

TORRIDGE DISTRICT COUNCIL

PLANS COMMITTEE

Town Hall, Bideford

8 November 2012 at 10 am

PRESENT: Councillor R Lock (Chair)
Councillor M Brown (Vice Chair)
Councillors: M Langmead, D Lausen, C Leather, H Martin, H Ratledge
and P Watson

K Miles (Solicitor)
L Andrews and G Spiller (Planning Executives)
S Squire (Democratic Services Officer)

ALSO PRESENT: Councillor K Murdoch (for Application No. 1/1150/2011/FULM)
Councillor A Eastman (for Application No. 1/0828/2012/FUL)
Planning Officers S. May, B Connolly and J Peacey

Also in attendance: Approximately 60 members of the public

The Chair highlighted the fire exits to people present at the meeting.

The Chair asked that both Members and Officers introduce themselves, and Members to state the Ward they represent.

69. APOLOGIES

An apology for absence was received from Councillors K Murdoch and R Tisdale.

70. MINUTES

The Minutes of the meeting held on 4 October 2012 were agreed and signed as a correct record.

(Vote: For – Unanimous)

71. DECLARATIONS 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.

72. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

There were no Part II items.

73. URGENT ITEMS

There were no urgent matters; but the Chair reminded Members that the Plans Committee meeting in January was now to be held on the 17th January 2013 (and not the 10th).

74. FUTURE SITE VISITS

The Chair informed the Committee that there were currently no site visits planned.

75. PUBLIC PARTICIPATION

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

76. APPEAL DECISION

The Committee noted the appeal decisions.

77. PLANNING APPLICATIONS

a) The following Councillors had attended the site visit listed below:

Councillors: R Lock, M. Langmead, D. Lausen, C. Leather, H. Martin, H. Ratledge, P. Watson.

Application No:-1/1150/2011/FULM - Change of use of hotel to 10 self catering holiday units, erection of 16 holiday units, erection of reception building and car parking - The Penhaven Hotel, Parkham, Bideford.

Interests: None

Parish / Ward : Parkham / Kenwith

Officer recommendation : Grant

The planning application had been called in by Councillor Murdoch if minded to approve the application for the following reason:

“Substantial development which has potentially a positive and negative impact on both local and wider community. I feel this needs a debate”.

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

The Councillors discussed that they would like to see the Hotel in use but had concerns about the other extensions and developments connected with the

application. Also there was concern because of the scale of the development and the effect it would have on the village, woodland and traffic problems/transport links.

A discussion followed on the merits of phasing in the development. The Solicitor advised that Phasing Conditions were usually applied to applications for multiple houses and may be a condition put forward by Developers if they were looking to cut down on disturbance to local residents. He pointed out that by allowing the development in phases this does allow the application to go ahead.

Councillor Langmead expressed concern about the mains low water pressure problems in Parkham. The Planning Executive replied that he had spoken to South West Water Authority and they have advised this is within their 5 year plan. There was also general concern about the drainage in the area.

Following further discussion it was proposed by Councillor Leather and seconded by Councillor Brown that the application be Refused for the following reason:

After considering all material considerations including the NPPF the application is considered to be contrary to Policies DVT2C and ECD6 of the Torridge District Local Plan and Policies ST16 and TO3 of the Devon Structure Plan.

RESOLVED

That the application be Refused for the reasons as stated above.

(Vote: For 7, Abstentions 1)

Mr Roger French addressed the Committee as a Town/Parish Representative.

Mr Steven Whitfield addressed the Committee on behalf of Parkham Parish Conservation Association objecting to the application.

Mr Lester Bird addressed the Committee objecting to the application.

Mr Steve Briggs addressed the Committee supporting the application.

Mr Bruce Priday addressed the Committee supporting the application.

Councillor K. Murdoch addressed the Committee as the Ward Member for Parkham.

b) The following Councillors had attended the site visit listed below:

Councillors: R Lock, M. Langmead, D. Lausen, C. Leather, H. Ratledge, P. Watson.

Application No:-1/ 0595/2012/FUL - Erection of single 500kw turbine (60.7m to blade tip) and associated infrastructure - Land At Thorne Farm, Holsworthy, Devon.

