

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 11 August 2021
at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
G Barnell, E J Berry, S J Clist, L J Cruwys,
R J Dolley, C J Eginton, P J Heal,
F W Letch, B G J Warren and Mrs C Collis

Apologies

Councillor(s)

Mrs C P Daw

Present

Officers:

Myles Joyce (Interim Development
Management Manager), Angharad Williams
(Area Team Leader), Nick Hill (Interim
Planning Solicitor), Sarah Lees (Member
Services Officer) and Sally Gabriel (Member
Services Manager)

60 APOLOGIES AND SUBSTITUTE MEMBERS (00-03- 50)

Apologies were received from Cllr Mrs C P Daw who was substituted by Cllr Mrs C Collis.

61 HYBRID MEETING PROTOCOL (00-04-11)

The protocol for hybrid meetings was noted.

62 PUBLIC QUESTION TIME (00-04-26)

There were no questions from members of the public present.

63 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (00-04-35)

Members were reminded of the need to make declarations were appropriate.

64 MINUTES OF THE PREVIOUS MEETING (00-04-46)

The minutes of the meeting held on 28 July 2021 were agreed as a true record and were duly **SIGNED** by the Chairman.

65 CHAIRMAN'S ANNOUNCEMENTS (00-05-52)

The Chairman made the following announcements:

- She reminded Members of a special meeting of the Planning Committee to take place the following week (Wednesday 18 August 2021).
- She informed those present that Mrs Jenny Clifford (Head of Planning, Economy and Regeneration) would be leaving the authority on 13 August. She paid tribute to Mrs Clifford highlighting her long service, her friendly and helpful manner, her 'can do' attitude and she wished her well for the future.

66 DEFERRALS FROM THE PLANS LIST (00-08-38)

There were no deferrals from the Plans List.

67 THE PLANS LIST (00-08-50)

The Committee considered the applications in the *Plans List.

Note: *List previously circulated and attached to the minutes.

- a) Application 21/00072/MARM – (reserved matters for the erection of up to 105 dwellings, associated landscaping, public open space and allotments together with vehicle and pedestrian access from Siskin Chase and pedestrian access from Colebrooke Lane, following outline approval 19/01839/MOUT – land at NGR 301216 106714 (West of Siskin Chase) Colebrooke Lane, Cullompton)**

The Area Team Leader outlined the contents of the report informing the meeting of the history of the site, the outline planning permission which had been granted in September 2020 and explained that the current reserved matters application dealt with layout, appearance, landscape and scale and that the access to the development had been considered as part of the previous outline application.

She provided a presentation which highlighted: the site layout, the main vehicular access via Siskin Chase, the construction access via Colebrooke Lane (both agreed at outline), the proposed street scene, the landscaping layout which was predominately to the south of the site; the affordable housing layout and the position of the accessible and adaptable homes; the parking strategy, soft landscaping and the play equipment set up, the allotments proposals and photographs from various aspects leading to the site.

Consideration was given to questions from the committee with regard to:

- The maintenance of the open space and who would be responsible for the allotments, where was the cycle way and whether the location of the bird boxes could be identified.
- Concerns with regard to surface water run off
- The tree planting scheme, the location of the affordable housing, whether the allotments would be bunded and the lighting to the pedestrian access
- Housing standards associated with the 'Ashenford' – 2 bed properties and the views of Public Health and that this would be a Building Control matter.

- Play space for older children
- The pinch point in Siskin Chase which had already been considered at outline.

Further consideration was then given to:

- The views of the objector with regard to the lack of cycle paths within the development, the high car use encouraged on the site by way of the additional parking spaces which was thought to be excessive, the excessive parking at the allotments and concerns with regard to flooding on the pedestrian path to the site.
- The views of the agent with regard to the access consented at the outline stage, what was being considered as part of the reserved matters application, the high quality design of the development with ample open space and parking, the involvement of the Design Review Panel, the affordable housing on the site, the electric charging points for every dwelling, the adaptable and accessible homes, the contributions through the S106 agreement and the dialogue that had taken place with the Town Council.

It was therefore **RESOLVED** that: planning permission be granted subject to conditions, as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

Reason for the Decision: As set out in the report

Notes:

- i.) Cllrs: E J Berry, S J Clist, R J Dolley and B G J Warren made declarations in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as they had spoken with and received correspondence from interested parties;
- ii.) Mrs Mako-Yule spoke in objection to the application;
- iii.) Mr Harrison (Agent) spoke;
- iv.) Cllr E J Berry spoke as Ward Member for Cullompton South;
- v.) Cllr E J Berry requested that his vote against the decision be recorded.

b) Application 20/00748/FULL – (Change of use of land from commercial to residential use, including the demolition of a building and the erection of a single storey dwelling – 22 Lower Town, Sampford Peverell)

The Interim Development Management Manager outlined the contents of the report explaining to those present the background to the application, the consultation process that had taken place, including the issues raised by the Parish Council and the issues covered by the informative notes within the report. He provided a presentation which highlighted the location of the site, the existing and proposed block plan, the floor plans, elevations, the position of the lights on the tennis court, the retention of the perimeter wall and explained the measures that had been put in

place to mitigate the flood risk. He also provided photographs from various aspects of the site.

The officer then further highlighted the headlines within the report that of: the principle of development, the design and appearance of the proposal, the amenity, managing the flood risk, environmental impact, heritage matters, access and highways issues

Consideration was given to questions from Members which included:

- Whether there was any precedent with regard to properties being built alongside recreational facilities.
- The relevance of the sequential test
- The removal of the PD Rights
- Possible flood issues and the installation of the mezzanine floor
- The closeness of the boundary wall to the proposed dwelling
- Whether the officer was content with the land contamination report

Further consideration was given to:

- The views of the applicant with regard to the maintenance that was required to the current building, the need for the business to move to larger premises as it had outgrown the site and that the site would be much better as a dwelling.
- The views of the Ward Members with regard to: their thoughts that the development was not appropriate in the proposed location, the refuge above ground floor to overcome the flood risk, the closeness of the play area and local sporting facilities to the proposed dwelling, the closeness of the access route to the canal, that the proposed dwelling would not appeal to potential residents and the impact of the tennis court lighting on the property.
- The views of the Parish Council with regard to the history of the site and that the building had originally been the Cadet Hut, the proposal was adjacent to the play park and the public toilets, the tennis courts were used every day and more so at weekends and the impact of this on the residents of the property, the access to the public car park and the siting of food retail vans would impact on the property and that the building should have been considered for other uses.

It was therefore **RESOLVED** that: planning permission be granted subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by Cllr P J Heal and seconded by Cllr G Barnell)

Reason for the Decision: As set out in the report

Notes:

- i) Cllr Mrs C A Collis made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as she was the Ward Member;
- ii) Cllr R J Dolley made a declaration in accordance with the Protocol of Good Practice for Councillors dealing with planning matters as he knew members of the Parish Council;

- iii) Marie Yaxley (Applicant's partner) spoke;
- iv) Cllr Mrs Culpin spoke on behalf of the Parish Council;
- v) The Chairman read a statement on behalf of Cllr Miss Norton (Ward Member);
- vi) Cllr Mrs C A Collis spoke as Ward Member;
- vii) Cllr Mrs C A Collis requested that her vote against the decision be recorded;
- viii) Cllr C J Eginton requested that his abstention from voting be recorded.

68 MAJOR APPLICATIONS WITH NO DECISION (1-57-42)

The Committee had before it, and **NOTED**, a list * of major applications with no decision.

Note: *List previously circulated; copy attached to the Minutes

(The meeting ended at 4.14 pm)

CHAIRMAN