

# Public Document Pack

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **PLANNING COMMITTEE** held on 21 October 2015 at 2.15 pm

### **Present Councillors**

K Busch, Mrs C Collis, R J Dolley,  
J M Downes, S G Flaws, P J Heal,  
D J Knowles, F W Letch, R F Radford,  
J L Smith, J D Squire and R L Stanley

### **Apologies Councillor(s)**

Mrs H Bainbridge and Mrs F J Colthorpe

### **Also Present Councillor(s)**

Mrs A R Berry and Mrs G Doe

### **Present Officers:**

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

## 61 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllrs Mrs H Bainbridge and Mrs F J Colthorpe.

In the absence of the Chairman, Cllr D J Knowles (Vice Chairman) took the Chair and invited a Member of the Committee to be his Vice Chairman for the meeting.

**RESOLVED** that Cllr J M Downes take the place of the Vice Chairman for the meeting.

(Proposed by Cllr P J Heal and seconded by Cllr F W Letch)

## 62 **PUBLIC QUESTION TIME**

Mrs Rice referring to Item 3 on the Plans List (Coach Road, Silverton) stated that when the original consent was given for the doctors surgery the following condition was applied limiting the use of the site as a doctors surgery, I assume this condition still applies?

The site drawings do not show the extension is this an oversight?

Regarding parking, there will be a reduction in parking, this will mean more cars in Coach Road where there are already parking issues.

Mr Holmes referring to item 2 on the Plans List (Willand Service Station)

In their reply of 28 July 2015, the Highway Authority requested that the site should demonstrate the swept path of an articulated vehicle on entry and exit from both directions.

It has not been demonstrated that the swept path analysis of an articulated vehicle leaving the site to travel towards Cullompton would achieve this manoeuvre without mounting the grass verge opposite or blocking the carriageway.

What proposals are there if this manoeuvre does not prove possible as it would seem a fundamental question that has not been addressed in the Road Safety Audit, revised plans or officers report?

Mr Grantham referring to item 1 on the plans list (Portway Gardens) asked if the committee members knew exactly what they are being asked to approve?

This is asked as the officers report does not include any drawing numbers which will appear as part of the decision notice.

It is considered extremely relevant when in particular one is referring to the current hardstanding parking area at the front of the property. Hardstanding along the front of the house was included in the last committee approval but all of the current hardstanding in front of the proposed extension has been laid in contravention of the approval as has part of the protective rail fence. In spite of representation from the Parish Council this unapproved area has not been noticeably addressed by planning officers.

The officer in his report to Committee states on the bottom of page 13 and I quote "although there are a couple of outstanding issues on the wider site being currently investigated by your Enforcement Officers these issues do not have any impact on the proposed scheme presented to you for consideration although it is noted that one of the outstanding issues relates to an additional area of vehicle hardstanding within the curtilage of 4 Portway Gardens. This hardstanding is not shown on the submitted drawings and its retention is not sought through this application". Is this not a contradiction of fact and may we show that the last statement is incorrect?

On Page 15 of the report the officer states "The majority of issues raised by Willand Parish Council relate to the siting, building and inclusion of additional hardstanding. This had been removed from the application and is not to be considered as part of this application". This is not correct as reading of the Parish Council submission will show a number of other areas of concern.

The following plans have been submitted and are part of your consideration:  
Plan PA101 REV A - the site location and block plan. Notes on the plan say that "detached garage and additional driveway removed" The additional unapproved hardstanding is shown as part of the plan to be approved.

Plan PA102 REV A - site plan as proposed. Notes on the plan say "detached garage and additional driveway removed." There are two lines which appear to show the current and wider hardstanding areas and it is not clear.

Plan PA202 REV A - Floor plans as proposed. Notes on the plan say that "detached garage removed from title block" in front of the extension on the ground floor plan is the word courtyard which is where the current unapproved hardstanding/parking area is laid.

If one looks at the design and access statement (3.3) the agent refers to this area being suitable for barbecues etc and so appears of the view that this is or will be approved and is part of the application.

Will Members be clear on these points please before making a decision.

