

## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **CABINET** held on 28 January 2016 at 10.00 am

### **Present Councillors**

R J Chesterton, N V Davey, P H D Hare-Scott, C R Slade, Mrs M E Squires and R L Stanley

### **Apologies Councillor(s)**

C J Eginton

### **Also Present Councillor(s)**

Mrs E M Andrews, Mrs A R Berry, R J Dolley, R Evans, F J Rosamond, J L Smith and Mrs N Woollatt

### **Also Present Officer(s):**

Jill May (Interim Chief Executive and Head of HR and Development), Andrew Jarrett (Head of Finance), Amy Tregellas (Head of Communities and Governance and Monitoring Officer), Jenny Clifford (Head of Planning and Regeneration), Adrian Welsh (Forward Planning Team Leader) and Julia Stuckey (Member Services Officer)

### **Also in Attendance:**

Ian Sorenson (Devon County Council)

## **127. APOLOGIES**

Apologies were received from Councillor C J Eginton.

## **128. PUBLIC QUESTION TIME**

Referring to item 4 on the agenda Cllr G Guest from Cullompton Town Council informed the Cabinet that Cullompton Town Council had made written statements regarding the Masterplan, some of which had been taken into consideration and some of which were mentioned under comments within the report. However, he still had concerns regarding the width of the proposed relief road as wide agricultural vehicles would need to use it. Cllr Guest also referred to the sports and recreation areas that had been allocated and stated that local sports groups had expressed to him that they would prefer a multi games area or tennis courts rather than three football pitches and he asked who would maintain the pitches. He also said that it was important that the school was built early in the process and that it had adequate sports and play facilities. Cllr Guest asked if the current public footpaths and bridleways within the area would be maintained and improved and realigned if they were on a steep hill. The extension should be a walking and cycling amenity. He asked that the Cullompton Town Council be involved in any consultation regarding the spend of section 106 funds. Cllr Guest asked for clarification on the difference between land allocation sales and house sales. He also asked if any enhancements

would be made to ensure that the residents of St Georges View were not inconvenienced during the build.

The Chairman indicated that questions would be answered at the agenda item.

Mr R Hopkins, referring to item 4 on the agenda asked the Cabinet if they were aware of concerns regarding the roundabout and access to the relief road on Tiverton Road. He stated that the development at Swallow Way had become a rat run for people avoiding the Town Centre, that it had cars parked on either side of it and that access could be difficult.

Mr Hopkins also said that the area towards Ponsford was extremely wet and that there could be problems with water run-off into the new estate. The road there had flooded a couple of years ago and this may occur again. He also asked how far the extension would reach in the direction of Knowle.

Mr J Chard, referring to item 4 on the agenda asked what facilities it was anticipated would be provided in the area identified for employment and a local centre. He also asked if a site could be identified for a swimming pool. He explained that a local group had raised funds for a pool but two identified sites had been turned down.

Cllr R J Chesterton informed Mr Chard that a land promoter that held an option on land to the North West of the extension was in discussion with the swimming pool team and had pledged that he would provide land for a pool. This land was however outside the area being discussed today.

Mr Tinley, a resident of St Georges View, referring to item 4 on the agenda explained that St Georges View comprised of 30 plus houses, many of the residents had lived there a long time and most were retired or semi-retired. The area had a nice neighbourly atmosphere. He said that all the residents were against their road being used for access and that this had been shown by the numbers attending meetings and sending letters. He said that sadly this had been to no avail and that now the quiet cul-de-sac would become a noisy dirty access road, helping developers to make profits. Householders would have a loss of value to property and a lack of quality of life.

Cllr John Berry from Devon County Council expressed concern regarding the width of the proposed road. He stated that it needed to be wider than proposed or the same problems would occur as were happening in Swallow Way. He urged that all authorities got together to sort out the problems in Swallow Way and that the width of the new road be given serious consideration as well as parking being prevented on the road.

