

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 26 August 2015
at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
Mrs H Bainbridge, Mrs J B Binks, K Busch,
Mrs C Collis, R Dolley, S G Flaws, P J Heal,
D J Knowles, F Letch, R F Radford, J Smith,
J D Squire and R L Stanley

Apologies

Councillor(s)

J M Downes

Also Present

Councillor(s)

B A Moore, T W Snow and Mrs N Woollatt

Present

Officers:

Jenny Clifford (Head of Planning and
Regeneration), Tina Maryan (Area Planning
Officer) and Sally Gabriel (Member Services
Manager)

40 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr J M Downes.

41 PUBLIC QUESTION TIME

The following questions were asked in relation to Item 1 on the Plans List (Bourchier Close, Bampton).

Mrs Kenny speaking on behalf of Bampton School and her own business asked that Members consider residents' concerns regarding the impact of traffic on Castle Street which was already congested and dangerous. Had this been taken into account?

Mr Chidwick stated that reference to the group of beech trees along the boundary of the site in the ecological report had been dropped from the recent submission. There were no trees shown on the application layout; would the Council consider a tree preservation order on the group of trees?

Mr Hellings stated that his garden as well as 3 other properties had the Shuttern Brook at the end of their garden. In 2013 flood water had eroded the wall in Frog Street and the wall collapsed into the brook. Proposed development would result in more water into the brook which could cause further collapse. Any additional rubble into the culvert could block it with serious results.

The Chairman stated that the questions would be answered when the item was debated.

42 MINUTES OF THE PREVIOUS MEETING

Subject to an amendment to Minute 33 (b)(i) with the inclusion of “and his extended family” after “applicant” and (e) stating that “Cllrs Mrs F J Colthorpe, F W Letch and J Smith requested that their vote against the final decision be recorded”; the minutes of the meeting held on 29 July 2015 were approved as a correct record and signed by the Chairman.

43 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make.

44 MANOR HOUSE HOTEL, CULLOMPTON (00-09-12)

The Committee had before it a *report of the Head of Planning and Regeneration updating Members on the latest situation regarding the repair works at The Manor House Hotel, 2-4 Fore Street, Cullompton and seeking authority to serve an urgent works notice in the event that current work stalled.

The Head of Planning and Regeneration outlined the contents of the report highlighting the background information as set out in the report and the recent events which had led to the closure of Tiverton Road, the programme of works currently taking place and the involvement of Historic England.

The Conservation Officer reported that weekly meetings were taking place with the property owner and structural engineers, it was hoped that remedial works on the Tiverton Road side of the property could be resolved as quickly as possible. The details of work to the timber frames were outlined and the works required to resolve these issues were explained.

The Head of Planning and Regeneration stated that in order to reduce congestion in Fore Street, the Highway Authority had issued a temporary traffic regulation restricting waiting, loading and unloading between specific hours, these intended to remain in place until Tiverton Road was reopened. She stated that there was a need for the progress being made on the property to be sustained and therefore requested that Members approve an Urgent Works Notice which could be used should the current works stall.

Consideration was given to:

- When Tiverton Road could be reopened
- The damage that the pigeons were doing to the building and the pavements and investigations of the Environmental Health Service under the Environmental Protection Act in respect of a possible abatement notice;; Officers stated that coordinated works were taking place with Environmental Health.
- The amount of remedial work that would be required in the long term.

It was therefore

RESOLVED that delegated authority be given to the Legal Services Manager in conjunction with the Head of Planning and Regeneration

a) to take legal action to include the service of an urgent works notice or notices if satisfactory progress is not made to undertake and complete works to the building. In the event of failure to comply with the urgent works notice or notices the consideration of prosecution proceedings, the issue of injunction proceedings or direct action and

b) to specify the requirements of the urgent works notice.

(Proposed by the Chairman)

Notes:

- (i) Cllrs K I Busch, T W Snow and Mrs N Woollatt spoke as Ward Members for Cullompton;
- (ii) *Report previously circulated, copy attached to minutes.

45 **DEFERRALS FROM THE PLANS LIST**

There were no deferrals from the Plans List.

46 **THE PLANS LIST (00-44-32)**

The Committee considered the applications in the plans list *.

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

(a) Applications dealt with without debate.

In accordance with its agreed procedure the Committee identified those applications contained in the Plans List which could be dealt with without debate.

