

## Barnstaple Town Council

### Planning and Transportation Committee

#### **MINUTES of a PLANNING AND TRANSPORTATION COMMITTEE meeting held on THURSDAY 9TH FEBRUARY 2017 at 7.00pm in the Main Hall, The Guildhall, Butchers Row, Barnstaple.**

Committee Members Present :- Councillor S Upcott  
Councillor F Vernon  
Councillor I Roome  
Councillor Mrs J Hunt  
Councillor C Haywood  
Councillor I Williams  
Councillor L Dawson (Vice-Chairman, from 7.10pm, minute 84)  
Councillor A Rennles (Chairman)

Also in Attendance :- W Austin, Town Clerk  
Mr M Wilcox

#### **84 PUBLIC PARTICIPATION**

At the commencement of the meeting, Mr M Wilcox addressed the committee in respect of planning application 62460, as the applicant. He explained that he was working jointly with a neighbour to provide two new dwellings, within the development boundary. The application submitted dealt with access, layout and scale, and more detail would follow in a further application. Councillors questioned Mr Wilcox on the issues of access, layout and design. The Chairman thanked Mr Wilcox for his address.

#### **85 APOLOGIES**

No apologies for absence were received.

#### **86 DECLARATIONS OF INTEREST AND DISPENSATIONS GRANTED**

Cllr Mrs J Hunt and Cllr I Roome, as District Councillors, have a dispensation under Standing Order 66 to participate and vote on any matter relating to the Town and District Councils, except where the matter is contractual/legal.

Cllrs Mrs J Hunt, I Roome, F Vernon and C Haywood declared personal interests in agenda item 4, application 62460, as acquaintances of the applicant.

#### **87 MINUTES**

RESOLVED: That the minutes of the meeting held on 2nd February 2017 be approved as a correct record and signed by the Chairman.  
(6, 1 abs)

#### **88 DEPOSITED PLANS**

88- 1 62298 Plot Ref :- Type :- Full  
Applicant Name :- Mr Matthew Adams Date Received :-06/02/2017  
Location :- 21 Date Returned :-10/02/2017  
Joy Street  
Barnstaple  
EX31 1BS

Proposal : Change of use of 1st and 2nd floor office use to residential  
Observations : RECOMMENDS: Approval.  
(NC)

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88- 2 62299 Plot Ref :- Type :- Listed  
Applicant Name :- Mr Matthew Adams Date Received :-06/02/2017  
Location :- 21 Date Returned :-10/02/2017  
Joy Street  
Barnstaple  
EX31 1BS

Proposal : Listed building application for consent to change 1st & 2nd floor  
retail  
Observations : RECOMMENDS: Approval.  
(NC)

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88- 3 62460 Plot Ref :- Type :- Full  
Applicant Name :- Mr M Wilcox Date Received :-27/01/2017  
Location :- Mear Top Date Returned :-10/02/2017  
Northfield Lane  
Barnstaple  
EX31 1QE

Proposal : Outline application for erection of 2 dwellings & access driveways  
including improved visibility at access entrance  
Observations : RECOMMENDS: Approval, subject to DCC Highways approving  
the access arrangements.  
(6, 1 against)

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88- 4 62475 Plot Ref :- Type :- Full  
Applicant Name :- Mr P Milton Date Received :-06/02/2017  
Location :- 108 Date Returned :-10/02/2017  
Newport Road  
Barnstaple  
EX32 9BA

Proposal : Extension to & conversion of mixed used buildings to from two  
buildings to form two dwellings

Observations : RECOMMENDS: Refusal. This application is a re-build and not a conversion, and should be subject to the sequential test for flood risk.

Should the applicant wish this application to be considered further, the Town Council recommends the provision of a structural survey to demonstrate that the existing building can be converted, and if not then the application should be based on demolition and re-building. The Town Council will also require comments from the Environment Agency and the Highway Authority before reconsidering the application.

(NC)

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88- 5	62516	Plot Ref :-	Type :- Listed
	Applicant Name :-	Mr Jon Gay	Date Received :-06/02/2017
	Location :-	11 Litchdon Street Barnstaple EX32 8ND	Date Returned :-10/02/2017

Proposal : Listed building application for internal alterations to form a disabled toilet, entrance lobby & two first floor flats

Observations : RECOMMENDS: Approval, subject to the comments of the Conservation Officer.  
(6, 1 against)

A proposal taken prior to this resolution recommending refusal due to detrimental impact on a listed building fell.  
(3, 4 against, 1abs)

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## 89 COMMUNITY INFRASTRUCTURE LEVY (CIL)

Members considered their response to a consultation by North Devon District Council on a draft CIL Charging Schedule and Regulation 123 List.