## **129. MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 14 January 2016 were approved as a true record and signed by the Chairman.

## **130. MASTERPLAN - CULLOMPTON NORTH WEST URBAN EXTENSION (00:28:09)**

The Cabinet had before it a \* report of the Head of Planning and Regeneration requesting it to consider the draft Masterplan supplementary planning document for the North West Cullompton urban extension.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the Core Strategy adopted in 2007 established a growth strategy which concentrated development within the main settlements of the district including Cullompton. An urban extension on the NW side of Cullompton was established within the Allocations and Infrastructure Development Plan Document This was adopted in January 2010 following extensive public consultation and examination by a Planning Inspector. The urban extension had therefore been established in adopted planning policy for some 16 years with land on this side of Cullompton having been accepted as being an appropriate location to help meet the growth needs of the town. The urban extension was allocated on this basis to provide housing and employment, together with associated infrastructure.

An area of 74.8 ha to the north west of Cullompton was allocated for mixed use development for 1100 dwellings and 40,000 square metres of employment floor space. 28 ha were proposed for strategic green infrastructure. A range of adopted planning policies set out requirements for the planning of the urban extension in terms of development requirements, employment provision, housing including affordable housing and gypsy pitches, transport provision, environmental protection, green infrastructure, community facilities, carbon reduction and air quality, phasing and masterplanning. The latter, required that the Council carry out a major public consultation exercise into the masterplanning of the site before planning applications were made and the Masterplan was adopted as a Supplementary Planning Document.

Masterplanning of this site had taken place over approximately a 2 year period with two stages of public consultation, the first between 12th September and 12th October 2014 and the second between 20th August and 1st October 2015. The Masterplan attached at Appendix 2 was the result of this process and was proposed to be adopted as a supplementary planning document. It set out key principles that planning applications would need to take on board in order to be acceptable, how the development would take place in a comprehensive way to deliver common infrastructure and coordinate phasing.

He explained that the report set out in more detail the key issues considered at an early masterplanning stage:

- The developable area and quantum of development
- Access options
- The location and amount of employment land
- The location of sports pitches
- The location of the primary school
- The location of gypsy and traveller pitches

The masterplanning of this site was last considered by Cabinet in August 2015 prior to the second stage consultation. A total of 120 valid responses were received and a copy of the consultation summary document was attached at Appendix 1. The report set out how the Masterplan had been amended as a result of the consultation

responses and the views that had been received from Cullompton Town Council. The Town Council was broadly supportive of the Masterplan.

The Head of Planning and Regeneration explained the key elements of the Masterplan in more detail, including the way in which it proposed to prioritise the delivery of the new primary school and the proposed road that would link Willand Road with Tiverton Road.

The Officer outlined the contents of the report, explaining the purpose of the Masterplan, the fact that the land was in multiple ownership and that there would be multiple developers who would need to be coordinated to ensure that the site came forward in a planned manner. The Masterplan referred to aspirations for the development, picking up on what was special about Cullompton and visions for a high quality development that would be sustainable, ensuring walking and cycling were considered, schooling and a local centre. The plan looked at how the development would happen, timescales for infrastructure, who would provide what and formed a clear blue print which would be used by the planning authority.

With regard to the site itself, the officer explained how the new road between Tiverton Road and Willand Road would be delivered. The land was within three main control areas, some land owned by a developer and some land owned by land promoters. These land parcels would be sold in future to developers for housing or employment. Land parcels for sale were indicated within the plan as the land promoters would not develop but would sell on with planning permission to developers.

Working through the Masterplan the Officer highlighted employment areas, housing areas, the primary school, community centres, the new road, and the local centre on a map. The function of the new road was to act as a distributor road around Cullompton, by-passing the town centre, as well as a residential street. Green infrastructure areas were also highlighted. Sports pitches were indicated for both the school and for community use. It would be usual to plan for three pitches but the current provision in the town had been looked at and the Masterplan provided the opportunity for a pitch to be built off site to supplement an existing sports provider in the town, this would be secured at the planning stage. There was also provision for sports changing facilities, a possible youth element such as a youth centre and a crèche.

The Head of Planning and Regeneration outlined access options and highlighted employment land. She explained that there had been a reduction in provision following the commissioning of a review which indicated that the area allocated was too large for the development, taking into consideration nearby employment land.

There was allocation for 5 gypsy pitches on the northern part of the site, close to access from Millennium Way. There was a proven need to provide pitches and it provided part of the affordable housing provision. These pitches would be managed by the Housing Service.

A community health garden had been requested during consultation and this was included within the Masterplan next to the existing health centre.

The Masterplan made it clear that footpaths and bridleways throughout the site would be upgraded.

Higher density housing would be in a location that was easily accessible by public transport, cycling and walking. Density would be lower on the development fringes.

Details of drainage would come forward at the planning stage and would deliver an improvement upon pre-development surface water drainage.

The delivery of the road was intended to be early in the development. On the sale of the two land parcels to developers money would be released into an account to commission the building of the road. The Council would have the ability to step in and access funds if the road did not come forward as expected. This should be within 2 to 3 years from the start of the development (opening to the public). This was quicker than relying on road funding from individual developers house sales. The temporary access through St Georges View would only be required until the new road was open and available for use. It would then close to vehicles but was likely to stay open to pedestrians and cyclists. The Masterplan made it clear that traffic management measurements would be in place. Temporary access also meant felling of a tree currently protected by a Tree Preservation Order. The merits of felling the tree to deliver the road earlier in the process had been taken into consideration. The new road would be constructed from both ends simultaneously.

The Officer explained that there were no significant traffic impacts anticipated to Ponsford Lane from the junction with Tiverton Road.

The Officer informed the Cabinet that phase 1 would be for 500 homes and this would involve the delivery of the new road, traffic measurement measures on Willand Road, temporary access on St Georges View, the provision of primary school land and right of access, the servicing of land for a community building and facilities, green facilities, sports pitches and the gypsy site.

The officer talked through amendments that had been to the plan following the second stage consultation, which were highlighted within the report.

An amendment to the response from Devon County Council regarding the positioning of the new road onto Willand Road was highlighted. The County Council were satisfied with the contents of the masterplan subject to traffic management measures.

Discussion took place regarding:

- The width of the road and the need for it to be wide enough for large vehicles to use;
- The need to ensure that parking issues such as those at Swallow Way (Kingfisher Reach) do not occur;
- The need for off road parking and provision for parking near the school and community facilities;
- The market would demand what was provided in the way of shops, crèche, hairdressers or takeaways and it was expected that this area would be broadly in line with what was provided at the Moorhayes area in Tiverton;

- Concerns regarding the lower allocation of land for employment following the report which suggested employment land to the east of the motorway junction was sufficient;
- Clarification regarding the amount of land required for employment and floor space for employment;
- The need for sustainable urban drainage systems to prevent flooding;
- The number of parking places allocated per property and how this was calculated;
- A shared surface approach to the highway and whether this approach could be used within the development;
- A construction management plan which would be put in place for St Georges View and could restrict times of deliveries, manage car parking and ensure that the road was reinstated to a good condition;
- Whether compensation could be available for the residents of St Georges View.

It was **AGREED** that:

Additional text be included in the masterplan:

Parallel parking bays will provide opportunity for parking in a controlled manner without obstructing the free flow of traffic. Visitor parking requirements and shared surface arrangements should be taken into account in the overall design proposals for the development;

**RECOMMENDED** to Council that:

- a. Subject to additional text, in respect of parking and shared surface requirements, the North West Cullompton Supplementary Planning document be adopted;
- b. That delegated authority be granted to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Regeneration to make any minor text changes;
- c. That concerns over parking and the flow of traffic on Swallow Way (Kingfisher Reach) be raised in writing with Devon County Council and that solutions be requested urgently.