Mr Mander referring to Item 1 on the Plans List (Portway Gardens) stated that the Ward Councillors, the Parish Council and residents are concerned that this extension will further compromise the street scene on this development by creating further hard building line. The width of the property is to be increased by 50% which will in effect make a solid building across the whole plot.

This question is asked because the planning officer states that the Parish Council has commented that the extension will disrupt the view of the protected walnut tree within the rear garden of the applicant's property. This is not correct and the Parish Council's position is set out in paragraph 4.2 of their letter of 15 September where they refer to the loss of view of trees in the plural - there are three trees which will be hidden or partly hidden.

It should be noted that in the planning history you are advised of the current appeal which is taking place whereby at the rear of most of these trees a cypress tree was recently refused removal. The reasons for refusal are given as "the tree is serving to soften a new development and is an important feature of the street scene. It has good landscape value. The loss of the tree is considered to harm the visual amenity of the area to an unacceptable degree". The building of the extension will close off the majority of the view of the depth of the street scene of which the three trees to the rear are part.

Is it not inconsistent to at one point to argue for the retention of a tree as to its amenity value to the street scene and then negate that by increasing the width of a house to the front of it by 50% and thereby hide the potential of this and other trees to break up the hardness of the existing permitted properties.

Mr Gallagher referring to Item 11 on the agenda (Wiseburrow Farm) referred to the previous application refused on the grounds of screening and the lack of screening. The current application does not appear to show any significant difference to the previous one as the proposed screening will have no effect. From where you stand you have got a site line only 5 metres high, whereas they will need to be 25 metres to cover the same screening, if you are mindful to approve, the planting scheme should be in place before you start. Holcombe Court will also have a problem with screening, this is all to do with the line of sight, we will need proper screening for this project please.

The Chairman indicated that answers to the questions would be provided when the items were discussed.

63 **MINUTES OF THE PREVIOUS MEETING (00-17-58)**

Subject to an amendment to Minute 55 (Enforcement List) to include in the notes that Cllrs R J Dolley and J L Smith requested that their vote against the decision be recorded, the minutes of the meeting held on 23 September were approved as a correct record and signed by the Chairman.

64 **CHAIRMAN'S ANNOUNCEMENTS (00-19-29)**

The Chairman had no announcements to make.

65 **DEFERRALS FROM THE PLANS LIST**

There were no deferrals from the Plans List.

66 **THE PLANS LIST (00-23-20)**

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 4 on the Plans List (***15/01438/FULL – installation of 150KW ground mounted solar panels – land at NGR 280054 113389 (Woodford Farm, Witheridge)***) be approved subject to conditions as recommended by the Head of Planning and Regeneration.

(Proposed by the Chairman)

Notes:

- (i) Cllr P J Heal declared a Disclosable Pecuniary Interest as he had had business dealings with the applicant and therefore left the meeting whilst the decision was taken;
- (ii) Cllr J M Downes requested that his vote against the decision be recorded;
- (iii) Cllr R J Dolley requested that his abstention from voting be recorded;
- (iv) The following late information was available on the update sheet: Two further representations have been received:

19<sup>th</sup> October 2015

Morched Bishop Parish Council: no comments.

Cruwys Morched Parish Council: no objections.

The additional representations do not raise any further issues to be considered in determining the application.

**(b) No 1 on the Plans List ((15/00968/FULL, erection of a single storey extension, 4 Portway Gardens, Willand Old Village, Willand)**

The Head of Planning and Regeneration outlined the contents of the report by way of presentation highlighting the block plan, which identified the walnut tree with a tree preservation order in addition to the large oak tree, she outlined the single storey extension, the proposed elevations and materials to be used to match the existing property, the spread of the root protection areas of the walnut tree and photographs from various aspects of the site which considered the location of the proposed extension with regard to the streetscene.

In answer to the questions posed in public question time, the Head of Planning and Regeneration stated that the foundation design had been controlled; the only issue before committee today was the application for a side extension, this did not include the driveway, the hardstanding or the fencing.

