

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 18 January 2023 at 10.00 am

Present

Councillors

P J Heal (Chairman)
S J Clist, Mrs C Collis, Mrs F J Colthorpe, L J Cruwys,
Mrs C P Daw, B Holdman, F W Letch and B G J Warren

Apologies

Councillor(s)

D J Knowles and B A Moore

Also Present

Councillor(s)

Present

Officer(s):

Richard Marsh (Director of Place), Maria De Leiburne (District Solicitor and Monitoring Officer), James Clements (Principal Planning Officer), Carole Oliphant (Member Services Officer), Jessica Rowe (Member Services Apprentice) and Sarah Lees (Member Services Officer)

Member	Minute No	Type of Interest

102 **APOLOGIES AND SUBSTITUTE MEMBERS (0.04.08)**

Apologies were received from Cllrs B A Moore and D J Knowles

103 **PUBLIC QUESTION TIME (0.04.26)**

Cllr Elstone from Tiverton Town Council asked:

QUESTION 1

Will Committee Members take into consideration that the newly adopted Tiverton Neighbourhood Plan Policy T1 says the following ?

“ Section 4.2 In a rural parish such as Tiverton, it is particularly important that development is directed to appropriate locations and that sprawl or ribbon development, and in particular coalescence with surrounding settlements, is avoided.

Local engagement has indicated that the protection of green spaces and corridors of green space is a top priority for residents”.

QUESTION 2

Will this committee take into consideration that the proposed development abuts the Tiverton Neighbourhood Boundary being immediately against a very narrow single-track lane that forms the boundary line.

That to approve this planning application would fully defeat the Tiverton Neighbourhood Plan T1 Policy expectation and intention.

This at the very first time the purpose and value of the Tiverton Neighbourhood Plan is seen to be tested.

QUESTION 3

Will this committee take into consideration that the proposed industrial and housing development will consume a further estimated 20 acres of valuable grade 1 agricultural land .

That the existing Industrial Area which has already seen development creep, will double in size getting ever closer to the Grand Western Canal and which as a very important local amenity and visitor attraction that must be protected not just visually but from noise?

QUESTION 4

Will this committee take into consideration that rather than consuming valuable Grade 1 agricultural land to extend and increasingly industrialised development at Hartnoll Farm.

That 5.5 acres or 22,000 square meters of land for employment has been approved as part of the Tiverton EUE and a site which is only around half a mile distant from Hartnoll Farm.

An employment area which will have far better road access directly onto the A361. Its location which will support taking the majority of traffic away from Halberton.

That work is already ongoing on the land drainage and attenuation pond. The link road is complete and near to opening?

The Chairman stated that the questions would be addressed when the application was heard.

Mike Sanderson from the CPRE asked:

How can the Planning Department consider such an application which is highly controversial and not within the bounds of the Local Plan 2013 - 2033?

In response the District Solicitor and Monitoring Officer stated that the Local Planning Authority had a legal duty to determine all planning applications submitted to them.

104 **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT (0.11.06)**

Members were reminded of the need to make declarations where appropriate

105 **MINUTES OF THE PREVIOUS MEETING (0.11.12)**

The minutes of the meeting held on 4th January 2023 were agreed as a true record and duly **SIGNED** by the Chairman

106 **CHAIRMAN'S ANNOUNCEMENTS (0.11.51)**

The Chairman had no announcements to make.

107 **WITHDRAWALS FROM THE AGENDA (0.12.01)**

There were no withdrawals from the agenda

108 **THE PLANS LIST (0.12.15)**

The Committee considered the applications in the *Plans List.

Note: *List previously circulated and attached to the minutes

- a) Application 21/01576/MOUT - Outline for the extension of existing business park for up to 3.9ha of employment land and up to 150 dwellings with associated infrastructure and access with all other matters reserved at Land at NGR 298976 112882 (Hartnoll Farm), Tiverton, Devon.***

The Principal Planning Officer outlined the application by way of a presentation which highlighted the site location plan, an aerial image, framework plan, proposed site access and access strategy and photographs of the site.

The officer explained there had been a late representation which opposed the application.

In response to public questions asked he stated:

- Because the application was in the Halberton Parish no weight could be afforded to the Tiverton Neighbourhood Plan
- The use of grade 1 agricultural land was a reason for refusal

Consideration was given to:

- The reasons for refusal as set out in the report
- The application was delayed as an Environmental Statement had not been provided by the applicant
- In principle officers may be supportive of employment use for the site but this would need to be determined
- Even if affordable housing had been included within the application the recommendation would have been to refuse as the site was outside of policy
- The views of Halberton Parish Council who stated they had held a public meeting on the matter and the public were overwhelmingly opposed to the development. That the application site was outside of settlement limits, on grade 1 agricultural land and outside of MDDC's planning policy
- The views of the Ward Member who stated that the site was outside of settlement limits and there was adequate land already designated for housing. That the development would have a detrimental effect on the Grand Western Canal Country Park and increase traffic on the road to Halberton
- The views of Members that Tiverton and Halberton should remain as two separate parishes and not be joined by this development

It was therefore **RESOLVED** that planning permission be refused as recommended by the Development Management Manager

(Proposed by L J Cruwys and seconded by Cllr B G J Warren)

Reason for the decision: As set out in the report

Notes:

- Cllr B Holdman made a declaration in accordance with Protocol of Good Practice for Councillors dealing with planning matters as he had been contacted by residents
- Cllr B G J Warren made a declaration in accordance with Protocol of Good Practice for Councillors dealing with planning matters as he had received correspondence regarding the Anaerobic Digester
- Cllr Mrs C P Daw made a declaration in accordance with Protocol of Good Practice for Councillors dealing with planning matters as she had been dealing with the Anaerobic Digester as part of her portfolio
- Cllr Rob Furmedge spoke on behalf of Halberton Parish Council
- Cllr Ray Radford provided a statement which was read out by the Chairman

(The meeting ended at 11.28 am)

CHAIRMAN