

**BRAUNTON PARISH COUNCIL**



**Minutes of the Braunton Parish Council Advisory Discussion meeting held on Monday 22 July 2024 at 7pm by video conference call.**

**Present**

Cllrs: M Shapland in the Chair, E Blackmore, R Shapland, A Bryant, L Childs, T Kirby, E Spear, D Spear, V Cann, M Cann, R Byrom and D Relph.

Officers: T Lovell, Parish Clerk

Also present: Sue Prosper – Chair Braunton Neighbourhood Plan Steering Group (BNPSG)

AD/13/2024/25

**Apologies**

Received from Cllr G Bell personal reasons.

AD/14/2024/25

**Receive items for information not on the agenda, which in the opinion of the Chair should be brought to the attention of members.**

There were none.

AD/15/2024/25

**Declaration of Interest**

None

AD/16/2024/25

**Public Participation**

There was no public participation.

AD/17/2024/25

**Neighbourhood Plan**

The Chairman welcomed Sue Prosper to the meeting as Chairman of the BNPSG.

Members had received the BNPSG's report circulated prior to the meeting, attached as - **appendix one**.

The Steering Group raised concerns regarding application 78201 Bloomfield House. The Case Officer in their report had not given appropriate weight to the Neighbourhood Plan policies. They had also not considered the Braunton Housing Needs Assessment (HNA) (2022) which supersedes the Housing and Economic Needs Assessment (2016). The Braunton HNA identifies a greater need for 3 bedroom properties. The Case Officer has mentioned in their report that the applicant will need to evidence the need for a 4 bedroom property when submitting their reserved matter but they have not included it as a condition when granting outline planning.

The Steering Group also expressed their disappointment that the Parish Council had not be consulted regarding the White Cross pre application enquiry. The Parish Council are statutory consultees and should be involved at pre application stage. The Steering Group requested if the Council wished it to take these matters up with the Local Planning Authority (LPA)?

The Steering Group were supportive of the Branton Community Land Trust (BCLT), it was glad that it would be attending the next Council meeting to request the Parish Council to submit a permission in principal application on behalf of the Trust.

The Steering Group had noted that the Air Quality Management Area in Branton had been revoked and requested if the Parish Council had been informed. The Chairman explained that it had not be officially notified at present.

RESOLVED: That the Council grants consent for the Steering Group and Clerk to write to the LPA regarding the above.

AD/18/2024/25 **Planning**

Cllr E Spear in her capacity as North Devon Councillor, stated that any opinions expressed during discussions on the following planning applications represent a preliminary view and that she will naturally reconsider the application fresh when presented all the facts at principal level.

(a) 78760

Proposed: Prior approval for change of use of agricultural building to dwelling house (Class Q (A) (B))

Location: Agricultural Barn at Branch Farm Pippacott Barnstaple Devon EX31 4EJ

Applicant: Mr Brend

Members requested further information from the Local Planning Authority regarding the structural soundness of the existing timber frame and that it is adequate to take the weight of the proposed barn conversion ensuring a safe and liveable dwelling.

(NC)

(b) 78784

Proposed: Demolition of disused blockwork and rendered outbuildings and erection of a single storey extension

Location: Park Cottage Road from Pound House to Winsham Road Knowle Branton Devon EX33 2LY

Applicant: A Space From Home

Moved by Cllr D Spear, seconded by Cllr R Shapland to recommend approval.

RESOLVED: That the Council recommends approval as the proposed works would be an improvement and are compliant with Policy BE1 in the Branton Neighbourhood Plan (BNP).

(NC)

(c) 78733

Proposed: Erection of a dwelling

Location: 35A The Brittons Braunton Devon EX33 2HF

Applicant: Yvonne Tuson

Moved by Cllr R Shapland, seconded by Cllr E Blackemore to recommend refusal.

RESOLVED: That the Council wishes to recommend refusal on the grounds, as follows:

- The proposed two-story development would constitute overdevelopment of the site. The development is not well related to the scale, form and character of the settlement.
- The ridge height being two storey would not be in keeping with the single storey bungalows. As such, the scheme would not meet Policy BE1(i), H9 (i) and (vi) in the BNP.
- Policy H9 (iv) and (v) of the Braunton Neighbourhood Plan have not been taken into consideration, together with guidance given in the Parish Design Code 6 (f) which states 'Infill plot development should respect the scale, massing and architectural details of the character area within which it sits.'
- If the Local Planning Authority are minded to approve this application, the Parish Council would request that Policy H1 in the Neighbourhood Plan is applied to ensure the development be for principal residency.