Consideration was given to the history of the various applications on the site, the impact of the proposed extension on the trees, the live enforcement issues, the possibility of the Tree Officer being present whilst any excavations took place to try to protect the root protection area of the walnut tree, possible overdevelopment of the site, the position of the walnut tree and its proximity to the fence and street scene issues.

**RESOLVED** that planning permission be granted subject to conditions as recommended by the Head of Planning and Regeneration with an amendment to Condition 3 to state:

- i) No development shall begin until specific details of the method of constructing the foundations for the extension and proposing a suspended floor so as to provide protection for the root protection area of the walnut tree within the rear garden of the property have been submitted to and approved in writing by the Local Planning Authority. Once approved the development shall be undertaken in accordance with the approved details.
- ii) Prior notice of not less than 3 working days shall be given in writing to the Local Planning Authority of the date and time of any excavation works to construct the extension so that the Tree Officer may be present during those works. No such excavation works shall take place without prior notice in accordance with the requirements of this condition.

(Proposed by Cllr P J Heal and seconded by Cllr J M Downes)

Notes:

- (i) Mr Fanning (Agent) spoke;
- (ii) Mr Dennis spoke on behalf of the objectors;
- (iii) Cllr Warren spoke on behalf of Willand Parish Council;

- (iv) Cllr Mrs G Doe spoke as Ward Member;
- (v) Statements by Cllrs R J Chesterton and R Evans (Ward Members) were considered;
- (vi) A proposal to refuse the application was not supported.

(c) No 2 on the Plans List ***(15/01086/FULL – erection of petrol filling station including sales (200sqm shop), dispensing forecourt and canopy, underground tanks and associated pipework, air/water machine, parking, floodlights, service yard area and new surface finished, removal of existing pumps and relocation of car sales - Willand Service Centre, Willand).***

The Area Planning Officer outlined the contents of the report by way of presentation identifying the location plan, the existing site layout and the proposed expansion of the petrol station, the existing and proposed accesses and photographs from various aspects of the site. She addressed the issues that had arisen in public question time stating that the movement of heavy good vehicles had been discussed with the applicant and the Highway Authority (consultation response 30 September 2015) and were addressed through conditions. With regard to issues of noise and opening hours, the Environmental Health Service had not considered that the relocation of the filling station would have any additional impact on local residents. She also addressed issues of building outside the settlement limit explaining the change in Government policy following the introduction of the National Planning Policy Framework which was in favour of sustainable development and encouraged the expansion of existing businesses in rural areas.

Discussion took place with regard to:

- The fact that there had not been opening restrictions on the previous site
- The possible impact on the neighbouring properties
- The National Planning Policy Framework and building in the open countryside

**RESOLVED** that planning permission be granted subject to conditions as recommended by the Head of Planning and Regeneration with the removal of Condition 3 (as this duplicated another condition) and the deletion of reference to Policy COR 17 in the reasons for approval.

(Proposed by Cllr P J Heal and seconded by Cllr F W Letch)

Notes:

- (i) Cllr R J Dolley declared a personal interest as he had worked with other businesses on the site;
- (ii) Mr Sheppard spoke on behalf on the applicant;
- (iii) Mr Hoare spoke as an objector;
- (iv) Cllr Warren spoke on behalf of Willand Parish Council;
- (v) Cllr Mrs G Doe spoke as Ward Member;

- (vi) A proposal to defer the application to consider highway issues was not supported;
- (vii) Cllr R J Dolley requested that his abstention from voting be recorded.

(d) No 3 on the Plans List ***(15/01234/FULL – erection of a dwelling, Exe Valley Practice, 3 Coach Road, Silverton)***

The Principal Planning Officer outlined the contents of the report by way of presentation highlighting the site location plan, the neighbouring properties, the proposed floor plan, elevational drawings, proposed materials, 3 D visualisations of the front and rear view of the development and photographs from various aspects of the site. He stated that concerns regarding parking issues had been addressed and the Highway Authority had been consulted.

In answer to the questions posed in public question time, the Head of Planning and Regeneration stated that the original condition would be overridden by the granting of the consent; the parking issues had been explained and that whilst the surgery was proposed for closure the application for the dwelling had been considered in co-existence with it.

The Chairman indicated that he had received a message from the Ward Member (who had an interest in the application) stating that the adjacent Ward Member who had called in the application was unable to attend and therefore requested that the item be deferred or that a site visit take place. He stated that this was a decision for the committee.

Consideration was given to the objector's concern regarding the impact of the development on neighbouring properties.

**RESOLVED** that planning permission be granted subject to conditions as recommended by the Head of Planning and Regeneration.

(Proposed by Cllr P J Heal and seconded by Cllr R J Dolley)

Notes:

- (i) Mrs Rice spoke in objection to the application;
- (ii) The following late information was reported: 16<sup>th</sup> October 2015 - The Parish Council recommends refusal of the above application as it feels the proposed works are an overdevelopment of the site.

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

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

**68 MAJOR APPLICATIONS WITH NO DECISION (2-12-00)**

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

It was **AGREED** that:

Application:15/01571/MFUL – Menchine Farm be brought before the Committee and that a site visit take place prior to determination.

Application 15/01511/MFUL – Broadpath, Burlescombe, be brought before the Committee and that a site visit take place prior to determination if recommended for approval.

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

**69 APPEAL DECISIONS (2-13-42)**

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.

**70 APPLICATION 15/00650/MARM - RESERVED MATTERS FOR THE ERECTION OF 285 DWELLINGS INCLUDING COMMUNITY CENTRE, GREEN INFRASTRUCTURE, PUBLIC OPEN SPACE, VEHICLE ACCESS POINTS, INTERNAL ROADS, PEDESTRIAN/CYCLE LINKS AND ASSOCIATED WORKS AT LAND AT NGR 2301001 107388 (NORTH OF KNOWLE LANE, KNOWLE) (2-14-15)**

The Committee had before it a \* report of the Head of Planning and Regeneration regarding the above application.

She outlined the contents of the report by way of presentation highlighting the original Kingfisher Reach development and the proposed access points to the development before Members. She identified the proposed layout, the footpath links and vehicular access, the attenuation ponds, the network of paths and bridges, the community building, the areas for children's play, the affordable housing plots throughout the site, the proposed street scene, proposed elevations of the apartment block, the range of material and photographs from various aspects of the site. She explained the control of surface water and the maintenance of the open spaces and the change in Government policy with regard to affordable housing and the impact of this on the viability of affordable housing on the site.

Consideration was given to:



- The concerns of the Town Council with regard to parking issues, traffic generation, play areas and adequacy of access.
- Following a previous presentation to Members, the applicant had responded to the Committee's concerns regarding the apartment blocks, bin storage and bus stops.
- Access points to the proposed development.
- Drainage concerns and the maintenance of the attenuation ponds.
- Traffic issues in the town and the increase of vehicular movement.
- A possible roundabout at the Kingfisher Reach/Tiverton Road junction.
- The reduction of affordable housing on the site.
- Visual impact of the 3 storey buildings.

**RESOLVED** that planning permission be granted subject to conditions and an informative note as recommended by the Head of Planning and Regeneration.

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

Notes:

- (i) Cllrs P J Heal and R L Stanley declared personal interest as Chairman of the Decent and Affordable Homes Policy Development and Cabinet Member for Housing respectively;
- (ii) Cllr R J Dolley declared a personal interest as a member of the Decent and Affordable Homes Policy Development;
- (iii) Cllr D J Knowles made a declaration in accordance with the Protocol of Good Practice for Councillors dealing in planning matters as he had received correspondence regarding the application;
- (iv) Mr Mantell (Agent) spoke;
- (v) Mrs Morris (Cullompton Town Clerk) spoke;
- (vi) Cllr Mrs A R Berry spoke as Ward Member;
- (vii) Cllrs K I Busch, R J Dolley and J L Smith requested that their votes against the decision be recorded;
- (viii) The following late information was reported:

16<sup>th</sup> October 2015

Revised tracking plans have been provided following the comments of the Highway Authority. The Highway Authority has confirmed that it is content that the issues raised in their earlier comments have now been addressed.

Revised landscaping plans have been received which address the issues raised by the Police Architectural Liaison Officer.

Cullompton Town Council comments received 14<sup>th</sup> October repeating objections of their response 26<sup>th</sup> June 2015. Revised / new comments received 14<sup>th</sup> October are summarised as follows:

Submitted evidence of vehicle tracking shows sufficient space for emergency and refuse collection vehicles to transit the streets and turn. The diagrams do not make allowance for residential vehicles that will be parked on these streets which will make their access and egress from the development difficult if not impossible.

The development will bring in excess of 450 domestic cars. The majority will be exiting from a single point of the development and onto another inadequate street in Kingfisher Reach before proceeding to the inadequate Tiverton Road junction with High Street. At peak times this is unacceptable. Installation of a roundabout at the north of the development and onto Tiverton Road. At a bare minimum there must be a second access at the northern end of the development.

Space should be allocated for allotments and community composting area. There is currently a waiting list of allotments. The copse should be planted with fruit trees.

19<sup>th</sup> October Lead Local Flood Authority summarised as follows:

Maintenance of SUDS can be dealt with by appropriate conditions with details of the management company and maintenance regimes of appropriate features. Outline details appear appropriate but further detail will be required to secure the long term maintenance of the scheme.

Our landscape comments relate to the overall design of the attenuation areas and the health and safety issue around steep embankment slopes. It is unclear from the proposed drawing what sort of slopes the pond will have, it appears steep. The areas should be designed as per the Ciria SUDS manual and be sympathetic to the surrounding area and flood plain areas.

Flood mitigation measures will require flood defence consent due to the presence of a main river. Our comments were related to the overflow mechanisms of the attenuation as well, in which a sympathetic reinforced spillway being provided to safeguard the pond design as per the SUDS manual.

Overall we are happy with the performance of the surface water management strategy, but with lessons learnt from phase 1 of the development.

(ix) \*Report previously circulated, copy attached to minutes.

**71 APPLICATION 15/01108/MFUL - INSTALLATION OF A GROUND MOUNTED PHOTOVOLTAIC SOLAR FARM TO GENERATE UP TO 6MW OF POWER (SITE AREA 11 HA) WITH ASSOCIATED INFRASTRUCTURE INCLUDING INVERTER CABINS, SUB STATION BUILDINGS, ACCESS TRACKS, FENCING AND CCTV**

**(REVISED SCHEME) LAND AT NGR 307922 118303 (WISEBURROW FARM)  
BURLESCOMBE (3-06-43)**

The Committee had before it a \* report of the Head of Planning and Regeneration regarding the above application.

The Area Planning Officer outlined the contents of the report by way of presentation highlighting the site location, access to the site, an aerial photograph identifying the site, the proposed layout of the panels, the panel arrangement, the location and design of the substations and proposed landscaping. She also explained the amendments from the previous application.

Photographs from various locations were presented and she explained that she felt there was no cumulative impact with regard to other sites in the neighbourhood.

Addressing the issue raised at public question time with regard to visual impact, she stated that screening could be conditioned and that the landscape plan could be enhanced.

Consideration was given to:

- The need for renewable energy and effective solar energy
- The visible impact of the proposal in open countryside
- The cumulative impact of the proposal
- The number of solar PV farms in the area
- The quality of the agricultural land

**RESOLVED** that members were minded to refuse the application and therefore wished to defer the decision to allow for a report to be received setting out the implications for the proposed reasons for refusal based on landscape and visual impact and cumulative impact.

(Proposed by Cllr R L Stanley and seconded by Cllr Mrs C A Collis)

Notes:

- (i) Cllrs K I Busch, Mrs C Collis, R J Dolley, J M Downes, S G Flaws, P J Heal, D J Knowles, R F Radford, J L Smith, J D Squire and R L Stanley made declarations in accordance with the Protocol of Good Practice for Councillors dealing in planning matters as they had received correspondence regarding the application;
- (ii) Mr Munday (Agent) spoke;
- (iii) Mrs Worner spoke on behalf of the objectors;
- (iv) A statement by Cllr Mrs Bainbridge (Ward Member) was considered;
- (v) Cllr Mrs C A Collis spoke as one of the Ward Members;
- (vi) The following late information was reported: 16<sup>th</sup> October 2015

Burlescombe Parish Council 13<sup>th</sup> October 2015 – No further comments to make beyond their original objections (contained within the Committee report under the consultations section).

