

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Planning Committee held at Online via the Zoom App on 6 January 2021

Attendance list at end of document

The meeting started at 10.00 am and ended at 4.10 pm

186 Minutes of the previous meeting

The minutes of the meeting held on 2 December 2020 were agreed as a true record.

187 Declarations of interest

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.
Councillors Bruce De Saram, Eileen Wragg, Geoff Pook, Geoff Pratt, Joe Whibley, Kathy McLauchlan, Kim Bloxham, Mike Howe, Olly Davey, Philip Skinner, Sarah Chamberlain, Steve Gazzard, Tony Woodward, Bruce de Saram, Personal, Had been lobbied in respect of this planning application.

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.
Councillor Olly Davey, Personal, Member of the Devon Wildlife Trust and RSPB.

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.
Councillor Philip Skinner, Personal, Father was a former tenant of a farm owned by Devon Clinton Estates.

Minute 191. 20/2089/MFUL (Major) BUDLEIGH AND RALEIGH.
Councillor Tom Wright, Personal, Former member of Budleigh Salterton Cricket Club and a former Chair of the Stakeholders Group that had consulted on the project.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.
Councillors Bruce de Saram David Key, Eileen Wragg, Geoff Pook, Geoff Pratt, Joe Whibley, Kathy McLauchlan, Kim Bloxham, Mike Howe, Olly Davey, Philip Skinner, Sarah Chamberlain, Steve Gazzard, Tony Woodward, Personal, Had been lobbied in respect of this application.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.
Councillor Eileen Wragg, Personal, Former member of the Flood Risk and Coastal Committee.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.
Councillor Geoff Pratt, Personal, Had attended quite some time ago a meeting with Planning Officers and Devon County Council Officers.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.
Councillor Mike Howe, Personal, Had chaired and participated in various advisory panels over many years on this planning application and one son attends The Kings School in Ottery St Mary.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillor Olly Davey, Personal, Former teacher at Tipton St John Primary School and The Kings School at Ottery St Mary when employed for the Devon Music Service.

Minute 192. 20/1504/MOUT (Major) OTTERY ST MARY.

Councillor Tony Woodward, Personal, Member of the Humanists UK which has a campaign agenda for the reform of the relationship between faith and schools.

Minute 193. 20/0995/VAR (Minor) BUDLEIGH AND RALEIGH.

Councillor Philip Skinner, Personal, Known to applicant.

Minute 194. 20/0996/VAR (Minor) BUDLEIGH AND RALEIGH.

Councillor Philip Skinner, Personal, Known to applicant.

188 **Planning appeal statistics**

The Committee noted the Development Manager's report setting out 2 appeal decisions. The first appeal on planning application 20/0595/FUL for a telecommunications mast at Mount Pleasant, Exeter Road, Alyesbeare had been withdrawn by the appellant. The second appeal on planning application 18/2173/VAR for a biodigester at Enfield Farm, Oil Mill Lane, Clyst St Mary, the Development Manager was pleased to report the Inspector had dismissed the appeal on amenity and pollution grounds.

189 **20/2089/MFUL (Major) BUDLEIGH AND RALEIGH**

Applicant:

Megan Rimmer (Environment Agency)

Location:

151 Hectares of land within the parishes of East Budleigh, Budleigh Salterton and Otterton from Lime Kiln Car Park (SY072819) to South of Frogmore House (SY074850) (The Lower Otter Valley).

Proposal:

Proposed breach of the River Otter embankment, Little Bank and Big Bank to restore the historic floodplain creating an intertidal saltmarsh, mudflats and freshwater habitat at Big Marsh and a new freshwater habitat at Little Marsh. Associated works including development of a new footbridge, realignment of South Farm Road and creation of a new car park. (The Lower Otter Restoration Project). Accompanied by an Environmental Statement.

RESOLVED:

Approved as per Officer recommendation but with the following additional conditions:

1. Prior to the commencement of development, and following consultation with the affected residents of Frogmore Road as identified by the Local Planning Authority, details of any additional mitigation works and future monitoring to protect residents of Frogmore Road from flooding as a result of the proposal hereby approved shall have been submitted to the Local Planning Authority for approval. Thereafter the development shall be carried out in full accordance with the approved details.
Reason: In order to protect the amenity of residents from flood risk in accordance with Policies D1 (Design and Local Distinctiveness) and EN21 (River and Coastal Flooding) of the East Devon Local Plan 2013-2031.

2. Prior to commencement of development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to the local planning authority for its approval. This shall establish site objectives and management prescriptions to deliver mitigation and enhancement measures and include provision for:
 - a) Mitigation and management of retained habitats during the pre-construction, construction and post construction phases of the development.
 - b) Creation and management of new habitats during the construction and post construction phases of the development.
 - c) Mitigation for legally protected and notable species during the pre-construction, construction and post construction phases of the development.

