Fuller - Planning Officer
 L Davies - Principal Planning Officer
 S Cawsey - Democratic Services Officer

APOLOGIES

An apology for absence was received from Councillor Craigie, Councillor Langford substituting.

11. 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.

12. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

There were no Part II items.

13. URGENT MATTERS

There were no urgent matters.

14. PUBLIC PARTICIPATION

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

15. PLANNING APPLICATIONS

(a) Application No. 1/0604/2020/OUTM

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

Councillors: C Leather, R Lock, M Brown, P Christie, R Boughton, R Craigie and P Watson

Application No. 1/0604/2020/OUTM - Outline application for 39 dwellings with all matters reserved except access - Land At Bloody Corner, Northam, Devon

Interests: None

Officer Recommendation: Grant subject to S106 Agreement

The planning application had been called into Plans Committee by Councillor Manley if the Officer is recommending approval, for the following reasons:

“It is contrary to Policies ST21, ST09, NOR and ST14

Concerns with regard to: dangerous access, traffic impact, adverse effect on footpaths, over development of the site, adverse impact on the countryside, adverse impact on the historical battlefield site, adverse impact on the wildlife corridor and lack of infrastructure.”

Prior to the presentation, the Committee were advised of the following updates:

- 12 further representations objecting to the proposal – all issues raised have been taken into account.
- Amendment to Condition 9 as follows:

“The development shall be undertaken in accordance with the approved Written Scheme of Investigation (WSI) reference AN0229 Revision B dated 25/11/2020.

Reason: To ensure, in accordance with Policy DM07 of the North Devon and Torridge Local Plan 2011 - 2031 and paragraph 199 of the National Planning Policy Framework (2019), that an appropriate record is made of archaeological evidence that may be affected by the development”.

The Development Management Team Leader presented the report and informed Members of the main planning considerations.

During the debate concerns/comments raised included:

- The key objection raised by Members was the protection of the coast and estuary zone. This development would alter the character of the site within the 'Undeveloped Coast' and was therefore against the coast and estuary strategy.
- Application is an open market residential development – if granted the applicant will sell to a Developer.
- Affordable housing – not confirmed. 39 dwellings should allow for 11.7. There is no Viability Assessment.
- The impact on residential amenity and it is outside of the development area.
- It is a sustainable site – able to walk to places and it is on a bus route.
- S106 Agreement – Councillor Christie reiterated the comments he has made on previous applications, that Ward Members should be consulted prior to Heads of Terms being prepared.

It became evident during the discussion that a number of Members were minded to refuse the application.

The Highways Officer addressed the Committee in relation to access concerns, stating that as there is no knowledge of safety issues or evidence to suggest a reason to refuse on highway grounds, the application is supported.

The Planning Manager advised that robust refusal reasons were required if Members were looking to refuse the application. He mentioned the Authority's lack of a five year housing land supply and stated that Members would need to refer to the tilted balance and to consider whether it outweighs the benefits to the proposal.

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

“ST09 (7), ST06, ST07 (4), NPPF 170 (c), ST21 (2) (b, c & d), NOR (h), DM05 (2), DM01, DM08, DM08A and ST14.”

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

A recorded vote was taken on the motion to refuse.

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

(Vote: For 6, Against 3)

RESOLVED:

That the application be refused for the following reasons:

“The proposed development would be located in the countryside, outside of the Northam development boundary and within the Undeveloped Coast, which would result in harm to the character and appearance of the site and wider area, contrary to policies ST06, ST07(4), ST09(7), DM08A and ST14 of the North Devon and Torrington Local Plan 2011-2031, as well as paragraph 170(c) of the National Planning Policy Framework (NPPF). The proposal would also contribute to coalescence between Appledore and Northam, contrary to Policy NOR(h). Further, it would be harmful to the biodiversity value of the site, contrary to Policy DM08. In addition, due to the proximity of the proposed vehicular access to existing residential properties, the proposal would cause significant harm to residential amenity, contrary to Policy DM01. The proposed development would also fail to protect or enhance existing rights of way, contrary to Policy DM05(2). The proposal would also be contrary to Policy ST21(2)(b), (c) and (d). This cumulative harm would significantly and demonstrably outweigh the benefits of the proposed development”.

K Goodred addressed the Committee objecting to the application
The Planning Manager read to the Committee a statement from G Cross objecting to the application
R Williams, Agent, addressed the Committee in support of the application
Councillor Hames, Ward Member, addressed the Committee

(b) Application No. 1/0126/2021/FUL

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

Councillors: C Leather, R Lock, M Brown, P Christie, R Boughton, R Craigie and P Watson

Application No. 1/0126/2021/FUL - Demolition of existing storage building and replace with the erection of 2-bed single storey dwelling and retention of existing workshop (unaltered) (Amended Description) - Land and Buildings Diddywell Road, Appledore, Devon

Interests: None

Officer Recommendation: Refuse

The planning application had been called into Plans Committee by Councillor Ford if the Officer is minded to recommend refusal. Councillor Ford notes that it would be of a social benefit given the addition of a dwelling to the housing stock and is a small development with minimal wider landscape or environmental impacts.

