

TORRIDGE DISTRICT COUNCILPLANS COMMITTEE MEETINGCaddsdwn Business Support Centre - Caddsdwn Bideford EX39 3BEMonday, 13 November 2023 - 9.30 am

PRESENT	Councillor R Lock (Chair) Councillor P Hames (Vice-Chair)	
	Councillors C Leather, K Hepple, P Pennington, D Smith, C Wheatley and J Whittaker	
ALSO PRESENT	S Dorey	- Head of Legal & Governance (Monitoring Officer)
	S Kearney	- Head of Communities & Place
	H Smith	- Planning Manager
	L Davies	- Development Management Team Leader
	S Cawsey	- Democratic Services Officer
	T Vanstone	- Senior Electoral & Democratic Services Officer

APOLOGIES

An apology for absence was received from Councillor Christie (Councillor Hodson substituting).

127. MINUTES

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

Resolved:

That the Minutes of the meeting held on 5 October 2023 be agreed and signed as a correct record.

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr C Hodson			X
Cllr K Hames	X		
Cllr K Hepple	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr P Pennington	X		

Cllr D Smith	X		
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For 8, Abstentions 1)

128. 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.

129. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

130. URGENT MATTERS

There were no urgent matters brought forward.

131. PUBLIC PARTICIPATION

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

132. PLANNING APPLICATIONS

(a) Application No. 1/0793/2023/LA

Application No. 1/0793/2023/LA - Replacement play equipment - Victoria Park, Kingsley Road, Bideford.

Interests: The Committee declared a personal interest – all are elected Members of Torridge District Council.

Officer recommendations: Grant

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

In the absence of the Development Manager, the Planning Manager presented the report and advised Members of the main planning considerations.

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

A recorded vote was taken.

Councillor	For	Against	Abstain
Cllr C Hodson	X		
Cllr K Hames	X		
Cllr K Hepple	X		
Cllr C Leather	X		
Cllr R Lock	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.

Adrian Avery, Community Project Officer at TDC, addressed the Committee in support of the application.

(b) Application No. 1/1378/2021/FUL

Application No. 1/1378/2021/FUL - Part retrospective application for relocation and repair of existing buildings, part change of use of existing building and erection of new steel frame industrial shed (Class E) - (Amended red edge, plans and certificate) - Bovacott Works Yard, Brandis Corner, Devon

Interests: None

Officer recommendations: Refuse

The planning application had been called into Plans Committee if the recommendation is for refusal, by Councillor James for the following reasons:

- This is a brown field site
- It has been used as an industrial site since the war (2nd)
- There is a proven need in the area
- There are employment opportunities

- It complies with Government policy regarding redevelopment of brown field sites

The application had been deferred by Members at the Plans Committee meeting held 8 June 2023 to allow for the submission of additional information in relation to the following matters:

- Highway Junction improvements
- Traffic movements and types of vehicles
- Potential end users

The Committee were advised of the following updates:

- Amended Site Location Plan – to include the visibility splay
- Removal of Building 5 (previously proposed)
- Alterations to visibility splay onto A3072
- Removal of Reason for Refusal 4
- Additional information relating to proposed uses of site
- Removal of Reason for Refusal 3

The description to be amended as follows:

“Part retrospective application for the relocation and repair of existing buildings and part change of use of existing building”.

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

The Devon County Highways Officer addressed a question from Councillor Hames in relation to the visibility splays being dependent on agreement from private landowners. It was confirmed that permission from landowners is difficult, but in this instance the applicants have the agreement of the landowners and the work has been undertaken.

During the debate Members highlighted the need to support employment and the rural economy and to encourage local businesses to flourish, quoting NPPF paragraphs 85 and 84.

Following comments made, Councillor Lock reminded Members that retrospective applications are treated the same as other applications.

It became evident during the debate that Members were supportive of the application.

The Planning Manager referred to the Plans Committee meeting on 8 June 2023 when Members resolved to defer the application for the submission of further information, including for potential end users.

An additional statement was provided which gave examples of potential end users of the site. Further to this information, advice was for Members to consider what would be appropriate users in this location and to impose a condition that specifies the users for those buildings.

The Planning Manager gave comprehensive advice on class uses and for potential users of the site to have strong links to agriculture, forestry and other existing rural activity. The relevant class uses recommended by the Planning Manager were:

Use Class E - a) sale of goods needs to be confined as bulky goods and machinery around or relating to agricultural and the rural economy

Use Class E - g) office use and employment type uses.

A proposed potential end user of the site was MOT testing which does not fall within those Class uses. Use Class E also states “any other services which it is appropriate to provide in a commercial, business or service locality” – MOT Testing to be included as a specific use that would be acceptable.

Members debated the imposition of conditions for hours of construction, hours of operation, vehicle movements within certain hours, restricting buildings to the site. Councillor Leather was of the opinion there should not be restrictions on the hours of operation.

Members agreed that should the application be approved, 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 Lock that the application be approved.

A recorded vote was taken.

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

(Vote: For 7, Against 1, Abstentions 1)

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.

Gareth Short, Agent, addressed the Committee in support of the application.

Councillor James, Ward Member, addressed the Committee.

133. APPEAL DECISIONS SUMMARY

Councillor Smith left the meeting at 10.47am.

There were no Appeal Decisions.

134. COSTS ON APPEALS

There were no Costs on Appeals.

135. DELEGATED DECISIONS - AGMB APPLICATIONS

There were no Delegated Decisions – AGMB Applications.

136. PLANNING DECISIONS

RESOLVED

That the Planning decisions for the period 21.09.23 – 20.10.23 be noted.

The meeting commenced at 9.30am and closed at 10.50am