

# Public Document Pack

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **PLANNING COMMITTEE** held on 4 January 2017 at 2.15 pm

### **Present Councillors**

Mrs F J Colthorpe, Mrs H Bainbridge,  
Mrs C Collis, P J Heal, D J Knowles,  
F W Letch, B A Moore, R F Radford,  
J D Squire and R Evans

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

R L Stanley

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

D R Coren, C J Eginton, Mrs M E Squires  
and N A Way

### **Present Officers:**

Jenny Clifford (Head of Planning and  
Regeneration), Simon Trafford (Area  
Planning Officer), Lucy Hodgson (Area  
Planning Officer), Daniel Rance (Principal  
Planning Officer) and Sally Gabriel (Member  
Services Manager)

## 114 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr R L Stanley who was substituted by Cllr R Evans.

## 115 **PUBLIC QUESTION TIME**

Mr Morgan, referring to Beare Mill said I am here to register my support and hope everything goes through to completion with the application for the barn which adjoins my property and everything that has happened so far has gone very well so there is no reason as far as I am concerned why it shouldn't go to completion and they are doing everything in their power to keep it looking like the original building.

Mrs Nichols, referring to Beare Mill said I live at Beare farm, adjacent to these premises and I want to say that I whole heartily support the dwelling and consider that it will improve the area a tremendous amount and I am very happy with the way that it is being developed. They have gone to great effort and care to use materials that will enhance the building and keep it in character. It was an eyesore and we think it will be improved when it is developed.

Mrs Vinton, regarding Red Linhay said that an email from the applicant to the Planning Officer dated 4/11/16 pointed out that objectors to the plant were making simplistic comments and failed to take into account how an AD works. This was he stated due to lack of professional experience of AD technology. I personally lack experience but I have taken advice from chartered engineers and manufacturers of

CPH units, none of whom would recommend the installation of two 500kw units to power a 500kw plant. As a regular maintenance takes less than 4 hours a fear of breakdown can be the only reason for a backup unit and I was advised that if this was concern developers should opt for 2 x 250 units. Having mentioned their experience at Menchine Farm being a factor in their decision to install two 500 units I researched dozens of planning applications for 500kw AD's in England and Wales and only Greener For Life have applied for a second unit for maintenance and breakdown and they have only done so on sites where they have built the infrastructure to a much larger size than needed for 500kw production. My question is just how rigorously will the conditions put on this development be monitored and how quickly and effectively will enforcement action be taken to ensure we don't wake up one day and find a megawatt AD in operation?

Clare Higgleston referring to Dulings said could the Planning Officer please qualify why he proposed to recommend this application when the views of the community, public comments on the portal, the concerns of parents regarding negative impacts on the school and the Parish Council all object to this proposed development and given that the developer chose not to conduct a community consultation as recommended in the Localism Bill. Will the Planning Officer please clarify what the area marked blue on the application planning status will change to and be used for?

Helen Olson referring to Dulings said what consideration has been given to the safety of the walk to school when the access to the school on Bewsley Hill has no footpaths at the top and bottom and this application will see an increase in school traffic both pedestrian and road traffic. There was information from 2012 that looked at these issues. Could the officer please confirm why the flood risk assessment and proposed ponds only consider the application site and do not allow for the additional surface water within the topographical catchment?

David Brassington referring to Dulings said in the planning committee agenda page 17 paragraph 5 and 6 the officer refers to the proposal on the old abattoir site which should not be considered in this application. However, could the officer confirm that if both applications are approved, totalling 100 houses, this will not have a cumulative and adverse impact on the village? Could the Planning Officer please confirm what separate consultation and consideration has taken place to allow the developer to move the current public footpath of scenic beauty under this proposal?

Alice Fraser Edwards, referring to Dulings and speaking on behalf of Ken Warren said that for years Mid Devon District Council have left Copplestone without any social amenities. How is Mid Devon going to deal with the problem? We have one of the highest concentrations of social and subsidised housing in a village environment in Mid Devon and we have already grown by 60% in the last 13 years. Another 100 houses are not sustainable and to do this please see the annotated ariel view of Copplestone, areas marked in green and yellow are all recent development. Could the Planning Officer please confirm who will be responsible to rectify the failure of the balance pools in the event of extreme weather conditions now expected when rainfall exceeds normal conditions?

Suzanne Lunn referring to Dulings said that the roads surrounding this development are extremely narrow with no pavement especially around Elston Lane and Bewsley Hill. How do you propose to ensure the safety of pedestrians and cyclists? The Mid Devon Local Plan which has been voted on and accepted by the Full Council does

not include the land in question for this planning application as it does not form part of the permitted development land on the Local Plan. Does this mean your Planning Officer is going against the Full Council?

