

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 13 June 2018 at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
Mrs H Bainbridge, Mrs C Collis, Mrs G Doe,
D J Knowles, F W Letch, R F Radford,
J D Squire, R L Stanley, C J Eginton and
R Evans

Apologies

Councillor(s)

P J Heal and B A Moore

Also Present

Councillor(s)

R M Deed and T W Snow

Present

Officers:

David Green (Group Manager for Development), Simon Trafford (Area Team Leader), Lucy Hodgson (Area Team Leader), Alison Fish (Area Team Leader), Adrian Devereaux (Principal Planning Officer), Neil Weeks (Solicitor) and Sally Gabriel (Member Services Manager)

Also Present:

Ian Sorenson (Devon County Council, Highway Authority)

14 APOLOGIES AND SUBSTITUTE MEMBERS (00-01-57)

Apologies were received from Cllr P J Heal who was substituted by Cllr C J Eginton and B A Moore who was substituted by Cllr R B Evans.

15 VICE CHAIRMAN

In the absence of the Vice Chairman, Cllr P J Heal, the Chairman requested that someone volunteer to stand in for the meeting.

Cllr R B Evans took the role of Vice Chairman for the meeting.

16 DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT

Members were reminded of the need to declare any interests when appropriate.

17 PUBLIC QUESTION TIME (00-03-25)

Ms Stannard referring to Item 1 (School Lane, Thorverton) on the Plans List stated that as has been said many times, the applicant cannot demonstrate any genuine agricultural justification for widening this access. He has other points of entry to his

fields. The proposed entrance is on an industrial scale both in terms of size and construction. Planting nine blackthorn and whitethorn shrubs along the entryway as shown in the latest drawing of June 12th is just “putting lipstick on a pig”. My question is: “How can this application be approved when Mid-Devon’s own report “Thorverton Conservation Area Appraisal and Management Plan of 2015” singles out School Lane as a ‘character area’”?

Maps 6 and 7 show School Lane up to and including the proposed access as part of the historic core of Thorverton and one of several important open spaces and views in and out of the village. Map 8 names School Lane as one of five Thorverton character areas. School Lane is described (and I quote) as an early, narrow route to Brampford Speke...this part of the conservation area has a rural, tranquil character. The following quote from the Local Plan Part 3 (2014) Policy DM27 sums up an observation made by many Thorverton residents: “The historic environment is an asset of great cultural, social, economic and environmental value. It contributes significantly to our quality of life and the character of the district, representing a non-renewable resource that once lost is gone forever”.

Mr Trump again referring to Item 1 (School Lane, Thorverton) on the Plans List stated that I live at The Lodge in the Conservation Area , opposite the proposed new field entrance. I am very worried by this scheme.

Firstly I am not at all convinced of the agricultural need for this new entrance, as the applicant has managed, perfectly satisfactorily for the last five years with the existing entrance.

The latest proposal to do away with the Devon bank and substitute it with a wide tarmac drive and splay is completely out of character with the existing environment in the lane. This is a narrow Devon country lane - not an urban road or an industrial site. The planting of a few blackthorn and white thorn bushes where the bank has been cut away is not going offset the dreadful appearance of the tarmac. I understand that the Conservation Officer's preferred scheme is from the original plan but that had all the problems with eliminating the passing place for large vehicles and a kerb build -out into the lane for the splay, reducing the width even more.

In my letter to him, I drew Mr Devereaux's attention to the fact that the plan has conveniently ignored the bend in the lane, which must affect the visibility aspect. I hope Members; in their preparation for this meeting have looked at the photo attached to Mrs Gillian Bathe's objection letter which clearly shows the bend and the narrowness of the lane, which also gives rise to the safety worries expressed by many objectors.

In my letter I also referred to the Mid Devon Plan which stated that Thorverton is regarded as a Village of “Particular Environmental Quality” and as such policy ENV 22 applies. One of the points of this states, “that design and layout respects the character and appearance of the locality”. This latest plan most certainly does not do that. This is immediately adjacent to Thorverton's Conservation area. This part of School Lane has been designated worthy of conservation by your own Council Officers and I would ask you please, to maintain it's beauty.

You will be aware from the response on the Mid Devon site, of the tremendous opposition to this application - from the Parish Council, the local school and so

many Villagers for reasons of appearance and safety, and I'm sure you will consider carefully, the various points raised.

I do most earnestly ask you all - please reject this application .

The Mid Devon motto, as I am reminded every time I use my brown bin, is "Where people matter".

I and the people of Thorverton will be waiting anxiously to see just how much the people of Thorverton really matter to our Council, when you make your decision.

Mr Greed referring to Item 1 (School Lane, Thorverton) on the Plans List asked why the Planning Officer and Devon County Council, Highway Authority were recommending approval of the application, the plans were misleading and there is no agricultural justification, this is an industrial entrance into the field and the Devon bank is proposed to be removed in the Conservation Area. He stated that the amenity value of the area would be destroyed, there is a narrow land with no pavements, 100 children and 150 residents use the walkway which cuts through from the Glebe and exits onto the narrow lane by the proposed entrance. The newly approved application at Broadlands would also use this access. He added that the token landscaping proposals would not mitigate the situation; there was already a track to the field. He referred to an application for an agricultural building at Yellowford which had never been built. He requested that the application be refused because of the loss of visual amenity and that the proposal would be a severe road safety hazard.

The Chairman indicated that answers would be provided during the debate on the application.

18 **MINUTES OF THE PREVIOUS MEETING (00-12-54)**

The Minutes of the meeting held on 16 May 2018 were approved as a correct record and **SIGNED** by the Chairman.

19 **CHAIRMAN'S ANNOUNCEMENTS (00-13-59)**

The Chairman informed the meeting that Sue Warren and Paul Dadson (Conservation Officer) were both retiring after long service with the Council. The new Conservation Officer, Greg Venn was in post and she looked forward to welcoming him to a future meeting.

20 **ENFORCEMENT LIST (00-14-55)**

Consideration was given to the cases in the Enforcement List *.

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

Arising thereon:

- a) No. 1 in the Enforcement List (***Enforcement Case ENF/18/00114/LB – Urgent and appropriate repairs to the Grade II* Listed Building part of the***

Manor House Hotel are required in order to preserve it and prevent damage arising from decay and potential poor underlying structural integrity of parts of the Fore Street frontage – Manor House Hotel Part) at 2 Fore Street, Cullompton).

The Area Team Leader outlined the contents of the report explaining the need for a Repairs Notice to be served on the property to prevent further damage and decay to the building. She highlighted the planning history of the property and the fact that it was already registered as a building at risk. There were also issues outstanding from a previous Repairs Notice which required attention. Members viewed photographs of some of the damage and the areas which required attention.

Consideration was given to:

- The other courses of action that could be taken to force the owner to complete the required works
- The fact that work was taking place on site at the moment
- The need to maintain pressure for the works to be completed

RESOLVED that the Group Manager for Legal Services and Monitoring Officer be given delegated authority to issue a Repairs Notice under Section 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990 specifying the works reasonably necessary for the proper preservation of the building.

(Proposed Cllr Mrs H Bainbridge and seconded by Cllr R L Stanley)

Note: Cllr T W Snow spoke as Ward Member.

21 **DEFERRALS FROM THE PLANS LIST**

There were no deferrals from the plans list.

22 **THE PLANS LIST (00-29-14)**

The Committee considered the applications in the plans list *.

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

(a) Applications dealt with without debate.

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

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

(i) No 5 on the Plans List (***18/00445/RSM- Reserved matters for the erection of 3 dwellings, Land adjacent to 25 Cowley Moor Road, Tiverton***) be approved subject to conditions as recommended by the Head of Planning, Economy and Regeneration.

(Proposed by the Chairman)

Note: Cllr R L Stanley declared a personal interest as a Director of 3 Rivers Developments Limited and chose to leave the meeting at this point whilst the vote was taken thereon.

(b) No 1 on the Plans *List (17/01716/FULL - Widening of the existing access to agricultural land - land at NGR 292482 101905 – School Lane, Thorverton)*.