Two additional letters of objection received:

- The application will have a negative effect on the local area due to the loss of agricultural land, cumulative impact and the impact on views from historic buildings;
- Feel the committee report undervalues the special landscape;
- The wrong scheme in the wrong place.

1 further objection summarised as follows:

- The applicant has shown scant regard for screening the site – the planting already carried out is unsuitable due to species and size: trees would need to be 20m+ to screen
- Screening on the boundary of Wiseburrow Farm and Whipcott would alleviate screening issues for residents of the Whipcott area: trees would need to be 4-5m to screen
- The previous application was partly refused on landscaping grounds – the current proposal is no better and should be addressed using the whole of Wiseburrow Farm, not just the site.

Holcombe Rogus Parish Council had the following comments:-

1. It does not seem to us that the additional information provided by the applicants makes the proposed development acceptable. In particular, it is apparent from the additional photomontages that the application site will be visible from more parts of the Holcombe Court than originally envisaged.
2. In our view, the impact on Holcombe Court and the parish generally is under-estimated by the applicants and the officer report. Moreover, the impact on Holcombe Court will become even greater because of the precariousness of major trees at the front of the Court that are dying and that will need to be cut back in the near future.
3. The officer report (paragraph 5) refers to the issue of the photographs submitted with the LVIA and also photographs submitted by our Council. The photographs submitted by our Council are dismissed on the basis that their accuracy is not proven. Your Council does not appear to have taken steps to verify what we asserted namely that the photographs taken on behalf of the applicants are not a faithful and accurate representation of the landscape. If the applicant's photographs are viewed at the points at which the photographs were taken, it should be clear that the application site appears at a greater distance than when seen with the naked eye. This does not appear to have been done.
4. The officer report summaries Planning Policy Guidance. In particular, it states 'Where a proposal involves greenfield land the proposed use of any agricultural land needs to be shown to be necessary...' It does not seem to us

that the use of this land is necessary. We cannot see that this issue has been addressed.

5. It is a pity that the officer report does not refer specifically to the CPRE response to the planning application – copy sent with this letter.

6. We note that MDDC's Corporate Plan set out the following long term vision – 'Caring for our environment to promote and protect our outstanding environment and beautiful countryside'. The proposed development of the application site is at variance with this.

In the circumstances, our Council still feels that planning permission should be refused.

(vii) \*Report previously circulated, copy attached to minutes.

## 72 **CONSIDERATION OF PLANNING APPLICATIONS FOR GROUND MOUNTED SOLAR PHOTOVOLTAIC SCHEMES. (3-45-52)**

The Committee had before it a \* report of the Head of Planning and Regeneration regarding consideration as to whether it wished to continue to determine all solar photovoltaic (PV) panel schemes that were ground mounted and recommended for approval, irrespective of the scale of the proposal

She outlined the contents of the report stating that at the meeting of Planning Committee on 20<sup>th</sup> February 2013 it was debated whether all future planning applications for photovoltaic (PV) panels that were ground mounted be determined by Planning Committee, rather than being considered by officers under delegated powers given to the Head of Planning and Regeneration. It was resolved that: only applications for ground mounted solar PV arrays that were recommended by Officers for approval be brought before the Committee for determination. If Officers were minded to refuse ground mounted solar PV array applications then the specific Ward Member be informed of the proposed reasons for refusal before the decision is issued.

Discussion took place as to whether domestic scale applications for photovoltaic (PV) panel schemes needed to be determined by the Committee and concerns about cumulative impact of photovoltaic panels in general.

**RESOLVED** that the present system be continued and that a map showing the cumulative impact of each application be supplied with each report when brought before Committee.

(Proposed by Cllr J L Smith and seconded by Cllr S G Flaws)

Note: \*Report previously circulated, copy attached to minutes.

### 73 **PLANNING PERFORMANCE QUARTER 2 2015/16 (3-49-21)**

The Committee had before it and **NOTED** a \* report of the Head of Planning and Regeneration providing it with information on the performance of Planning Services for quarter 2 within the 2015/16 financial year.

She outlined the contents of the report stating that all targets were being exceeded with the exception of majors and listed building consent. She stated that there continued to be staffing challenges which had had a knock on effect on some of the major applications and that Conservation officer time had been taken up with issues in Cullompton. She was however mindful of the need to continue to monitor performance closely especially as the Government had indicated its intention to tighten planning performance requirements.

Note: \*Report previously circulated, copy attached to minutes.

#### **Update Sheet**

(The meeting ended at 6.20 pm)

**CHAIRMAN**

# Minute Annex

## PLANNING COMMITTEE AGENDA - 21st October 2015

### Applications of a non-delegated nature

### UPDATES

<u>Item No.</u>	<u>Description</u>
1.	15/00968/FULL - Erection of single storey extension at 4 Portway Gardens, Willand Old Village, Willand.
2.	15/01086/FULL - Erection of petrol filling station including sales (200sqm shop), dispensing forecourt and canopy, underground tanks and associated pipework, air/water machine, parking, floodlights, service yard area and new surface finished, removal of existing pumps and relocation of car sales at Willand Service Centre, Willand, Cullompton.
3.	15/01234/FULL - Erection of dwelling at Exe Valley Practice, 3 Coach Road, Silverton.  16 <sup>th</sup> October 15 - The Parish Council recommends refusal of the above application as it feels the proposed works are an overdevelopment of the site.
4.	15/01438/FULL - Installation of 150KW ground mounted solar panels at Land at NGR 280054 113389(Woodford Farm), Witheridge, Devon.  Two further representations have been received:  19 <sup>th</sup> October 2015 Morcharad Bishop Parish Council: no comments. Cruwys Morcharad Parish Council: no objections.  The additional representations do not raise any further issues to be considered in determining the application.
<b>AGENDA ITEMS</b>	
1	15/00650/MARM – Erection of 285 dwellings including community centre, green infrastructure, public open space, vehicle access points, internal roads, pedestrian/cycle links and associated works at Land at NGR 301001 107388, North of Knowle Lane, Cullompton  16 <sup>th</sup> October 2015 1. Revised tracking plans have been provided following the comments of the Highway Authority. The Highway Authority has confirmed that it is content that the issues raised in their earlier comments have now been addressed.  2. Revised landscaping plans have been received which address the issues raised by the Police Architectural Liaison Officer.

