

## BIGBURY NEIGHBOURHOOD PLAN COMMITTEE

Minutes of the meeting of Bigbury Neighbourhood Plan Committee (NPC) held on Tuesday, May 3rd held at Glen Cottage, Bigbury at 3:30pm.

PRESENT: Cllr. V. Scott(VS) (Chair), Jill Gubbins(JG), Simon Bronstein(SB), Cllr. Stuart Watts(SW), David Molesworth(DM), Ian Bramble(IB), Parish Clerk.

### 1.0 Welcome

The Chairman welcomed all members of the Committee.

JG, not been present at the previous meeting queried, for her own clarification, points in the previous meeting minutes; **i)** 'how do we ensure that a specific decision/recommendation 'does not set a precedent'? VS replied that each separate application should be considered on its own merits; **ii)** the precise location of the proposed Challaborough development. Clarification was given together with further comments on the problems of access to the site which will require a legal decision, outside the scope of the planning process; **iii)** the new 'Barby Lodge application to lower the front of the site to allow increased headroom in the proposed garage and implications for its use for future, further habitable accomodation. SB advised that the increase served to accommodate ceiling insulation, rather than an increase in headroom. The committee remained of the view that it would have been better if the whole of the building could be lowered.

SW asked for it to be noted that the planning decision 'Chapel Orchard' for 9 dwellings had been made before the Bigbury Neighbourhood Plan had been accepted as a 'made' Neighbourhood Plan. Naming of the St. Ann's Chapel development as 'Holwell View' was discussed, in recognition of its locality and specifically Holwell Farm, as has been requested by the farm's owner.

### 2.0 Apologies for absence

There were no apologies.

### 3.0 Approval of minutes

SB asked that his declaration of interest as the responsible architect for the Holywell Stores development be noted in the minutes of the April 12<sup>th</sup> meeting.

Subject to the above, VS proposed approval, which was unanimously agreed.

### 4.0 Declarations of interest

There were no declarations of interest.

### 5.0 Planning matters

SHDC response date

3403/21/HHO;- Avonmouth, Folly Hill, TQ7 4AR

19/05/22

Two objections from members of the public were noted. DM, after viewing the site commented that the site had been cleared of vegetation which impacted on the privacy of neighbouring properties; replanting and landscaping would in due course recreate natural screening and privacy for those most affected. DM also noted that further settlement of 'Avonmouth' was likely. VS reminded the committee of the site's history of planning and appeal decisions and that the committee could do nothing further now to alter matters. JG agreed and that new planting and restoration of the landscape as soon as possible will be welcomed, particularly to restore privacy for neighbouring properties.

0966/22/HHO – Lincombe Barn, Bigbury, TQ7 4BD

26/05/22

VS summarised the issues which had led this retrospective application, namely the previously made,unapproved, 'less than rustic' alterations; i.e. external steps and porch, fenestration added, installation of an external flu. VS disagreed with the Heritage Impact Assessment, which claimed that the alterations made, particularly with regard to the timber work and fenestration, 'had no impact'. However, VS considered that, with the appeal for the external staircase having now been allowed, it was likely that the changes to the timber work and fenestration would also now be granted permission either by the District Council or on appeal.

SB commented on the landscaping of the garden and also the removal of the flu with the implication that the internal wood burner would also have needed to be removed. VS referred to the undesirable picket fence, which was considered in the Heritage Impact Assessment to be harmful to

the rural appearance of the site. It would be good if this could also be removed and replaced with something more suitable.

VS considered that it was unlikely that the converted barn would ever be returned to its originally approved condition. She was pleased that the porch and flu had been removed but it was now unlikely that further objections to the scheme would result in the changes previously being sought ie that the timber and fenestration would be returned to their former rustic and more appropriate appearance. Accordingly the committee agreed, grudgingly, with reservations to raise no further objections.

1430/22/FUL;- Clanturkan Cottage, Combe, TQ7 4NQ

19/05/22

This proposed barn conversion was welcomed as a good use of a derelict structure but could not be considered as ancillary to the residential use of the cottage as it would be a completely self contained new dwelling, primarily for holiday letting. DM queried the comparative footprints of the two properties.

VS referred to the planning officer's pre-application report, which commented that it was not a sustainable location for a 'new dwelling' and would not normally be allowed but it might be justified on grounds that it would safeguard a non-designated heritage asset. She pointed out that the architect argued that it would not provide adequate facilities for it be considered as suitable for permanent residential use.

SB agreed that a residential dwelling for permanent residential use was not appropriate due to its unsustainable location, lack of separate parking and difficulty of access but that the proposal should be considered on its merits and its suitability for ancillary accommodation, that it should remain under one ownership and within the curtilage of the existing property, and should not be used for any other purposes than those now sought ie for family use and as a holiday let.

