

# **EAST DEVON DISTRICT COUNCIL**

## **Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 13 June 2023**

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

The meeting started at 10.10 am and ended at 4.30 pm. The meeting was briefly adjourned at 12:30 pm and reconvened at 12:41 pm. The Chair adjourned the morning session at 1.41 pm and reconvened for the afternoon session at 2.18 pm.

### **1 Minutes of the previous meeting**

The minutes of the Planning Committee held on 24 April and 25 April 2023 were confirmed as true records.

### **2 Declarations of interest**

Minute 5. 22/0783/MFUL (Major) WHIMPLE & ROCKBEARE.

Councillor Sarah Chamberlain, Affects and prejudicial Non-registerable Interest, known to the applicant.

Minute 5. 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, Sarah Chamberlain, Brian Bailey, Ian Barlow, Colin Brown, Steve Gazzard, Anne Hall, John Heath, Mike Howe, Henry Riddell, Simon Smith advised of lobbying in respect of this application.

Minute 6. 22/2120/MFUL (Major) EXMOUTH TOWN.

Councillors Brian Bailey, Steve Gazzard and Daniel Wilson, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 6. 22/2120/MFUL (Major) EXMOUTH TOWN.

Councillor Colin Brown, Affects Non-registerable Interest, had dealings with the applicant in the past.

Minute 6. 22/2120/MFUL (Major) EXMOUTH TOWN.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution it was advised all Committee Members had been lobbied in respect of this planning application.

Minute 7. 23/0405/FUL (Minor) EXMOUTH TOWN.

Councillors Brian Bailey and Daniel Wilson, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 7. 23/0405/FUL (Minor) EXMOUTH TOWN.

Councillor Steve Gazzard, Other Registerable Interest, holds a charity event on the Strand in memory of late daughter to help raise money for research.

Minute 7. 23/0405/FUL (Minor) EXMOUTH TOWN.

The Chair, on behalf of all Committee Members, Affects Non-registerable Interest, land is owned by EDDC.

Minute 9. 22/1839/MRES (Major) WOODBURY & LYMPSTONE.  
Councillors Brian Bailey, Steve Gazzard and Daniel Wilson, Affects Non-registerable Interest, Exmouth Town Councillor.

Minute 9. 22/1839/MRES (Major) WOODBURY & LYMPSTONE.  
Councillor Ian Barlow, Affects Non-registerable Interest, a friend owns land at the garden centre next to the application site.

### 3 **Annual appeals report**

The Development Manager presented an update report that gave Members an overview of the current planning appeal decisions situation for the period 1 April 2022 to 31 March 2023.

Members' noted that the East Devon appeal statistics graph showed a lower figure for planning appeals compared to the national appeal statistics graph and were pleased to note that out of the 47 appeals received only 23.4% had been allowed compared to 41.9% the previous year. Members' also noted that these figures showed that not only had the council met its set indicator of 70% but also was below the national average figure.

From further analysis of the application type these included four hearings all of which had been dismissed, 16 minor applications of which 80% had been dismissed and no awards of costs made either for or against the council.

Questions and comments raised by Members included:

- Clarification was sought on the total costs spent on the 47 appeals. In response the Assistant Director – Planning Strategy and Development Management advised that cost implications usually only occurred when dealing with Planning Inquiries as this involved external consultants. There were no inquiries last year but two are coming up this year which could cost between £20k-£30k each just for the barristers with additional costs if further external witnesses are needed.
- It was suggested that a record should be kept on the costs accumulated for officers' time and resources.
- Clarification was sought on how many times costs had been awarded against the council recently. The Assistant Director – Planning Strategy and Development Management referred to the annual monitoring reports and advised there had been no significant costs awarded against the council recently.

### 4 **Planning appeal statistics**

The Committee noted the planning statistics report setting out two appeal decisions both of which had been dismissed and 14 appeals in progress which included an appeal for the installation of a battery energy storage system (application 22/2216/MFUL) and the construction and operation of a ground mounted solar farm (application 22/0990/MFUL) which will use the Public Inquiry method. Both appeals are scheduled to be heard in September this year.

### 5 **22/0783/MFUL (Major) WHIMPLE & ROCKBEARE**

**Applicant:**

Aura Power Developments Limited.