Michael Scott referring to Red Linhay said Greener for Life had been required to supply figures regarding noise levels emitting from the AD plant at Red Linhay when it is operational. They have not done so and all they have done is to include a couple of photographs showing the inside of a warehouse with white boxes and two people with their heads cropped out which could relate to almost anything. How can a case officer recommend approval of this application without such assurances as approval at this meeting would effectively give GFL a free hand in noise level emissions? GFL were required to move the second CHP which was installed without planning permission and at the last planning meeting concerning this issue an enforcement order was going to be issued to them. Have they been issued with an enforcement notice to do so and have they actually removed the second CHP unit?

Tony White, referring to Red Linhay said at the Planning meeting on July 6<sup>th</sup> 2016 this Committee resolved that the second 500kw CHP unit would not be approved and should be removed from the site. Furthermore it was resolved that an enforcement notice be served if the unit was not removed. As nothing has changed why has the Planning Officer disregarded this decision and now recommends approval? The Planning Officer has on several occasions assured local residents that all conditions will be actively enforced but to date we have seen little or no evidence of this. How can we have confidence in this process? We do however have every confidence that should a second CHP unit remain on site, it will be run as a 1 MW site not a 500kw as claimed.

Mrs Higgleston asked a further set of questions with regard to Dulings Farm – how do you propose to deal with the rare species on the prime meadow grass land to enable the creation of the balance pools and how will you ensure that the impact of this development is not detrimental to the environment? How can a Planning officer propose a recommendation for approval when an application has now been submitted for the old abattoir site? An application that has been actively encouraged by DCC, MDDC and local residents, an application that will provide facilities to the community?

Helen Olsen referring to Dulings said there has been nothing done to improve safety to pedestrians through Copplestone following the DCC meeting on 12/12/12 or following previous increases in housing in the village. How can we be sure that Copplestone will not be neglected again and what guarantees can you give that the increased number of cars driving up Bewsley Hill on the school run will not further put our children at risk. Also how will you ensure that approval for the development will not open up additional development on land further up detailed in blue on the supporting plan document? What do the Planning authority believe is the expected increase in peak rainfall intensity over the lifetime of the proposed development and can they guarantee in writing that the proposed mitigations are adequate to decrease flooding in the village rather than increase it? The track that the development has proposed to be built on has been used by the public without dispute by generations, one resident for 80 years, as an alternative right of way, what allowance has been made for the heritage of the village within the planning officers consideration of this application? If this committee sets a precedent for allowing development outside of the village boundary how far do you foresee the population growing by the 2021 census? As the developer is already attempting to purchase additional land in the

geographical location of the application from the landowner so is it not the case that we are likely to see 200/400 more houses before the development is complete? Having read the National Planning Policy Framework it is clear that paragraph 14, that developments only be approved where the local benefits outweigh the adverse impacts, does not apply to this application. How could you therefore justify approval?

#### 116 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 30 November 2016 were approved as a correct record and signed by the Chairman.

#### 117 CHAIRMAN'S ANNOUNCEMENTS

The Chairman wished those present a Happy New Year but had no further announcements to make.

#### 118 DEFERRALS FROM THE PLANS LIST

There were no deferrals from the Plans List.

#### 119 THE PLANS LIST (PART 1) (00-22-00)

The Committee considered the applications in the plans list \*.

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

(a) No 1 on the Plans List (***16/00924/MOUT – Outline for the erection of up to 60 dwellings and means of access – land and buildings at NGR 277744 102582 (East of Dulings Farm, Coplestone).***)

The Area Planning Officer outlined the contents of the report highlighting by way of presentation the outline application, the road network, the means of access to the site, the proposed pedestrian link leading to the school and stated that although the public footpath route would be affected by the application those issues would be covered by a Reserved Matters application. Members viewed the scope of the application site and the route of the Salix stream which was overgrown and had been the cause of concern with regard to possible flooding issues. The school site and the playing field were identified as was a pending scheme at the Old Abattoir, the proposed footpath at Bewsley Hill, the landscaped areas within the site, an indicative plan of the proposed housing, the design of the proposed junction and photographs from various aspects of the site and the A377.

The Area Planning Officer continued outlining the principles for development and highlighting the need for a 5 year land supply, the fact that the proposal was outside the settlement limit and the wording within the National Planning Policy which identified the reasoning for the officer recommendation of approval. He informed the meeting of the formula used by the County Council to calculate the education requirement within the proposed Section 106 agreement and the contribution towards enhancement of the sports field instead of an air quality contribution. He highlighted the issues raised regarding possible flooding issues raised by residents and the proposed conditions which referred to the salix stream.

He then responded to the questions posed in public question time: a pre app meeting was not specifically required (although helpful) and these issues had been addressed through the presentation and within the report; the red line on the application plan showed the application site and the blue line identified the land in the same ownership. With regard to access to the school, there would be access links from within the site as part of the Section 106 agreement, the details of which would be addressed through a Reserved Matters application. The improvements to the junction on Bewsley Hill and the A377 had been identified in the presentation. With regard to a pending application at the Old Abattoir (Shambles 2), both applications had to be determined separately and it was not an either/or situation, if both schemes did come forward the education requirement would need to be updated. The benefits to the local community would be an improvement in the transport infrastructure and funding which would enable the community hall. The road layouts for Bewsley Hill had been addressed within the presentation; with regard to Full Council and the Local Plan, the officer had set out a recommendation for the committee to consider which was against current planning policy; with regard to grassland areas, the network of green infrastructure had been identified throughout the site and the protected species mentioned within the report. With regard to pedestrian safety, the scheme would deliver offsite movement. There was potential to improve the pedestrian network at the Reserved Matters application stage. With regard to paragraph 14 of the National Planning Policy Framework, there was a need to weigh up the planning balance. He felt that the other issues raised which included: road safety, the blue line within the application plan, the use of the public right of way and the peak rainfall predictors had been covered within the report or by condition.

Consideration was given to:

- The education formula which calculated school places required for development
- The lack of an air quality contribution within the Section 106 agreement as it was felt that the residents of the proposed housing would contribute to air quality issues in Crediton
- Flood risk and management
- The lack of a 5 year land supply, but that the Local Plan Review Document was well on its way towards submission
- Recent appeal decisions with regard to the lack of a 5 year land supply
- The sustainability of the proposal
- Possible increase in traffic
- Lack of consultation with the local people and contrary to the current Local Plan
- Access issues at Elston Lane

**RESOLVED** that the application be refused planning permission and that delegated authority be given to the Head of Planning and Regeneration to prepare a full set of reasons for refusal and issue the decision based on the following reasons:

1. The application site is outside the current settlement limit boundaries of the village of Coplestone and is in the open countryside. Policy COR18 of the adopted Mid Devon Core Strategy (Local Plan Part 1) seeks to strictly control development outside settlement limits and a development in this location of the scale as proposed would not be permitted under criteria a - f of this adopted policy. Neither is the site



proposed to be allocated for housing within the Councils Local Plan Review 2013 - 2033. The applicant asserts that the Local Planning Authority cannot demonstrate that it has an adequate five year supply of housing land as required by the National Planning Policy Framework, and therefore Policy COR18 should be afforded limited weight and that the application should be determined against the provisions of Paragraph 14 of the National Planning Policy Framework. When tested against Paragraph 14 of the Framework the Local Planning Authority consider that the adverse impacts of the proposed development would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole as well as being contrary to Policy COR1 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM1 of the Mid Devon Local Plan Part 3 (Development Management Policies).

2. The Local Planning Authority consider that the proposed unplanned development individually, and cumulatively together with the proposed development within the Local Plan Review for the village, would be out of scale with the size of the settlement of Coplestone to the detriment of its character and the general amenities of the village. For this reason the development would fail to meet the sustainable development principles required to be met by the National Planning Policy Framework and Policy COR1 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM1 of the Mid Devon Local Plan Part 3 (Development Management Policies).

3. The Local Planning Authority consider that the application proposal has not satisfactorily demonstrated that surface water from the development can be satisfactorily controlled and discharged to the Salix Stream channel without resulting in unacceptable flood risk downstream of the application site to the detriment of the amenities of the locality where there are already records of flooding concerns. On this basis the application is considered to be contrary to Policies COR1 and COR11 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM1 and DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).

4. The Local Planning Authority considers that the application proposal has not satisfactorily demonstrated that the additional primary school pupil places required to serve the development could be satisfactorily provided at the Coplestone village primary school, and therefore the application scheme is considered to result in detriment to the existing amenities of the village school. On this basis the application scheme is considered to be contrary to Policy COR1 of the Mid Devon Core Strategy (Local Plan Part 1), Policy AL/IN/ 5 of the Allocations and Infrastructure Development Plan Document (Local Plan Part 2) and Policy DM1 of the Mid Devon Local Plan Part 3 (Development Management Policies).