(11.0.1abs)

(d) 78731

Proposed: Creation of a window opening on front elevation

Location: Apple Blossom Cottage 2 Silver Street Braunton Devon EX33 2EN

Applicant: Joanne Steunenber

Moved by Cllr T Kirby, seconded by Cllr R Shapland to recommend approval.

RESOLVED: That the Council recommends approval as the proposed alterations would not adversely impact the Conservation Area and would be compliant with Policy BE1(ii) in the BNP.

(NC)

(e) 78732

Proposed: Single storey extension to garage to provide WC, shower room, utility & larger kitchen

Location: 3 South View Close Braunton Devon EX33 2JX

Applicant: Gavin Showell

Moved by Cllr R Shapland, seconded by Cllr V Cann to recommend approval.

RESOLVED: That the Council recommends approval as the

proposed development would be in keeping with the surrounding area and would be compliant with Policy BE1 in BNP. (NC)

(f) 78756

Proposed: Use of existing hut as tourism accommodation and associated works

Location: The Green Hut Saunton Road Braunton Devon

Applicant: Christie Devon Estates

Moved by Cllr R Shapland, seconded by Cllr E Blackmore to recommend refusal.

RESOLVED: That the Council wishes to recommend refusal on the grounds, as follows:

- The Green Hut is isolated and located in an extremely sensitive part of the Area of Outstanding Natural Beauty (AONB). It is highly visible within the landscape which currently has no other development.
- The Green Hut is in close proximity to the Saunton Lynchets a registered Monument by Historic England. The proposed use of the Hut as a tourist accommodation would adversely impact this heritage asset and its setting and would be contrary to Policy BE1(ii) in the BNP.
- There are no roads, paths or tracks to the Hut from the Highway making it inaccessible by vehicle. The proposed development and the 4x4 vehicular access to ferry residents to and from the accommodation across the Downs would adversely impact this locally important view, as illustrated in the Braunton Parish Character Assessment Character Area - 3 West of Parish. The Council also expressed concerns regarding accessibility for refuse collections and emergency services this application would therefore be contrary to Policy BE1(iv) in the BNP.
- If this application is approved it could set a precedent for further development within a sensitive setting.
- On balance the environmental harm that the proposed development will cause outweighs the economic benefits, the application should be refused.

(NC)

(g) 78811

Proposed: Extensions to dwelling

Location: Boundary View First Field Lane Braunton Devon EX33 1ES

Applicant: Mr Ross Maynard

Moved by Cllr V Cann, seconded by Cllr E Spear to recommend approval.

RESOLVED: That the Council recommends approval as the proposed extension is in keeping with the surrounding area and is compliant with Policy BE1 in the BNP.

(h) 78913

Proposed: Variation of condition 2 (plans) attached to planning permission 73904 (outline application for the erection of up to three dwellings) to allow amended design and improve amenities

Location: Park Farm Lower Park Road Braunton Devon EX33 2LQ

Applicant: Dial Developments Ltd

Moved by Cllr A Bryant, seconded by Cllr M Cann to comment, as follows:

- Concerns regarding the lack of detail provided to illustrate that the development will deliver 10% Biodiversity Net Gain.
- Concerns regarding the relocation of the garages and the adverse impact this would have the existing street scene, consideration should be given to the Parish Design Guide 1(a).

(11.0.1abs)

AD/19/2024/25

**North Devon Council**  
**- Planning Decisions**

78744

Description: Variation of condition 2 (Approved Plans) attached to Planning permission 76006 (Erection of 2 dwellings) to allow new plans and design to be approved

Site Address: Land to the rear of Steyning Lower Park Road Braunton Devon EX33 2LH

Applicant: Arcadian Property Holdings Ltd

Decision: APPROVED

Decision Date: 01/07/2024

78923

Description: Diversion of the existing overhead line by a Statutory Undertaker

Site Address: Velator Bridge Braunton

Applicant: Nigel Merrifield

Decision: WITHDRAWN

The meeting closed at 7.56pm.

Signed by the Chair: .....  
(Cllr M Shapland)

Date: .....



