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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 1 December 2016 at 6.00 pm

Present

Councillors

W J Daw (Chairman)
Mrs H Bainbridge, Mrs A R Berry,
Mrs J B Binks, K Busch, R J Chesterton,
Mrs C Collis, Mrs F J Colthorpe, D R Coren,
N V Davey, Mrs G Doe, R J Dolley,
J M Downes, C J Eginton, R Evans,
S G Flaws, P H D Hare-Scott, P J Heal,
T G Hughes, Mrs B M Hull, D J Knowles,
F W Letch, B A Moore, R F Radford,
Mrs J Roach, F J Rosamond, Mrs E J Slade,
C R Slade, T W Snow, J D Squire,
Mrs M E Squires, R L Stanley and
Mrs N Woollatt

Apologies

Councillors

Mrs E M Andrews, Mrs C P Daw, R M Deed,
Mrs S Griggs, Miss C E L Slade, J L Smith,
L D Taylor, N A Way and R Wright

89 **Apologies**

Apologies were received from Councillors: Mrs E M Andrews, Mrs C P Daw, R M Deed, Mrs S Griggs, Miss C E L Slade, J L Smith, L D Taylor, N A Way and R Wright.

90 **Chairman's Announcements**

The Chairman had no announcements to make.

91 **Public Question Time (00:01:27)**

Mr Husbands, referring to item 6 on the agenda said he was representing Sampford Peverell Parish Council. The draft local plan shows an allocation of 60 new homes at Higher Town, something for which there has been a great deal of opposition to from Sampford Peverell. At a recent public meeting approximately 90 parishioners, including Cllr H Bainbridge, attended and there was again universal opposition to the above development. Besides being considered to be an unsuitable site due to the topography this proposal is on the edge of the village, creating traffic through the village, there are no pavements on what is considered to be a dangerous part of the road, school children will have to walk on the road, we consider that any accident could be fatal. This is an increase in dwellings of more than 10% for the village and so far as we are aware there is no provision in the plan for improvements to roads or facilities to accommodate this increase. Are Councillors still determined to include this proposal in the draft plan despite fierce local opposition and if so why?

Mr Lucas, referring to item 6 on the agenda said it is my belief that the developers of J27 now have sufficient evidence for the inclusion of the development to put forward into the Local Plan, although I like others am perplexed as to how that has taken place when based on the fact that the previous administration saw fit to exclude the development in January 2015. On reading the report as submitted it seems that the developers have met the objectives and now meet most of the criteria set out in the National Planning Policy Framework, however what needs to be discussed are the implications of policy SP2 in relationship to the extra housing needed as put forward if J27 is approved for inclusion in the revised Local Plan. Site, highest point in village, development will be overbearing no matter what conditions are placed on developers. This end of the village contains higher market property, hence the development would be in keeping making any affordable houses untenable based on possible wage levels within Junction 27, which from reading the revised Local Plan is the reason why this extra housing has been requested through strategic market housing assessment. The current road structure would need significant alteration to absorb the traffic flow from the proposed site of 60 homes to ensure the safety and wellbeing of the village as traffic flow per day would greatly increase the current traffic movements. Water/sewage - on both counts these utility services would need considerable investment made to sustain current levels for the whole village. Water pressure, already a problem in certain quarters, once the cattle station is in full operation, and for those of you that don't know the conditions relating to the cattle station emphasised the fact that for the wellbeing of the animals the extra water would go there. We won't have that once that comes into full operation, or the bars will be less. School - already at near capacity would also need serious investment to cater for the extra children of primary age that will be part of the development of 60 houses. I ask Council to take note of the up swell of opposition of the dwellings within the revised Local Plan, as it is my contention that the village cannot absorb this figure under current utilities and other services. I request that the amendment written regarding SP2 be taken by Council to restore the wellbeing of my village and the community that I used to represent.

Mr Sanderson from the CPRE Devon said we are extremely pleased that the Council has at last decided to go ahead with a Local Plan however we are most disappointed that the Council decided by 1 vote to include in the new Local Plan the very large site at Junction 27 M5 essentially for the purpose of the leisure and retail complex called Eden Westwood. We, along with many other people, including Ben Bradshaw MP, think that this is the sort of out of town shopping centre that is going to do the same sort of thing as the Trafford Centre just outside of Manchester, which sucked the life out of the local and smaller towns and villages for at least 10 years. We feel that this development is inappropriate and will destroy the retail life in Wellington, Honiton, Tiverton, Cullompton without any shadow of doubt if it approaches the size that it is proposed to be developed and we request that it be removed as an itemised area within the Local Plan.

Mr Payne referring to item 6 stated that I outlined the idea of a new school at a recent meeting, possibly at Junction 27. Since I spoke last time those ideas have moved further forward and a school at Junction 27 is highly likely and the plan supports the school because of the infrastructure that will be provided. I would like to seek your support and to reiterate that we will be very short of school places in the coming years. This should be thought of in relation to that.