5. The Local Planning Authority consider that the application would result in an unacceptable impact upon the highway safety for users of the highway of Elston Lane and its junction with the A377. Whilst the application scheme includes amendments to the highway and a new junction arrangement the alterations as proposed are not considered to satisfactorily address the detrimental impacts of the development upon highway safety contrary to Policies COR1, COR9 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM1 of the Mid Devon Local Plan Part 3 (Development Management Policies).

(Proposed by Cllr P J Heal and seconded by Cllr B A Moore)

Notes:

- (i) Cllrs: Mrs H Bainbridge, Mrs C Collis, Mrs F J Colthorpe, R Evans, P J Heal, D J Knowles, F W Letch, B A Moore, R F Radford and J D Squire made declarations in accordance with the Protocol of Good Practice for Councillors in dealing with Planning Matters as they had all received correspondence regarding the application;
- (ii) Cllrs P J Heal and D R Coren declared personal interests as they were Ward Members and knew objectors and the landowner;
- (iii) Cllr N A Way declared a personal interest as County Councillor and therefore he had had some involvement with the objectors to the application;
- (iv) Cllr D J Knowles declared a personal interest as he knew some of the objectors;
- (v) Cllr J D Squire declared a personal interest as he was an adjoining Ward Member and knew some of the objectors;
- (vi) Mr Bowdler spoke on behalf of the objectors;
- (vii) Cllr Penny spoke on behalf of the Parish Council;
- (viii) Cllr D R Coren and P J Heal spoke as Ward Members ;
- (ix) Cllr N A Way spoke as County Councillor for the area;
- (x) Cllrs Mrs H Bainbridge and Mrs F J Colthorpe requested that their vote against the decision be recorded;
- (xi) The following late information was reported: Page 24: Vehicle Tracking and Junctions plans (rev A) submitted for consideration on 21<sup>st</sup> December

Site Access Junction Plan rev G received on 13<sup>th</sup> December and superseding revision F.

Page 27: The Highway Authority have confirmed that the plans demonstrate that the design of the new junction arrangements incorporates a 10m radii to accommodate the HGV swept paths.

Since the report was issued a further 8 letters of objection have been received. The reasons for objecting reflect the matters as set out, and covered in the report. Two issues are highlighted for further detailed consideration by members:

1. The impact of the development on the adopted public footpath no.53 that passes over the site. At this stage members are not being asked to consider and/or approve a detailed layout as the application has been submitted as an outline application with all matters reserved except for access. It is however acknowledged that the indicative layout presents a

scheme that would interrupt the route, although the indicative layout does indicate a number of options as to how the path could be diverted.

If the planning application is approved at this stage then at the reserved matters stage a detailed layout would need to be submitted for consideration. If at this stage the layout results in an interruption to the route of the public footpath then at the same time as submitting application it would be necessary to submit an application to also divert the footpath.

Therefore at this stage the issue of how the application affects the route of footpath no.53 raises no further issues for consideration.

2. One of the letters of objection refers to the application submitted under 16/01888/MOUT, referred to as the Shambles 2 scheme, which is raised in the report on page 37. The report already refers to the fact that the current application is not being proposed as an alternative application to the Shambles 2 scheme, and it sets out the correct policy framework against which the application should be assessed. Notwithstanding, the report on page 38 sets out the maximum number of additional spaces (25) that would be required at the local primary school in the event the schemes at both Dulings Meadow and at the Shambles 2 were brought forward to the implementation stage.

Finally and for the avoidance of doubt, the terms of the representation make it clear that as a local community the Shambles 2 scheme is a much better option for the village.

The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.

**(b) No 2 on the Plans List (16/01232/FULL – Conversion of a redundant rural building to a residential dwelling – Redgates Farm, Bickleigh).**

The Area Planning Officer outlined the contents of the report highlighting by way of presentation the site location plan, the original agricultural building that had been converted to B1 and B8 use and subsequently to residential accommodation on the first floor (without permission); the current owners had not used the building which was now redundant. She highlighted the proposed design and layout of the proposed conversion and provided photographs from various aspects of the site.

Consideration was given to:

- Whether the application positively contributed to Policy DM11
- Leaving a building that did not positively contribute to the rural character in place rather than improve the situation
- A contribution to public open space through a Section 106 agreement could be set out with any approval



**RESOLVED** that planning permission be granted for the following reasons: The conversion of the building would provide a future use of the building which is currently redundant. The conversion would cause no harm to the local highway network, external appearance of the building or residential amenities of the nearest dwelling. The building could be converted without significant extension while maintaining nature conservation interest associated with it. The proposal is considered to be compliant with policies DM2 and DM11 Local Plan Part 3 (Development Management Policies), and that delegated authority be given to the Head of Planning and Regeneration to consider appropriate conditions and negotiate a Section 106 Agreement to secure a financial contribution of £1442 toward the off site provision of public open space.

(Proposed by Cllr D J Knowles and seconded by Cllr Mrs H Bainbridge)

Notes:

- (i) Mr Archer (Agent) spoke;
- (ii) The following late information was reported: 30<sup>th</sup> December 2016  
Page 45 – Highway Authority response should say:  
'Highway Authority standing advice applies as per [www.devon.gov.uk/highway-standingadvice.pdf](http://www.devon.gov.uk/highway-standingadvice.pdf)'

The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.

## 120 MEETING MANAGEMENT

The Chairman indicated that she wished to take Item 9 on the agenda (Red Linhay) at this point, she would then return to the Plans List, this was **AGREED**.

## 121 APPLICATION 16/01180/FULL - VARIATION OF CONDITION 2 OF PLANNING PERMISSION 15/01034/MFUL TO ALLOW SUBSTITUTE PLANS AT LAND AT NGR 299621 112764 (RED LINHAY), CROWN HILL, HALBERTON (2-47-38)

The Committee had before it a \* report of the Head of Planning and Regeneration regarding the above application. The Principal Planning Officer outlined the contents of report providing an overview of the work on the site and highlighted that the flare, offices and weighbridge had not been part of the previous application and therefore the application sought to rectify the situation retrospectively, the conditions set out in the previous applications would apply. The officer provided an aerial view of the site which identified the existing structures and photographs from various aspects of the site. Information was provided with regard to the need for the second CHP unit in that it was in place to cover maintenance issues with the original CHP unit; there would be no additional transport movement and an acoustic bund would be built around the CHP units.

The officer provided answers to the questions posed in public question time: the enforcement notice had not been issued as it was on hold until the determination of the current application. The conditions of the previous application state that only 500kw average could be produced, the second CHP unit was an operational issue.

Consideration was given to:

- The previous report which had considered enforcement action against the second CHP unit
- Dealing with a retrospective application and the changes requested
- The reasoning for the second CHP unit
- The strict conditions that were in place and the Environment Agency Permit
- The need to regularise what was in place

**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 Mrs H Bainbridge)

Notes-:

- (i) Cllr Mrs F J Colthorpe declared a personal interest as she had met members of the landowner's family;
- (ii) Cllrs D J Knowles, B A Moore and R F Radford declared personal interests as the landowner and some of the objectors were known to them;
- (iii) Mr Manley (Applicant) spoke;
- (iv) Cllr R F Radford spoke as Ward Member;
- (v) Cllrs R Evans and R F Radford requested that their vote against the decision be recorded;
- (vi) The following late information was reported:

21<sup>st</sup> December 2016 - Halberton Parish Council strongly opposes any variation to the existing plans.

No further information has been received to be able to make any comment.

15<sup>th</sup> December 2016 - DCC Archaeology has confirmed that the condition 6 of 15/01034/MFUL has been completed and no further mitigation is required.

With this in mind there is to be no further archaeology requirements on site with the resultant removal of any condition required with this variation.

15<sup>th</sup> December 2016 - Willand Parish Council considers that the noise concerns relating to operation and transport have not been fully considered with possible increase traffic with damage to roads cannot justify this location. With the most stringent conditions attached as to operating times and tonnage for the retention of the extra plant.

23<sup>rd</sup> December 2016 – Environmental Health -The Environmental Health Officer has been consulted throughout the proposal of this AD plant and including the latest variation of condition, the subject of this application. Their conclusion is set out in the E-mail received on the 23<sup>rd</sup> December 2016 and included within this documentation. The view is that there are sufficient safeguards with the proposed conditions set out in the committee report.

With regard to Transport there is to be no increase in traffic to that already approved under 15/01034/MFUL, all relevant conditions will be pulled through onto this application.

14<sup>th</sup> December 2016 - Burlescombe Parish council - No Comments

22<sup>nd</sup> December 2016 -Devon County Council Flood and Coastal Risk Management - No in-principle objection, at this stage.

The relevant condition relating to drainage will be placed on this proposal as set out in 15/01034/MFUL

22<sup>nd</sup> December 2016 -CPRE Devon - Concern over the lack of information submitted with regard to noise.