(Proposed by the Chairman)

Note: \*Report previously circulated, copy attached to minutes.

## 131. LANDSCAPE IMPLICATIONS OF SOLAR ENERGY PROPOSALS SUPPLEMENTARY PLANNING DOCUMENT (02:42:00)

The Cabinet had before it a \* report of the Head of Planning and Regeneration seeking approval to publish the draft Landscape Supplementary Planning Document for public consultation.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the Landscape Implications of Solar Energy Proposals (SPD) provided guidance on key landscape issues associated with solar photovoltaic (PV) developments. It gave guidance on the relative landscape sensitivities of different areas within Mid Devon to solar developments and provided advice with regard to the good siting and design of solar PV schemes including guidance on how potential impacts could be minimised.

This latest public consultation version of the draft SPD document followed on from previous extensive work undertaken with respect to landscape sensitivity. A Landscape Sensitivity Assessment was initially commissioned in response to concern from Members regarding the lack of consistent landscape related advice available to inform planning decisions. Previously consultants had been commissioned on a case-by-case basis to advise on landscape sensitivity in a particular location. Land Use Consulting (LUC) was commissioned to prepare districtwide evidence based on Mid Devon's own published Landscape Character Assessment. The methodology used by LUC drew on its extensive experience of preparing such studies, including one for Torridge District Council, and the study built on the Devon Landscape Policy Group's Advice Note 2 on accommodating solar PV developments in Devon's landscape.

A scoping consultation was undertaken in July 2014. The results of this consultation informed the latest draft SPD. A total of 13 valid representations were received and had been considered when producing the draft landscape SPD.

In accordance with Policy SCI/14 of the Statement of Community Involvement, a second phase of consultation was now proposed to be undertaken. There had been a significant delay in reaching this stage in the process owing largely to changes in national planning policy which had resulted in this latest version of the SPD relating solely to solar energy rather than including other sources of renewable energy.

Discussion took place regarding:

- The need for all references to wind to be removed from the document;
- Consultation would involve advertisements, press releases and the website. Officers were happy to attend parish meetings if requested;
- The document would need to refer to the adopted Local Plan policies rather than the emerging plan, due to timescales.

**RESOLVED** that:

- a. The draft Landscape Implications of Solar Energy Proposals Supplementary Planning Document be submitted for public consultation.

- b. Delegated authority be given to the Head of Planning and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise consultation material.

(Proposed by Cllr R L Stanley and seconded by Cllr C R Slade)

Note: \*Report previously circulated, copy attached to minutes.

132. **PROPOSED CHANGES TO THE DECISION MAKING PROCESS RELATING TO THE AUTHORITY'S MONITORING REPORT (02.56.20)**

The Cabinet had before it a \* report of the Forward Planning Team Leader requesting it to review the procedures for publishing the Authority's Monitoring Report (AMR) in line with national changes to reporting requirements and to reduce unnecessary pressure on future Cabinet agendas.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that for many years the Annual Monitoring Report, now known as the Authority's Monitoring Report following changes to the Town and Country Planning (Local Planning) (England) Regulations 2012, was required to be submitted to the Secretary of State before the end of each calendar year. The requirement for the AMR to be submitted to the Secretary of State also necessitated formal Council Member consideration. As the report was no longer submitted formally to government it would also no longer need consideration by Cabinet. All Members would be notified each year of the report's publication and it would also be made available on the Council's website.

**RESOLVED** that:

- a. The changed procedure for dealing with the Authority's Monitoring Report be approved.
- b. The Scheme of Delegation to the Head of Planning and Regeneration be amended accordingly.

(Proposed by Cllr N V Davey and seconded by Cllr P H D Hare Scott)

Note: \*Report previously circulated, copy attached to minutes.

(The meeting ended at 1.10 pm)

**CHAIRMAN**