

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 28 March 2023**

#### **Attendance list at end of document**

Due to technical issues the meeting started at the later time of 10.40 am. The meeting adjourned at 1.43 pm and reconvened at 2.10pm and ended at 4.36 pm

#### **104 Minutes of the previous meeting**

The minutes of the Planning Committee held on 31 February 2023 were confirmed as a true record.

#### **105 Declarations of interest**

Minute 107. 22/2157/FUL (Minor) EXMOUTH TOWN.

Councillor Mike Howe, Affects Non-registerable Interest, Received various emails from an objector and neighbours about the committee process.

Minute 107. 22/2157/FUL (Minor) EXMOUTH TOWN.

Councillor Olly Davey, Affects Non-registerable Interest, Exmouth Town Councillor and Ward Member.

Minute 107. 22/2157/FUL (Minor) EXMOUTH TOWN.

Councillor Steve Gazzard, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 107. 22/2157/FUL (Minor) EXMOUTH TOWN.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution Councillors Eileen Wragg, Kim Bloxham, Colin Brown, Olly Davey, Bruce De Saram, Steve Gazzard, Mike Howe, Geoff Pratt, Philip Skinner and Tony Woodward advised lobbying emails in respect of this application.

Minute 108. 22/1954/MOUT (Major) EXMOUTH LITTLEHAM.

Councillor Steve Gazzard, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 108. 22/1954/MOUT (Major) EXMOUTH LITTLEHAM.

Councillor Bruce De Saram, Affects Non-registerable Interest, Ward Member and had attended a consultancy zoom meeting in respect of this application.

Minute 108. 22/1954/MOUT (Major) EXMOUTH LITTLEHAM.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution Councillors Eileen Wragg, Kim Bloxham, Mike Howe, Geoff Pratt, Philip Skinner and Tony Woodward advised lobbying emails in respect of this application.

Minute 108. 22/1954/MOUT (Major) EXMOUTH LITTLEHAM.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution Councillor Olly Davey advised he had met with objectors and had attended a presentation about this application.

Minute 109. 22/0783/MFUL (Major) WHIMPLE & ROCKBEARE.

Councillor Olly Davey, Other Registerable Interest, Member of the Devon Wildlife Trust.

Minute 109. 22/0783/MFUL (Major) WHIMPLE & ROCKBEARE.  
Councillor Richard Lawrence, Affects Non-registerable Interest, Ward Member.

Minute 109. 22/0783/MFUL (Major) WHIMPLE & ROCKBEARE.  
Councillor Sarah Chamberlain, Directly relates Non-registerable Interest, known to the applicant.

Minute 109. 22/0783/MFUL (Major) WHIMPLE & ROCKBEARE.  
In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution Councillors Eileen Wragg, Kim Bloxham, Bruce De Saram, Steve Gazzard, Geoff Pratt, Philip Skinner and Tony Woodward advised lobbying emails in respect of this application.

Minute 110. 22/2653/VAR (Minor) FENITON.  
Councillor Philip Skinner, Affects Non-registerable Interest, received an email from the Ward Member about the planning application.

Minute 111. 22/1315/FUL (Minor) SIDMOUTH RURAL.  
Councillors Bruce De Saram and Colin Brown, Affects Non-registerable Interest, attended a pre-application panel meeting involving this application.

Minute 111. 22/1315/FUL (Minor) SIDMOUTH RURAL.  
Councillor Olly Davey, Affects Non-registerable Interest, Received an email in respect of this application.

Minute 111. 22/1315/FUL (Minor) SIDMOUTH RURAL.  
In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution Councillors Philip Skinner and Tony Woodward advised lobbying emails in respect of this application.

Minute 113. 22/0686/MFUL (Minor) BROADCLYST.  
Councillor Philip Skinner, Affects and prejudicial Non-registerable Interest, known to the applicant.

Minute 113. 22/1886/FUL (Minor) CLYST VALLEY.  
Councillor Mike Howe, Affects Non-registerable Interest, As Ward Member had spoken with residents and although he was known to the applicant he advised he remained open minded.

Minute 116. 22/2824/OUT (Minor) WHIMPLE & ROCKBEARE.  
Councillor Richard Lawrence, Affects Non-registerable Interest, Ward Member.

Minute 116. 22/2824/OUT (Minor) WHIMPLE & ROCKBEARE.  
Councillor Richard Lawrence, Affects and prejudicial Non-registerable Interest, well known to applicant and his wife.

#### Non-Committee Members

Minute 111. 22/1315/FUL (Minor) SIDMOUTH RURAL.  
Councillor Nick Hookway, Affects Non-registerable Interest, attended a pre-application panel meeting involving this application.

Minute 114. 22/2316/FUL (Minor) OTTERY ST MARY.  
Councillor Peter Faithfull, Affects Non-registerable Interest, known to the applicant.

