

## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 13 May 2025**

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

The meeting started at 10.02 am and ended at 3.55 pm. The meeting was adjourned for lunch at 1.35 pm and reconvened at 2.20 pm.

#### **283 Minutes of the previous meeting**

The minutes of the Planning Committee held on 22 April 2025 were confirmed as a true record.

#### **284 Declarations of interest**

Minute 290. 24/0096/MOUT (Major) AXMINSTER.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the constitution the Chair, Councillor Olly Davey, on behalf of the Committee, advised of lobbying in respect of this application.

##### Non-Committee Member

Minute 290. 24/0096/MFUL (Major) AXMINSTER.

Councillor Paul Hayward, Affects Non-registerable Interest, Employed by Axminster Town Council as the Town Clerk.

#### **285 Matters of urgency**

There were no matters of urgency.

#### **286 Confidential/exempt item(s)**

There were no confidential or exempt items.

#### **287 Planning appeal statistics**

The Committee noted the Development Manager's appeal statistics report which included an update to planning application 24/0980/PDQ. The Inspector had allowed the appeal as the Council had taken longer than the statutory period but the scheme nevertheless must meet the required criteria to be lawfully developed under permitted development.

The Development Manager also gave an update to two appeals that had been dismissed. The Inspector dismissed planning application 24/0043/PIP for a change of use from ancillary accommodation to holiday let due to its remote location to facilities and dismissed planning application 24/0385/VAR for the removal of an agricultural workers occupancy restriction as the applicant had not reasonably demonstrated the reasons for its removal.

#### **288 Planning Appeals Status Report**

The Development Manager presented the report setting out the Council's current performance on planning appeal decisions from 1 April 2024 to 31 March 2025. Members noted that the Council's success rate was around the National average of 70% which represented a good indicator of consistency in the decision-making process.

**RESOLVED:**

That the Council's planning appeals performance during the 2024 – 2025 monitoring period be noted.

289 **22/2781/MOUT (Major) SEATON - Confirmation of Chair's casting vote**

The Director of Governance and Monitoring Officer presented the report that explained the planning process that had been followed for planning application 22/2781/MOUT – land adjacent to Harepath Road, Seaton at the meeting held on 25 February 2025.

The Director of Governance and Monitoring Officer invited the Chair to confirm the exercise of his casting vote at that meeting. The Chair confirmed that his casting vote was to approve the application in line with the proposal put forward by Councillor Barlow.

290 **24/0096/MFUL (Major) AXMINSTER**

**Applicant:**

Clearstone Energy.

**Location:**

Land just south of Hazelhurst, Raymonds Hill, Axminster.

**Proposal:**

Proposed construction, operation and maintenance of a Battery Energy Storage System (BESS) with associated infrastructure and works including highway access, landscaping and biodiversity enhancements.

**RESOLVED:**

Refused contrary to officer recommendation for the following reason:

- It has not been demonstrated that the proposed development would not, in case of a fire, result in pollution of aquifers and/or water courses within an area where local residents are reliant on the use of aquifers. As such the proposed development could have adverse impacts on health and the environment contrary to Strategy 39 and Policies EN14 and EN18 of the East Devon Local Plan 2013 – 2031 and the provisions of the National Planning Policy Framework 2024 (as amended).

291 **23/1247/MOUT (Major) TALE VALE**

**Applicant:**

Mr J Persey.

**Location:**

Land north of Plymtree Primary School, Plymtree, Cullompton.

**Proposal:**

Outline planning permission for the construction of up to 30 dwellings (including affordable housing), open space, car parking, building for community use and associated infrastructure. All matters reserved except access.

**RESOLVED:**

Approved in accordance with officer recommendation subject a Section 106 Legal Agreement and to the following condition changes:

- **New Condition**

Prior to the commencement of development evidence shall be provided to the Local Planning Authority to demonstrate whether, as a result of this development, an upgrade to the storm overflow at the treatment works that will serve this site is required, and the Local Planning Authority shall have confirmed agreement to the evidence, in writing, in consultation with South West Water.

If the evidence demonstrates that an upgrade to the storm overflow is required, then the upgrade works shall have been completed prior to first occupation of any dwelling hereby approved.

Reason:

To ensure that there is adequate capacity in the infrastructure required to manage foul drainage from the site in accordance with Policy EN19 – Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems of the East Devon Local Plan 2013 – 2031. This is a pre-commencement condition to ensure any necessary upgrade works can be identified and completed in an appropriate timescale.

- **New Condition**

Prior to the occupation of any dwelling, it shall be fitted with smart water butt(s) with capacity to hold 100 litres of rain water per bedroom. The smart water butt(s) shall be maintained and retained as such for the lifetime of the development.

Reason:

To reduce flood risk and in the interest of sustainability in accordance with Strategy 3 - Sustainable Development and EN22 - Surface Run-Off Implications of New Development of the East Devon Local Plan 2013 - 2031

- **Amendment to condition 1:**

Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 18 months from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason:

To comply with section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and to ensure early deliver of this housing that has been approved as a departure from the local plan due to the need to increase housing land supply.

- **Amendment to condition 14 to read:**

The reserved matters application for layout shall include details of:

- (i) pedestrian route to the east of the site connecting the village to the Parish Hall via the site and recreation ground;
- (ii) pedestrian link to the south into the village adjacent to Knights Cottages; and
- (iii) pedestrian link from the north of the site adjacent to Pencepool Cottages.

The details shall include the design of the link, lighting, and surface materials.

- **The Section 106 shall include provisions to ensure that:**

The footpath(s) shall be provided in accordance with the approved details prior to occupation of the 10<sup>th</sup> dwelling and shall be retained and maintained as publicly accessible routes for the lifetime of the development.

292    **24/1045/FUL (Minor) NEWBRIDGES**

**Applicant:**

Mr & Mrs Seward.

**Location:**

Land adjacent to Woodthorpe, Kilmington.

**Proposal:**

Erection of a single storey three-bed detached bungalow and associated drainage works.

**RESOLVED:**

1. The Beer Quarry and Caves SAC Appropriate Assessment and the River Axe SAC Habitats Regulation Assessment be adopted.
2. Approved in accordance with officer recommendation subject to an additional condition requiring prior to occupation the dwelling shall be fitted with smart water butt(s) with capacity to hold 100 litres of rain water per bedroom. The smart water butt(s) shall be maintained and retained as such for the lifetime of the development.

**Reason:**

To reduce flood risk and in the interest of sustainability in accordance with Strategy 3 - Sustainable Development and EN22 - Surface Run-Off Implications of New Development of the East Devon Local Plan 2013 - 2031

**Attendance List**

**Councillors present:**

B Bailey  
I Barlow  
K Bloxham  
C Brown  
J Brown  
O Davey (Chair)  
P Faithfull  
S Gazzard  
D Haggerty  
A Hall  
M Hall (Vice-Chair)  
E Wragg

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

P Arnott  
R Collins  
P Hayward  
R Jefferies  
D Mackinder

**Officers in attendance:**

Wendy Harris, Democratic Services Officer  
Andrew Digby, Senior Planning Officer  
Jeremy Ebdon, Principal Planning Officer (East)  
Tracy Hendren, Chief Executive  
Damian Hunter, Planning Solicitor  
Wendy Ormsby, Development Manager  
Melanie Wellman, Director of Governance (Monitoring Officer)

**Councillor apologies:**

S Chamberlain  
M Chapman  
M Howe  
S Smith

Chairman .....

Date: .....