The Principal Planning Officer presented the report and informed Members of the main planning considerations and the reasoning for the recommendation of refusal.

Councillor Lock commented that she considered it to be a sustainable site because at present the applicant lives away from the site and has to drive there two or three times per day.

Further comments made included:

- Fence between new dwelling and agricultural shed (odours and view) – the Principal Planning Officer explained that the concerns submitted by the Environmental Protection Team forms part of the harm being put before Members.
- Members were advised that this application is for an open market dwelling and therefore cannot be restricted or tied to the work unit.
- In terms of noise, the applicant is on site most of the day anyway.
- This is a modest self-build dwelling which will not have an effect on the surrounding area.

- Not detrimental to the coast and estuary.

The Planning Manager gave advice to the Committee and recommended that, if members were minded to grant the application subject to conditions, the wording of the conditions be delegated to officers in conjunction with the Chair and Vice Chair.

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

A recorded vote was taken.

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

(Vote: For – Unanimous)

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.

Mr J Ford. Applicant, addressed the Committee in support of the application

Mr S Sherry, Agent, addressed the Committee in support of the application

Councillor Ford addressed the Committee

(c) Application No. 1/0274/2021/OUT

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

Councillors: C Leather, R Lock, M Brown, P Christie, R Boughton, R Craigie and P Watson

Application No. 1/0274/2021/OUT - Outline application with all matters reserved for 1 no. local needs dwelling - Land At Holemoor, Bradford, Holsworthy

Interests: None

Officer Recommendation: Refuse

The planning application had been called in to Plans Committee by Councillor James if the Officer is minded to recommend refusal, for the following reasons:

“It complies with Policy
Provides a home for a local young family
It is a suitable site”.

Prior to the presentation Members were advised of the following update:

“To consider removing refusal reason no. 2 - The percolation test results had now been received”.

The Planning Officer presented the report and informed Members of the main planning considerations and the reasoning for the recommendation of refusal.

When debating the application, the following matters were raised:

- Members did not consider the site to be unsustainable.
- Removal of PD rights – the Planning Manager stated that PD rights could be removed in the area outlined in red on the submitted location plan, but this would not stop any future applications being submitted within the blue line.
- An agricultural restriction being put onto the development - the Planning Manager explained this would not be possible because the application is for a Local Needs Dwelling and referred Members to Policy DM24. He read to the Committee paragraph 13.33 of the Local Plan which outlined the terms for local needs. This will apply as the applicant is living in a caravan/static home. Members may wish to change “Rural Settlement” to “Parish” as “Rural Settlement” wording cannot be used in the S106 Agreement.

The Planning Manager recommended that the wording of the Conditions be delegated to Officers in conjunction with the Chair and Vice Chair.

It was proposed by Councillor Lock, seconded by Councillor Watson that the application be approved subject to the landowner entering into a S106 Agreement defining the proposed dwelling as a Local Needs Dwelling in the Parish of Bradford & Cookbury Parish Council.

A recorded vote was taken.

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

(Vote: For – Unanimous)

RESOLVED:

That the application be Granted subject to a Section 106 Agreement defining the proposed dwelling as a Local Needs Dwelling in the Parish of Bradford & Cookbury Parish Council and the wording of the conditions being delegated to Officers in conjunction with the Chair and Vice Chair

J Smale, on behalf of Bradford & Cookbury Parish Council, addressed the Committee in support of the application
The Planning Manager read to the Committee a statement received from the Agent, D Newcombe.
Councillor James addressed the Committee.

(d) Application No. 1/0381/2021/LA

Application No. 1/0381/2021/LA - Installation of a no.1 storage container - Torridge District Council, Cattle Market Car Park, Chanters Road

Interests: None

Officer Recommendation: Grant

The planning application had been referred to Plans Committee as the applicant is Torrridge District Council and the application is for land within their ownership.

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

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

A recorded vote was taken.

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

(Vote: For – Unanimous)

RESOLVED:

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

16. APPEAL DECISIONS SUMMARY

There were no Appeal Decisions.

17. COSTS ON APPEALS

There were no Costs on Appeals.

18. DELEGATED DECISIONS - AGMB APPLICATIONS

There were no Delegated Decisions.

19. PLANNING DECISIONS

RESOLVED

That the Planning decisions for the period 12 May 2021 to 21 May 2021 be noted.

The meeting commenced at 9.30am and closed at 12.26pm.

Chair:

Date: