

MINUTES OF THE PLANNING AND DEVELOPMENT COMMITTEE
3rd April 2025 at 6.30pm in the Town Hall, Windmill Lane, Northam.

Present: Cllrs Bach, Hames (Chair), Lo-Vel, Newman-McKie and Tait (Mayor)

In attendance: Guy Langton (Town Clerk & RFO)
 N Arnold (co-opted member of the NNP working group)
 44 members of the public

2504/707 To receive and approve apologies for absence, in accordance with Local Government Act 1972 s85 (1)

All members of the committee were present. There were three vacant seats.

2504/708 Chair's announcements

The Chair made no announcements.

2504/709 To receive any dispensations and disclosable pecuniary or other interests

Members were reminded that all interests must be declared prior to the item being discussed.

2504/710 To agree the agenda as published

It was **resolved** to amend the agenda so that the planning proposals were taken in reverse order, the majority of the members of the public attending wishing to comment on or hear the Council's deliberations of two proposals. The Northam Neighbourhood Plan update would follow the consideration of planning proposals Proposed Cllr Hames, Seconded Cllr Newman-McKie (all in favour)

2504/711 To confirm as a correct record and sign the minutes of the Planning & Development Committee meeting held on 13th March 2025

It was **resolved** that to approve the minutes of that Planning & Development committee meeting as a true and correct record.

Proposed Cllr Lo-Vel, Seconded Cllr Hames (Majority in favour with two abstentions - not present at that meeting).

2504/712 Public Participation

Seven members of the public addressed the committee, three regarding proposal 1/0251/2025/OUTM (*Outline application with all matters reserved except for access for 39no. dwellings (affecting a public right of way)*) and four regarding proposal 1/0150/2025/LBC (*Erection of shelter over dry dock with PV panels, ancillary welfare building, realigning and rebuilding part of the boundary wall and installation of new gates*).

All three addressing the committee regarding proposal 1/0251/2025/OUTM noted their objections to the proposal.

Two of those addressing the committee regarding proposal 1/0150/2025/LBC noted concerns but were not wholly objecting to the proposal, though concerns remained regarding design and construction methods.

One of those addressing the committee regarding 1/0150/2025/LBC considered that the proposal did not add value to the local community.

Another of those addressing the committee noted their concerns regarding the plans to alter the dock from a dry dock to float a vessel on a permanent basis.

The Town Clerk read out the comments submitted by a member of the public who was unable to attend, noting his objections to the proposal.

Chair's initials

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2504/713 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) **1/0251/2025/OUTM**

Proposal: Outline application with all matters reserved except for access for 39no. dwellings (affecting a public right of way)

Location: Land At Grid Reference 245543 129173, Northam

It was **resolved** to recommend the proposal be **refused permission**, having numerous reasons for objecting to the proposal.

The council noted that a similar proposal for development at the land had previously been refused and the appeal against the refusal dismissed. Similarly, it was at a time when the Planning Authority could not demonstrate a 5-year land supply (Inspector's report, 2022, paragraph 29).

In the deciding the appeal the Inspector, in his report dated 20 June 2022, determined that: "Whilst the proposal would be adjacent to the built development of Northam, it would be a clear encroachment into the countryside, eroding the rural character of this area and would also detract from the unspoilt character and appearance of the undeveloped coastal zone. The proposal is in outline but nonetheless could result in 39 dwellings in this field which would, in my view, result in this harm. The proposal is therefore contrary to policies DM08A, ST09(7) and ST14 of the North Devon and Torridge Local Plan 2011-2031. These policies seek to ensure development does not detract from the unspoilt character, appearance and tranquillity of the undeveloped coast; protect and enhance local landscape and seascape character; and to recognise the importance of the undeveloped coastal environments." (paragraph 16)

The Inspector concludes by stating:

"I have found that the development fails to accord with Development Plan policies as it would erode the rural character of this area and also detract from the unspoilt character and appearance of the undeveloped coastal zone. This aspect of the development would be significantly harmful. In this regard, the proposal is also contrary to the Framework, in that the proposal would fail to adequately recognise the intrinsic character and beauty of the countryside or maintain the character of the undeveloped coast." (paragraph 38)

The Council considers that:

- a) The reasons given by the Inspector for refusing a previous appeal against the Planning Authority's refusal of planning permission for a similar development at this site to be conclusive and remain current, applicable to this proposal.
- b) The proposal as submitted does not comply with the requirements of the National Planning Policy Framework (December 2024) paragraph 187, (section 15: Conserving and enhancing the natural environment).
- c) The proposal as submitted does not comply with Local Plan policies:
 - i ST09 (Coast and Estuary Strategy), the proposal is to build in the undeveloped coast and the applicant has not satisfied that Council that the proposal could not be built elsewhere, outside the undeveloped coast.
 - ii DM08A (Landscape and Seascape Character), development proposals should not affect the setting of the North Devon Coast National Landscape (formerly the North Devon Coast AONB) and should avoid adverse landscape and seascape impacts. It is not clear from the proposal how the developer would seek to address this.

Proposed: Cllr Newman-McKie; Seconded: Cllr Bach (all in favour)

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ii) **1/0150/2025/LBC**

Proposal: Erection of shelter over dry dock with PV panels, ancillary welfare building, realigning and rebuilding part of the boundary wall and installation of new gates

Location: Richmond Dock, New Quay Street, Appledore

Cllr Bach proposed that the Council make no comments at this stage of the planning process, noting that the proposal was to improve a listed building that was otherwise dilapidating and that proposals to restore and maintain the Grade II* listed dry dock were welcome, in principle. There was no seconder.

It was **resolved** to recommend the proposal be **refused permission**, having numerous reasons for objecting to the proposal.

The proposal was to cover a Grade II* listed dry dock, filling it with sufficient water to float a historic second World War era German vessel. The National Planning Policy Framework (NPPF) (December 2024) requires development proposals to “set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats” (paragraph 203). The proposals as presented do not include detail setting out how the applicant would meet this requirement. The proposed filling of the dry dock would affect the local water tables and the structure of the Grade II* listed dry dock itself. The effect of heavy rain and tides on local water tables has not been investigated by the applicant. To do so would be required to demonstrate that the proposals would not have a detrimental effect on the other structures and buildings in the locality.

Paragraph 214 of the NPPF (December 2024) requires planning authorities to “refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss”. The Council does not consider that the proposal as submitted has addressed the harm that both the eventual structure and the construction process (driving piles into the ground) would have on both the Grade II* listed dry dock or the adjacent listed buildings on Marine Parade and the conservation areas. The proposal does not include any plans for public access to view the Grade II* listed dry dock, nor to use the site as a heritage centre for the public to view the item(s) in the collection. The Council does not therefore consider that the harm the proposal would have on the Grade II* listed site and the setting of the listed buildings and conservation areas would be outweighed by the public benefits of the proposal.

Proposals affecting heritage assets (Paragraph 207 of the NPPF December 2024) requires that, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. In the case of the proposal submitted, there are numerous surrounding heritage assets to the application site which will be affected. The Council considers it reasonable to expect a detailed assessment on the effect of the proposals on the wider setting, including the effect of the planned construction method (deep pile driving) on the structure of those buildings.

The planned structure would be approximately twice the height of the existing wall. The proposed structure would detrimentally affect the setting of the adjacent conservation areas and be overbearing on the street scene.

The emerging Northam Neighbourhood Plan, states, at policy HE2 that:

Chair’s initials

“Redevelopment of Richmond Dock will be supported for maritime-related or small business use provided that:

i the integrity of the structure and setting are retained; and

ii the dry dock remains capable of its original use, with sufficient vehicular access and clear working space; and

iii the construction methods do not adversely impact on the historic structure and setting.”

(the Northam Neighbourhood Plan is available to view on the Town Council’s website

www.northamtowncouncil.gov.uk). The Council does not consider the proposal to be in line with the expectations of this emerging policy. The proposal is to float a vessel in the dry dock. This cannot be done whilst also retaining the Grade II* listed asset as capable of use as a dry dock. Proposed: Cllr Tait; Seconded: Cllr Newman-McKie (majority in favour)

Approximately 20 members of the public left at this point (7:50pm)

iii) **1/0232/2025/REM**

Proposal: Reserved matters application for Access, Appearance, Landscaping, Layout and Scale for 1no. dwelling pursuant to application 1/1293/2021/OUT

Location: Culloden House, Fosketh Hill, Westward Ho!

It was resolved to recommend the proposal be granted permission.

Proposed: Cllr Bach; Seconded: Cllr Newman-McKie (majority in favour)

iv) **1/0196/2025/FUL**

Proposal: Single storey front extension and rear extension and associated works

Location: Hazeldene, 26 North Street, Northam

It was **resolved** to recommend the proposal be granted permission.

Proposed: Cllr Newman-McKie; Seconded: Cllr Bach (majority in favour)

Cllr Tait and approximately 20 members of the public left at this point, four members of the public remained (8:00pm)

2504/714 To receive an update on the progress of the Northam Neighbourhood Plan

The design phase of the Plan had been completed. The final draft for submission, along with its appendices, supporting documents and evidence base had been completed.

It was **resolved** to recommend that Full Council approve the Northam Neighbourhood Plan, its appendices, supporting documents and evidence base for submission to the Local Planning Authority for independent examination.

Proposed: Cllr Lo-Vel; Seconded: Cllr Newman-McKie (all in favour).

Action point: include consideration of the proposal to submit the Plan for independent examination on the Full Council agenda for 23rd April 2025.

2504/715 To Note: Torridge District Council Planning Decisions

It was noted that Torridge District Council, the determining Authority, had **granted** permission for the following applications with conditions as filed:

i) **1/0145/2025/FUL**

Proposal: Erection of detached garage and associated works

Location: The Retreat, Hilltop Road, Bideford

(Northam Town Council recommend the proposal be granted permission)

2504/716 To Note: Torridge District Council Planning Decisions

It was noted that Torridge District Council, the determining Authority, had **refused** permission for the following applications with conditions as filed:

i) **1/1060/2024/FUL**

Proposal: Change of use of lower ground floor flat from holiday let to residential

Location: Culloden House, Fosketh Hill, Westward Ho!

(Northam Town Council recommend the proposal be granted permission)

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2504/717 To Note: Torridge District Council Planning Decisions

It was noted that Torridge District Council, the determining Authority, had notified the Council that the following applications had been **withdrawn**:

i) **1/0085/2025/FUL**

Proposal: Construction and operation of a micro energy storage

Location: Active Torridge, Torridge Pool, Benson Drive, Northam
(Northam Town Council made a comment)

There being no further business the meeting closed at 8:20pm.

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

DRAFT

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