The committee agreed that it would not be appropriated for the development to be used as an independent private dwelling due to its unsustainable location but it was well designed an a good use for this derelict barn which was a local heritage asset.

VS noted that the architect had suggested a condition requiring it to remain within the same ownership and within the same curtilage and to be used only for use by the family or friends or as a holiday let. However, she considered that this restriction should be strengthened by having a S106 agreement to limit its future use. This was agreed by the committee.

0251/22/HHO – 3 Park Cottages, Bigbury, TQ7 4AW

26/05/22

The need for submission of this retrospective application was questioned but was thought it was to safeguard its installation from future legal challenge.

Members thought the removal of a section of Devon Bank was regrettable and contrary to the NP. There was also a concern regarding visibility and access onto a busy road. This should be a matter for DCC Highways to look into.

The committee considered that an objection should be made on grounds of the loss of a Devon bank contrary to NHP Policy BP18 and concern regarding inadequate visibility onto a busy highway.

1249/22/HHO – 4 Stakes Hill Cottages, St Ann's Chapel, TQ7 4HX

02/06/22

SW commented that the shed would be harmful to the streetscene and appearance of this residential development.

SB thought that while the shed, particularly with its curved roof, did not reference well to the local vernacular it would solve some potential security issues for the parking of the resident's motor bike. SB also mentioned that the materials were not specified on the plans. Members discussed the positioning of the shed and it was suggested that it might be better if it was positioned further back towards the rear boundary, where it might be better screened and less imposing.

The committee did not object in principle to a shed but did object to its design and positioning.

## 6.0 Annual review of Bigbury Neighbourhood Plan.

SB raised the matter of cycle and foot paths, particularly the circuitous route from St Ann's Chapel down to Challaborough, which should be more direct. This was a matter which had been raised at the 2021 Twelve Month Review. He pointed out that as a potential cycle path it did not and should not be metalled but it could be suitable for off road cycles. As a route for pedestrians as well a more direct route would be an advantage. VS agreed to raise this matter again with Cllr Cathy Case who owned most of the land but not the field which would allow more direct access.

Further comments were received about the Chapel Orchard development to stress its approval before formal approval of the NHP, therefore pre dating any possible influence on it by NHP policies.

Disappointment was reiterated by committee members over the Barby Lodge appeal decision, which was felt to be flawed in its interpretation of NHP policies. VS thought that it could have been successfully challenged by a judicial review, due in particular to the comments made by the Inspector that he had disregarded the perspective drawings, submitted in support of objections to the proposal, for the reason that as the drawings did not include a scale. She pointed out that you cannot put a scale on a perspective drawing. SB who had prepared these drawings also confirmed this and considered that the Inspector's refusal to take these drawings into account probably influenced his decision to allow the appeal. Also the initial recommendation of the SHDC case officer to grant permission for the development was thought to have been given undue weight by the appeal Inspector.

DM asked whether more precise definitions of 'important views' should be formed and also noted that NHP plan policy on views had in effect been ratified by the Barby Lodge appeal decision. DM noted too that the appeal Inspector had referred to the NHP policies but then effectively ignored them.

VS stated at this point that the NHP cannot be changed at this point in time.

JG asked if the NHP should strengthen policies for renewable energy with respect to the environment.

JG also suggested that new policies be considered to limit the amount of decking and to limit the amount external lighting.

An apparent contradiction was pointed out in that the NP supports tourism but that the NPC and PC had objected to the Burgh Island proposals. VS said that the NPC and PC had not objected to the principle of improving the facilities for the hotel but the application included a number of controversial matters such as the siting, scale and appearance of staff accommodation. It was considered that the proposed development, particularly in relation to the amount of staff accommodation being proposed would need to be fully justified, particularly as part of this was on Local Green Space, as there was a danger that this accommodation might be used for private residential apartments in the future, contrary to Policies BP2 and BP15 if the staff accommodation was no longer required for the hotel or the hotel itself ceases to be used as a hotel.

There was also concern regarding the prospect/risk of the now closed Pickwick Inn being converted into and sold as apartments. Fears about a similar outcome to the Royal Oak were expressed. VS pointed out that the NP stated that public houses were included in the list of community assets and should be retained for community use (NP Policy BP14). However, SB suggested that there was a business case for the Pickwick Inn to become a formal Asset of Local Community Value. It was agreed that this should be considered by the Parish Council and could be raised in the open session or under 'any other business'.

#### 7.0 Any other business

No other matters were raised.

The meeting closed at 5:25pm.

Date of next meeting:- 10:00 am, Tuesday May 31<sup>st</sup>.

Signed

Date

Chairman: Cllr Valerie J Scott