

PLANNING COMMITTEE AGENDA - 29th November 2017

Applications of a non-delegated nature

UPDATES

ENFORCEMENT LIST	
1.	

THE PLANS LIST

1.	<p>17/00982/MFUL - Erection of 49 dwellings, including associated public open space, landscaping and all other associated external works - Land at NGR 284671 100838 Cromwells Meadow Crediton.</p> <p>Page 22: In the proposed development section amend the third bullet point to delete the following words from the report: each with a double garage and 2 car parking spaces. This is a drafting error.</p> <p>Page 22: In the applicants supporting information section update the plans as listed as follows. These revised plans reflect the changes to the layout that were agreed and assessed as set out in the report but with a delay in the plans being submitted.</p> <p>Site layout plan (rev P5), Materials Layout (rev P4), Affordable Housing Distribution Plan (rev P4), Building Storey Heights Plan (rev P3), Street scene drawing (rev P3) Public Open Space Area Plan (rev P2): Revised date 13th November and as received on 17th November.</p> <p>Drainage and Transport drawings prepared by Vectos: Revised date 13th November and as received on 17th November.</p> <p>Page 19: Flood Risk Assessment & Drainage Strategy prepared Vectos: Revised date 13th November and as received on 17th November.</p> <p>Page 29: Following further consideration at their meeting on 21st the Town Council have submitted the following further comments about the application.</p> <p>To recommend OBJECTION to the application on the following grounds:</p> <ul style="list-style-type: none">• It is overdevelopment of the site. The Local Plan Policy CRE3 has allocated 35 dwellings on the site, however, this application proposes 49 dwelling.• South West Water sewerage system is incapable of coping with the current capacity generated from dwellings in the surrounding area such as Cromwells Meadow, Willow Walk, Hedgerow Close, Primrose Way etc. There are regular occurrences of the pumping station breaking down resulting in raw sewerage overflowing into the gardens of properties. The introduction of further dwellings on to the system will exacerbate these issues causing increased public health issues.• The proposed development site is still a flood plain and has regularly flooded in the past. Raising the level of the development does not remove it from being on a flood plain. Neighbouring properties surrounding the development will be impacted by water run-off from the level being raised.• The installation of an attenuation pond to accommodate surface water run-off
----	---

2.	<p>is insufficient mitigation for the level of surface water run-off. It is questionable as to whether the drainage ditch located at the southern boundary will be able to cope with the increased volumes of water from the attenuation pond, as this already accommodates water run-off from other areas. This development could increase the risk of flooding elsewhere due to water run-off.</p> <ul style="list-style-type: none"> • The Management of the attenuation pond is of concern as this will be the responsibility of the residents of the development, who will not have the knowledge or expertise for such an important liability. • The access to the site via Willow Walk is unsuitable. Willow Walk is unable to accommodate the increased level of traffic and parking that this development will generate. • There is no play space on the site. • There is no consideration for walking and cycling routes. <p>Case officer comments: The views of statutory consultees are set out above regards the flood risk, surface drainage and foul water impacts that are referred to by Crediton Town Council. The other issues as raised are addressed in the main body of the report.</p> <p>Page 37. Please re-draft Criterion D of Condition 6 as follows:</p> <p>D) A site compound and car park shall have been constructed on site in accordance with details that shall have been submitted to and approved in writing by the local planning authority.</p> <p>Page 38. Please correct the drafting as set out in the report in terms of the phrase land rising to land raising.</p> <p>Following a number of concerns expressed by local stakeholders and the Town Council further clarification has been provided direct by the Planning and Sewer & Adoptions Team at South West water – comment below received via email on 28th November.</p> <p>I have reviewed the site at Cromwell Meadow and based on foul flows only entering the foul/combined sewerage network, South West Water has not identified any hydraulic overloading issues in the public sewerage network. Therefore, the comment to advise SWW has no objection stands and we will not request a condition for the planning application.</p> <p>Officer Comment. The scheme includes a new foul link to serve the new development which links to the existing public foul sewer connection at Willow Walk, with a separate arrangement to manage surface water (including a diversion of the existing surface water sewer that serves the existing Cromwells Meadow Housing estate).</p> <p>Reflecting on the controls imposed by Condition 21 as recommended in the report, the scheme details as described above and the clarification provides by the Planning and Sewer & Adoptions Team it is recommended that members have sufficient information and clarity to conclude positively on this issue from a (town and county planning) development management assessment point of view.</p>
----	---

	<p>Chenson Chulmleigh.</p> <p>Page 45:</p> <p>Reason for Refusal number 2. Please add the following sentence to the reason as drafted in the Report pack.</p> <p>On this basis the application proposals (retrospective) would be contrary to Policy COR18 of the Mid Devon Core Strategy (Local Plan Part 1).</p>
3.	<p>17/01414/FULL - Conversion of disused former office/workshop/store to dwelling - Building at NGR 268200 111519 Eggesford Station Yard Eggesford.</p> <p>The consultation period has finished and no further comments have been received.</p> <p>The applicant has submitted a further letter in support of the application (23/11/2017) which raises the following issues:</p> <ol style="list-style-type: none"> 1. A site visit was carried out at the time of displaying the site notice (25/10/2017) and it was not considered that a further visit was necessary. Furthermore the applicant was advised that Planning Committee could decide to make a site visit should they consider it necessary as part of their assessment of the application. 2. The applicant considers that the proposal is permitted development by virtue of Class O of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) which allows the change of use of a building and any land within its curtilage from a use falling within B1(a) (offices) to C3 (dwelling). Officer comment: the building appears as a functional garage/ store type building and there was no evidence to suggest that it has been used, or furnished for use, as an office. As such it is considered unlikely that the building would qualify for change of use under these permitted development rights unless the applicant can submit evidence to demonstrate its use as an office in accordance with Class O. In addition, the Class O permitted development rights would not allow the significant alterations to the building that are proposed as part of the application scheme.
4.	<p>17/01179/MFUL - Erection of 28 affordable dwellings, together with associated landscaping, highways and drainage infrastructure - Land at NGR 303340 110341 (Land off Silver Street) Willand Devon.</p> <p>UPDATE 1 - Further comments from Willand Parish Council received on the 27th of November: Willand Parish Council considered the revised plans at the meeting on 23 November and is concerned that the revision takes little or no account of the numerous concerns raised by it and other consultees and respondents. The Parish Council wish to stand fully by their earlier representations.</p> <p>Further comments from the Highway Authority in relation to moving the 30mph</p>

	<p>zone: The Highway Authority has confirmed that it would not be reasonable to condition a Traffic Regulation Order as it requires consultation and if it is objected to it may not go ahead. Highways have confirmed they would not be able to support moving the 30mph zone, as the Traffic Engineers stated that the 259 houses proposed (recently refused at appeal) did not require this change. The Highway Authority have advised that this matter could be pursued by the Parish with County Traffic Engineers.</p> <p>29.11.17 - PLEASE ALSO SEE ATTACHED SHEET - UPDATE 2</p>
5.	17/01292/FULL - Erection of 3 dwellings following demolition of existing livestock building - Land and Buildings at NGR 295566 125028 (Veltham Barn) Morebath.
6.	<p>17/01395/FULL - Erection of 5 dwellings with associated parking following demolition of industrial units - M H West & Son The Garage Silverton.</p> <p>Pg 95 condition 7 needs to be updated so it reads “has been submitted to and approved in writing by the Local Planning Authority” at end.</p> <p>Full condition should read as follows:</p> <p>‘7. Prior to development commencing, the applicant shall carry out a detailed investigation, site characterisation and risk assessment aimed at identifying the full extent and type of land contamination present and the measures to be taken to ensure that no significant pollutant linkages will exist on the site following development. The assessment should include for all possible human health, controlled water, ecosystem and building receptors. This will include identifying the presence or lack thereof of any buried fuel storage tanks prior to any site demolition. A report of the investigation and its recommendations shall be submitted for approval to the Local Planning Authority for consultation with Environmental Health Services [and other agencies if required].</p> <p>If required, a site remediation statement shall be submitted for approval to the Local Planning Authority for consultation with Environmental Health Services (and other agencies if required). Following completion of any required remediation works, a validation report shall be submitted to the Local Planning Authority for consultation with Environmental Health Services [and other agencies if required]. Development on the site shall not commence until the land contamination investigation report and remediation have been approved in writing. Occupation on the site, or parts of the site affected by land contamination, shall not take place until the validation report has been submitted to and approved in writing by the Local Planning Authority.’</p> <p><u>Third Update</u> -</p> <p>One additional letter of objection received from Ros & Steve Bennett of Elbury House - The objections are summarised as follows:</p> <ul style="list-style-type: none"> - Concern over insufficient parking for the development and that parking will spill out into the narrow road. - A restrictive covenant requires a turning head to be retained for use of neighbouring residents to the front of the site.

	<ul style="list-style-type: none"> - Parking in the area to the front will restrict visibility to residents of neighbouring property exiting onto the road. - The Local Highway Authority objected to a development of a dwelling on this site previously (07/00262/FULL) due to the substandard nature of the approach roads and remoteness of the site. - There is a septic tank, soakaway and drainage field the currently occupies approximately one third of the site which serves Elbury House and is protected. <p><u>Fourth Update –</u></p> <p>For Members interest, with respect to the allocation of the site within the emerging local plan (Policy SI2 – The Garage, Silverton for 5 dwellings), three representations were received during the Local Plan Review Proposed Submission Consultation in 2015, all being supportive. No further representations were received in 2017 following the Local Plan Submission Consultation.</p>
7.	17/01464/FULL - Retention of change of use from shop (A1) to Tattoo and piercing studio (Sui Generis) - 17 West-Exe South Tiverton Devon.
8.	17/00826/MFUL - Erection of 3 poultry houses and ancillary buildings following demolition of 2 existing poultry units - Land at NGR 291466 112201 Jurishayes Witleigh.