RESOLVED: That the Town Council responds to the CIL consultation as follows:

Draft Charging Schedule

The Town Council considers that the use of the currently defined prime retail area for Barnstaple as the basis for retail charging makes no sense in the context of an infrastructure plan that extends to 2031.

As examples to demonstrate this point, the town centre retail area is already extending into the new Anchorwood Bank development, and further development can be expected in other areas such as Seven Brethren and the Civic Centre site. Any retail provision in these areas, or others that in effect extend the town centre, should be subject to charging in the same way as any development within the currently defined town centre area.

The Town Council is unconvinced by the proposal not to charge a levy on supermarkets, and we note that the original proposal was to levy such a charge.

We understand the desire to include various discretionary relief options in the proposals, but these do need to be transparent and objectively measurable. There should also be agreement with the appropriate town or parish council affected where such relief is proposed by the District Council, and if such agreement is not obtained, then the cost of the relief should be borne entirely from the proportion of CIL retained by the District Council and not from the 15% or 25% passed to the town/parish council.

Administrative expenses should be attributed to the element of the CIL retained by the District Council, and not to the element passed to town/parish councils.

### Regulation 123 List

The Town Council is concerned that the list has been somewhat arbitrarily defined. Some known projects and some speculative projects are included, but other expected projects are not, for example the recently announced proposals to enhance Pilton Park (associated with flood defence work but not in themselves flood defence work), the District Council's Car Parks project announced at the recent Opportunity Barnstaple event, proposals to enhance The Strand and waterfront areas, the development of traveller sites, and the re-siting Barnstaple Fair. Whether or not these projects warrant inclusion is one consideration, but the main concern is that there is no clear strategic approach to the creation of the Regulation 123 List.

The list also refers to some general exclusions. An example is '[transport] works required to make particular developments acceptable in planning terms'. Although the list does include some further definition, the use of general exclusions should be avoided (as set out in DCLG guidance), and where this is not possible, there should be clearly measurable criteria to ensure transparency.

No justification is provided for the proposal to exclude 'local facilities for informal open space, play areas etc... unless associated with identified CIL funded projects.' It is not obvious why this exclusion should be specified and the Town Council would prefer that it be included.

Where included items are general in their nature (e.g. Heritage enhancement/preservation projects), any specific projects subsequently identified for CIL funding within such a category should be agreed by the appropriate town/parish council.  
(NC)

## **90 TRAVELLER SITE CONSULTATION**

Members considered a consultation by North Devon District Council, calling for potential permanent and transit sites for travellers.

**RESOLVED:** That the following sites and comments be submitted in response to the Call for Sites:

The former Gliddon and Squaires site and the Devon County Council land alongside it could be considered.

The 'toleration site' currently located at Seven Brethren should be retained. There is no other suitable location within Barnstaple parish for a permanent or transit site.

The two 'disused' lay bys on the A39 are capable of being developed as transit sites, provided measures are put in place to ensure the safety of travellers. There is potential for provision of a permanent or transit site within the Larkbear

development, with access of the Old Torrington Road.

Part of the 3.5 acre site designated for Park and Ride facilities at Roundswell could be used as a permanent or transit site.

Any other opportunities presented in the course of new developments outside Barnstaple parish should be considered.

Provision must be made for a suitable site for use by the funfair operators of the annual Barnstaple Fair, should the funfair need to be relocated. For security and operational purposes this must be in a location near to the funfair and must have prior agreement from the operators.

(6, 1abs)

## **91 OPPORTUNITY BARNSTAPLE 2**

Cllr I Williams introduced this item, as one of the town councillors in attendance at North Devon Council's 'Opportunity Barnstaple 2' event held on 31st January 2017. He summarised the content of the event and expressed concern at the District Council's approach to, and proposals for, developments in Seven Brethren and The Strand, and their impact on the town centre. He also raised concerns about proposals for car parking and the District Council's apparent unwillingness to discuss options for Barnstaple Fair. He also expressed his dissatisfaction at the absence of any formal consultation direct with the Town Council.

Members considered Cllr Williams' comments and also discussed:

The viability of the proposed developments in The Strand and at Seven Brethren  
Mixed messages being given by different councillors and officers apparently speaking on behalf of the District Council

The prevalence of announcements in the media rather than via meaningful consultation with the Town Council

The need for direct consultation by the District Council with the Town Council on the strategic approach to development in Barnstaple

RESOLVED: That the Chairman, Town Clerk and Cllr Williams draft a motion reflecting these concerns for consideration by Full Council.

(NC)

## **92 REPORTED CONCERNS**

Cllr Roome reported that longstanding road and pavement surface problems remained at Mermaid Walk. The Town Clerk agreed to raise this with Devon County Council.

RESOLVED: That the reported concern be noted.

(NC)

The Meeting closed at : 8.37pm

Signed : \_\_\_\_\_ Chairman Date: \_\_\_\_\_

On behalf of :- Barnstaple Town Council