Mr Dunball, again referring to item 6 stated that I am a new resident of Sampford Peverell and am here to add a voice to the opposition to 60 houses at Higher Town. Your votes tonight will simply grant powers to the planners to address minor issues arising from the 6 week consultation of the Local Plan. The Head of Planning has already made it clear that a reallocation of a site designated for housing is not a minor issue and will therefore not be considered so this is your only chance to influence the decision on the allocation of housing on this very bad site at Sampford Peverell. The allocation of other housing in areas of Mid Devon was agreed in the last draft of the plan which followed a long period of consultation with parishes and the public. The Higher Town site was considered by planners at that time but was excluded because it was considered unsuitable, notably because Turnpike was described as a dangerous road without footpaths and the school having very limited capacity. The road is no less busy today and the school is oversubscribed so what has changed? The Higher Town site is possibly the worse possible site in the village for housing. There is a danger you will create a little enclave, it is so isolated from the facilities and there is no safe pedestrian access from the site. I invite you to walk from the site into the village along Turnpike and then let your children or grandchildren do it. If we have to accept further housing as a consequence of J27 or in response to growing need then please can we do it sensibly and at a scale to suit village infrastructure and can we choose sites which will work to the benefit of the local community and those coming to live in the village. I urge you tonight to take this seriously, this will not go away, this issue has united the village, and it is such a silly decision that was imposed at the very last minute and regrettably with no consultation with the Parish Council. That should be corrected with any decision from here on and local councils should be consulted. When did a Planning Officer or Member of the Planning Advisory Group last visit the Higher Town site and make any technical assessment and how many visits were made prior to its inclusion in the Local Plan. And a simple suggestion, given the impact on Sampford Peverell and the tight timetable, would it not be possible to use some of the considerable money provided by Eden Westwood towards the planning budget and apply that to addressing the urgent need on land allocation in Sampford Peverell and elsewhere. Will Councillors consider directing planners to enter into consultation with Parish Councils and other stake holders, including land owners in Sampford Peverell and elsewhere to broaden their net and produce an up to date technical assessment not only on this site but on other options elsewhere.

Mr Bartlett, referring to the Local Plan stated that I live in Lower Town, Sampford Peverell. Having written to all of you with my objections to the Sampford Peverell site may I thank those of you that managed to find the time to respond to my letter? As you have been made aware a representative of CPRE has visited the site and apart from stating that it is a green field site and of high quality agricultural land has said it would also dangerously increase traffic flow. While there are many other safety reasons put to you regarding this site particularly, regarding pedestrian safety, I would ask in the circumstances how many of you can justify your decision today, take a visit to the site at Sampford Peverell where you would see at first hand the reasons for all of these objections.

Ms Kearly, again referring to the Local Plan asked how many councillors have visited and assessed the site and has the Head of Planning visited the site and if so where are the reports? Do Councillors realise that the whole of Higher Town is subterranean to the plot. I spoke at Cabinet last week and had some questions answered, thank you I asked what had changed in the topography of the site at

Higher Town since the SHLAA report of 2013 which said 'Turnpike is a dangerous road, access onto Turnpike would require considerable hedge and earth removal, the site may make access unachievable and development would have a significant visual impact'. The answer I was given by the Head of Planning was that nothing had changed, only in MDDC's need relating to J27 and the Local Plan. I ask you now if the change in MDDC's need is reason enough to develop a site not previously allocated due to dangerous roads and other reasons. You said in 2013 that you were unable to do a full site visit because of the maize, you have not even seen, as far as I am aware, the field before you decided in a hurried way to include it in the Local Plan. Do Councillors consider that without a full site visit you can be confident enough to make a decision that will make such an impact on the community when there are other options for housing, for example increasing housing in the brown field sites and Blundell's and including Hemyock's 22, which Mrs Clifford said she would consider or to look at other sites in Sampford? Sampford has had many developments over the years but this is the worst site for development. At the Parish Meeting there was 100% opposition to this site being used and that opposition will continue. The site on paper, which I assume is how you have viewed the site, is so different from the reality of the height, the proximity to the road, the proximity to houses, and I ask again that you reconsider putting this in the plan.

Mrs Quartly, referring to the Local Plan said as a resident of Sampford Peverell Higher Town, having lived there on and off since 1990, I have seen a massive amount of change to the village over that period to the village itself and in that time there have been a number of developments. Previous developments have been sizable but not to this extent. I have been confused by a number of matters, firstly that the site is part of the package with the development at J27 as accommodation for people that will work there but that the development at J27 was for local jobs for local people. I would presume that if they were local people they would already have somewhere to live. I was unaware of any plans for a school at Junction 27, I have two young children and one of the main reasons that I moved back to Sampford Peverell was to look for somewhere to settle and I think that it is an ideal place, at the moment, to bring up children. I have lived in many cities and categorically do not want to live in a highly populated townesk environment. I moved to a village to bring up my children in a village setting and this is the sort of place I want to do that. 60 houses, in addition to the village as it already is, is a massive increase in population. I do not understand the location and I would think that a better location would be closer to J27 such as by the Parkway or the old Parkway House site on plain level ground with room for pavements, with nowhere near the amount of infrastructure needed and it wouldn't have a massive bearing on commuters coming through the village. Also, with the location of the development Higher Town would become a rat run and would not be able to cater for that, 120 cars approximately. There are no pathways or room for them. With regard to J27 as the gateway to Mid Devon I cannot understand it and would think it better if it reflected the county people were coming to visit such as promoting local businesses like Darts Farm, rather than a retail outlet. People will be coming to this county to get away from city hustle and bustle.