MINUTE REFERENCE 17: Neighbourhood Plan Steering Group Update to Parish Council meeting 22<sup>nd</sup> July 2024

1. Prior to the Steering Group quarterly meeting the Parish Clerk and Steering Group Chair met with Elizabeth Dee and Mark Alcott for an update on national and local planning policy and development. This third catchup session was held on the 8<sup>th</sup> July 2024 and a number of topics were discussed. The notes of this meeting can be found in this report's attachment 1.
2. In respect of the two specific applications discussed with ED/MA – Application 78201 Bloomfield House and Pre App enquiry White Cross, we were advised to take up any concerns direct with Tracey Blackmore.  
Does the Parish Council wish the Steering Group to do this?
3. At the Steering Group meeting 12<sup>th</sup> July points raised by Braunton CLT at meeting 3rd June 2024 (see Meeting notes – Attachment 2) were discussed.
4. TL advised the meeting that a request had recently been received from the CLT to ask the Parish Council at their next meeting to make the proposed outline planning application on their behalf.
5. Council members of the Steering Group, whilst acknowledging that the NP actively supported the CLT, were concerned that if the Parish Council were to make an application on behalf of the CLT they would then be excluded from the consultation process.
6. It was then suggested that rather than make the application, the Parish Council could request that the CLT allow them to review the application prior to submission. This would then allow the Parish Council the opportunity to state that they supported the application whilst enabling them to still be a statutory consultee. The Steering Group agreed that this should now be taken up with the Parish Council.
7. The Steering Group now asks that the Parish Council give careful consideration to Braunton CLT's request, with particular regard to the Braunton Parish Neighbourhood Plan Housing policies.
8. The Steering Group reviewed all determined applications for the period April – June 2024. The group considered the outcome against Parish Council recommendations, Case Officer reports detailing policy considerations in particular compliance with Neighbourhood Plan policies.
9. The attached pdf details all the planning applications considered by the Parish Council together with a commentary which details points raised during the Steering Group's discussion.
10. Once again evident from our review that the NDC planning officers are considering the BNP policies

as are the Parish Council in their submissions. Case Officers are still not always addressing the specific policies raised by the Parish Council in their submissions.

11. The next quarterly meeting of the Steering Group is 11<sup>th</sup> October 2024 when planning applications for July to August will be reviewed.

Sue Prosper  
Chair  
Braunton Parish Neighbourhood Plan Steering Group

#### Attachment

20240709 Review and Monitoring Planning Apps NP Policies April – June 2024 COMMENTARY



20240709 Review  
and Monitor Planning

## Attachment 1:

### Notes of meeting with LPA 8<sup>th</sup> July 2024

TL and SP met with officers of the LPA (Elizabeth Dee and Mark Alcock) on 8th July 2024.

The following was discussed:

#### Planning Policy

- Expecting a draft National Planning Policy Framework (NPPF) by the end of month. The revised NPPF will go out to consultation and likely to be adopted by the Autumn.
- Reintroduce housing numbers increasing local authorities house building targets.
- The Labour Manifesto gives more information about the Labour Party's proposed changes to the planning system.

The combined Devolution for Devon and Torbay has not yet gone through not sure how this will affect housing numbers for Devon – Likely that a National Formula will be used to set Devon housing targets.

Rachel Reeves Planning Reform announcement was referred to.

The relevant extract from the statement is produced below post meeting with the LPA:

*"And to take the urgent steps necessary to build the infrastructure that we need, including one and a half million homes over the next five years.*

*First, we will reform the National Planning Policy Framework, consulting on a new growth-focused approach to the planning system before the end of the month, including restoring mandatory housing targets.*

*And, as of today, we are ending the absurd ban on new onshore wind in England. We will also go further and consult on bringing onshore wind back into the Nationally Significant Infrastructure Projects regime, meaning decisions on large developments will be taken nationally not locally.*

*Second, we will give priority to energy projects in the system to ensure they make swift progress...*

*... and we will build on the spatial plan for Energy by expanding this to other infrastructure sectors.*

*Third, we will create a new taskforce to accelerate stalled housing sites in our country...*

*...beginning with Liverpool Central Docks, Worcester Parkway, Northstowe and Langley Sutton Coldfield, representing more than 14,000 homes.*

*Fourth, we will also support local authorities with 300 additional planning officers across the country.*

*Fifth, if we are to put growth at the centre of our planning system, that means changes not only to the system itself, but to the way that ministers use our powers for direct intervention.*

*The Deputy Prime Minister has said that when she intervenes in the economic planning system, the benefit of development will be a central consideration and that she will not hesitate to review an application where the potential gain for the regional and national economies warrant it.*

*... and I welcome her decision to recover two planning appeals already, for data centres in Buckinghamshire and in Hertfordshire.*



*To facilitate this new approach, the Deputy Prime Minister will also write to local mayors and the Office for Investment to ensure that any investment opportunity with important planning considerations that comes across their desks is brought to her attention and also to mine.*

*The Deputy Prime Minister will also write to Local Planning Authorities alongside the National Planning Policy Framework consultation, making clear what will now be expected of them... including universal coverage of local plans, and reviews of greenbelt boundaries. These will prioritise Brownfield and grey belt land for development to meet housing targets where needed.*

*And our golden rules will make sure the development this frees up will allow us to deliver thousands of the affordable homes too, including more for social rent. Sixth, as well as unlocking new housing, we will also reform the planning system to deliver the infrastructure that our country needs.*

*Together, [political content removed] we will ask the Secretaries of State for Transport and Energy Security and Net Zero to prioritise decisions on infrastructure projects that have been sitting unresolved for far too long.*

*And finally, we will set out new policy intentions for critical infrastructure in the coming months, ahead of updating relevant National Policy Statements within the year."*

Local Plan Review:

NDC have working parties with members happening soon. They will continue to put the building blocks in place for the Local Plan review.

Strategic policies include: housing numbers, employment, open spaces.

In response to the question would the Braunton Neighbourhood Plan (BNP) be taken into consideration ED stated that the Local Planning Authority (LPA) should take into account the BNP. The LPA will also have to consider that whichever plan is newest takes precedent as the new LP is drafted. It may be that the Steering Group should consider revising the BNP alongside the Local Plan.

Parish councils will be asked to produce Neighbourhood Plan Priority Statements as part of the LP review. This will include parish that don't have the resources to produce a neighbourhood plan. LPA are waiting for further guidance as to what these statements are, but believe that they are not intended to replace neighbourhood plans.

Parish Forum presentation - Slide 4 'Out of Scope' means that if in the NPPF no need to repeat in the LP. NPPF is top hook, local plans add a bit more meat on the bones of policies. ED gave an example such as flooding policies wouldn't need to be repeated in local plans. LPs should not duplicate national planning policies.

Need to consider creating places, right type of housing it shouldn't be just about numbers.

Area wide Design Code will have to be developed. The BNP Design Code is a material consideration which should continue to be used/incorporated into LPA thinking. Again the LPA waiting for government to publish guidance.

Parish Council's will need to engage their wider local communities. Steering groups have been through the community consultation process and have recent invaluable experience to take Neighbourhood Plan Priority Statements forward in their communities. Would expect parish councils to fully engage neighbourhood plan steering groups.

S106 Agreements:

These are legal agreements and do not form part of the planning conditions. S106 Agreements can be searched when purchasing property which is not the case with planning

conditions. If breach of a s106 agreement this would be investigated by planning enforcement.

SP/TL asked whether S106 agreements cover Public Rights of Way and car parks. In response ED/MA referred to NPPF, para. 57 -Planning obligations must only be sought where they meet all of the following tests a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.

Braunton Parish has been asked to provide its Expression of Interest for its priorities over the next 10 years so that these can be considered when allocating S106 monies.

5 Year Housing Land Supply:

November 2023 5 year housing land supply was at 5.18. Currently under review hoping the April 2024 figure will retain the 5 year housing land supply.

Braunton AQM:

ED/MA were surprised that the Parish Council hadn't been officially engaged in the removal of the AQM and that DCC officers had also been unaware.

SP/SL raised the following decided applications with ED/MA:

Application 78201: Case Officer could have challenged need for 4 bed or at least made it a condition to evidence the need for 4 bedrooms when submitting reserved matters. Case Officer used NDC 2016 HEDNA report the BNP Housing Needs Assessment dated 2022 supersedes the HEDNA and should be used as evidence instead.

Application 77576 – pre-planning application for park and ride why were the Parish Council not consulted. The Parish Council is a statutory consultee government guidance states that its best practice to engage consultees and the community at pre-planning stage. Senior Case Officer responded that pre-planning applications are confidential due to commercially sensitive data that they may contain. If this is the case, the Parish Council could have considered the pre-planning application in Part B – exclusion of press of public. MA explained that parish councils should be engaged at the pre-planning stage but unfortunately due to breaches in confidentiality in the past the LPA cannot risk consulting parish councils.