RESOLVED that the following applications be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

- (i) No 2 on the Plans List (***15/01133/TPO – Application to pollard a 3m 1 x Holm Oak Tree protected by Tree Preservation Order 80/0001/TPO – land at NGR 294835 112898 (adjacent to Shortridge Mead Flats), Patches Road, Tiverton.***) be approved subject to conditions as recommended by the Head of Planning and Regeneration

(Proposed by the Chairman)

Note: As the item was a Local Authority application, Cllrs P J Heal and R L Stanley declared personal interests as Chairman of the Decent and Affordable Homes Policy Development and Cabinet Member for Housing respectively.

(b) No 1 on the Plans List (15/00391/MOUT – Outline for the erection of between 15 and 20 dwellings and up to 2500 sq.m of B1 floor space including landscaping, parking and provision of vehicular access from the B3190) – Land at NGR 295599 122818 (North of Bouchier Close), Bampton

The Area Planning Officer outlined the contents of the report by way of presentation highlighting the history of the site and the allocation within Policy BA2 of the AIDPD, the location plan, the site access arrangements, the section through the proposed footpath and the illustrative masterplan. She informed the meeting that a letter had been received from the agent voicing concerns with regard to the officer recommendation within the report and stating that he felt that more weight should be given to the Adopted Local Plan rather than the emerging plan, the layout provided had been indicative and that the quantum of employment space would be dealt with via a reserved matters application. She explained that officers believed that more weight should be given to the emerging plan and therefore she stood by her recommendation within the report.

She answered the questions posed at public question time:

- Traffic issues in Castle Street – the inspector had identified the issue but felt that the need to allocate the site outweighed concerns at the time to do with traffic issues.
- She felt that the flooding issues had not been fully resolved through the application.
- Trees: she agreed that the matter of the group of beech trees would be looked into.

Consideration was given to:

- The emerging Local Plan and the amount of weight that should be given to it and the fact that the site was not proposed for reallocation within the emerging new plan;
- Traffic issues in Bampton;
- Historical flooding issues in the town;
- The issues that the inspector had identified when considering the site in 2007;
- The proposed reclassification of Bampton as a village;
- The employment allocation and whether this was required;
- Poor accessibility along country roads and the impact of the centre of the town;
- Visual impact;
- The steep access from the town to the site;
- COR16 (Core Strategy Local Plan Part 1) and high quality development.

RESOLVED that the outline application be refused as recommended by the Head of Planning and Regeneration.

(Proposed by Cllr R L Stanley and seconded by Cllr P J Heal)

Notes:

- (i) Cllr Mrs F J Colthorpe declared a personal interest as a previous Ward Member and as the current County Councillor;

- (ii) Cllr R L Stanley declared a personal interest as one of the Ward Member's and that he had been involved in discussions with some of the objectors;
- (iii) Cllrs Mrs J B Binks, Mrs F J Colthorpe and R J Dolley made declarations in accordance with the Protocol of Good Practice for Councillors dealing in planning matters as they had received correspondence regarding this application;
- (iv) Mrs Lunel spoke on behalf of the objectors;
- (v) Cllr P P Edwards spoke on behalf of Bampton Town Council;
- (vi) Cllrs B A Moore and R L Stanley spoke as Ward Members;
- (vii) Cllr K I Busch requested that his abstention from voting be recorded.

47 **THE DELEGATED LIST (1-48-56)**

The Committee **NOTED** the decisions contained in the Delegated List *.

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

48 **MAJOR APPLICATIONS WITH NO DECISION (1-50-26)**

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

It was **AGREED** that applications 15/0116/MOUT – South View Road, Willand and 15/01034/MFUL Red Linhay, Crown Hill, Halberton be brought before the Committee and that site visits take place prior to determination.

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

49 **APPEAL DECISIONS (1-52-16)**

The Committee had before it and **NOTED** a list of appeal decisions * providing information on the outcome of recent planning appeals.

Note: * List previously circulated; copy attached to signed Minutes.

50 **PLANNING PERFORMANCE QUARTER 1 2015/16 (1-52-47)**

The Committee had before it and **NOTED** a report * of the Head of Planning and Regeneration providing information on the performance of the Planning Services for quarter 1 within the 2015-16 financial year. She outlined the contents of the report stating that the majority of targets had been met or been exceeded, she highlighted major applications determined within 13 weeks and listed building consents target that were under performing at the present time. She highlighted that in addition to the normal performance reporting she had provided some data with regard to

enforcement issues and had provided within the report a summary of the Government's intention to significantly tighten performance requirements including the planning guarantee for minor applications. She outlined the staffing situation within Development Management and reported that closer working was taking place with North Devon with regard to Building Control.

Discussion followed with regard to:

- Meeting targets with reduced staff
- Members requested information regarding Section 215 Notices
- Planning matters in contiguous wards

Note: * Report previously circulated copy attached to minutes

(The meeting ended at 4.35 pm)

CHAIRMAN