Mr Byrom said that he was speaking with reference to the land at Higher Town, and said that he was not referring to junction 27. He said thank you to Mrs Clifford for responding to his email, thanks to Councillors that have expressed support, thanks to Heather Bainbridge for supporting the public meeting and supporting the removal of this from the Local Plan, and thanks to Richard Chesterton for his willingness to

consider alternatives and had used the phrase that the decision to include Higher Town was a decision made on the cusp. Referring to the 2013 SHLAA can I ask how many of you would vote for an allocation of land for 60 houses in your own ward with these descriptions of the site, set on a high road, adjacent to the conservation area, at the time of site visit no opportunity to walk around the site, if suitable access is to be achieved a substantial amount of hedgerow would have to be removed, development would have a significant landscape impact, it is remote from services and facilities, it is grade two land and there may be no safe points of access. As the decision was based on this report the confirmation wasn't in the report, how and when was this done? Access onto Turnpike would require extensive hedgerow and earth removal, density would need to be very low to respect the existing character, roads surrounding the site have no footpaths and Turnpike is a dangerous road for pedestrians and the primary school has very limited space and there is no room to expand. I ask you to imagine that in your ward and vote accordingly when the motion is put before you later. Officers, will you please consider making a new call for landowners to express readiness to have their land sold for development within the arc being appropriate for consideration, that seems fair seeing that the Parish Council was not aware of this and we only found out due to Eden Westwood marketing. I ask Councillors to vote according to what they have heard and officers to explore that last opportunity for an alternative.

The Chairman read out a statement that had been submitted from Mr Robert Marshall Tiverton regarding item 6 on the agenda.

Mr Chairman on 22 September 2016 I spoke in favour of the motion to allocate land at junction 27 for retail leisure and tourism. Since then I have carried out research, to try and understand why there seems to be such vehement opposition by some members of the public and Council Members to this allocation of land.

My internet research brought up an Uffculme Parish Council document, part of which stated 'UPC remains totally opposed to ANY development at J27/M5, a position it has consistently adopted for many years'.

I then clicked on to a Willand Parish Council document from July 2013 which stated 'Willand Parish Council continues to be totally opposed to major development at Junction 27 of the M5 for many reasons'.

Mr Chairman, as both Parish Councils use the words 'totally opposed' I consider it appropriate to pose the following questions:

Is it not time for this council to embrace planning policies that aspire to benefit the wider society, rather than planning policies that pander to the interests and desires of 'totally opposed' groups or individuals, who will always oppose major development at Junction 27.

Do we really wish to continue with the same old planning policies that only encourage residents to travel out of Mid Devon to seek employment at Exeter, Taunton and beyond? Is it not time for Mid Devon District Council to make serious efforts to stand on its own two feet and if large scale investment at Junction 27 is considered to be an evil in pursuit of those efforts should Council not consider that to be a very necessary evil? As the old saying 'from mighty acorns grow mighty oaks'.

In my humble opinion preparation of a Local Plan is not an exact science but surely this J27 policy is a massive step in the right direction, towards striving to improve our economy and tourism and providing employment in Mid Devon, rather than continuing with the same old policies that, in the case of Tiverton, have left us with several empty shops and to add to that another 11 or 12 charity shops.

Mr Chairman, I totally support the modification to the Mid Devon Local Plan and in particular the allocation of land at Junction 27 for leisure, retail and tourism.

92 Petitions (00:33:50)

The Deputy Monitoring Officer stated that an electronic petition had been received entitled 'Help us keep Mid Devon rural' which had twenty three signatories.

93 Notices of Motions (0034:25)

No motions had been received for this meeting.

94 Cabinet Report - 21 November 2016 (00:34:40)

The Leader presented the report of the special meeting of the Cabinet held on 21 November 2016.

Arising thereon:

1. LOCAL PLAN REVIEW (MINUTE 96)

The Head of Planning and Regeneration was invited to give a presentation to Members. She stated that it was her intention to provide a summary as to how the Council had arrived at this position and to explain in some detail the main changes in relation to the plan.

Quoting from the National Planning Policy Framework 2012 she stated that 'Local Plans were the key to delivering sustainable development that reflects the vision and aspirations of local communities.' There was a legal obligation upon the Council to produce a Local Plan and for Mid Devon it would lead to the creation of over 7,860 homes including over 2,000 affordable homes. It would also create 212,416 square metres of commercial floor space attracting investment into the district and creating approximately 2,500 new jobs. Additionally there would be improvements to transport infrastructure which would address existing capacity and safety issues as well as meeting future needs. There would be an implementation of strategic environmental enhancement schemes including flood alleviation, air quality and traffic management.

The Plan would deliver new, improved and enhanced public open space. There would be a protection of designated local green space as well as recreational land and buildings. Enhancement of built and historic environments including heritage assets and town centre regeneration. The Plan would also deliver the provision of new and improved schools, doctor surgeries, community buildings and libraries. The plan would seek to establish a strong basis for managing development through the re-establishment of the Council's five year land supply which would guide development to the most sustainable areas in line with the district's spatial strategy, protect our countryside and make the best use of land.

The background to the whole process was then briefly summarised. A major consultation exercise had taken place between 9 February and 27 April 2015 when 971 submissions had been received, including 2434 specific comments. The intention had been to submit that plan later that year but more technical evidence had been needed. On 22 September 2016 Council had considered the allocation of land at J27 for leisure, retail and tourism and the associated additional housing required. Since the 2015 consultation there had been changes to national guidance, the local plan evidence base and highways advice. The plan had therefore been proposed to be modified to reflect the representations received and the changes since 2015. The Council now had before it an updated version of the proposed plan showing the tracked changes. She went on to list the decisions made by the Council so far in relation to the draft plan.

It was proposed that consultation, solely on the modifications to the plan, be undertaken between 3 January 2017 and 14 February 2017 and then it be submitted to the Planning Inspectorate before the end of March 2017. The Department for Communities and Local Government had stated that it might intervene where local planning authorities did not have an up to date adopted plan or a plan submitted to the Planning Inspectorate by the end of March 2017. Members were shown a summary of the key stages involved in trying to reach this deadline.

The main changes which ran throughout the plan were as follows:

- Proposed J27 allocation.
- Additional housing requirement associated with J27.
- Revised overall housing target figures to reflect a final Strategic Housing Market Assessment.
- Updated figures to reflect the latest housing completion and planning permissions.
- Updated figures, text and policy map to reflect the adopted NW Cullompton Masterplan and extended site area.
- Latest Devon County Council Highways advice.
- Government Guidance changes, for example, National Space Standards.

Regarding town allocation modifications included the following:

Tiverton

- Tiverton Eastern Urban Extension
- Policy TIV1 – Amended quantum of development to 1580 from 1830 dwellings
- Policy TIV2 – Tidcombe Lane traffic calming reference removed.
- Policy TIV6 (Farleigh Meadows) – Housing numbers reduced from 300 to 255 to reflect recent planning permission.
- Policy TIV7 (Town Hall) – Update to refer to new build element (numbers)
- Policy TIV14 (Wynnards Mead) - contingency site: Proposed to be deleted following the results of the Historic Environment Appraisal.
- Additional Policy TIV16 (Blundells School) – 200 houses. To reflect the inclusion of land at J27 and associated housing. Mixed use reference deleted.

Cullompton

- North West Cullompton
- Amend 1200 to 1350 to reflect the adopted masterplan SPD and potential of land owned by Mr Brunt (latter outside the masterplanned area).
- Updated financial contributions: J28, town centre relief road & Willand Road
- Clarification regarding the primary school requirement.
- Phasing updated to reflect the adopted masterplan SPD and latest position on J28.
- East Cullompton:
 - Proposal to amend the housing numbers from 2,100 to 1,750 to reflect development in the plan period together with anticipated later commencement due to highways advice.
- Policy CU13 (Knowle Lane), CU15 (Land at Exeter Rd), CU16 (Cummings Nursery) – Updated housing numbers CU18 (Venn Farm) updated floorspace figure (reflect permissions granted).
- Policies CU13 (Knowle Lane), CU14 (Ware Park and Footlands), CU15(Land at Exeter Rd), CU17 (Week Farm), CU18 (Venn Farm) – Updated to reflect latest J28 position.
- Policy CU19 (Town Centre Relief Road) - Reference to emerging design solution
- Policy CU20 (Cullompton Infrastructure) - Add works to reduce flood risk.
- Policy CU21 (Land at Colebrook – Contingency Site) - Updated to reflect latest J28 position.

Credition

- Policy CRE1 improved pedestrian access at Wellparks
- Policy CRE2 updated to reflect lapse in planning permission at Red Hill Cross
- Policy CRE3 updated to reflect findings of the Historic Environment Appraisal at Cromwells Meadow
- Policy CRE5 updated in response to the need for a new primary school at Pedlerspool; updated phasing strategy and improved pedestrian access taking account of flood risk
- Policy CRE6 (Exhibition Road) - Improved pedestrian access.
- Policy CRE10 (Land south of A377) - Supporting text updated to take account of flood risk.
- Policy CRE11 (Credition Infrastructure)– Works to reduce flood risk.

Regarding land at Junction 27, a new policy had been inserted to reflect the Council decision to propose an allocation of land at Junction 27 for mixed use leisure, tourism and associated retail. Further changes had been made as a result of Duty to Co-operate meetings.

Further changes had been made with regard to rural allocations including:

- 26 dwellings at School Close in Bampton and the proposed deletion of the depot at Hemyock as the site was no longer immediately deliverable.
- Text updates to reflect the Historic Environment Assessment.
- Housing numbers at Cheriton Bishop had been updated to reflect the reduced site area.
- Land west of Uffculme was now proposed to be included as planning permission had been granted at appeal.
- Enlarged allocation at Willand Industrial Estate at eliver phase 2 as access now secured.
- The proposed allocation of 60 dwellings at Higher Town, SP2, Sampford Peverell to reflect the inclusion of land at Junction 27 and associated housing.

Development Management policies were updated to take account of up to date Government policy, remove Bampton from the list of towns and clarify other requirements.

It was explained that the Planning Policy Advisory Group (PPAG), at their meeting on 10 November 2016 had supported the recommendations, however, it had suggested a number of changes which had been included in the tracked changed report before Council. PPAG had requested that consideration be given to the phasing arrangements for the through route linking Willand Road to Tiverton Road as part of the NW Cullompton proposal and the need to allocate land at Higher Town, Sampford Peverell by increasing the number of dwellings identified at Blundells School from 200 to 260.

Further investigation by the Planning officers had been undertaken in order to advise Members accordingly, this had included the following information:

Blundells School site: Consideration had been given to the wider risk of flooding in proximity to the site. Criteria refer to the need to raise certain areas above the flood plain, with others to be lowered to compensate. Housing is more vulnerable to flooding than other uses such as commercial and there was a concern raising housing numbers to 260 would place housing in closer proximity to flooding. Officers had also looked at the need to safeguard a future route to serve the eastern side of Tiverton. In their professional opinion there was not enough evidence to substantiate increased housing numbers at Blundells School. It was further explained that the allocation of 6 hectares at Higher Town represented very low density housing, with 30% allocated for affordable housing, the provision of a drainage strategy and the need for careful design. She ran through one of the amendments that was before Members – that would specify low density, that the site would come forward following the commencement of the development of the M5 Junction 27 allocation and 2 hectares at the highest part of the site would be laid out and managed as landscaping and open space.

It was confirmed, following a number of comments made during Public Question Time that site visits had been undertaken by officers both historically and in recent months. The SHLAA panel had concluded that the site would be appropriate for 60 dwellings, the access issues were not so severe and the

limited primary school capacity was not identified as a fundamental impediment. The Higher Town site had been one of a number of sites that had been assessed, there were some elements relating to topography but it was clear with appropriate mitigation the site was suitable and deliverable, more so than other sites considered by the SHLAA panel around Sampford Peverell.