**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:**

Approved as per officer's recommendation.

6 **22/2120/MFUL (Major) EXMOUTH TOWN**

**Applicant:**

Churchill Retirement Living.

**Location:**

Jewson Ltd., Fore Street, Exmouth, EX8 1HX.

**Proposal:**

Redevelopment for 54 retirement living apartments and 6 retirement living cottages, including communal facilities, access, car parking and landscaping and 178sqm of commercial use (Class E).

**RESOLVED:**

Refused contrary to officer's recommendation.

Members considered that that proposal would not achieve a balanced community and would lead to a loss of employment land without the site having been marketed for at least 12 months to explore options for the retention of the site for its current or a similar use contrary to Strategy 4 and 32 of the Local Plan and Policy EE3 of the Exmouth Neighbourhood Plan. In addition the failure to provide a policy compliant level of affordable housing as set out in Policy H2 of the Exmouth Neighbourhood Plan means the social benefits of the scheme weigh less favourably in the planning balance.

7 **23/0405/FUL (Minor) EXMOUTH TOWN**

**Applicant:**

Mr Gerald Mills (EDDC).

**Location:**

Strand Gardens, The Strand, Exmouth.

**Proposal:**

Change of use of land for the siting of tables and chairs in association with adjoining businesses between Easter and the end of September until 2025.

**RESOLVED:**

Approved as per officer's recommendation.

8 **23/0703/FUL (Minor) DUNKESWELL & OTTERHEAD**

**Applicant:**

Mr & Mrs Plowden.

**Location:**

The Cottage, Stockland, EX14 9DS.

**Proposal:**

Changes to front elevation, partial raising of existing sunroom roof and relocation of front door.

**RESOLVED:**

Approved as per officer's recommendation.

9      **22/1839/MRES (Major) WOODBURY & LYMPSTONE**

**Applicant:**

3West Group Ltd.

**Location:**

Goodmores Farm, Dinan Way, Exmouth.

**Proposal:**

Partial reserved matters application (layout, scale, appearance and landscaping) pursuant to outline planning permission 14/0330/MOUT for 32 houses, 24 apartments (with bin and cycle stores), a fibre cabinet associated roads and parking.

**RESOLVED:**

Approved as per officer's recommendation.

10      **22/2121/MFUL (Major) WOODBURY & LYMPSTONE**

**Applicant:**

FWS Carter & Sons Ltd.

**Location:**

Land opposite Greendale Business Park, Woodbury Salterton.

**Proposal:**

Proposed new haulage trailer storage facility/compound.

**RESOLVED:**

Refused as per officer's recommendation.

11      **23/0298/FUL (Minor) WOODBURY & LYMPSTONE**

**Applicant:**

FWS Carter & Son.

**Location:**

Greendale Farm Shop, NHS Drive Through Vaccination Centre, Sidmouth Road, Farringdon, EX5 2JU.

**Proposal:**

Proposed replacement building for Vaccination Centre.

**RESOLVED:**

Refused as per officer's recommendation.

12 **23/0401/OUT (Minor) WOODBURY & LYMPSTONE**

**Applicant:**

Councillor Philip Jordan

**Location:**

Exton Lodge, Mill Lane, Exton, EX3 0PJ.

**Proposal:**

Outline proposal for a single dwelling with all matters reserved other than access.

**RESOLVED:**

Refused as per officer's recommendation.

**Attendance List**

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

B Bailey

I Barlow

C Brown

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

S Gazzard left the Chamber for application 23/0405/FUL and did not take part in discussions or vote.

A Hall

J Heath

M Howe

H Riddell

S Smith

D Wilson

E Wragg (Chair)

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

O Davey

N Hookway

R Jefferies

G Jung

T Olive

**Officers in attendance:**

Ed Freeman, Assistant Director Planning Strategy and Development Management

Wendy Ormsby, Development Manager

Damian Hunter, Planning Solicitor

Wendy Harris, Democratic Services Officer

Tom Winters, Economic Development Officer

**Councillor apologies:**

A Bruce

F Caygill  
Y Levine  
E Rylance

Chairman .....

Date: .....