AGENDA REPORTS

1.	<p>17/00914/OUT - Outline for the erection of 9 dwellings with associated access – Sunnymead, Copplestone</p> <p>Please correct the conclusion and Summary Section (paragraph 2.20) on page 121 so that is clear that the Highway Authority would NOT be able to provide support at an appeal situation in order to defend a reason for refusal on highway grounds.</p>
2.	<p>17/00910/FULL - Erection of 5 dwellings and alterations to existing bungalow and erection of garage, 10 Mayfair, Tiverton</p> <p>This update is to confirm the density of the proposed development, the density of the existing Mayfair properties and the density proposed through the Adopted Masterplan SPD for Area B of the Tiverton Eastern Urban Extension:</p> <p>Mayfair as existing (19 dwellings): 7.6 dwellings per hectare 10 Mayfair (5 proposed dwellings and retention of one existing dwelling): 13.6 dwellings per hectare Area B park edge : 15 to 20 dwellings per hectare</p> <p>One further email of objection has been received.</p> <p>One email of objection has been received (to supplement an existing objection). A summary of it as follows: disappointment for the lack of opportunity members of the public had to speak at the Planning Member Working Site Visit; the proposal represents over development of the site; bungalows would be more in keeping; there may be a badger sett on the site which requires additional ecological</p>

	<p>assessment.</p> <p>The following condition is recommended for inclusion should planning consent at 10 Mayfair be forthcoming:</p> <p>The development shall be carried out in accordance with the recommendations and mitigation measures set out in the 'Preliminary Ecological Appraisal' prepared by WYG dated May 2017 and shall be approved by the Local Planning Authority before construction begins.</p> <p>Reason To limit the impact of the development on any protected species which may be present</p> <p>Following the PMWG site visit at which the applicant offered heavy standard trees for inclusion in the landscape scheme to following condition is recommended should planning consent be forth coming:</p> <p>The landscape scheme, to be approved in writing by the Local Planning Authority prior to the commencement of any development, shall provide heavy standard trees.</p> <p>REASON In the interest of the character and visual amenity of the area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).</p> <p>One further email of objection has been received. Please add after it – details to be presented by the objector at public question time.</p> <p>There is also an objection from a new objector. Please add the following text: An email of objection has been received, summarised as follows: the proposal would represent a loss of privacy and loss of country view.</p>
3	15/00108/MOUT – Deed of variation relating to - Outline application for up to 60 dwellings with access onto Uffculme Road, with all other matters reserved – Harvesters, Uffculme
4	<p>17/01370/MARM - Reserved matters for the erection of 60 dwellings, Harvesters, Uffculme</p> <p>A revised flood compensation storage scheme has been submitted. The Environment agency have provided further comments in relation to the scheme and have confirmed that the floodplain compensation scheme submitted satisfies their concerns about the small loss of floodplain storage resulting from the development. The scheme shall be fully implemented as approved and the works should be undertaken prior to the construction of plots 31 and 32.</p> <p>On this basis an additional condition is proposed:</p> <p>The development hereby approved shall be carried out in accordance with the submitted floodplain compensation scheme as shown on drawing 16407-052 Rev</p>

	<p>B, the scheme shall be implemented in full prior to the construction of residential plots 31 and 32 and shall be retained and maintained as such thereafter.</p>
<p>5</p>	<p>17/01509/MFUL - Erection of 39 dwellings following demolition of existing garages and adjacent substructure, together with bike storage, underground car parking, landscaping and associated works - Rear of Town Hall, Angel Hill, Tiverton</p> <p>1) Reworded condition 11 (as on agenda) Notwithstanding the submitted details, no part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system and associated attenuation on site has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems. The surface water drainage system and attenuation shall be implemented in accordance with the approved details prior to the first occupation of each residential unit to which it relates and shall be so retained.</p> <p>Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems and in the interests of ensuring that adequate drainage is provided to serve the development and to reduce the risk of pollution in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).</p> <p>Additional conditions</p> <p>2) The proposed estate road, footways, verges, junctions, street lighting, sewers, drains, service routes, surface water outfall, road maintenance/vehicle overhang margins, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority. REASON: To ensure that adequate information is available for the proper consideration of the detailed proposals in accordance with policy DM2 Local Plan Part 3 (Development Management Policies)</p> <p>3) <u>No</u> part of the development hereby permitted shall be commenced until details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the proposed surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.</p> <p>Reason: To ensure that the surface water runoff generated from rainfall events in excess of the design standard of the proposed surface water drainage</p>

management system is safely managed.

- 4) No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

- 5) Prior to their installation, details of the link bridges between blocks E to F and G to H, at first and second floor levels and details of the balustrading for the balconies within blocks E, F, G and H shall be submitted to and approved in writing by the Local Planning Authority. The link bridges and the balconies shall be completed in accordance with the approved details and shall be so retained.

Reason: To ensure the use of materials and detailing appropriate to the development in order to safeguard the visual amenities of the area and the character and appearance of the conservation area in accordance with policies DM2 and DM27 Local Plan Part 3 (Development Management Policies).