

TORRIDGE DISTRICT COUNCILPLANS COMMITTEE MEETINGCaddstown Business Support Centre - BidefordThursday, 12 January 2023 - 9.30 am

**PRESENT** Councillor C Leather (Chair)  
Councillors R Boughton, M Brown, D Bushby, P Christie,  
R Craigie, D McGeough and P Pennington (substituting for P  
Watson)

**ALSO PRESENT** S Dorey - Head of Legal & Governance (Monitoring  
Officer)  
H Smith - Planning Manager  
S Boyle - Development Management Team Leader  
J Jackson - Principal Planning Officer  
K Brown - Democratic Services Officer  
S Cawsey - Democratic Services Officer

Councillors K Hepple

**APOLOGIES** Apologies were received from Councillor Lock, Councillor Watson  
(Councillor Pennington substituting) and Councillor Wiseman  
(Councillor Bushby substituting)

57. **MINUTES**

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

Resolved:

That the Minutes of the meeting held on 1 December 2022 be agreed and signed  
as a correct record, subject to the following amendment:

“Councillor Pennington confirmed that although he did not attend the virtual site  
visit, the recording had been forwarded to him.”

A recorded vote was taken.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Cllr R Boughton			
Cllr M Brown	X		
Cllr D Bushby			X
Cllr P Christie	X		
Cllr R Craigie	X		

Cllr C Leather	X		
Cllr R Lock			
Cllr D McGeough	X		
Cllr P Pennington	X		
<del>Cllr P Watson</del>			
<del>Cllr R Wiseman</del>			

(Vote: For 6, Abstentions 1)

58. 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.

59. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

60. URGENT MATTERS

There were no urgent matters.

61. PUBLIC PARTICIPATION

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

62. PLANNING APPLICATIONS

(a) Application No. 1/0845/2022/FUL

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

Councillors: M Brown, D Bushby, P Pennington, C Leather and R Boughton

The recording was forwarded to Councillor P Christie who did not attend the virtual site visit.

Application No.1/0845/2022/FUL - Erection of ancillary annexe - 120 Clovelly Road, Bideford, Devon.

Interests: Councillors P Christie and D Bushby declared personal interests – dual hatted – Bideford Town Council

Officer recommendation: Grant

The planning application had been called into Plans Committee by Councillor Brenton if the Planning Officer is minded to approve, for the following reasons:

*“The planning proposal shows that the annexe would not be attached to the main building and therefore contrary to Policy DM25”.*

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

Councillor Pennington enquired as to whether a condition could be imposed stating that construction lorries using Montague Place only do so with the agreement of neighbouring properties. The Planning Manager advised this would be very difficult to enforce and would be unreasonable to expect that level of arrangement.

Following further debate, it was proposed by Councillor Leather, seconded by Councillor Bushby that the application be approved.

A recorded vote was taken.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
<del>Cllr R Boughton</del>			
Cllr M Brown		X	
Cllr D Bushby	X		
Cllr P Christie	X		
Cllr R Craigie	X		
Cllr C Leather	X		
<del>Cllr R Lock</del>			
Cllr D McGeough	X		
Cllr P Pennington	X		
<del>Cllr P Watson</del>			
<del>Cllr R Wiseman</del>			

(Vote: For 6, Against 1)

**RESOLVED:**

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

The Planning Manager read to the Committee a Statement from the Applicant, Mr T Hooper.

Councillor Boughton joined the meeting at 9.52am.

(b) Application No. 1/0801/2022/FUL

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

Councillors: M Brown, D Bushby, P Pennington, C Leather and R Boughton

The recording was forwarded to Councillor P Christie who did not attend the virtual site visit.

Application No.1/0801/2022/FUL - Erection of 8 x kennels, an office/dog grooming salon and 8ft safety fencing. (resubmission of 1/0296/2022/FUL) - West Villa, Chilsworthy, Holsworthy

Interests: None

Officer recommendation: Grant

The planning application had been called into Plans Committee by the Ward Member, Councillor Hepple, if the Planning Officer is minded to recommend that the application be approved. The reasons for the call-in are:

- The proposed development is contrary to NPPF Section 11 “Conserving and Enhancing the Natural Environment”.
- If consented, then noise from this proposed development would give rise to significant adverse impacts on health and quality of life currently enjoyed by occupants of residential properties nearby.
- Nearby property owners in Chilsworthy currently enjoy a tranquil rural village environment which has remained relatively undisturbed by noise, and which is prized for the recreational and amenity value it affords.
- Commercial dog kennels should be situated in appropriately remote rural locations where the impact of noise from dogs barking and whining on residential occupants of dwellings nearby can be proved beyond doubt to be minimal. A rural village is not where commercial dog kennels should be located.

The Principal Planning Officer presented the report and advised Members of the main planning considerations. Members were informed that the plan presented did not show the two recently constructed neighbouring dwellings. This was due to OS data not having been updated.

During the discussion the following issues/concerns were raised:

- The report did not specify it was a boarding business. The Principal Planning Officer confirmed it was a boarding kennels facility.
- Noise issues – The Environmental Protection Officer is satisfied that the measures set out in the Noise Management Plan prepared by Acoustic Consultants will be sufficient to address the concerns of the closest residents.
- Flood Zone 1 – this is low risk.

The Ward Member when addressing the Committee, considered the site to be outside the countryside location because of the built form coming towards the site, and therefore did not accord with the Policies stated in the report. The Principal Planning Officer clarified the planning position and advised that the site is in the open countryside and outside of the development boundary. The proposed development therefore did need to be considered against this Policy.

The Environmental Protection Officer addressed concerns raised and gave relevant advice.

Advice was given by the Planning Manager.

The Principal Planning Officer agreed to amend Condition 9 to state, “a single dog or two dogs from the same family”.

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

A recorded vote was taken.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Cllr R Boughton	X		
Cllr M Brown	X		
Cllr D Bushby	X		
Cllr P Christie	X		
Cllr R Craigie	X		
Cllr C Leather	X		
<del>Cllr R Lock</del>			
Cllr D McGeough			X
Cllr P Pennington	X		
<del>Cllr P Watson</del>			
<del>Cllr R Wiseman</del>			

(Vote: For 7, Abstentions 1)

**RESOLVED:**

**That the application be Granted subject to the conditions as set out in the report and an amendment to Condition 9 as stated above.**

Mr R Hore, on behalf of Holsworthy Hamlets Parish Council, addressed the Committee objecting to the application  
 Mr R Ainsle addressed the Committee objecting to the application  
 Mr B Harris, Applicant, addressed the meeting in support of the application  
 Councillor Hepple, Ward Member, addressed the Committee

(c) Application No. 1/0953/2022/FUL

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

Councillors: M Brown, D Bushby, P Pennington, C Leather and R Boughton

The recording was forwarded to Councillor P Christie who did not attend the virtual site visit.

Application No. 1/0953/2022/FUL - Change of use of land to sui generis and siting of shipping container to house pet crematorium - Land At West Villa, Chilsworthy, Devon

Interests: None

Officer recommendation: Grant

The planning application had been called into Plans Committee by Ward Member, Councillor Hepple, if the Planning Officer is minded to recommend that the application be approved. The reasons for the call-in are:

- Industrial nature of proposed commercial operation not suited to village location
- Concerns about fumes and increase number of expected transport movements particularly with regard to the number of parking spaces shown on plan.
- As with previous planning applications on this site it is

considered inappropriate as a development proposal within a rural village environment.

The Principal Planning Officer presented the report and advised Members of the main planning considerations. This type of application is not presented to Committee on a regular basis, therefore the Principal Planning Officer explained how the crematorium would function and gave details of the specific model of the incinerator the applicant is proposing to use.

Following a question raised at the site visit, Members were advised that the applicant proposes to use diesel to power the incinerator.

The Principal Planning Officer addressed concerns/issues raised by Members.

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

A recorded vote was taken.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
Cllr R Boughton	X		
Cllr M Brown	X		
Cllr D Bushby	X		
Cllr P Christie	X		
Cllr R Craigie	X		
Cllr C Leather	X		
<del>Cllr R Lock</del>			
Cllr D McGeough	X		
Cllr P Pennington	X		
<del>Cllr P Watson</del>			
<del>Cllr R Wiseman</del>			

(Vote: For – Unanimous)

**RESOLVED:**

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

Mr R Hore, on behalf of Holsworthy Hamlets Parish Council, addressed the Committee objecting to the application  
 Mr R Ainsle addressed the Committee objecting to the application  
 Mr B Harris, Applicant addressed the Committee in support of the application  
 Councillor Hepple, Ward Member, addressed the Committee

63. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions.

64. COSTS ON APPEALS

The Committee noted the Costs on Appeals.

65. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions.

66. PLANNING DECISIONS

RESOLVED

That the Planning decisions for the period 18 November 2022 to 3 January 2023 be noted.

The meeting commenced at 9.30am and closed at 11.15am.