

TORRIDGE DISTRICT COUNCIL

PLANS COMMITTEE

Town Hall, Bideford

3 April 2014 at 9.30 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 Little (Head of Strategic Development & Planning)
B Fowlds (Solicitor – South Hams District Council)
M Millichope (Environmental Protection Officer)
L Andrews (Planning Executive)

Also in attendance: Approximately 15 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.

93. APOLOGIES

An apology for absence was received from Councillor Murdoch.

94. MINUTES

The Minutes of the meeting held on 6 March 2014 were agreed and signed as a correct record.

(Vote: For 7, Abstentions 1)

95. 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.

96. AGREEMENT OF AGENDA BETWEEN PARTS I AND II

That the Agenda as circulated be agreed.

(Vote: unanimous)

97. URGENT ITEMS

There were no urgent matters, but Members were reminded that the next debrief session would be held on Thursday 10 April 2014 at 2 pm in Riverbank House, Bideford.

Councillor Leather raised an issue with regard to a recent Appeal. Following legal advice it was agreed that this item to be discussed in Part II at the end of the meeting.

98. FUTURE SITE VISITS

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

99. PUBLIC PARTICIPATION

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

100. APPEAL DECISIONS

The Committee noted the appeal decisions.

101. DELEGATED REFUSALS – WIND TURBINES

The Committee noted the delegated refusals.

Prior to the presentation of the planning application, the Chair asked that respect be shown for the views of the speakers, even if their views differed.

102. PLANNING APPLICATIONS

Application No:- 1/1123/2012/FUL – Erection of a 50 kw wind turbine, measuring 25m to hub and 35m to tip, with ancillary equipment

Interests: Councillor Lausen declared an interest, having been lobbied by both sides, but attended with an open mind

Officer recommendation : Grant subject to a legal agreement

The planning application had been referred to Plans Committee at the discretion of the Joint Head of Strategic Development & Planning as the proposed turbine would

exceed 25 metres in height to the blade tip and was recommended for approval.

Prior to the presentation of the application, the Planning Executive circulated to Members the following documents:

- A cumulative map
- Recommended Noise Condition

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

The Planning Executive explained the reasons for the delay in the application and informed Members of the following updates:

- the Coach House although part of the Densham Farm complex, is a separately owned dwelling and not financially involved with the application
- conditions 7 – 11 relate to noise and it is recommended that if Members were minded to approve the application, those conditions be replaced by the recommended noise condition previously circulated to Members
- a late representation letter received from David Wilson Partnership who had been employed by local residents, was read to the meeting
- the cumulative map circulated to the meeting was “work in progress” and a map covering the whole of the district was currently being formulated
- a late representation letter received from the British Horse Society

The Planning Executive read to the meeting a representation letter received from Councillor Parsons.

The Environmental Protection Officer addressed the meeting regarding noise impact.

The following matters were discussed:

- the adverse impact on neighbouring properties
- the impact on the Taw Valley ride and the affect on horses using the track. The Planning Executive confirmed there was no evidence that wind turbines affect horses.
- the proposed alternative route on the Taw Valley ride
- the alternative siting of the wind turbine

Following a comment made, the Joint Head of Strategic Development and Planning advised that the track was an unclassified county road.

Councillor Leather expressed concern that the Certificates on the application form regarding ownership of the land and agricultural holdings were incorrect. Clarification regarding ownership was given by the Planning Executive. The Joint Head of Strategic Development and Planning stated that if Members were minded to approve the application, the applicants would be required to resubmit correct Certificates.

It was proposed by Councillor Lausen, seconded by Councillor Brown that the application be refused for the following reasons:

The visual impact on the 4 neighbouring properties and the adverse impact on the Taw Valley ride (DVT2C and DV2 11).

Vote: For 3, Against 5.

The motion was lost.

Following a brief discussion and legal advice being given by the Solicitor, it was proposed by Councillor Langmead and seconded by Councillor Watson that the application be approved.

RESOLVED

That the application be Granted, subject to conditions 7 – 11 relating to noise being superseded with the recommended noise condition circulated to Members, the conditions as stated in the report and the S106 Legal Agreement

(Vote For 5, Against 3)

Mr A Endicott addressed the Committee objecting to the application
Mrs S Boycott, on behalf of the British Horse Society, addressed the Committee objecting to the application
Chloe Bines addressed the Committee in support of the application
Mr R Cole addressed the Committee in support of the application

Councillor Lock, Chair, left the meeting at 10.45 am and Councillor Brown, Vice Chair took the Chair.

103. LIST OF PLANNING DECISIONS

RESOLVED

That the Committee receive and note the list of Planning decisions for the period between 24 February 2014 to 19 March 2014.

(Vote: For - unanimous)

Councillor Langmead left the meeting at 10.55 am.

104. LOCAL GOVERNMENT ACT 1972 (as amended)

That under Section 100(a)(4) of the Local Government Act (as amended) the public be excluded from the meeting for the following items of business because of the likely disclosure of exempt information by virtue of Paragraph 3 of Part 1 and Paragraph 10 of Part 2 of Schedule 12A of the Local Government Act 1972.

(Vote: For - Unanimous)

PART II (CLOSED SESSION)

105. APPEAL

Members discussed a recent Appeal Inquiry and legal advice was given by the Solicitor.

No resolution was reached.

The meeting commenced at 9.30 am and ended at 11.15 pm.

Date.....

Chair.....