



25. 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.

26. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

27. URGENT MATTERS

There were no urgent matters brought forward, but the Chair informed Members of the following:

- 4 July meeting – postponed due to the General Election. The next Plans Committee meeting to be held on 11 July and there will be an extra meeting which has been scheduled for 25 July (2 meetings scheduled for July).

The Chair advised that the TDC Planning application public access system had been down for two days due to external upgrade work, meaning that applications, documents etc. could not be viewed on the TDC website. She reassured members of the public, whether applicant, supporters or objectors, that alternative arrangements had been made to ensure that all Plans Committee Members had access to planning applications and documents, together with letters of representations on Agenda items being discussed today.

28. PUBLIC PARTICIPATION

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

29. PLANNING APPLICATIONS

(a) Application No. 1/0254/2024/FUL

The following Councillors had attended the site visit listed below:

Councillors: R Lock, K Hepple, P Hames, C Leather, J Whittaker, P Pennington, C Wheatley and H Thomas.

Application No. 1/0254/2024/FUL - Part retrospective demolition of 1no. dwelling and erection of 3no. dwellings in relation to 1/0172/2022/FUL - Site Of 51 Atlantic Way, Westward Ho!, Devon.

Interests: None

Officer recommendation: Grant

The planning application had been called into Plans Committee by Councillor Hodson and countersigned by Councillor James, for the following reason:

*“Given the extreme concern expressed in a high level of objection, this contentious and controversial application needs to be determined by the Planning Committee to demonstrate a clear and transparent decision-making process”.*

The Principal Planning Officer presented the report and informed Members of the main planning considerations and the reason as to why the application had been brought back to Committee.

During the discussion, concerns/comments raised included the following:

- Works not undertaken in accordance with the approved plans – now 3 storey dwelling and an eaves height of 2m higher than approved which will cause a much greater impact.
- Design and Access Statement refers to street scene only, showing just the south elevation, north elevation has not been addressed.
- Development will result in excessive scale massing, bulk and privacy issues.
- Mixture of styles along Atlantic Way – fundamental difference they are two storeys, proposal is for 3 storeys.
- Parking – there are 7 parking spaces allocated to the rear and 3 at the front for visitors.
- Highways impact – additional cars on that road.

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

The Principal Planning Officer reminded Members that should the application be refused, they will need to consider the fallback of what had previously been consented. That scheme is very similar to what is being proposed today in terms of the footprint, eaves height, the ridge height, the width and depth, level of parking and access.

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

A recorded vote was taken on the first proposal to refuse.

Councillor	For	Against	Abstain
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 H Thomas	X		
Cllr C Wheatley		X	
Cllr J Whittaker	X		

(Vote: For 4, Against 5)

The motion was lost.

A recorded vote was taken on the proposal to approve.

Councillor	For	Against	Abstain
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 H Thomas		X	
Cllr C Wheatley		X	
Cllr J Whittaker		X	

(Vote: For 4, Against 5)

The motion was lost.

**The Head of Legal & Governance (Monitoring Officer) clarified that as neither of the votes were carried then the application had been left undetermined, therefore the application would need to be brought back to a future meeting.**

Jesse Marchbank addressed the Committee objecting to the application.

Mr Matt Steart, Agent, addressed the Committee in support of the application.

(b) Application No. 1/0894/2023/FUL

The following Councillors had attended the site visit listed below:

Councillors: R Lock, K Hepple, P Hames, C Leather, J Whittaker, P Pennington, C Wheatley and H Thomas.

Application No. 1/0894/2023/FUL - Retrospective application for the siting of two mobile homes as 1no. temporary agricultural workers' dwelling with decking. Installation of 3no. storage containers, roof mounted solar panels, ground mounted solar array and associated works - Moor View Farm, Rydon Lane, Holsworthy

Interests: Councillor Pennington declared a personal interest – Agent is also his Agent.

Officer recommendation: Refuse

The planning application had been called into Plans Committee by Councillor James, as Leader.

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

Councillor Hepple said, although he was normally supportive of rural businesses, he noted the concerns of the Parish Council.

It was proposed by Councillor Hepple, seconded by Councillor Whittaker that the application be refused.

Councillor Leather spoke in support of the application stating that he did not accept the reasons for refusal - it is for temporary accommodation (3 years) and he considered there is a need for the proposal.

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

The Planning Manager reminded Members of the need for robust conditions policy reasons and conditions to support a recommendation of approval.

Members although keen to support rural businesses, acknowledged that in this instance the applicants had not provided additional information as requested. The Principal Planning Officer explained the application had been submitted some time ago and recommendation for refusal had been based on the evidence submitted. There had been a six-month period where Officers had been promised an addendum to the report - this had not been forthcoming. After six months a decision was made to bring the application to Committee. There had been significant time to provide additional information.

A recorded vote was taken on the first proposal to refuse.

Councillor	For	Against	Abstain
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 H Thomas	X		
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For 7, Against 2)

**RESOLVED:**

**That the application be refused for the reason as stated in the report.**

Mr Chris Hopper addressed the Committee objecting to the application

Mr Andrew Heywood, Agent, addressed the Committee in support of the application

Councillor James, Ward Member, addressed the Committee

(c) Application No. 1/0940/2023/FUL

The following Councillors had attended the site visit listed below:

Councillors: R Lock, K Hepple, P Hames, C Leather, J Whittaker, P Pennington, C Wheatley and H Thomas.

Application No.1/0940/2023/FUL - Retrospective application for widening of driveway access, removal of hedge scrub to replace with a garden wall and creation of passing area. - River View, Bidna Lane, Northam

Interests: Councillors P Hames, J Whittaker and C Leather all declared personal interests – dual hatted – but attended with an open mind.

Officer recommendation: Grant

The planning application had been called into Plans Committee by Councillor Hames, Ward Member, if minded to approve, for the following reasons:

- *Outside the development area in Open Countryside and Undeveloped Coast. Given this location evidence of need is required. This is not stated in application. If need is to facilitate applicant's business, then query if there is planning permission on the site for a business. Ref LP Policy ST09, DM08A.*
- *Effect on rural character of Bidna Lane. Ref LP Policy DM04, ST04.*
- *Given the proposed wider vehicle access consideration to be given to whether more and larger vehicles would endanger pedestrians using Public Right of Way along Bidna Lane (no there are no escape areas for pedestrians). Ref. LP Policy DM05.*

Prior to the presentation Members were informed that 3 late representations objecting had been received, summarised as follows:

- Provision of tree planting over hedge planting
- Schedule, mix and ratio of vegetation and tree planting within the hedgebank
- Resourcing of topsoil
- Design of Devon Hedgebank
- Impact on character of undeveloped coast

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

Comments made during the discussion indicated that Members were minded to refuse the application. The Chair advised that if minded to refuse, contrary to the recommendation, robust reasons and policies would be required.

Councillor Leather put forward the following policies:

ST04, DM04, ST09, DM08a) and the NPPF paragraphs 135b) and c) and 180a) – c).

Councillor Leather added that the proposed mitigation is not sufficient to offset the detrimental visual and environmental impacts on Bidna Lane.

The Planning Manager suggested including ST14 and the NPPF 139. She said it is important that the basis for a recommendation of refusal is sound and she acknowledged the comment from Councillor Leather regarding mitigation.

The Principal Planning Officer clarified what could be carried out under permitted development.

It was proposed by Councillor Leather, seconded by Councillor Thomas that the application be refused.

A recorded vote was taken.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 H Thomas	X		
Cllr C Wheatley	X		
Cllr J Whittaker	X		

(Vote: For - Unanimous)

**RESOLVED:**

**That the application be refused subject to the wording of the reasons being delegated to Officers in consultation with the Chair and Vice Chair.**

Mr Keith Goodred addressed the Committee objecting to the application.

Veronica Leat addressed the Committee objecting to the application.



(d) Application No. 1/0339/2024/ADV

Application No. 1/0339/2024/ADV - Siting of aluminium composite artwork panel to the south gable end - Country Cottage Bakery, 22 Mill Street, Bideford.

Interests: None

Officer recommendation: Grant

The planning application had been referred to Plans Committed because the Agent is Claire Gulliver, Cultural Development Officer, Torrigrade District Council. The proposal is on behalf of the Bideford Regeneration Board and Town Traders.

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

It was proposed by Councillor Hames, seconded by Councillor Whittaker that the application be approved.

A recorded vote was taken.

Councillor	For	Against	Abstain
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 H Thomas	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.**

(e) Application No. 1/0332/2024/LBC

Application No. 1/0332/2024/LBC - Siting of aluminium composite artwork panel to the south gable end - Country Cottage Bakery, 22 Mill Street, Bideford.

Interests: None

Officer recommendation: Grant

The planning application had been referred to Plans Committee as the Applicant's Agent is a member of staff – Claire Gulliver, Cultural Development Officer, Torridge District Council. The proposal is on behalf of the Bideford Regeneration Board and Town Traders.

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

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

A recorded vote was taken.

Councillor	For	Against	Abstain
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 H Thomas	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.**

(f) Application No. 1/0164/2024/FUL

The following Councillors had attended the site visit listed below:

Councillors: R Lock, K Hepple, P Hames, C Leather, J Whittaker, P Pennington, C Wheatley and H Thomas.

Application No.1/0164/2024/FUL - Provision for new parking and turning area and enlarged opening to front wall (Resubmission of 1/1054/2023/FUL) - 35 Abbotsham Road, Bideford, Devon.

Interests: Councillor Whittaker declared a prejudicial interest – predetermination – left the table and took no part in the debate and decision making

Officer recommendation: Refuse

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

To consider the application ‘I cannot see the harm to the street scene being of major concern’.

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

The comments/concerns raised during the discussion included:

- No material harm to the street scene.
- Statutory Consultees –
  - Bideford Town Council supports the application
  - Devon County Highways – no objections – offers safe and suitable access
- It is a speed restricted road – 20mph
- Application will not set a precedent because there is a wide pavement outside the site, whereas further along the street the pavement narrows.

If the application was approved, Councillor Leather recommended a Landscaping Condition be imposed - retaining the green screening behind the wall.

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

Advice and guidance was given by the Planning Manager on policies and conditions should Members be minded to approve, and it was agreed that the wording be delegated to Officers in consultation with the Chair and Vice Chair.

It was proposed by Councillor Pennington, seconded by Councillor Smith that the application be refused.

A recorded vote was taken on the first proposal to approve the application.

<b>Councillor</b>	<b>For</b>	<b>Against</b>	<b>Abstain</b>
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 H Thomas	X		
Cllr C Wheatley		X	
Cllr J Whittaker			

(Vote: For 4 Against 4)

The Chair used her casting vote to approve the application.

(Vote: For 5, Against 4)

**RESOLVED:**

**That the application be Granted, subject to the condition as stated above and the wording of the conditions being delegated to Officers in consultation with the Chair and Vice Chair.**

Mr W Lloyd, Applicant, addressed the Committee in support of the application.

30. APPEAL DECISIONS SUMMARY

There were no Appeal Decisions received for the period 30.04.2024 – 28.05.2024.

31. COSTS ON APPEALS

There were no Costs on Appeals.

32. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions.

33. PLANNING DECISIONS

RESOLVED

That the delegated planning decisions for the period 30 April 2024 – 28 May 2024 be noted.

The meeting commenced at 9.30am and closed at 11.55am

Chair:

Date: