

Following the Local Government and Accountability Act 2014 the Council now has a policy on filming and recording of Local Council and Committee meetings which will be on view in the Council Chamber or Committee Room as appropriate. Those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings. Those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998. Members of the public may not wish to be recorded and the Chair of the meeting will ensure insofar as is possible that any request not to be recorded will be respected.

ALL PLANNING APPLICATIONS CAN BE VIEWED
ONLINE AT WWW.TORRIDGE.GOV.UK



NORTHAM TOWN COUNCIL
TOWN HALL
WINDMILL LANE
NORTHAM
DEVON
EX39 1BY

Town Clerk: Mrs Jane Mills MILCM BA(Hons)
Telephone: 01237 474976
E-mail townclerk@northamtowncouncil.gov.uk

**The Council's policy may be viewed on
the Policies page of its [website](#).**

To: All Members of the Northam Town Council Planning Committee
Cc: All Northam Town Councillors

**You are hereby summoned to attend a Planning Meeting on Thursday 14th March 2024
at 6.30pm which will be held in the Town Hall Council Chamber for the purpose of
considering and resolving upon the business set out in the following agenda.**

Members of the public will be admitted at the start of the meeting.

The Agenda for the meeting is set out below.

Date of issue: **8th March 2024**

M J Mills

Mrs Jane Mills MILCM, Town Clerk

The following are Members of the Planning Committee: Cllrs Bach (Chairman), Brading, Bruins, Mrs Hodson, Leather, Lo-vel, Singh, with Cllr P Hames ex-officio as Mayor. Two vacancies. All Members of the Council are entitled to attend.

AGENDA

- 1 Apologies.**
- 2 Chairman's Announcements**
- 3 To agree the agenda as published**
- 4 Declarations of interest:**
Members are reminded that all interests should be declared prior to the item being discussed.
- 5 To confirm and sign the minutes of the Planning Meeting held 22nd February 2024 (herewith)**
- 6 Public Participation**
Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda. Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 4 minutes. The period of time which is designated for public participation in accordance with standing orders shall not exceed 20 minutes.

- 7 To Consider: Section 106 agreements (*herewith*).**
- 8 To consider: Responding to planning proposals and the Town Council's role in the planning process (*herewith*).**
- 9 Torridge District Council Planning Applications:**
Torridge District Council, the determining Authority, has asked for comments from the Town Council on the following Parish planning applications:
- i) [1/0129/2024/FUL](#) Applicant: Walton
 Proposal: Demolition of existing dwelling and erection of replacement dwelling (Variation of condition 2 of planning approval 1/0039/2023/FUL)
 Location: Still Waters, Torridge Road, Appledore
Response date: 14th March 2024 (extension granted to the 18th March 2024)
 - ii) [1/0133/2024/FUL](#) Applicant: Heard
 Proposal: Replacement windows & doors, installation of PV array & air source heat pump and part conversion of garage to kitchen dining room
 Location: 14A Cross Street, Northam, Bideford, Devon
Response date: 16th March 2024
 - iii) [1/0149/2024/FUL](#) Applicant: Martin
 Proposal: Conversion of portacabin to annexe associated to Barton Croft
 Location: Portakabin At Barton Croft, Abbotsham
Response date: 22nd March 2024
 - iv) [1/1154/2024/FUL](#) **re-consultation** Applicant: Ryan
 Proposal: Use of property as a single dwelling with alterations and extensions
 Location: Orchard Hill Hotel , Orchard Hill
Response date: 13th March 2024 (extension granted to the 18th March 2024)
 - v) [1/0180/2024/FUL](#) & [1/0178/2024/LBC](#) Applicant: Page
 Proposal: Internal alterations and a single storey rear extension (Variation of condition 2 of planning approval [1/0289/2022/FUL](#) & [1/0314/2022/LBC](#))
 Location: 15 The Quay, Appledore
Response date: 25th March 2024
 - vi) [1/0989/2023/FUL](#) **re-consultation** Applicant: Mr Warwick
 Proposal: Proposed erection of 2 no. holiday units (Amended description and type of application)
 Location: Duckhaven Stud, Cornborough Road, Westward Ho!
Response date: 28th March 2024
 - vii) [1/0200/2024/FUL](#) Applicant: Mr Warwick
 Proposal: Replacement of conservatory with orangery style extension, extension of cottage, installation of a link between existing house and cottage, replacement doors and internal alterations (Variation of conditions 2 & 4 of planning approval 1/1076/2023/FUL)
 Location: Garth, Diddywell Road, Appledore
Response date: 28th March 2024

- viii) [1/0218/2024/FUL](#) Applicant: Davie
Proposal: Extensions and alterations to existing cottage, including
repair/replacement of existing pitched roof
Location: 58 Irsha Street, Appledore
Response date: 31st March 2024

10 To Note: Torridge District Council Planning Decisions

Torridge District Council, the determining Authority, has **granted permission** for the following applications with conditions as filed:

- i) 1/1164/2023/FUL
Proposal: Create off road parking in existing front garden
Location: 26 Atlantic Way, Westward Ho!, Bideford, Devon1/1083/2023/FUL
(Northam Town Council recommended the proposal be granted permission)
- ii) 1/0016/2024/FUH
Proposal: Retrospective erection of games room
Location: 4 Boulevard Way, Westward Ho!
(Northam Town Council recommended the proposal be granted permission)
- iii) 1/0838/2023/FUL
Proposal: Part retrospective application for all weather turnout
Location: Land At Grid Reference 244858 129911, Northam
(Northam Town Council recommended the proposal be refused permission)
- iv) 1/0002/2024/FUL
Proposal: Erection of a first floor extension
Location: 52 Taylor Crescent, Westward Ho!
(Northam Town Council recommended the proposal be granted permission)

11 To Note: Torridge District Council Planning Decisions

Torridge District Council, the determining Authority, has **refused permission** for the following applications with conditions as filed:

- i) 1/1252/2023/FUL
Proposal: Demolition of existing dwelling and erection of 3 dwellings (Variation of condition 2 of planning approval.
Location: Site Of 51, Atlantic Way, Westward Ho!
(Northam Town Council recommended the proposal be refused permission)

12 To Note: Torridge District Council Planning Decisions

Torridge District Council, the determining Authority, has notified the Council that the following applications have been **withdrawn**:

None.

Northam Town Council – Minutes of the Planning Meeting held 22nd February 2024 at 6.30pm in the Council Chamber, Windmill Lane, Northam.

Present: Cllrs Bach (Chair), Brading, Bruins, Hames, Hodson and Lo-Vel.

In attendance: Guy Langton – Deputy Town Clerk.

2402/756 **Apologies**
Cllr Singh tendered his apologies.

2402/757 **Chair's Announcements**
The Mayor, Cllr Hames, announced that Bideford Town and Torridge District Councillor Peter Christie had passed away peacefully at Fremington Manor. Cllr Christie had been an active and important member of Local Government, having served on the District Planning committee for many years and serving as Bideford Town Mayor. The Committee noted its sadness at hearing the news.

Cllr Bach announced that he had withdrawn his call-in for the development at 51 Atlantic Way, having received advice from the Planning Manager that the proposal would be refused.

2402/758 **To agree the agenda as published**
It was **resolved** to agree the agenda as published
Proposed Cllr Brading, Seconded Cllr Lo-Vel (All in favour)

2402/759 **Declarations of interest:**
Members were reminded that all interests should be declared prior to the item being discussed.

2402/760 **To confirm and sign the minutes of the Planning Meeting held 1st February 2024**
It was **resolved** to confirm and sign the minutes of the Planning Meeting held 1st February 2024.
Proposed Cllr Hames, Seconded Cllr Hodson (All in favour)

2402/761 **Public Participation**
Members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda. Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 4 minutes. The period of time which is designated for public participation in accordance with standing orders shall not exceed 20 minutes.

2402/762 **Torridge District Council Planning Applications:**
Torridge District Council, the determining Authority, has asked for comments from the Town Council on the following Parish planning applications:

- i) **1/0044/2024/FUL** Applicant: Mr Warwick
Proposal: External alterations including new roof and re-slating of existing duo-pitched roof, roof lights and windows, window alterations, front door and internal alterations
Location: 2 Pitt Court, Appledore
It was **resolved** to recommend that the proposal be granted permission.
Proposed: Cllr Brading, Seconded: Cllr Bruins (all in favour)

- ii) **1/0068/2024/FUL** Applicant: Mrs Balkwill
 Proposal: Raising roof and insertion of dormers, demolition of garage and erection of extension (annex) and alterations
 Location: 33 Windmill Lane, Northam
 It was **resolved** to recommend that the proposal be granted permission.
 Proposed: Cllr Brading, Seconded: Cllr Bruins (all in favour)
- iii) **1/0062/2024/FUL** Applicant: Mr Guest
 Proposal: Installation of swimming pool to rear garden, modifications to existing garage/workshop to create pool changing and shower room, alterations to existing front porch, creation of patio areas and associated external works
 Location: Highlea , First Raleigh,
 It was **resolved** to recommend that the proposal be granted permission but the Council would like a condition applied. The Council considers the proposal does not meet the requirement for a net gain in biodiversity and therefore expects the applicant to replace the trees, shrubs and hedgerow removed with a greater number of semi-mature trees and shrubs with a commitment to maintain for a period of at least three years.
 Proposed: Cllr Bruins, Seconded: Cllr Brading (all in favour)
- iv) **1/0090/2024/FUL** Applicant: Mr Smith
 Proposal: Replacement flat roof
 Location: 10 Tors View, Westward Ho
 It was **resolved** to recommend that the proposal be granted permission.
 Proposed: Cllr Bruins, Seconded: Cllr Brading (all in favour)
- v) **1/0111/2024/FUL** Applicant: Mr and Mrs Street
 Proposal: Two storey side extension and single storey rear extension
 Location: 88 J. H. Taylor Drive, Northam
 It was **resolved** to recommend that the proposal be granted permission.
 Proposed: Cllr Hames, Seconded: Cllr Brading (all in favour)

2402/763 Members agreed to note the Torridge District Council Planning Decisions Torridge District Council, the determining Authority, has **granted permission** for the following applications with conditions as filed:

- i) **1/1083/2023/FUL**
 Proposal: Construction of self-contained holiday let
 Location: Cluden Lodge, Cluden Road, Northam
 (Northam Town Council recommended the proposal be refused permission)
- ii) **1/1055/2023/FUL**
 Proposal: Alterations to access, single storey rear extension and increase in roof height to form additional accommodation with dormers
 Location: 5 Northdene, Bideford
 (Northam Town Council recommended the proposal be refused permission)
- iii) **1/1256/2023/FUL**
 Proposal: Erection of a single storey extension
 Location: 24 J. H. Taylor Drive, Northam
 (Northam Town Council recommended the proposal be granted permission)

- iv) 1/1153/2023/FUL
 Proposal: Change of use of ancillary annex to dwelling (Affecting a Public Right of Way)
 Location: Flagstaff House, Lower Cleave, Northam
 (Northam Town Council recommended the proposal be refused permission)
- v) 1/1244/2023/FUL
 Proposal: Removal of existing chimney, construction of new chimney. Replacing concrete tiles with natural slates and insertion of rooflights
 Location: 42 Bude Street, Appledore
 (Northam Town Council recommended the proposal be granted permission)

2402/764 Members agreed to note the Torridge District Council Planning Decisions Torridge District Council, the determining Authority, has notified the Council that the following applications have been **withdrawn**:

- i) 1/1065/2023/FUL
 Proposal: Erection of 1no. dwelling to include access and drainage arrangements (Variation of condition 2 of planning approval 1/0248/2023/FUL)
 Location: Land At Grid Reference 244396 129269, Tadworthy Road, Northam
 (Northam Town Council recommended the proposal be refused permission)

2402/765 To receive Section 106 report from Torridge District Council regarding developer contributions in the Parish of Northam.

The reports were received, noting the density of the information contained. Further consideration was deferred to a future meeting of the committee.

Action point: Re-present the information in a less dense way.

Action point: Ask Torridge District Council what funds have already been earmarked.

Action point: Include the matter on a future agenda.

Signed.....Dated.....

Item 7 – To Consider: Section 106 agreements. To be included in a separate document.