The Principal Planning Officer outlined the contents of the report referring to the statements made in public question time and stating that he would cover the issues raised during his presentation. He highlighted the views of the Conservation Officer, the additional letters of objections and the landscape plan which were available on the update sheet and presented the history of the application; that of the original application, the site visits that had taken place and the revised scheme for a new single access which would widen the existing access. The presentation highlighted the aerial view of the site, the location of the field, the position of the existing access, the location plan, he identified the footpath exiting the Glebe, the highway plans, the bend in the lane, the vegetation that would be cut back and the additional plan which showed the landscaping proposals. He explained that the application would allow the applicant to travel north from the site, rather than south and having to take another route to travel towards the home farm. He explained that the other accesses to the field were also via very narrow lanes with limited visibility. He felt that the current proposal was a betterment.

Consideration was given to:

- The number of objections to the application
- The size of the field
- The number of trips on a daily basis from the field
- Whether the other access should be considered
- The views of the objectors with regard to road safety issues and the impact on the visual amenity, the misleading plans previously submitted, the narrow blind bend, the impact on the Conservation Area and the number of people who used the lane
- The views of the agent with regard to the reasoning for the application, the fact that the access to the field would be improved and the views of the Highway Authority
- The views of the Ward Member highlighting the road safety issues and the environmental impact of the application on the Conservation Area, the access was now on an industrial scale, concerns of the safety of foot traffic in the lane and the fact that the landscaping would grow and encroach on the highway.
- How the application would improve the access to the field
- Whether the new track was required even with larger machinery
- Drainage issues
- The need to consider the application on planning merits

RESOLVED that Members were minded to refuse the application and therefore wished to defer the application for consideration of an implications report to consider reasons for refusal to include:

- Highway Safety
- The environmental impact of the proposal
- The visual impact on the Conservation Area and the character of the area
- The possible lack of business need
- The general pedestrian safety issue given the presence of the school in the locality

(Proposed by Cllr R L Stanley and seconded by Cllr F W Letch)

Notes:

- i) Cllrs: Mrs H Bainbridge, Mrs C A Collis, Mrs F J Colthorpe, Mrs G Doe, C J Eginton, R Evans, D J Knowles, F W Letch, R F Radford, J D Squire and R L Stanley made declarations in accordance with the Protocol of Good Practice for Councillors dealing in Planning Matters as they had all received correspondence regarding this application;
- ii) Mrs Greed spoke on behalf of the objectors;
- iii) Mr Dyson (Agent) spoke;
- iv) Cllr R M Deed spoke as Ward Member;
- v) A proposal to approve the application was not supported;
- vi) Cllrs Mrs H Bainbridge, Mrs F J Colthorpe, R F Radford and J D Squire requested that their vote against the decision be recorded;
- vii) The following late information was reported:

Response from Conservation Officer – 30th May 2018

‘I do feel that the previous proposal with the small island is preferable as it would minimise the impact on the landscape and setting of the CA. However provided that the revised idea includes a good well designed landscape mitigation plan with indigenous planting to soften the scars of the excavation then I would not object.’

Nine additional letters of objection received objecting on similar grounds already reported on within the officer report but one new comment states that the applicant could be encouraged to submit an application for a cattle shed at Yellowford Farm to house crops rather than transport them to Woodbury thereby removing the need for the access.

The applicant's agent has submitted a landscape plan, drawing no. TM81k.PH1e, which shows the proposed planting of mixed Whitethorn and Blackthorn on the newly excavated banks.

- (c) No 2 on the Plans List (***18/00091/MFUL- conversion of former redundant care home to provide 22 residential units and external landscaping – St Lawrence Home, Churchill Drive, Crediton***).

The Area Team Leader outlined the contents of the report highlighting by way of presentation the location of the site, the access to the units, the separation distances between the existing buildings and the boundaries with neighbouring properties, the road links to the site, the proposed layout and the 37 car parking spaces, the proposed ground floor plan, the elevations of the different aspects of the proposal and photographs from various aspects of the site. He emphasised that the building had been vacant since March 2015 and had been rated as such by Mid Devon District Council.

Consideration was given to:

- The proposed insulated thermal panels
- The location of the cycle parking
- The number of units to be provided in the space available
- The need to do something with the property and improve it visually
- Parking issues at school times

RESOLVED that planning permission be granted subject to conditions as recommended by the Head of Planning, Economy and Regeneration with an amendment to Condition 4 replacing the drawing number from 1723-104B with 1723-104C and the prior signing of the provision of a S106 agreement to secure:

- i) To provide a contribution of £44,875.00 towards improving Air Quality within the Crediton AQMA, secured to deliver a footpath/cycleway connection between the two Secondary school campus areas in the Town.
- ii) To provide a contribution of £18,575.00 towards the provision of off-site open space, secured to deliver the installation of an all-weather cover over Lords Meadow Skate Park in the Town.

(Proposed by Cllr F W Letch and seconded by Cllr Mrs G Doe)

Notes:

- i) Cllr F W Letch declared a personal interest as Ward Member and a Member of the Town Council;
- ii) Cllr F W Letch spoke as Ward Member;
- iii) The following late information was reported: Page 24: Confirmation that 37 spaces are proposed as reported and assessed on page 30 of the Report; Page 29: Confirmation that the Mid Devon District has rated the property as vacant since March 2015.

(d) No 3 on the Plans List ***(18/00062/MFUL- Erection of a two storey extension, 18 Great Close, Culmstock).***

The Area Team Leader outlined the contents of the report explaining by way of presentation the household domestic extension proposed on the site, she highlighted the site location and block plans, the roof plan, floor and elevation plans and provided

photographs from various aspects of the site. She compared the proposal to the extension on the neighbouring property which she felt was of a better design and not as wide as the proposed extension.

Consideration was given to:

- The height of the proposal and the fact that it could be identified from the street
- The views of the agent with regard to the applicant wanting 2 additional bedrooms, hence the width of the proposal and the fact there were other extensions in the same locality
- The views of the Ward Member in that the difference between the 2 extensions was minor and that there was a need for 2 additional bedrooms
- The lack of objection from neighbouring properties

RESOLVED that planning permission be granted for the following reason: it was felt that the scale, massing, impact on amenity and design was deemed to be acceptable on this dwelling and that delegated authority be given to the Head of Planning, Economy and Regeneration to produce a set of conditions.

(Proposed by Cllr C J Eginton and seconded by Cllr Mrs C A Collis)

Notes:

i) Mr Archer (Agent) spoke;

ii) Cllr T G Hughes spoke as Ward Member.

(e) No 4 on the Plans List ***(18/00328/MFUL- Siting of a cabin for use as hairdressing salon (Use Class A1) 11 Redland Way, Cullompton).***

The Area Team Leader outlined the contents of the report highlighting by way of presentation the location of the application, the block plan and elevations for the proposal and photographs from various aspects of the site. She explained that objections had been received based on parking issues, although she considered that there was sufficient parking in the area.

Consideration was given to:

- The use of the proposed cabin and access to the rear garden
- The views of the Ward Member with regard to the opening hours of the venture and whether this would impact on neighbouring residents
- The objection from the Town Council with regard to overdevelopment of the site and the lack of customer parking

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

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

Notes:

i) Cllr T W Snow spoke as Ward Member;

- ii) The following late information was reported: 1 additional letter of representation received making reference to difficulties parking in the area and potential increase in traffic issues arising from the proposal. These issues have been considered in the officer recommendation report.

23 MAJOR APPLICATIONS WITH NO DECISION (2-31-35)

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

It was **AGREED** that:

Application 18/00786/MFUL – Higher Road, Crediton - be determined by the Planning Committee and that a site visit take place if minded to approve.

Application 18/00705/MARM – White Cross, Cheriton Fitzpaine be determined by the Planning Committee

Application 18/00680/MFUL – Hartnoll Farm, Tiverton - be determined by the Planning Committee and that a site visit take place if minded to approve.

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

24 APPEAL DECISIONS (2-38-41)

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

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

(The meeting ended at 5.07 pm)

CHAIRMAN