Advised that the Parish Council takes these matters up with Tracey Blackmore

## Attachment 2:

Notes of Meeting with Braunton Neighbourhood Plan Steering Group BNPSG and Braunton Community Land Trust (BCLT) on 3 June 2024 at 2pm in the Council Chamber, Chaloners Road, Braunton, EX33 2ES.

Present:

- Cllr Derrick Spear, BPC and BNPSG
- Cllr Liz Spear, BPC and BNPSG
- Cllr Marguerite Shapland, Chairman BPC and BNPSG
- Sue Prosper, Chairman BNPSG
- Cathie Hamilton, Secretary BNPSG
- Jan Gent, BNPSG
- Karen Evans BNPSG and BCLT
- Cllr Val Cann, BPC and BCLT
- Cllr Mark Cann, BPC and BCLT
- Roy Tomlinson, Chairman BCLT
- Tracey Lovell, Clerk BPC

Apologise: Cllr Graham Bell, BPC and BNPSG

RT explained that the BCLT are looking at two sites both outside of the development boundary.

### **Tesco Site –**

- Issue with access, Tesco owns the road directly behind the Braunton Superstore which leads to the proposed site.
- BCLT have been trying to gain a right of access for 3 years.
- The road currently provides access to the Tesco staff car park and their commercial units that are let.
- There is a Public Right of Way (PROW) through the proposed development site.
- Housing would be on the upper part of the land as the site is in Flood Zone 3.
- Lower part which maybe prone to flooding would be used as a community garden/orchid.
- The BCLT have been passed around the Tesco empire
- The MP has written to the National Tesco supporting BCLT to develop this site.
- Tesco Chief Executive Officer wrote back explaining that granting the BCLT access would jeopardise future development opportunities for Tesco.
- The Leader of North Devon Council Cllr Ian Roome wrote approx. 3 weeks ago has not yet received a reply.
- BCLT played the community card as Tesco provide a community grant scheme.
- Tesco advised that they use alternative access at Velator over hump back bridge but Highways would not support this.
- BCLT explored the fenced area adj. to the road but this is too close to the river and the land significantly drops down making it financially unfeasible.
- 800+ signatures on petition.
- BCLT have personally written to the 13 members on the National Tesco Board. If no support, they have exhausted all avenues and the site will not be taken forward for development.

### **Land of Saunton Road –**

- Land is behind hedges and cannot be seen from the highway.
- The land is not part of the Great Field.
- Proposal to put 20-25 houses along strip adj. to road screened by mature hedgerow.
- The houses would be sensitively designed to be in keeping with existing farm buildings.
- Site is near to a school, public transport and the main village centre.

- NDC planners are not supportive as they see the site as part of the Great Field and they are concerned that Historic England would object.
- Concerns that it would set a precedent for further development.
- Historic England have been contacted for their view.
- The County Archologist is concerned as potential harm to setting of the Great Field.
- This is difficult to understand as other developments adj. to the Great Field have been allowed including Tesco, Limetree, The Stables. It could be argued that they are part of the setting.
- Benefit for affordable rented social housing in perpetuity outweighs potential harm.
- A heritage consultant has been engaged.
- NDC Leader and Ward Members have agreed that it would be a suitable site.
- BCLT could apply for permission in principle but this would be limited up to 9 properties.

#### **Other matters –**

- BNPSG have expressed their support underpinned by housing policies in the Neighbourhood Plan that support truly affordable housing, H4, H7, H10 and in particular Policy H8.
- Also draw their attention to housing introduction para. 4, 7, 8 and 10.
- Public have expressed their support 812 signatures, although 7 were against the Tesco site and 37 had reservations regarding the site on Saunton Road.
- The building boom along the A361 in the Parish of Heanton Punchardon has made people reluctant to support any further development as they feel we have too much housing being built in the local area.
- Outline application costs in excess of £10k
- Parish Council is entitled to a 50% discount on planning application obtain clarity if this would include an exception site application.
- BCLT are keen on Passivhaus but need to take on board views of the housing association delivering the housing as they may have some restrictions.
- It was argued that a true exceptional site should not set a precedent for further opportunistic development.
- BCLT were successful with securing a grant from Fullabrook CIC and will apply again as they have £100k to award per year.
- Development costs are meet by Homes England.
- BCLT requested if the Parish Council would consider giving its support for either or both proposed sites.
- BCLT attention drawn to NE policy regarding Saunton Road site as within the SNA

Meeting ended at 2.55pm.