Regarding the questions raised by members of the public, the Head of Planning and Regeneration responded with the following:

- The merits of allocating land at J27 had been discussed in great detail at the Council meeting on 22 September 2016 and these were on record;
- Concerns regarding the topography, highways and infrastructure within Sampford Peverell had been addressed within her presentation;
- The Higher Town site had not been allocated initially in the plan because the housing numbers were not required at that stage, rather than for reason of the site not being suitable;
- There were proposals to put restrictions in place to safeguard retail interests within the towns;
- She encouraged Mr Paynes to contact the Planning Department for a pre-application discussion regarding a new school;
- Regarding the request for the planning authority to make a new call for sites she stated that should they do that the Council would not meet the Government's timetable for submission. However, she stated that a report would be brought to the Cabinet meeting on 5 January 2017 in relation to the Greater Exeter Strategic Plan proposals which would make reference to this issue.

(a) The Leader **MOVED** seconded by Councillor Mrs M E Squires:

THAT the recommendation of the Cabinet as set out in Minute 96 (a) be **ADOPTED**

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

The Council had before it a question submitted by Councillor Mrs J Roach in accordance with Procedure Rule 13.2 together with a response from the Cabinet Member for Planning and Regeneration. She had been content with the response and had not wished to ask a supplementary question.

(b) The Leader **MOVED** seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 96 (b) be **ADOPTED**

Councillor Mrs J Roach **MOVED** and **AMENDMENT** seconded by Councillor T W Snow that resolution (b) be amended to read:

'Approval be given to publish the proposed modifications to the Local Plan for consultation.'

Following discussion and upon a vote being taken the **AMENDMENT** was declared to have been **FAILED**.

The Leader further **MOVED** seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 96 (b) be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(c) The Leader **MOVED** seconded by Councillor C R Slade:

THAT the recommendation of the Cabinet as set out in Minute 96 (c) be **ADOPTED**

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Councillor R L Stanley **MOVED** an **AMENDMENT** (having considered Procedure Rule 18.1) seconded by Councillor F W Letch that resolution (d) be added as follows:

- (d) That Policy SP2 (Higher Town, Sampford Peverell) be removed from the Local Plan and that the 60 dwellings be added to Policy TIV 16 (Blundells School). Policy TIV 16 be amended to read that the number of dwellings be increased from 200 to 260 and additional wording be added to the text at 3.46 to state “This location lends itself to a well-designed urban style development, which relates to existing properties in Blundells Road, the recent scheme at Popham Close and the nature of the built form of Blundells School. Whilst the topography is understood, the principles of traditional urban form, similar to Poundbury in Dorset, will provide an attractive development, lending with the existing adjacent properties and merge with the town. Development within densities approaching 60 dwellings per hectare when appropriately designed are well received by the public.

Following debate, Councillor Mrs J Roach **MOVED** in accordance with Procedure Rule 19.4:

“**THAT** the vote in respect of the **AMENDMENT** shall be by Roll Call”

A roll call of Members present at the meeting was then taken:

Those voting **FOR** the **AMENDMENT**: Councillors Mrs H Bainbridge, Mrs C A Collis, R J Dolley, J M Downes, R Evans, F W Letch, B A Moore, R F Radford, Mrs J Roach, T W Snow, R L Stanley and Mrs N Woollatt.

Those voting **AGAINST** the **AMENDMENT**: Councillors Mrs A R Berry, Mrs J B Binks, K Busch, R J Chesterton, Mrs F J Colthorpe, D R Coren, W J Daw, Mrs G Doe, C J Eginton, S G Flaws, P H D Hare-Scott, P J Heal, T G Hughes, Mrs B M Hull, D J Knowles, F J Rosamond, C Slade, Mrs E Slade, J D Squire and Mrs M E Squires.

Those **ABSTAINING** from voting: Councillor N V Davey.

Upon a vote being taken, the **AMENDMENT** was declared to have **FAILED**.

Councillor R J Chesterton **MOVED** a **FURTHER AMENDMENT** with regard to (d) seconded by Councillor P H D Hare-Scott that Policy SP2 be amended to read as follows:

Higher Town, Sampford Peverell

A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, to come forward following the commencement of development of the M5 Junction 27 allocation, subject to the following:

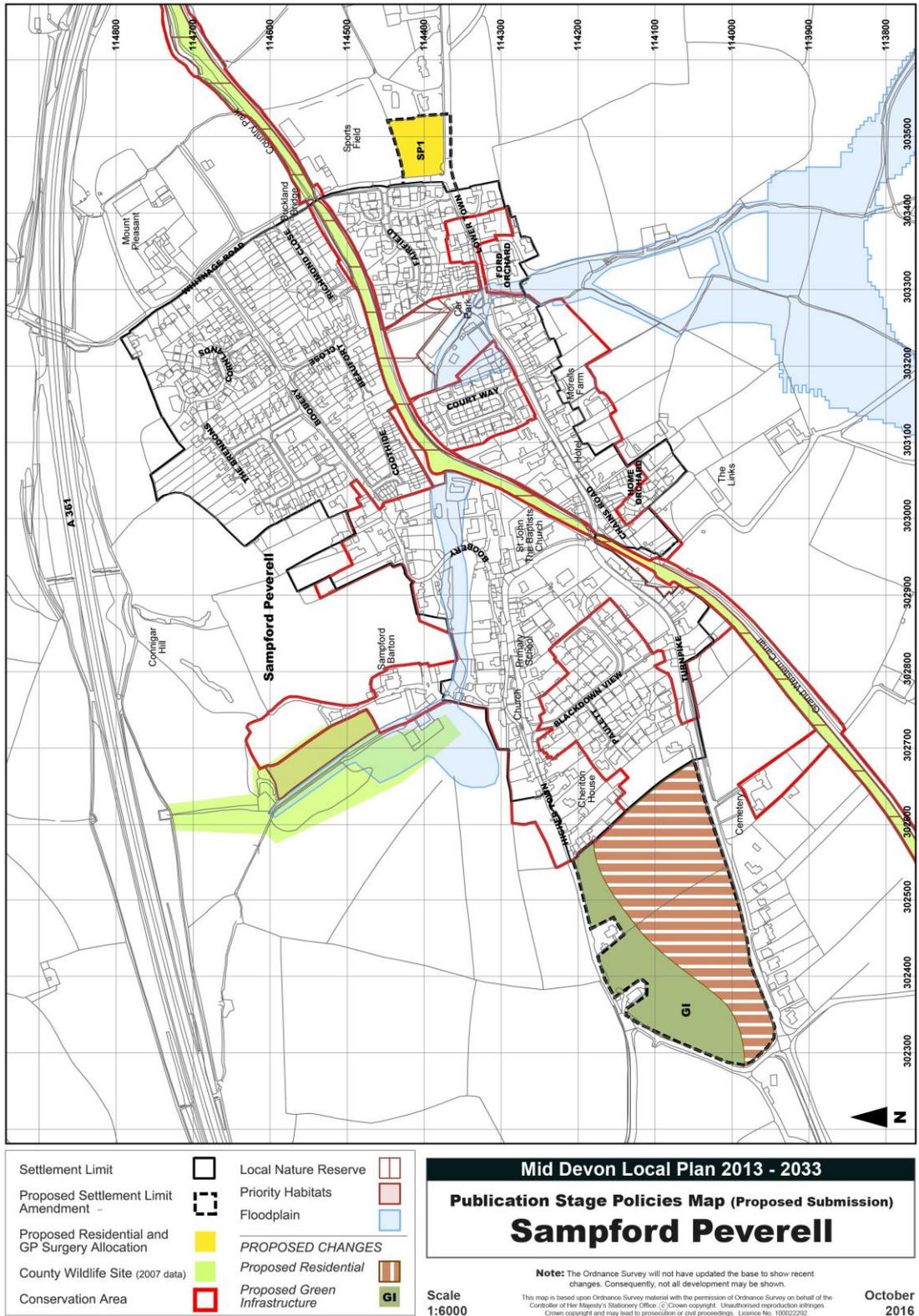
- a) No more than 60 dwellings with 30% affordable housing;**
- b) No development until the completion of improved access works to the A361;**
- c) Landscaping and design which respect the setting and character of the area;**
- d) Provision of a drainage strategy and Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;**
- e) Mitigation of any wildlife impact including protection of hedgerows; and**
- f) Archaeological investigation and appropriate mitigation; and**
- g) 2 hectares of Green Infrastructure laid out and managed with landscaping and open space.**

3.224a The site is on the edge of Sampford Peverell, outside the main built up part of the village. The site is elevated and will require careful landscaping and mitigation measures. Development of the highest ground should remain as undeveloped green infrastructure. Low density and good design will be required to respect the existing character of edge-of village housing and conservation area. The site is currently bounded by hedgerow. Some loss of hedgerow would be required to enable access however, careful design should be considered to minimise this impact including incorporating new hedgerow into the design of the development.

3.224b This site lies in an area of archaeological potential with the Historic Environment Record recording prehistoric activity. Any application will need to be accompanied by archaeological investigation and appropriate mitigation.

3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway. Accordingly it shall only come forward following the commencement of development on that site.

With the following Plan



Following debate and upon a vote being taken, the **FURTHER AMENDMENT** was declared to have been **CARRIED**.

Councillor Mrs J Roach **MOVED** and **AMENDMENT** seconded by Councillor R J Chesterton that resolution (e) be added as follows:

96 (e) **Policy S1 Sustainable development priorities**

(g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of accessible housing for older people and people with a disability, those wishing to build their own home, affordable housing and gypsy and traveller pitches.

Following discussion and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

2) COMMUNITY INFRASTRUCTURE LEVY CHARGING SCHEDULE (MINUTE 97)

a) The Leader **MOVED** seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 97 (a) be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

b) The Leader **MOVED** seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 97 (b) be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

c) The Leader **MOVED** seconded by Councillor P H D Hare-Scott:

THAT the recommendation of the Cabinet as set out in Minute 97 (c) be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

d) The Leader **MOVED** seconded by Councillor C R Slade:

THAT the recommendation of the Cabinet as set out in Minute 97 (d) be **ADOPTED**

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

3. LOCAL DEVELOPMENT SCHEME (MINUTE 98)

The Leader **MOVED** seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out in Minute 98 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Notes:

- (i) With regard to Minute 96, Cllr P H D Hare-Scott declared a personal interest with regard to his pension with Friends Life (in line with his statement at previous meetings when J27 was discussed). He also stated that he lived near proposed sites in Crediton but that this did not affect him directly.

(ii) Cllrs Mrs J Roach and T W Snow requested that their vote in relation to Minute 96(b) be recorded.

(iii) *Report previously circulated; copy attached to the signed minutes.

Amendments & Written Questions to Council 1 December 2016

(The meeting ended at 9.12 pm)

CHAIRMAN

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Minute Annex

AMENDMENTS AND WRITTEN QUESTIONS – EXTRAORDINARY MEETING OF FULL COUNCIL – 1 DECEMBER 2016

AMENDMENTS

1. Agenda Item 6

Heading: CABINET REPORT 21 NOVEMBER 2016 (MINUTE 96)

Amendment submitted by Councillor: Mrs J Roach

That Minute 96b be amended to read 'Approval be given to publish the proposed modifications to the local plan for consultation.' Deleting everything after!

WORDING OF AMENDMENT IF APPROVED:

96 (b) Approval be given to publish the proposed modifications to the Local Plan for consultation.

2. Agenda Item 6

Heading: CABINET REPORT 21 NOVEMBER 2016 (MINUTE 96)

Amendment submitted by Councillors: Mrs H Bainbridge, R Evans, P J Heal, Mrs B M Hull, D J Knowles, B A Moore, R L Stanley, R F Radford, Mrs J Roach and R Wright

(10 Members required in line with Procedure Rule 18.1 to rescind the decision of Council on 22 September 2016)

The addition of recommendation (d) That Policy SP2 (Higher Town, Sampford Peverell) be removed from the Local Plan and that the 60 dwellings be added to Policy TIV 16 (Blundells School). Policy TIV 16 be amended to read that the number of dwellings be increased from 200 to 260 and additional wording be added to the text at 3.46 to state that "This location lends itself to a well-designed urban style development, which relates to existing properties in Blundells Road, the recent scheme at Popham Close and the nature of the built form of Blundells School. Whilst the topography is understood, the principles of traditional urban form, similar to Poundbury in Dorset, will provide an attractive development, blending with the existing adjacent properties and merge with the town. Development within densities approaching 60 dwellings per hectare when appropriately designed are well received by the public.

WORDING OF AMENDMENT IF APPROVED:

(d) That Policy SP2 (Higher Town, Sampford Peverell) be removed from the Local Plan and that the 60 dwellings be added to Policy TIV 16 (Blundells School). Policy TIV 16 be amended to read that the number of dwellings be increased from 200 to 260 and additional wording be added to the text at 3.46 to state that "This location lends itself to a well-designed urban style development, which relates to existing properties in Blundells Road, the recent scheme at Popham Close and the nature of the built form of Blundells School. Whilst the topography is understood, the principles of traditional urban form, similar to Poundbury in Dorset, will provide an attractive development, blending with the existing adjacent properties and merge with the town. Development within densities approaching 60 dwellings per hectare when appropriately designed are well received by the public.

3. Agenda Item 6

Heading: CABINET REPORT 21 NOVEMBER 2016 (MINUTE 96)

Amendment submitted by Councillor R J Chesterton

The addition of recommendation 96 (d) revising Policy SP2 so that it reads:

Policy SP2

Higher Town, Sampford Peverell

A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, to come forward following the commencement of development of the M5 Junction 27 allocation, subject to the following:

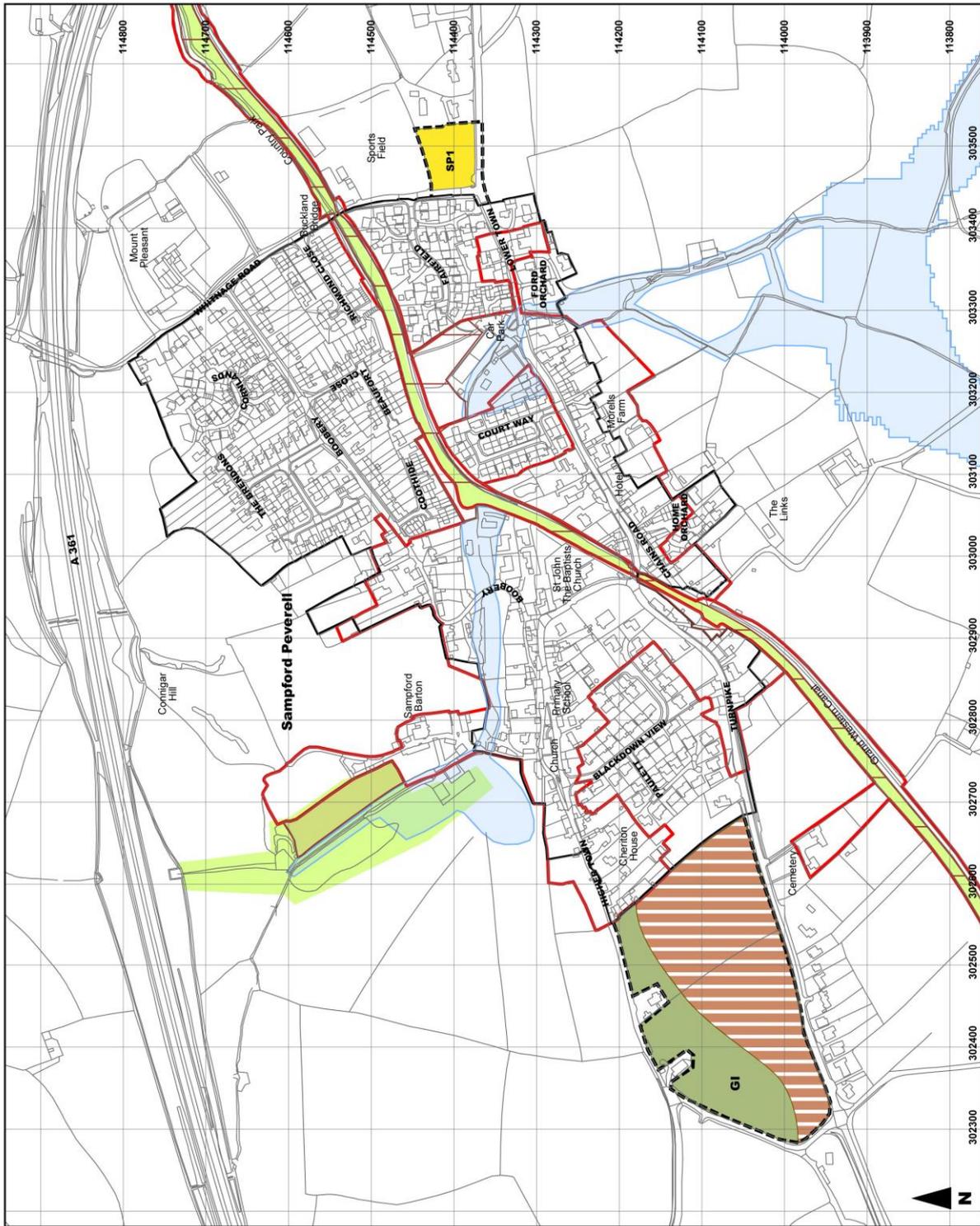
- a) No more than 60 dwellings with 30% affordable housing;
- b) No development until the completion of improved access works to the A361;
- c) Landscaping and design which respect the setting and character of the area;
- d) Provision of a drainage strategy and Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- e) Mitigation of any wildlife impact including protection of hedgerows; and
- f) Archaeological investigation and appropriate mitigation; and
- g) 2 hectares of Green Infrastructure laid out and managed with landscaping and open space.

3.224a The site is on the edge of Sampford Peverell, outside the main built up part of the village. The site is elevated and will require careful landscaping and mitigation measures. Development of the highest ground should remain as undeveloped green infrastructure. Low density and good design will be required to respect the existing character of edge-of village housing and conservation area. The site is currently bounded by hedgerow. Some loss of hedgerow would be required to enable access however, careful design should be considered to minimise this impact including incorporating new hedgerow into the design of the development.

3.224b This site lies in an area of archaeological potential with the Historic Environment Record recoding prehistoric activity. Any application will need to be accompanied by archaeological investigation and appropriate mitigation.

3.224c The Highway Authority has advised that any development of the site should only commence once improvements to the A361 junction have been implemented to create west facing slip roads to enable direct access to and from the west. The site is required to meet additional housing need arising from the allocation at Junction 27 of the M5 motorway. Accordingly it shall only come forward following the commencement of development on that site.

With the following Plan



Settlement Limit		Local Nature Reserve	
Proposed Settlement Limit Amendment		Priority Habitats	
Proposed Residential and GP Surgery Allocation		Floodplain	
County Wildlife Site (2007 data)		PROPOSED CHANGES	
Conservation Area		Proposed Residential	
		Proposed Green Infrastructure	
		GI	

Mid Devon Local Plan 2013 - 2033
Publication Stage Policies Map (Proposed Submission)
Sampford Peverell

Note: The Ordnance Survey will not have updated the base to show recent changes. Consequently, not all development may be shown.

This map is based upon Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Licence No. 100022292.

Scale 1:6000

October 2016

WORDING OF AMENDMENT IF APPROVED:

96d)

Policy SP2

Higher Town, Sampford Peverell

A site of 6 hectares at Higher Town, Sampford Peverell is allocated for a low density residential development, to come forward following the commencement of development of the M5 Junction 27 allocation, subject to the following:

- a) No more than 60 dwellings with 30% affordable housing;
- b) No development until the completion of improved access works to the A361;
- c) Landscaping and design which respect the setting and character of the area;
- d) Provision of a drainage strategy and Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- e) Mitigation of any wildlife impact including protection of hedgerows; and
- f) Archaeological investigation and appropriate mitigation; and
- g) 2 hectares of Green Infrastructure laid out and managed with landscaping and open space.

3.224a The site is on the edge of Sampford Peverell, outside the main built up part of the village. The site is elevated and will require careful landscaping and mitigation measures. Development of the highest ground should remain as undeveloped green infrastructure. Low density and good design will be required to respect the existing character of edge-of village housing and conservation area. The site is currently bounded by hedgerow. Some loss of hedgerow would be required to enable access however, careful design should be considered to minimise this impact including incorporating new hedgerow into the design of the development.

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WITH THE PLAN AS ABOVE.

4 Agenda Item 6

Heading: CABINET REPORT 21 NOVEMBER 2016 (MINUTE 96)

Amendment submitted by Councillor: Mrs J Roach

To amend Policy S1, page 461 g. (149g of Council papers) by adding to line 3 “accessible” and then reword paragraph to read 'including the provision of accessible housing for older people and people with a disability.....'

WORDING OF AMENDMENT IF APPROVED:

96 (e) Policy S1 Sustainable development priorities

(g) Delivering a wide choice of high quality homes through a diverse housing mix and by meeting the housing needs of all sectors of the community including the provision of accessible housing for older people and people with a disability, those wishing to build their own home, affordable housing and gypsy and traveller pitches.

WRITTEN QUESTIONS

1. CABINET - 21 NOVEMBER 2016

MIN NO 96 – Recommendation (a)

Questions submitted by Councillor Mrs J Roach and the response of the Cabinet Member for Planning and Regeneration

May I have confirmation that 'minor changes' will not include any change to land allocations that have been the subject of consultation?

RESPONSE

It is confirmed that 'minor changes' referred to in 'Recommendation A' relate to typographical corrections, factual updates and minor changes to reflect the latest evidence and consultation responses. If there were a need for more major changes, such as significant changes to allocations, these would need to be considered by Cabinet and Council. It should also be noted that the Inspector will receive an unchanged version of the January 2017 Consultation Plan with a list of the proposed changes listed separately.

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