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

## 122 PLANS LIST (PART 2) (3-30-13)

The Committee considered further applications within the plans list \*.

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

(c) No 3 on the Plans List ***(16/01450/FULL – Outline for the erection of 2 dwellings with attached garages and formation of shared access (revised scheme) – Land at NGR 286952 106262 (Rear of Holes Cottage) Cheriton Fitzpaine).***

The Area Planning Officer outlined the contents of the report highlighting by way of presentation the site location, development area and the other land under the same ownership. The access to the site was identified as was the proposed block plan, parking areas, new access, part of the building that would be demolished to enable the proposed access to be put in place and photographs from various aspects of the site. She informed the meeting that the Highways advice had been given in accordance with the Manual for Streets which had superseded the standing advice.

Consideration was given to:

- The shared access arrangements
- The detail of Policy COR 17 and the fact that there was a poor bus service and that the shop had shut
- Parking issues in the village
- The concerns of the Parish Council
- Possible increase in traffic in the area
- Refuse collection

**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 Evans)

Notes:

- (i) Cllr Mrs F J Colthorpe declared a personal interest as she was Ward Member and knew a lot of people in the village;
- (ii) Mr Norton spoke as an objector as he lived near the site and as a Parish Councillor
- (iii) Cllr Mrs F J Colthorpe spoke as Ward Member;
- (iv) Cllr Mrs M E Squires spoke as County Councillor for the area;
- (v) The following late information was reported: Since the report was issued a further letter of objection has been received confirming that the village shop in Cheriton Fitzpaine has closed and on this basis it is considered that policy COR18 would be the appropriate policy to consider the planning application against and not policy COR17 as referenced in the officer report on page 53.

The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.

(d) No 4 on the Plans List (***16/01566/FULL – Erection of a dwelling – land and buildings at NGR 282555 99153 (Beare Mill) Crediton.***)

The Area Planning Officer outlined the contents of the report highlighting by way of presentation the location plan, a photograph of the original barn, the previously approved plans for a barn conversion and the proposed plans for the extension of floor space with the additional square meterage and part new build. Members viewed photographs from various aspects of the site and were informed that building had stopped in December when the applicants had been informed that they were in breach of the previous planning permission.

Consideration was given to:

- The original building had become unstable during building works but that the Local Planning Authority had not be advised
- The lack of protection for the original structure
- The support of the neighbouring residents for the proposal

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

(Proposed by Cllr P J Heal and seconded by Cllr Mrs F J Colthorpe)

Notes:

- (i) Cllr P J Heal made a declaration in accordance with the Protocol of Good Practice for Councillors in dealing with Planning Matters, as Ward Member he had been to the Parish Council meetings where the issue had been discussed;
  - (ii) Cllr D R Coren declared a personal interest as he knew the applicant and had been present at the Parish Council meeting;
  - (iii) Mr Taylor (Agent) spoke;
  - (iv) Cllrs D R Coren and P J Heal spoke as Ward Members
  - (v) Cllr F W Letch and J D Squire requested that their vote against the decision be recorded;
  - (vi) The following late information was reported: The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.
- (f) No 5 on the Plans List ***(16/01594/FULL – change of use of ground floor from Class A1 (Shop) to mixed use (Class A1 (Shop and Class A3 (Café) and associated internal and external alterations – 28 High Street, Crediton).***

The Area Planning Officer outlined the contents of the report highlighting by way of presentation the location of the building, the existing and proposed layout, the floor plans and scope of external works that would be required for the signage. He outlined the additional signage that would form part of a separate application for advertisement consent.

Consideration was given to:

- The use of the building
- The possible increase in dwelling times in the town and the fact that it would be open on Sundays and bank holidays

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

(Proposed by Cllr F W Letch and seconded by Cllr J D Squire)

Notes:

- (i) Cllr F W Letch declared a personal interest as he had been present at the Town Council meeting when the application was discussed but he did not vote, he also knew objectors to the application;
- (ii) Miss Matthews (Agent) spoke;



(iii) Cllr F W Letch spoke as Ward Member.

(g) No 6 on the Plans List (**16/01595/ADVERT – Advertisement Consent to display 1 externally illuminated fascia sign and 1 externally illuminated hanging sign – 28 High Street, Crediton**).

The Area Planning Officer outlined the contents of the report highlighting by way of presentation the proposed signage.