106 **Planning appeal statistics**

The Committee noted the planning appeals statistics report and members' attention was drawn to the three appeals relating to two planning applications and an enforcement notice for the retention of a cement silo, water silo, site office and additional concrete area at Stopgate Farm, Yarcombe.

All three appeals were dismissed and the enforcement notice upheld as the Inspector determined that the access arrangements were harmful to highway safety and the development was harmful to the landscape and scenic beauty to the Area of Outstanding Natural Beauty.

107 **22/2157/FUL (Minor) EXMOUTH TOWN**

**Applicant:**

Mr & Mrs M Lee.

**Location:**

30 Camperdown Terrace, Exmouth, EX8 1EH.

**Proposal:**

Single storey rear extension, single storey side extension with alteration to fenestration, first floor rear balcony.

**RESOLVED:**

Approved as per officer's recommendation but with condition 4 amended to read as follows:

Prior to the first use of the balcony hereby approved obscure glazed screens to a height of 1.8m as measured from the finished floor level of the balcony and extending along the complete depth of the sides of the balcony as shown on drawing No 1646-03 Revision B received on the 3 October 2022 shall be installed. A 1.2m high glazed screen shall also be erected along the north/north-east extent of the balcony. The glazed screens shall remain at the same height and in the same positions in perpetuity.

(Reason – To prevent the use of the wider flat roof area and to protect the privacy of neighbouring properties in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013 – 2031.)

108 **22/1954/MOUT (Major) EXMOUTH LITTLEHAM**

**Applicant:**

Littleham 2010 Ltd., c/o Bell-Cornwell.

**Location:**

Douglas Gardens, Douglas Avenue, Exmouth.

**Proposal:**

Outline application, with all matter except access reserved, for up to 44 residential units including demolition of 76 Douglas Avenue, open space provision, drainage and the creation of a linking pedestrian access.

**RESOLVED:**

Deferred for a site inspection to consider the landscape impact, highways safety and drainage matters. DCC Highways and South West Water to be invited to the site inspection and the following meeting.

109 **22/0783/MFUL (Major) WHIMPLE & ROCKBEARE**

**Applicant:**

Aura Power Developments Ltd.

**Location:**

Land east of Rutton Farm, Rull Lane, Whimble, EX5 2NX.

**Proposal:**

Construction and operation of a ground mounted solar farm with permission being required for 40 years, comprising solar arrays, equipment housing, sub-station, fencing, ancillary equipment, landscaping and associated development.

**RESOLVED:**

Deferred for a site inspection to consider the landscape impacts.

110 **22/2653/VAR (Minor) FENITON**

**Applicant:**

Raymond Borkowski.

**Location:**

Sunningdale, Buckerell, Honiton, EX14 3ER.

**Proposal:**

Variation of Condition 2 (approved plans) of planning permission 21/0039/FUL (replacement of existing dwelling and garage/workshop with new dwelling and garage with storage space) to allow revisions to internal layout.

Officer updated that the description has been amended as follows:

Variation of Condition No. 2 (Approved plans) of planning permission 21/0039/FUL (Replacement of existing dwelling and garage/workshop with new dwelling and garage with storage space) to allow revisions to position, height, external appearance and internal layout of approved replacement dwelling - part retrospective.

**RESOLVED:**

Approved as per officer's recommendation but with the addition of a further condition: Condition 5 of the original planning permission requiring the garage to be ancillary to be repeated.

111 **22/1315/FUL (Minor) SIDMOUTH RURAL**

**Applicant:**

Mr Malcolm Burrough.

**Location:**

Thorn Park Family Gold Centre, Salcombe Regis, EX10 0JH.

**Proposal:**

Construction of tithe barn to be used as multi-functional building for events and weddings, including hard standing for removeable stage.

**RESOLVED:**

Approved as per officer's recommendation subject to the following additional/amended conditions:

1. The external frame of the tithe barn hereby approved shall be constructed in timber **and the roof finished in timber shingles** unless agreed otherwise in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Strategy 46 - Landscape Conservation and AONB's and Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

2. Prior to use of the building hereby approved, details of any external lighting required in connection for the hosting of weddings and events shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. **No further lighting shall be installed unless approved in writing by the Local Planning Authority.**

(Reason - To minimise the impacts of light pollution on the East Devon Area of Outstanding Natural Beauty in accordance with Strategy 46 - Landscape Conservation and Enhancement and AONBs of the East Devon Local Plan 2013-2031.)

3. **Any use including weddings or events held within the building hereby approved shall only be operated in conjunction with, and ancillary to, the operation of Thorn Park Family Golf Centre.**

Reason: To reflect what is being applied for and to ensure that the Local Planning Authority retains control over the use of the building as other uses may give rise to additional planning issues and to comply with Strategy 7 - Development in the Countryside and Policy E5 - Small Scale Economic Development of the East Devon Local Plan 2013-2031.

112 **22/0686/MFUL (Minor) BROADCLYST**

**Applicant:**

Mr Troy Stuart.

**Location:**

Hill Barton Business Park, Sidmouth Road, Clyst St Mary.

**Proposal:**

Change of use of land for the purposes of parking, associated with the existing operations at Hill Barton Business Park for a temporary period of 3 years (retrospective application).

**RESOLVED:**

Refused as per the officers recommendation

113 **22/1886/FUL (Minor) CLYST VALLEY**

**Applicant:**

Mr A Cork.

**Location:**

Unit 60D, Stock Exe Ltd., Newcourt Barton, Clyst Road, Topsham, EX3 0DB

**Proposal:**

Change of use of land from agricultural to a B8 storage yard, to include the erection of a building and siting of three containers, for the extension of an existing yard area used in conjunction with a builders merchants.

**RESOLVED:**

Approved contrary to officer's recommendation.

Members considered that it was in compliance with Strategy 7 of the adopted East Devon Local Plan, would not cause any significant harm in landscape terms and would not present a flood risk. Delegated authority was granted to the Assistant Director – Strategic Planning and Development Management to approve in consultation with the chair and ward member subject to appropriate conditions including those to control the use of the site, the height of external storage, landscaping, drainage etc.

114 **22/2316/FUL (Minor) OTTERY ST MARY**

**Applicant:**

Mr M Burgess.

**Location:**

Devon Mushroom Farm, Alfington Road, Alfington, Ottery St Mary, EX11 1FE.

**Proposal:**

Change of use of agricultural buildings to five Class B8 (storage and distribution) units and two Class E(g) (light industry) units including provision of 11 parking spaces (part retrospective).

**RESOLVED:**

Approved as per officer's recommendation.

115 **22/2166/FUL (Minor) WEST HILL & AYLESBEARE**

**Applicant:**

Mr & Mrs G Vooght.

**Location:**

The Oaks, Aylesbeare, EX5 2DE.

**Proposal:**

Completion of an outdoor menage and the surfacing of the existing driveway utilising an existing vehicular access.

Officer updated that the description has been amended as follows:

Provision of an outdoor menage and the surfacing of the existing driveway utilising an existing vehicular access. (Part retrospective).

**RESOLVED:**

Approved as per officer's recommendation.

**116 22/2824/OUT (Minor) WHIMPLE & ROCKBEARE**

**Applicant:**

Mr Cyril Emmett.

**Location:**

The Littlefield, land south of Hazel Grove, Rockbeare.

**Proposal:**

Outline application for the construction of up to four dwellings (all matters reserved except for access).

**RESOLVED:**

1. The appropriate assessment forming part of the report be adopted.
2. Approved as per the officer recommendation subject to the additional condition:

The reserved matters application for layout shall include a detailed scheme of foul and surface water drainage for approval by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details, which shall be installed prior to the first occupation of the development hereby approved, and shall thereafter be maintained and retained for the lifetime of the development.

(Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with Policy EN22 (Surface Water Run-Off Implications of New Development) of the East Devon Local Plan 2013 to 2031 and paragraph 103 of the NPPF.)

**117 22/2549/OUT (Minor) WOODBURY & LYMPSTONE**

**Applicant:**

Mr Vernon Bristow.

**Location:**

Marandor, Exmouth Road, Exton, EX3 0PZ.

**Proposal:**

Outline application with some matters reserved (access, layout and scale) for the erection of two storey detached dwelling with associated parking, garage and south-west facing garden.

**RESOLVED:**

Approved as the officer's recommendation subject to the additional condition:

Details of the internal floorplans of the dwelling and garage hereby approved shall be submitted to and agreed in writing by the Local Planning Authority with the application for reserved matters of appearance. Development shall take place in accordance with the approved details.

(Reason: To secure adequate levels of residential amenity for future and existing residents in accordance with Policy D1 (Design and local distinctiveness) of the East Devon Local Plan 2013 to 2031.)

**Attendance List**

**Councillors present:**

E Wragg (Chair)

S Chamberlain (Vice-Chair) left the Chamber for application 22/0783/MFUL and did not take part in discussions or vote

K Bloxham

C Brown

O Davey

B De Saram

S Gazzard

M Howe

D Key

R Lawrence left the meeting after application 22/2316/FUL and was present for application 22/2824/OUT

G Pratt

E Rylance

P Skinner left the Chamber for application 22/0686/MFUL and did not take part in discussions or vote

T Woodward

**Councillors also present (for some or all the meeting)**

J Bailey

P Faithfull

N Hookway

G Jung

J Loudoun

**Officers in attendance:**

Ed Freeman, Assistant Director Planning Strategy and Development Management

Wendy Ormsby, Development Manager

Anita Williams, Interim Director of Governance and Licensing and Monitoring Officer

Shirley Shaw, Interim Head of Legal Services and Deputy Monitoring Officer

**Councillor apologies:**

A Colman

G Pook

Chairman .....

Date: .....