**PLANNING COMMITTEE AGENDA - 21st October 2015**

**Applications of a non-delegated nature**

**UPDATES**

	<p>Cullompton Town Council comments received 14<sup>th</sup> October repeating objections of their response 26<sup>th</sup> June 2015. Revised / new comments received 14<sup>th</sup> October are summarised as follows:</p> <ol style="list-style-type: none"> <li>1. Submitted evidence of vehicle tracking shows sufficient space for emergency and refuse collection vehicles to transit the streets and turn. The diagrams do not make allowance for residential vehicles that will be parked on these streets which will make their access and egress from the development difficult if not impossible.</li> <li>2. The development will bring in excess of 450 domestic cars. The majority will be exiting from a single point of the development and onto another inadequate street in Kingfisher Reach before proceeding to the inadequate Tiverton Road junction with High Street. At peak times this is unacceptable. Installation of a roundabout at the north of the development and onto Tiverton Road. At a bare minimum there must be a second access at the northern end of the development.</li> <li>3. Space should be allocated for allotments and community composting area. There is currently a waiting list of allotments. The copse should be planted with fruit trees.</li> </ol> <p>15/00650/MARM – Erection of 285 dwellings including community centre, green infrastructure, public open space, vehicle access points, internal roads, pedestrian/cycle links and associated works at Land at NGR 301001 107388, North of Knowle Lane, Cullompton</p> <p>19<sup>th</sup> October Lead Local Flood Authority summarised as follows:</p> <ol style="list-style-type: none"> <li>1. Maintenance of SUDS can be dealt with by appropriate conditions with details of the management company and maintenance regimes of appropriate features. Outline details appear appropriate but further detail will be required to secure the long term maintenance of the scheme.</li> <li>2. Our landscape comments relate to the overall design of the attenuation areas and the health and safety issue around steep embankment slopes. It is unclear from the proposed drawing what sort of slopes the pond will have, it appears steep. The areas should be designed as per the Ciria SUDS manual and be sympathetic to the surrounding area and flood plain areas.</li> <li>3. Flood mitigation measures will require flood defence consent due to the presence of a main river. Our comments were related to the overflow mechanisms of the attenuation as well, in which a sympathetic reinforced spillway being provided to safeguard the pond design as per the SUDS manual.</li> <li>4. Overall we are happy with the performance of the surface water management strategy, but with lessons learnt from phase 1 of the development.</li> </ol>
	<p>15/01108/MFUL – Installation of a ground mounted photovoltaic solar farm to generate up to 6mw of power (site area 11ha) with associated infrastructure including inverter cabins, sub-station buildings, access tracks, fencing and CCTV (Revised scheme) at Land at NGR 307922 118303 Wiseburrow Farm.</p> <p>16<sup>th</sup> October 2015          Burlescombe Parish Council 13<sup>th</sup> October 2015 – No further comments to make beyond their original objections (contained within the Committee report under the consultations section).</p> <p>Two additional letters of objection received:</p> <ul style="list-style-type: none"> <li>• The application will have a negative effect on the local area due to the loss of</li> </ul>



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	<p>agricultural land, cumulative impact and the impact on views from historic buildings;</p> <ul style="list-style-type: none"><li>• Feel the committee report undervalues the special landscape;</li><li>• The wrong scheme in the wrong place.</li></ul> <p>1 further objection summarised as follows:</p> <ul style="list-style-type: none"><li>• The applicant has shown scant regard for screening the site – the planting already carried out is unsuitable due to species and size: trees would need to be 20m+ to screen</li><li>• Screening on the boundary of Wiseburrow Farm and Whipcott would alleviate screening issues for residents of the Whipcott area: trees would need to be 4-5m to screen</li><li>• The previous application was partly refused on landscaping grounds – the current proposal is no better and should be addressed using the whole of Wiseburrow Farm, not just the site.</li></ul> <p>Holcombe Rogus Parish Council have the following comments:-</p> <ol style="list-style-type: none"><li>1. It does not seem to us that the additional information provided by the applicants makes the proposed development acceptable. In particular, it is apparent from the additional photomontages that the application site will be visible from more parts of the Holcombe Court than originally envisaged.</li><li>2. In our view, the impact on Holcombe Court and the parish generally is underestimated by the applicants and the officer report. Moreover, the impact on Holcombe Court will become even greater because of the precariousness of major trees at the front of the Court that are dying and that will need to be cut back in the near future.</li><li>3. The officer report (paragraph 5) refers to the issue of the photographs submitted with the LVIA and also photographs submitted by our Council. The photographs submitted by our Council are dismissed on the basis that their accuracy is not proven. Your Council does not appear to have taken steps to verify what we asserted namely that the photographs taken on behalf of the applicants are not a faithful and accurate representation of the landscape. If the applicant's photographs are viewed at the points at which the photographs were taken, it should be clear that the application site appears at a greater distance than when seen with the naked eye. This does not appear to have been done.</li><li>4. The officer report summaries Planning Policy Guidance. In particular, it states 'Where a proposal involves greenfield land the proposed use of any agricultural land needs to be shown to be necessary...' It does not seem to us that the use of this land is necessary. We cannot see that this issue has been addressed.</li><li>5. It is a pity that the officer report does not refer specifically to the CPRE response to the planning application – copy sent with this letter.</li><li>6. We note that MDDC's Corporate Plan set out the following long term vision – 'Caring for our environment to promote and protect our outstanding environment and beautiful countryside'. The proposed development of the application site is at variance with this.</li></ol> <p>In the circumstances, our Council still feels that planning permission should be refused.</p>
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