Item 8 - To consider: Responding to planning proposals and the Town Council's role in the planning process.

"[Town] Councils can play a role in the democratic process ... Of particular importance is their right to be consulted on planning applications in their area." (p68, Town and Country Planning in the UK, 2015, Cullingworth et. al.)

The Town Council is consulted by TDC on all planning applications. Any views expressed by NTC will be taken into account by TDC before a decision is made, providing the points made are relevant to the determination of a planning application.

The final decision is made by the Planning Authority, not the Town Council. NTC should not *approve* or *reject* planning applications, it can only comment on planning applications in the same way that individuals can comment. Town Councils are considered to be a statutory consultee in the Planning Process. The planning authority is required, according to the planning act, to ask the Council if it wishes to make a comment.

NTC encourages individuals to submit their opinions, which should be based on planning considerations. Note - it is important that people do not use a standard letter for all the neighbours to submit as they may not be considered as separate by TDC. Petitions are also discounted to one submission.

Comments that are clear, concise and accurate stand more chance of being accepted than those that are not. All comments made can only be on "material considerations" – issues, for example, such issues as boundary disputes between neighbours or loss of views will not be considered.

Material Considerations include:

- Any District Statutory Development Plan (NDDC & TDC Local Plan 2031).
- Devon Minerals and Waste Strategic Plans.
- Planning and Development Policies produced by TDC
- The NPPF
- Planning Practice Guidance
- Neighbourhood Plan (if adopted)
- Planning history of the site
- Amenity considerations (Overlooking, over-development, character of area, loss of light)
- Traffic generation, parking and highway safety
- Design
- Energy Efficiency
- Trees and Landscaping
- Noise
- Odour
- Crime and community safety
- 'Need' may be relevant (e.g. a tied agricultural worker's dwelling)
- Viability
- Ministerial Planning Statements.

Non-material considerations (which are NOT normally considered in determining a proposal) include:

- Loss of property value
- Land ownership[and boundary disputes
- Competition
- Loss of a private view
- Legal rights or consents (covenants, private rights of way, licences [e.g. entertainment])
- Matters controlled under other legislation
- Personal circumstances.

At the end of the planning process, a timescale which is legally defined, the assigned TDC planning officer will make a recommendation, via the officer's report. If the application has been "called in" the officer's report will be taken to a Plans Committee for a final decision. Objectors and the applicant will be contacted to be advised of the time and venue of the meeting.

NTC's Terms of Reference for its Planning Committee state that the committee is responsible for exercising "on behalf of the Council, powers and duties within existing policies and practices". That means that any decision of the Planning Committee is that of the Full Council.

Should the committee recommend approval or refusal, then it must be considered that the Council is making that recommendation. This may place members of the Council in a difficult position should they address, or sit on, the TDC Plans Committee and not reflect NTC's resolved position.

Any possible issues with this can be effectively addressed by the Council adjusting its wording of responses to planning proposals.

The CPRE, in its 8-step guide "[How to Respond to Planning Applications](#)" suggests that Town Councils respond in one of the following ways:

- support the application because it will have benefits for the local area, either now or in the long run
- support the application but ask for details of the proposed development to be reconsidered and changed
- take no action, since the proposal's overall effect would be neutral or of little relevance to the local area
- register an objection to the application, but suggest action(s) that could be taken to address those objections, such as amending the proposal, attaching planning conditions or a planning obligation
- register an objection and request that the application be refused permission because of its adverse effects, which can't be dealt with satisfactorily by using conditions or obligations.

As a Town Council is simply asked if it wishes to submit comments, to elevate any comment to the status of a determination of the proposal is to over-emphasise the Town Council's role in the process. Recommending a proposal is approved, especially as practice

is to not substantiate this with reasons, can also suggest that the Council is siding with one party over another.

A way forward is for the NTC Planning Committee to respond using a simple format, as follows:

- a) Northam Town Council does not have any comments in relation to this proposal ...
- b) Northam Town Council resolves to make the following comments in relation to this proposal ...
- c) Northam Town Council resolves to support the proposal, for the following reasons ...
- d) Northam Town Council resolves to object to the proposal and recommend it for refusal for the following reasons ...