Interests: None

Parish / Ward: Holsworthy Hamlets / Holsworthy

Officer recommendation: Grant

The planning application had been referred to Plans Committee at the discretion of the Head of Strategic Development and Planning as the proposed turbine would exceed 25 metres in height.

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

The Members discussed the turbine specifications and that this model had no gearbox and was therefore quieter.

A discussion followed on wind turbine applications and the number that have been refused by Committee but overturned on Appeal.

Councillor Leather asked the Planning Executives if Members can have figures on the energy produced by the turbines. The Planning Executive replied that they would provide this.

The colour of the wind turbine in the application was discussed and if it would be beneficial to have a green colour at the base of the turbine, blending into white/grey at the top.

It was proposed by Councillor Lausen and seconded by Councillor Watson that the application be Granted.

RESOLVED

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

(Vote: For Unanimous)

Mrs Sylvia Darby addressed the Committee objecting to the application.
Mr John Pearson addressed the Committee in support of the application

c) The following Councillors had attended the site visit listed below:

Councillors: R Lock, M. Langmead, D. Lausen, C. Leather, H. Martin, H. Ratledge & P. Watson.

Application No:-1/0504/2012/FUL - Erection of 50kW wind turbine (max 39.997m to blade tip) - Craneham Farm , Buckland Brewer, Bideford

Interests: None.

Parish / Ward : Buckland Brewer / Waldon

Officer recommendation : Grant

The planning application had been referred to Plans Committee at the discretion of the Head of Strategic Development and Planning as the proposed turbine would exceed 25 metres in height.

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

Councillor Lausen commented that this was the first wind turbine application to come before this Committee to have more letters of support than objections.

It was proposed by Councillor Lausen and seconded by Councillor Langmead that the application be Granted.

RESOLVED

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

(Vote: For Unanimous)

Mr C.C. Bond addressed the Committee in support of the application

d) The following Councillors had attended the site visit listed below:

Councillors: R Lock, M. Langmead, D. Lausen, C. Leather, H. Martin, H. Ratledge, P. Watson.

Application No:-1/ 0692/2012/FUL - Removal of timber gates and fence and erection of new dwelling - Linden House , Castle Street, Winkleigh.

Interests: Councillor Lausen declared a prejudicial Interest and took no part in the debate and decision making.

Parish / Ward : Winkleigh / Winkleigh

Officer recommendation : Refuse

The planning application had been called in by Councillor Lausen for the following reason:

“Winkleigh Parish Council was unanimous in support for a dwelling in this location. I disagree with the comments from English Heritage and I would like a site visit to see how the proposed dwelling would fit in and enhance the look of Castle Street.”

The Planning Officer presented the report and informed Members of the following update:

- Removal of second reason for refusal.

- Inclusion of the following informative:
The applicant is advised the application proposes an unsatisfactory standard of access to the site. Vehicles attracted to the site would be required to stop on the highway whilst waiting for the gates to open. Consequently the scheme has the potential for creating an obstruction to the free flow of traffic along the road. In order to overcome this issue gates into the site should be set back a minimum of 2.6 metres from the adjacent carriageway edge.
- The site address should read:
Detached garden of Linden House accessed off Castle Street, Winkleigh.

The Planning Officer advised Members of the main planning considerations and that this application was partly in an historic Conservation area.

A discussion followed into the small section of the development that was within the conservation area. Also the listed buildings nearby, road access and the new fence were considered by Members. It was agreed that the removal of the existing wooden fence would be considered an improvement.

The Solicitor gave advice on the duties on local planning authorities in relation to Conservation areas and listed buildings when taking planning decisions. He also mentioned that any decision should be made after having had due regard to the comments received from English Heritage.

It was proposed by Councillor Leather and seconded by Councillor Langmead that the application be Granted subject to the updated conditions as circulated.

RESOLVED

That the application be granted subject to the conditions as stated in the Report and also subject to the updated conditions as circulated.

(Vote: For Unanimous)

Mr Peter Studd on behalf of Winkleigh Parish Council addressed the Committee.
Mr Charles S. Mitchell addressed the Committee in support of the application.
Councillor D. Lausen addressed the Committee in support of the application.

- e) **Application No:-1/0693/2012/CON** - Removal of timber gates and fence and erection of new dwelling - Linden House , Castle Street, Winkleigh.

Interests: Councillor Lausen declared a prejudicial Interest and took no part in the debate and decision making.

Parish / Ward : Winkleigh / Winkleigh

Officer recommendation : Grant

The planning application had been called in by Councillor Lausen for the following reason:

“Winkleigh Parish Council was unanimous in support for a dwelling in this location. I disagree with the comments from English Heritage and I would like a site visit to see how the proposed dwelling would fit in and enhance the look of Castle Street.”

The Planning Officer presented the report and advised Members of the main planning considerations. A brief discussion followed.

It was proposed by Councillor Brown and seconded by Councillor Ratledge that the application be Granted.

RESOLVED

That the application be Granted subject to the conditions as stated in the Report.

(Vote: For Unanimous)

- f) **Application No:-1/0787/2012/FUL** - Erection of a single dwelling - Land Adjacent to Marisco, Primrose Lane, Northam

Interests: None.

Parish / Ward : Northam / Appledore

Officer recommendation : Refuse

The planning application had been called in by Councillor Eastman for the following reasons :

- Reasonable request to downsize to a more suitably sized house
- Proposal is an improvement on the existing permission for a house between application site and neighbour “Speenholme” to south
- Highways issues have been dealt with
- Impact on skyline as viewed from The Burrows and all lower areas of Churchill Way is greatly reduced
- Suggest a site visit for Committee

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

A brief discussion followed and it was suggested that a site visit would help in considering this application.

It was proposed by Councillor Leather and seconded by Councillor Watson that the application be deferred to enable a site visit to take place.

RESOLVED

That the application be deferred to enable a site visit to take place.

(Vote: For Unanimous)

- g) **Application No:-1/0828/2012/FUL** - New dwelling with parking forecourt and replacement parking hard standing for Odun Grange – Odun Grange, Odun Road, Appledore.

Interests: None.

Parish / Ward : Northam / Appledore

Officer recommendation : Grant

The planning application had been called in by Councillor Eastman and Councillor Edwards on the grounds :

- Similar to application previously approved by Council and on appeal;
- Changes are too minor to address previous privacy concerns so still contrary to DVT11
- Local residents have objected about an increase in traffic; drainage problems; overdevelopment and “garden grabbing”
- Recommend a Committee site visit

The Planning Officer presented the report and informed Members of the updates:

Additional Condition No.8:

“No part of the fire escape shown on the southern elevation hereby approved shall be glazed. It shall not be opened unless in the event of a fire and required as a means of escape.

Reason: in the interests of neighbouring residential amenity”

Also the Planning Officer informed Members that a consultation response had been received from Northam Town Council.

The Chair advised Members that she had checked details of the previous application and all Members had previously attended a site visit except Councillor Leather.

The Planning Executive advised the meeting that the Inspector had previously had a problem with the “element of overlooking”, and so the elevation had been changed. The Inspector was specific on his concerns.

A discussion followed on the development in consideration of the National Planning Policy Framework. Also issues with the proposed development overlooking neighbouring properties was discussed. Members asked for details of the amenity space available with the new development and the Planning Executive provided this information.

It was proposed by Councillor Langmead and seconded by Councillor Watson that the application be Granted.

RESOLVED

That the application be granted subject to the conditions as stated in the Report and the additional condition as stated above.

(Vote: For 6, Against 2)

Mr Peter Hames on behalf of Northam Town Council addressed the Committee.
Mr Geoffrey L. Callagan addressed the Committee objecting to the application.
Mr John F.G. Lock addressed the Committee objecting to the application.
Mr John Shardelow of Shardelow Designs Ltd, addressed the Committee in support of the application.
Councillor Eastman as Ward Member, addressed the Committee.

- h) **Application No:-1/651/2012/FUL** - Proposed Conversion of Redundant Agricultural Building for Work / Live use. - The Old Tallet , Ashridge Barton, Bideford.

Interests: Councillor Langmead - dual hatted - Bideford Town Council - but attended with an open mind.

Parish / Ward: Bideford / Monkleigh and Littleham

Officer recommendation: Grant

The planning application had been referred to Plans Committee as the application site is in the ownership of an elected Member of Torridge District Council.

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

A brief discussion followed regarding the location of the site and proximity of nearby buildings.

It was proposed by Councillor Lausen and seconded by Councillor Martin that the application be Granted.

RESOLVED

That the application be granted subject to the conditions as stated in the Report.

(Vote: For Unanimous)

Mr James Pennington addressed the Committee in support of the application.

In accordance with the Council Constitution it was proposed, seconded, and;

Resolved: That in view of the fact that 3 hours had elapsed since the meeting had commenced, that the meeting should continue.

- i) **Application No:-1/0819/2012/FULM** - Retrospective demolition of 7 holiday chalets, proposed demolition of further 2 holiday chalets and erection of 10 two-storey chalets - Braddicks Holiday Centre, Merley Road, Westward Ho!.

Interests: None.

Parish / Ward: Northam / Westward Ho!

Officer recommendation: Grant subject to a legal agreement.

The planning application had been referred to Plans Committee because the applicant is related to a council employee.

The Planning Executive presented the report and advised Members of the main planning considerations. He advised Members that Torridge are seeking £1,000 for an additional building as required under the Tourist Contribution policy.

Members expressed their displeasure at the retrospective application and that they were disappointed with this.

During the discussion that followed Members questioned the Tourist Contribution sum of monies. Following advice from the Solicitor, Members agreed to signing of the Legal Agreement requiring a contribution of £1,000.

It was proposed by Councillor Langmead and seconded by Councillor Leather that the application be Granted.

RESOLVED

That the application be Granted subject to the conditions as stated in the Report and subject also to the signing of the Legal Agreement.

(Vote: For Unanimous)

- j) **Application No:-1/0741/2012/FUL** - One holiday bungalow for disabled use - Duckhaven Stud, Cornborough Road, Westward Ho!.

Interests: None.

Parish / Ward : Northam / Westward Ho!

Officer recommendation : Grant

The planning application had been referred to Plans Committee as the applicant is an elected Member of Torridge District Council.

The Planning Executive presented the report and advised Members of the main planning considerations. He also advised that ANOB had expressed concern with regards to the siting of the proposed development.

The Members discussed this development and that although this application would be considered on its individual merits there may be a cumulative effect with developments at the site. The proposed development was adjacent to an ANOB area.

It was proposed by Councillor Brown and seconded by Councillor Leather that the application be Granted.

RESOLVED

That the application be Granted subject to the conditions as stated in the Report.

(Vote: For 7, Against 1)

- k) **Application No:-1/0760/2012/FUL** - Children's boating pool, kiddy rides track, trampolines, pay kiosk and decking - Triangle, Promenade, Westward Ho.

Interests: None.

Parish / Ward : Northam / Westward Ho!

Officer recommendation : Grant

This application had been referred to Plans Committee because the application site is in the ownership of Torridge District Council.

The Planning Executive presented the report and advised Members of the main planning considerations. He advised that there had been concerns from residents in Springfield Terrace.

The Members discussed the details of ownership of the site and also that it had been

discussed at the Community & Resources Committee Meeting in 2011. The Planning Executive advised that he had been in communication with the Property Department about this.

Members questioned whether a safety surface may be necessary for this, the Planning Executive advised that there was no need for a safety surface to be provided for these amenities.

It was proposed by Councillor Langmead and seconded by Councillor Ratledge that the application be Granted.

RESOLVED

That the application be Granted subject to the conditions as stated in the Report.

(Vote: For Unanimous)

78 LIST OF PLANNING DECISIONS

RESOLVED

That the Committee receive and note the list of Planning decisions for the period between 26 September 2012 to 31 October 2012.

(Vote – Unanimous)

79 The meeting commenced at 10.00 am and ended at 1.25pm.

Date.....

Chair.....