

## PLANNING COMMITTEE AGENDA - 17th June 2020

### Applications of a non-delegated nature

### UPDATES

<b>THE PLANS LIST</b>	
1.	<p>19/01862/FULL - Change of use of farm buildings to mixed B1/B8 use and retention of external works - Land and Buildings at NGR 299326 114323 Bradford Farm Uplowman.</p> <ol style="list-style-type: none"><li>1. Could Members please note that there is a typo on page 32 of the officer's report. Instead of reading <i>"due to the close proximity of the two sites, and the presence of similar gravel drive and parking areas present at this adjoining property, it is <b>not</b> considered that the car park works adequately respect the character of the surrounding area, without harming the rural context"</i>, the '<u>not</u>' should be omitted so the line reads as <i>"due to the close proximity of the two sites, and the presence of similar gravel drive and parking areas present at this adjoining property, it is considered that the car park works adequately respect the character of the surrounding area, without harming the rural context."</i> This was pointed out in the updates for the previous meeting on 11<sup>th</sup> March 2020, however was not corrected in this latest committee report.</li><li>2. Members will have noted in the 'parking and access' section of the officer's report that since the Planning Working Group Site visit, the neighbouring landowner had raised further concerns over visibility to the east, as this crossed over land in their ownership, and unregistered land outside of the control of the applicant. In response the Highway Authority raised concerns, however were ultimately satisfied with the proposal from a highway safety point of view, following the submission of estimated vehicle movements should the extant agricultural use be recommenced. This was the position at the time of completing the committee report.</li></ol> <p>Since the completion of the committee report however, the neighbouring landowner, and his agent, have commented further on this matter. In particular it is advised that no commercial agricultural use has taken place since at least 2012, and that the prospect of the number of vehicle movements identified by the applicant occurring is unrealistic. It is also considered that the number of movements associated with the proposed use would be more than suggested in the applicant's submission. Concerns still remain in respect to visibility too. The neighbouring landowner has since commissioned a highway consultant to review the highway matters. In response they have submitted a technical statement, reiterating the concerns that the estimation of vehicle movements associated with an agricultural use is too high, and that those associated with the proposed use is too low. The technical statement suggests the daily vehicle movements would likely be approximately 17 (maximum) for an agricultural use with a more realistic estimation being between 10-16 movements, assuming that some traffic would be directed through other site entrances. Daily trips of 63 and 66 for the proposed business use are suggested. Further analysis is also given in respect to the access, with concerns raised about the levels of visibility accepted by the Highway Authority, noting in particular the potential for the adjoining landowner to obstruct visibility on land within their ownership, and surveyed speeds along the adjoining stretch of road.</p> <p>In response, the Highway Authority have advised that based on the TRICS data parameters, the total daily trips created by the proposed use would be 18 trips. They have advised that if a pragmatic view was taken and that the lower figure of 10-16 trips suggested in the technical statement was accepted, this would only amount to 2 extra trips, which would not be considered to have a severe impact on the highway network. Further responses have been received in respect to the latest Highway Authority comments, however the Highway Officer has again</p>

	<p>confirmed that the impact of the proposed use would not be significantly greater than the extant use so as to have a severe impact on highway safety. As such, no objection is raised on highway safety grounds. It is further confirmed that the Highway Officer has fully considered the implications of the neighbouring landowner obstructing visibility within their own land, including noting the potential to seek possession of the unregistered land. The Highway Officer has also confirmed that they would not be able to defend a reason for refusal on highway grounds at appeal. For information, it has since been noted that the adjoining landowner has proceeded to erect a fence adjacent to the access, in the last few days.</p>
<p>2.</p>	<p>19/01430/FULL - Erection of an office building and change of use of land from agriculture to groundworks depot - Land at NGR 286163 123831 (Highfield Farm) Oakford.</p> <p><u>Additional Condition</u></p> <p>Details of the proposed hydro-brake to serve the surface water drainage system of the development hereby approved shall be submitted to the Local Planning Authority within one month of the date of this permission. On approval of these details the hydro brake shall be installed and the surface water drainage system fully operational within two months of the date of the approval by the Local Planning Authority.</p> <p>Reason:</p> <p>To ensure that the surface water discharging from the site is satisfactorily drained, in accordance with policy DM2 of the Mid Devon Local Plan.</p> <p><u>Amendment to condition 3 reason</u></p> <p>To allow the Local Planning Authority to retain control over the future use of the site, in the interests of visual and residential amenity, in accordance with policy DM2.</p> <p>Condition 4 and reason amended to read:</p> <p>The building hereby approved shall be used for purpose falling within Use Class B1(a) or (b) only and for no other purpose (including any other purpose in any Use Class of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), or any other use permitted under the provisions of Article 3 of The Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification).</p> <p>R: To allow the Local Planning Authority to retain control over the future use of the building in the interests of residential amenity and to protect the use of the site for employment purposes, in accordance with policies DM2 and DM21.</p> <p>Condition 6 and reason amended to read:</p> <p>No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority prior to its installation. Any external lighting that is installed shall accord with the details so approved.</p> <p>R: In the interests of visual and residential amenity and to safeguard biodiversity, in accordance with policies COR2, DM2 and DM20</p>

3.	18/01711/MFUL - Formation of an open clamp (4630m <sup>2</sup> ) for the storage of silage and provision of new access - Land and Buildings at NGR 288069 117081 (Gibbet Moor Farm) Rackenford Devon.
4.	<p>20/00111/FULL - Variation of condition (2) of planning permission 16/01007/FULL to allow the holiday lodge to be used as a permanent dwelling - Gilberts Lodge Morebath Tiverton.</p> <p>Members will have noted that the recommendation of approval is made subject to the prior payment of a contribution towards Public Open Space, and the signing of an accompanying Unilateral Planning Obligation, or the completion of a Section 106 to cover this planning obligation, in accordance with the requirements of Local Plan policy AL/IN/3. It is confirmed that the required contribution has been paid and signed Deed returned. As such no further action is required in this respect should members resolve to grant planning permission</p>