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

(Proposed by Cllr F W Letch and seconded by the Chairman)

Notes: Cllr F W Letch declared a personal interest as he had been present on the Town Council when the application was discussed but he did not vote, he also knew objectors to the application.

#### 123 **THE DELEGATED LIST (4-43-13)**

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

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

#### 124 **MAJOR APPLICATIONS WITH NO DECISION (4-43-44)**

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

It was **AGREED** that

Application 16/01899/MARM – Farleigh Meadows – remain delegated to officers.

Application 16/01898/MARM – Wellparks, Crediton be determined by the Committee but that no site visit take place.

Application 16/01888/MOUT – Old Abattoir site, Coplestone be determined by the Committee and that a site visit take place.

Application 16/01836/MARM – Station Road, Newton St Cyres be determined by the Committee but that no site visit take place.

Application 16/01788/MFUL - Industrial Unit, South View, Willand remained delegated to officers.

Application 16/01773/MARM – Mixed use facilities, Junction 27, be determined by the Committee but that no site visit take place.

Application 16/01811/MOUT – Silver Street Willand be determined by the Committee if the minded to approve.

125 **APPLICATION 16/00006/TPO - TREE PRESERVATION ORDER FOR TWO ASH TREES IN THE REAR GARDEN OF 126 SHUTE COTTAGE, SANDFORD (4-50-00)**

The Committee had before it a \* report of the Head of Planning and Regeneration regarding the above application. She outlined the contents of report highlighting the location of the 2 Ash trees, they were both quiet visible and in good health. Members viewed photographs and:

**RESOLVED** that the Tree Preservation Order be confirmed.

(Proposed by Cllr D J Knowles and seconded by Cllr Mrs H Bainbridge)

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

126 **APPLICATION 16/00007/TPO - TREE PRESERVATION ORDER FOR FOUR OAK TREES IN A FIELD KNOWN AT LANGLANDS FARM, UFFCULME (4-56-42)**

The Committee had before it a \* report of the Head of Planning and Regeneration regarding the above application which had received an objection. She outlined the contents of report highlighting the 4 trees to be protected and the views of the Tree Officer in that one of the trees was classed as being a veteran oak which could have a continued lifespan of another 40 years. Members viewed the location of the trees and it was:

**RESOLVED** that the Tree Preservation Order be confirmed.

(Proposed by Cllr B A Moore and seconded by Cllr Mrs C Collis)

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

(The meeting ended at 7.34 pm)

**CHAIRMAN**

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## PLANNING COMMITTEE AGENDA - 4th January 2017

### Applications of a non-delegated nature

### UPDATES

<u>Item No.</u>	Description
1.	<p>16/00924/MOUT - Outline for the erection of up to 60 dwellings and means of access at Land and Buildings at NGR 277744 102582 (East of Dulings Farm), Copplestone, Devon.</p> <p>Page 24: Vehicle Tracking and Junctions plans (rev A) submitted for consideration on 21<sup>st</sup> December            Site Access Junction Plan rev G received on 13<sup>th</sup> December and superseding revision F.</p> <p>Page 27: The Highway Authority have confirmed that the plans demonstrate that the design of the new junction arrangements incorporates a 10m radii to accommodate the HGV swept paths.</p> <p>Since the report was issued a further 8 letters of objection have been received. The reasons for objecting reflect the matters as set out, and covered in the report. Two issues are highlighted for further detailed consideration by members:</p> <ol style="list-style-type: none"> <li>1. The impact of the development on the adopted public footpath no.53 that passes over the site. At this stage members are not being asked to consider and/or approve a detailed layout as the application has been submitted as an outline application with all matters reserved except for access. It is however acknowledged that the indicative layout presents a scheme that would interrupt the route, although the indicative layout does indicate a number of options as to how the path could be diverted.</li> </ol> <p>If the planning application is approved at this stage then at the reserved matters stage a detailed layout would need to be submitted for consideration. If at this stage the layout results in an interruption to the route of the public footpath then at the same time as submitting application it would be necessary to submit an application to also divert the footpath.</p> <p>Therefore at this stage the issue of how the application affects the route of footpath no.53 raises no further issues for consideration.</p> <ol style="list-style-type: none"> <li>2. One of the letters of objection refers to the application submitted under 16/01888/MOUT, referred to as the Shambles 2 scheme, which is raised in the report on page 37. The report already refers to the fact that the current application is not being proposed as an alternative application to the Shambles 2 scheme, and it sets out the correct policy framework against which the application should be assessed. Notwithstanding, the report on page 38 sets out the maximum number of additional spaces (25) that would be required at the local primary school in the event the schemes at both Dulings Meadow and at the Shambles 2 were brought forward to the implementation stage.</li> </ol>

## PLANNING COMMITTEE AGENDA - 4th January 2017

### Applications of a non-delegated nature

### UPDATES

	<p>Finally and for the avoidance of doubt, the terms of the representation make it clear that as a local community the Shambles 2 scheme is a much better option for the village.</p> <p>The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.</p>
2.	<p>16/01232/FULL - Conversion of a redundant rural building to a residential dwelling at Redgates Farm, Bickleigh, Tiverton.</p> <p>30<sup>th</sup> December 2016 Page 45 – Highway Authority response should say: 'Highway Authority standing advice applies as per <a href="http://www.devon.gov.uk/highway-standingadvice.pdf">www.devon.gov.uk/highway-standingadvice.pdf</a>'</p> <p>The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.</p>
3.	<p>16/01450/OUT - Outline for the erection of 2 dwellings with attached garages and formation of shared access (Revised Scheme) at Land at NGR 286952 106264 (Rear of Holes Cottage), Cheriton Fitzpaine, Devon.</p> <p>Since the report was issued a further letter of objection has been received confirming that the village shop in Cheriton Fitzpaine has closed and on this basis it is considered that policy COR18 would be the appropriate policy to consider the planning application against and not policy COR17 as referenced in the officer report on page 53.</p> <p>The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.</p>
4.	<p>16/01566/FULL - Erection of a dwelling at Land and Buildings at NGR 282555 99153, (Beare Mill), Crediton.</p> <p>The government has announced its intended reform of New Homes Bonus. The current 6 year term for the award is to be reduced to 5 years in 17/18 and 4 years from 18/19. The financial contributions given in the report reflect the 6 year position and should be adjusted in accordance with the most recent Government position.</p>



**PLANNING COMMITTEE AGENDA - 4th January 2017**

**Applications of a non-delegated nature**

**UPDATES**

5.	16/01594/FULL - Change of use of ground floor from Class A1 (Shop) to mixed use Class A1 (Shop) and Class A3 (Cafe) and associated internal and external alterations at 28 High Street, Crediton, Devon.
6.	16/01595/ADVERT - Advertisement Consent to display 1 externally illuminated fascia sign and 1 externally illuminated hanging sign at 28 High Street, Crediton, Devon.
AGENDA ITEMS	<p>16/01180/FULL - Variation of condition 2 of planning permission 15/01034/MFUL to allow substitute plans at Land at NGR 299621 112764, (Red Linhay), Crown Hill.</p> <p>21<sup>st</sup> December 2016 - Halberton Parish Council strongly opposes any variation to the existing plans.</p> <p><i>No further information has been received to be able to make any comment.</i></p> <p>15<sup>th</sup> December 2016 - DCC Archaeology has confirmed that the condition 6 of 15/01034/MFUL has been completed and no further mitigation is required.</p> <p><i>With this in mind there is to be no further archaeology requirements on site with the resultant removal of any condition required with this variation.</i></p> <p>15<sup>th</sup> December 2016 - Willand Parish Council considers that the noise concerns relating to operation and transport have not been fully considered with possible increase traffic with damage to roads cannot justify this location. With the most stringent conditions attached as to operating times and tonnage for the retention of the extra plant.</p> <p><i>23<sup>rd</sup> December 2016 – Environmental Health -The Environmental Health Officer has been consulted throughout the proposal of this AD plant and including the latest variation of condition, the subject of this application. Their conclusion is set out in the E-mail received on the 23rd December 2016 and included within this documentation. The view is that there are sufficient safeguards with the proposed conditions set out in the committee report.</i></p> <p><i>With regard to Transport there is to be no increase in traffic to that already approved under 15/01034/MFUL, all relevant conditions will be pulled through onto this application.</i></p> <p>14<sup>th</sup> December 2016 - Burlescombe Parish council - No Comments</p> <p>22<sup>nd</sup> December 2016 -Devon County Council Flood and Coastal Risk Management - No in-principle objection, at this stage.</p>

**PLANNING COMMITTEE AGENDA - 4th January 2017**

**Applications of a non-delegated nature**

**UPDATES**

	<p><i>The relevant condition relating to drainage will be placed on this proposal as set out in 15/01034/MFUL</i></p> <p>22<sup>nd</sup> December 2016 -CPRE Devon - Concern over the lack of information submitted with regard to noise.</p>
	16/00006/TPO – Shute Cottage, Sandford
	16/00007/TPO – Langlands Farm, Uffculme