Once approved the pre-construction, construction and operation of the development shall proceed in accordance with the approved details of the LEMP, unless otherwise approved in writing by the local planning authority and retained thereafter in accordance with the approved details

Reason: In order to protect and enhance habitat in accordance with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031.

3. A comprehensive habitat monitoring plan shall be submitted to and approved in writing by the local planning authority prior to commencement of development. It shall show the following measures to be agreed:

The methodology and monitoring of new inter-tidal areas for establishment of saltmarsh and mudflat habitat.

The monitoring of impacts on the Otter Estuary SSSI and predicted changes to the MCZ as a result of natural erosion processes in the existing estuary and mouth.

Reason: In order to conserve the biodiversity and geodiversity of these protected habitats and landscapes in accordance with Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan 2013-2031.
4. Prior to commencement of development, further details showing how footpaths will be screened from the proposed habitat areas shall be submitted to and agreed in writing by the local planning authority. The screening shall be in place prior to operation of the development.

Reason: In order to protect habitat from the impact of visitors in accordance with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031.

190 **20/1504/MOUT (Major) OTTERY ST MARY**

Applicant:

Mr David Black.

Location:

Land opposite Barrack Farm, Exeter Road, Ottery St Mary.

Proposal:

Outline planning application with all matters reserved except access for up to 150 new dwellings, a 210 space primary school, construction of a new roundabout on Exeter Road, a new junction onto Cadhay Lane and associated infrastructure.

The following motion was carried on a recorded vote as follows:

Councillor Kim Bloxham	For
Councillor Sarah Chamberlain	For
Councillor Andrew Colman	For
Councillor Olly Davey	For
Councillor Bruce de Saram	For
Councillor Steve Gazzard	Against
Councillor Mike Howe	Abstain
Councillor David Key	Against
Councillor Kathy McLauchlan	For
Councillor Geoff Pook	For
Councillor Geoff Pratt	For
Councillor Philip Skinner	For
Councillor Joe Whibley	For
Councillor Tony Woodward	For
Councillor Eileen Wragg	Abstain

RESOLVED:

Refused contrary to officer recommendation for the following reason:

The proposed development is located in the countryside outside of any Built-Up Area Boundary with no planning policy support for residential development in this location. The resulting harm from the development to the visual amenity of the wider area at both close and distinct views, including the visual impact from the proposed new roundabout onto Exeter Road, and the lack of provision of 50% affordable housing outweigh the benefits from the proposal. As such, the proposal is contrary to Strategies 7 (Development in the Countryside), Strategy 24 (Development at Ottery St Mary), Strategy 34 (District Wide Affordable Housing Provision), Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031 and Policies NP1 (Development in the Countryside) and NP25 (Land Identified for Education uses in Ottery St Mary) of the Made Ottery St Mary and West Hill Neighbourhood Plan.

191 **20/0995/VAR (Minor) BUDLEIGH AND RALEIGH**

Applicant:

Mrs Frances Carter.

Location:

Pooh Cottage Holiday Site, Bear Lane, Budleigh Salterton.

Proposal:

Variation of Condition 2 of planning application 19/1202/VAR to allow the occupation of 14 caravans the whole year round.

RESOLVED:

Approved as per officer recommendation but subject to a change to Condition 3 to limit the number of consecutive days that the accommodation can be occupied to prevent permanent occupation.

Revised wording to be agreed in consultation with the Ward Members, Chair and Vice-Chair of the Planning Committee.

192 **20/0996/VAR (Minor) BUDLEIGH AND RALEIGH**

Applicant:

Mrs Frances Carter.

Location:

Pooh Cottage Holiday Site, Bear Lane, Budleigh Salterton.

Proposal:

Variation of Condition 2 of planning application 10/2407/FUL to allow the occupation of 47 caravans the whole year round.

RESOLVED:

Approved as per officer recommendation but subject to a change to Condition 3 to limit the number of consecutive days that the accommodation can be occupied to prevent permanent occupation.

Revised wording to be agreed in consultation with the Ward Members, Chair and Vice-Chair of the Planning Committee.

193 **20/0918/FUL (Minor) BUDLEIGH AND RALEIGH**

Applicant:

Mr H Headon.

Location:

2 The Cedars, Exmouth Road, Colaton Raleigh, Sidmouth, EX10 0LB.

Proposal:

Proposed conversion of the roof space of a residential property to a 2 bedroom flat.

RESOLVED:

Approved as per Officer recommendation.

Attendance List

Councillors present:

E Wragg (Chair)

S Chamberlain (Vice-Chair)

K Bloxham

A Colman

O Davey

B De Saram

S Gazzard
M Howe
D Key
K McLauchlan
G Pook
G Pratt
P Skinner
J Whibley
T Woodward

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
D Bickley
S Bond
A Dent
P Faithfull
P Hayward
V Johns
D Ledger
V Ranger
T Wright

Officers in attendance:

Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Wendy Harris, Democratic Services Officer
Sarah Jenkins, Democratic Services Officer
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)
Nicola Cooper, Solicitor

Councillor apologies:

C Brown

Chairman

Date: