

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Planning Committee held at Online via the Zoom App on 10 March 2021

Attendance list at end of document

The meeting started at 10.00 am and ended at 3.45 pm (The Committee adjourned at 12.50 pm and reconvened at 1.20 pm)

222 Minutes of the previous meeting

The minutes of the meetings held on 10 February and 15 February 2021 were agreed as true records.

223 Declarations of interest

Minute 225. Cranbrook Monkerton District Heating.
Councillor Jess Bailey, Personal, Husband works in renewable energy.

Minute 225. Cranbrook Monkerton District Heating.
Councillor Kim Bloxham, Personal, Cranbrook Town Councillor and a Lead for Eon. Also a resident of Cranbrook and a recipient of district heating.

Minute 225. Cranbrook Monkerton District Heating.
Councillors Olly Davey and Tony Woodward, Personal, Known to the public speaker as a member of the same Political Party.

Minute 225. Cranbrook Monkerton District Heating.
Councillor Philip Skinner, Personal, Known to the owners of Hill Barton.

Minute 225. Cranbrook Monkerton District Heating.
Councillor Sarah Chamberlain, Personal, Broadclyst Parish Councillor.

Minute 226. 20/1838/MFUL & 20/1839/LBC (Major) EXMOUTH LITTLEHAM.
Councillors Bruce De Saram and Tony Woodward, Personal, Exmouth Town Councillor.

Minute 226. 20/1838/MFUL & 20/1839/LBC (Major) EXMOUTH LITTLEHAM.
Councillor Eileen Wragg, Personal, Visited the Student Union bar at Rolle College when it belong to University of Plymouth.

Minute 226. 20/1838/MFUL & 20/1839/LBC (Major) EXMOUTH LITTLEHAM.
Councillor Joe Whibley, Personal, Exmouth Town Councillor and a Member of the Planning Committee at Exmouth Town Council.

Minute 226. 20/1838/MFUL & 20/1839/LBC (Major) EXMOUTH LITTLEHAM.
Councillor Olly Davey, Personal, Exmouth Town Councillor; student at Rolle College and had been employed at Rolle College for several years.

Minute 226. 20/1838/MFUL & 20/1839/LBC (Major) EXMOUTH LITTLEHAM.
Councillor Steve Gazzard, Personal, Exmouth Town Councillor and visited the Student Unions Bar at Rolle College.

Minute 227. 19/2710/MFUL (Major) EXMOUTH WITHYCOMBE RALEIGH.

Councillors Olly Davey, Bruce De Saram, Steve Gazzard, Tony Woodward Personal, Exmouth Town Councillor

Minute 227. 19/2710/MFUL (Major) EXMOUTH WITHYCOMBE RALEIGH.

Councillors Jess Bailey, Kim Bloxham, Olly Davey, Bruce De Saram, Steve Gazzard, David Key, Mike Howe, Geoff Pratt, Philip Skinner Joe Whibley, Eileen Wragg and Tony Woodward, Personal, Lobbied in respect of this planning application.

Minute 227. 19/2710/MFUL (Major) EXMOUTH WITHYCOMBE RALEIGH.

Councillor Joe Whibley, Personal, Exmouth Town Councillor; Member of Exmouth Town Council's Planning Committee

Minute 230. 20/2265/FUL (Minor) SIDMOUTH TOWN.

Councillors Jess Bailey, Kim Bloxham, Olly Davey, Bruce De Saram, Mike Howe, Geoff Pratt, Philip Skinner, Joe Whibley, Eileen Wragg Personal, Lobbied in respect of this planning application.

224 **Planning appeal statistics**

The Committee received and noted the Development Manager's report setting out four appeal decisions notified, of which three had been dismissed and one allowed.

Members' attention was drawn to the appeal decision allowed for the creation of a means of access to a highway for planning application 20/0988/FUL – Abbotsford, Longmeadow Road, Lympstone. The Inspector determined that the access to the highway did not have a harmful effect to highway safety and did not agree that the loss of tree and hedgerow would have an adverse effect to the surrounding area and therefore allowed the appeal.

The Chair sought clarification on the Inspector's decision to overrule the concerns raised by Devon County Highways. In response the Development Manager advised it was rare and highlighted to Members it was also rare for Devon County Highways to also object to an application.

225 **Cranbrook Monkerton District Heating**

The Chair welcomed Henry Gent to the meeting.

Before inviting Mr Gent to speak the Chair invited the Service Lead – Growth, Development & Prosperity to present his report.

The Service Lead – Growth, Development & Prosperity gave a presentation to the committee outlining the Council's commitment to deliver zero carbon development in the West End of the District.

He updated Members on the Government's proposal to introduce a Future Homes Standard of no fossil fuels in new homes from 2025 with a further consultation in 2023 and a commitment to meet at least 75% carbon savings.

He outlined a proposal for a Section 106 Deed of Variation to provide a heat network for up to 12,000 homes and 2m sq ft of commercial space in Cranbrook including up to the boundary of Monkerton and summarised the following key points:

1. Completion of a journey started 10 years ago;

2. The delivery of policy compliant zero carbon / district heating scheme in line with Cranbrook DPD Policy;
3. Technical study work undertaken to look at the different technological solutions to understand what is feasible;
4. The Cranbrook Viability Assessment had allowed a figure of £6,588.00 to get to zero carbon;
5. Cost effective solution that can be delivered at scale and pace.

Questions raised by Committee Members:

- Clarification sought on whether the waste plant would be built and the contractual arrangements in respect of delivering the plant. In response the Service Lead - Growth, Development & Prosperity advised planning permission had been granted and funding had been secured to deliver the facility. He further advised the Council was currently awaiting the outcome to a large bid of £8m to the government's heat network investment programme which invests to support the rollout of district heating schemes.
- Clarification sought on para 4.2 on page 33 of the report about where the last two options fit into the delivery. In response the Service Lead - Growth, Development & Prosperity advised the preferred strategy was to utilise waste heat from the energy from waste plant. He referred to the convertor station for France-Aldernay-Britain (FAB) project highlighting if that option went ahead there may also be an opportunity to harness waste heat from this source in the future. He also referred to solar thermal and advised that option would require its own site of 70 acres of land to support it including space for inter-seasonal storage of hot water.

Mr Henry Gent spoke about the heat network and said it should not be extended until a number of concerns had been addressed. These concerns were as follows:

1. Dwellings connected to a heat network are currently allowed to get away with less insulation
2. From June 2022 connection of new homes to the existing heat network would probably fail Building Regulations. This was because from 2025 the Future Home Standard would apply and it was not clear whether new homes connected to a network heated by an incinerator would pass the primary energy efficiency test. In response the Service Lead - Growth, Development & Prosperity said he was absolutely confident the heat network would be Building Regulations compliant.
3. The Climate Change Committee stated in December 2020 that all new energy from waste incinerators should have carbon capture and storage. The Clyst St Mary incinerator was to be built without carbon capture and storage.
4. Houses at Cranbrook and Tythe Barn already have to deal with breakdowns of heat which would be even more likely with an incinerator fed with commercial rubbish. In response the Service Lead - Growth, Development & Prosperity confirmed there had been some issues with temporary energy centres and outlined a few causes of temporary outages. The transition to a permanent solution and associated infrastructure would enable a more robust and resilient service.

He said the Council was at risk of forcing future residents into an unwelcomed contract that encouraged the use of plastic by underrating the cost of disposing of plastic and that the Council should be encouraging the cost of disposable plastic at its full cost instead of subsidising the disposable plastic at the expense of householders.

Comments received from Committee Members included:

- A correction was made to Mr Gent's statement. It was advised the power plant would be situated in the parish of Farringdon and not Clyst St Mary.
- The need to focus on insulation of houses.
- The need to work towards passivhaus standard.
- Producing energy from waste was welcomed. It was highlighted that some biomass plants were importing vast amounts of wood from Eastern Europe, cutting down swathes of forests.
- Concerns raised about trying to reduce the amount of waste produced and assurance was sought that it would be built with carbon capture and storage.
- It was questioned whether waste would have to be imported if there was not enough waste and what type of waste would be imported.

Councillor Kim Bloxham, Ward Member for Cranbrook supported the report as it was a way forward to deliver the much needed eastern transmission mainline which would provide additional resilience for households in the eastern areas of the town and proposed the recommendations as written which was seconded by Councillor Philip Skinner.

RESOLVED:

1. **That the Committee note the further technical work that has been undertaken to support the delivery of low and zero carbon development in the West End of the District.**
2. **That the Committee agrees the principle of the proposed Deed of Variation based on the core provisions set out in paragraph 6.2.**
3. **That delegated authority be given to the Service Lead – Strategic Planning and Development Management in consultation with the Chair of Planning Committee and the Ward Members to agree the detailed provisions of the Deed of Variation.**

226 **20/1838/MFUL & 20/1839/LBC (Major) EXMOUTH LITTLEHAM**

Applicant:

Acorn Property Group.

Location:

Land At The Former Rolle College, Exmouth, EX8 2BL.

Proposal:

(20/1838/MFUL)

Demolition of existing buildings and the residential development of 33 new homes in a mix of 10 dwellings and 19 apartments and the conversion and refurbishment of Eldin House to create four apartments, partial demolition of potting shed and greenhouse and extensions to create dwelling, together with vehicle and pedestrian accesses, landscaping and associated infrastructure.

(20/1839/LBC)

Conversion and refurbishment of Eldin House into four self-contained flats, partial demolition of potting shed and greenhouse and extensions to create dwelling.

RESOLVED:

20/1838/MFUL – Approved as per officer recommendation but also subject to the following:

1. A Section 106 Unilateral Undertaking securing the financial contribution towards affordable housing;

2. Change to the wording of condition 11 to read:
With the exception of demolition and site clearance works, full details of the method of construction of hard surfaces in the vicinity of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development. The method shall adhere to the principles embodied in BS 5837:2012 and AAIS Arboricultural Practice Note 1 (1996) and involvement of an arboricultural consultant and engineer is recommended. The development shall be carried out strictly in accordance with the agreed details.
(Reason - To ensure retention and protection of trees on the site during and after construction in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D3 – Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031)

3. Change to the wording of condition 12 to read:
With the exception of demolition and site clearance works, a detailed Construction Specification / Method Statement for footings and floor slabs shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This shall provide for the long term retention of the trees and detail the means by which any necessary root severance and soil disturbance is minimised by providing a specification for root pruning in accordance with BS 3998: 2010. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.
(Reason - To ensure retention and protection of trees on the site during and after construction in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 – Design and Local Distinctiveness and D3 – Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031)

4. Change to the wording of condition 15 to read:
With the exception of demolition and site clearance works, no development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:
 - (a) A detailed drainage design based upon the approved Flood Risk Statement Land Off Douglas Avenue, Exmouth and the approved Drainage Strategy Plan 1001 Rev P05
 - (b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.
 - (c) Proposals for the adoption and maintenance of the permanent surface water drainage system.
 - (d) A plan indicating how exceedance flows will be safely managed at the site. No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (d) above.

(Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-construction since it is essential that the proposed surface water

drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed in accordance 20/1838/MFUL with policy EN22- Surface Water Run-Off Implications of New Development) of the East Devon Local Plan 2013-2031).

20/1839/LBC – Approved as per officer recommendation.

227 **19/2710/MFUL (Major) EXMOUTH WITHYCOMBE RALEIGH**

Applicant:

S Paull (Yourlife Management Services Ltd.)

Location:

Site Of Redgate & Land At Tesco, Salterton Road, Exmouth.

Proposal:

Erection of extra care / assisted living accommodation (Class C2) with communal facilities and car parking; erection of Class B1(b) and B1(c) accommodation (322 sqm employment floorspace) with associated car parking; development to be accessed from Salterton Road.

RESOLVED:

Refused contrary to officer recommendation with the wording of the reason for refusal delegated to the Development Manager.

Members determined that the proposal did not address the previous refusal on the site and associated appeal decision resulting in an unjustified loss of employment land without adequate mitigate contrary to Strategies 22 and 32 of the Local Plan, Policies EE2 and EE3 and Action EEA1 of the Exmouth Neighbourhood Plan and guidance in the NPPF.

228 **19/0101/FUL (Minor) DUNKESWELL AND OTTERHEAD**

Applicant:

Cutler

Location:

Greenways, Awliscombe, Honiton, EX14 3PJ.

Proposal:

Construction of five dwellings (comprising a mix of affordable and market dwellings)

RESOLVED:

Deferred for the following reasons:

1. To ask the applicant to carry out an up-to-date Local Housing Needs Survey to justify the need for 3 affordable units for shared ownership; and,
2. To ask EDDC Housing to consider taking on the units and to advise if they are not interested in doing this to outline their reasons.

229 **20/2563/FUL (Minor) DUNKESWELL AND OTTERHEAD**

Applicant:

Mr & Mrs Groombridge & Lozinska

Location:

St Isidore Farm, Combe Raleigh, Honiton, EX14 4TG.

Proposal:

Associated operational development in conjunction with the approval 20/0686/PDR for the change of use of an existing agricultural building to a shop.

RESOLVED:

Approved as per officer recommendation but subject to a change to condition 8 to amend the hours from 9am to 7pm in the interests of protecting the amenity of the area and AONB.

The amended condition to read as follows:

No lights shall be on within the building outside the hours of 7am to 7pm on any day.

(Reason - To limit light spill from the windows and doors hereby permitted in the interests of protecting the character of the AONB in accordance with Strategy 46 - Landscape Conservation and Enhancement and AONBs of the East Devon Local Plan 2013-2031.)

In addition, a further recommendation was made by Committee that Legal Services and Development Management draft a letter from the Committee to the local MP's advising of their dissatisfaction at the Prior Approval process in terms of undermining local democracy, the Local Plan and Neighbourhood processes and asking the MP's to lobby Government to reverse the legislation. The draft letter to be brought back to the next Committee on the 17th February as a late item for agreement.

230 **20/2265/FUL (Minor) SIDMOUTH TOWN**

Applicant:

Mr R & C Gliddon.

Location:

Flat, Sheffield House, Church Street, Sidmouth, EX10 8LX.

Proposal:

Change of use from one flat to two flats and alterations.

RESOLVED:

Approved contrary to officer recommendation with conditions delegated to officers in consultation with the Chair of Planning Committee and the Ward Members.

Members considered that the benefit from the provision of small units in Sidmouth Town Centre outweighed any flood risk harm and need to comply with the sequential test.

231 **20/2551/VAR (Minor) YARTY**

Applicant:

Maria Baciu

Location:

Axe View Solar Farm, Wadbrook, EX13 7AS.

Proposal:

Variation of Condition 2 (Approved Plans) and Condition 8 (Inverter Station and CCTV details) of application 19/1056/VAR (Installation of ground mounted photovoltaic solar arrays with transformer stations; internal access track; biodiversity enhancement; landscaping; fencing; security measures; access gate and ancillary infrastructure (without complying with Condition 16 of planning permission 17/1378/VAR, to extend the operational lifespan of solar farm to 40 years) to reflect changes to layout, fencing, infrastructure specification and appearance, and to allow siting of an additional storage container.

RESOLVED:

Approved as per officer recommendation.

232 **20/2543/OUT (Minor) EXE VALLEY**

Applicant:

Mr N Marks.

Location:

The Retreat, Stoke Canon, Exeter, EX5 4EG.

Proposal:

Outline application with all matters reserved for the construction of a detached bungalow.

RESOLVED:

Refused as per officer recommendation.

Attendance List

Councillors present:

E Wragg (Chair)
S Chamberlain (Vice-Chair)
K Bloxham
C Brown
O Davey
B De Saram
S Gazzard
M Howe
D Key
G Pratt
P Skinner
J Whibley
T Woodward
J Bailey

Councillors also present (for some or all the meeting)

P Arnott
F Caygill
S Hawkins
P Hayward

N Hookway
F King
B Taylor

Officers in attendance:

Wendy Harris, Democratic Services Officer
Amanda Coombes, Democratic Services Officer
Chris Rose, Development Manager
Shirley Shaw, Planning Barrister
Anita Williams, Principal Solicitor (and Deputy Monitoring Officer)

Councillor apologies:

A Colman
G Pook

Chairman

Date: