

EAST DEVON DISTRICT COUNCIL

Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 26 September 2023

Attendance list at end of document

The meeting started at 10.01 am and ended at 5.00 pm. The Chair adjourned the meeting for lunch at 1.30 pm and reconvened at 2.05 pm. Brief adjournments also took place at 11.20 am to 11.30 am and 4.05 pm to 4.20 pm.

In the absence of the Vice Chair, Councillor Sarah Chamberlain, the Committee agreed to Councillor Yehudi Levine being the Vice Chair for this meeting.

56 Minutes of the previous meeting

The minutes of the Planning Committee held on 22 August 2023 were confirmed as a true record.

57 Declarations of interest

Minute 60. 23/0331/MOUT (Major) HONITON ST PAULS

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution the Chair on behalf of the Committee Members advised lobbying in respect of this application.

Minute 63. 22/1104/VAR & 22/1106/VAR (Other) CLYST VALLEY.

Councillor Mike Howe, Other Registerable Interest, Clyst St Mary Parish Councillor and advised as he was predetermined, he would not take part in discussions or vote for these applications.

Minute 63. 22/1104/VAR & 22/1106/VAR (Other) CLYST VALLEY.

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution the Chair on behalf of the Committee Members advised lobbying in respect of this application.

Non-Committee Member

Minute 60. 23/0331/MOUT (Major) HONITON ST PAULS

In accordance with the code of good practice for Councillors and Officers dealing with planning matters as set out in the constitution Councillor Roy Collins advised lobbying in respect of this application.

58 Matters of urgency

There were none.

59 Confidential/exempt item(s)

There was one confidential item recorded at minute 71.

60 23/0331/MOUT (Major) HONITON ST PAULS

Applicant:

c/o Agent.

Location:

Land at Middle Northcote Farm, Honiton.

Proposal:

Outline application (with all matters reserved except for access) for the demolition of existing buildings and erection of up to 115 dwellings, public open space, sustainable drainage systems, landscaping, vehicular access via Tunnell Lane and associated highways improvements and infrastructure.

RESOLVED:

Approved subject to a Section 106 Agreement with conditions as per officer's recommendation subject to the following amendments to the following conditions and with the addition of a new condition:

Condition 13

The site access shall be constructed, laid out and maintained for that purpose, where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.6m above the adjacent carriageway of the public highway (identified as X) shall be 2.4m and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 25m in both directions.

Condition 16

No works that could impact on dormice or bats shall commence unless the Local Planning Authority has been provided with a copy of the dormouse and bat mitigation licences issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulation 2017 authorising the development to go ahead. Any mitigation and compensation measure should be in accordance with the agreed Landscape and Ecological Management Plan (LEMP), unless otherwise amended by Natural England.

Condition 19

As part of the reserved matters concerning 'layout' the following details shall be submitted to and approved in writing by the Local Planning Authority:

- (b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted and a timetable for implementation.
- (b) A detailed assessment of the condition and capacity of any existing surface water drainage system/watercourse/culvert that will be affected by the proposals, the scope of which shall first be agreed in writing with the Local Planning Authority in consultation with the Lead Flood Authority. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.
- (c) Development shall take place in accordance with the approved details.
- (d) No on-site development shall commence until all off-site drainage works approved pursuant to this planning condition have been implemented in full.
- (e) All permanent on-site drainage shall be provided prior to occupation or use of the development to which they relate. Construction phase drainage shall be provided in accordance with the approval timetable.

New Condition 21

The pedestrian and cycle footpath which runs parallel to Tunnel Lane shall be constructed and laid out in accordance with plan SK10 hereby approved prior to any

occupation of the dwellings hereby approved. This path shall be maintained and kept free of obstruction for the lifetime of the development.

(Reason – To ensure that suitable provision for pedestrian and cyclist are included in the interest of highway safety, in accordance with Policy TC7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan).
the East Devon Local Plan).

61 **20/1663/VAR (Other) CRANBROOK**

Applicant:

D S Developments (Exeter) Ltd.

Location:

South Whimble Farm, Clyst Honiton.

Proposal:

Removal of Condition 16 of 16/1826/MFUL (decentralised energy network connection) to remove requirement for connection to the Cranbrook District Heating Network.

RESOLVED:

Approved subject to a Deed of Variation to carry over the provisions of the Section 106 Agreement for 16/1826/MFUL (to be delegated to Officers) and subject to conditions as per officer's recommendation.

62 **23/0867/FUL (Minor) CLYST VALLEY**

Applicant:

David Manley.

Location:

Enfield Oil Mill Lane, Clyst St Mary, EX5 1AF.

Proposal:

Installation of a roof and roller-door to a section of the existing storage clamp to provide improved environmental control and installation of a dome to collect residual gas from the digestate storage tank.

RESOLVED:

Approved subject to conditions as per officer's recommendation.

63 **22/1104/VAR & 22/1106/VAR (Other) CLYST VALLEY**

(22/1104/VAR)

Applicant:

David Manley.

Location:

Enfield Farm Biodigester, Oil Mill Lane, Clyst St Mary, EX5 1AF

RESOLVED:

Approved subject to a legal agreement to restrict the occupation of Enfield Bungalow to a non-residential use for the duration of the operation and use of the Anaerobic Digester plan and the conditions as per officer's recommendation subject to:

- (i) an amendment to wording in Condition 7(i) to read crops, silage and grains;
- (ii) an additional condition that "Notwithstanding the provision of Condition 7 (feedstock and feedstock delivery) the details of any off-site intermediary storage facilities for the digestate generated by the anaerobic digestive plant shall be submitted to and approved in writing by the Local Planning Authority including the details of any necessary statutory permissions, and,
- (iii) subject to all of the proposed conditions being reviewed in consultation with the Chair, Vice Chair and Ward Member.

(22/1106/VAR)

Applicant:

David Manley

Location:

Enfield Farm Biodigester, Oil Mill Lane, Clyst St Mary, EX5 1AF.

RESOLVED:

Approved subject to a legal agreement to restrict the occupation of Enfield Bungalow to a non-residential use for the duration of the operation and use of the Anaerobic Digester plant and the conditions as per officer's recommendation subject to:

- (i) an amendment to wording in Condition 7(i) to read crops, silage and grains;
- (ii) an additional condition: notwithstanding the provision of Condition 7 (feedstock and feedstock delivery) details of any off-site intermediary storage facilities for the digestate generated by the anaerobic digestive plant shall be submitted to and approved in writing by the Local Planning Authority including details of any necessary statutory permissions, and,
- (iii) subject to all the proposed conditions being reviewed in consultation with the Chair, Vice Chair and Ward Member.

64 **22/2633/FUL (Minor) NEWBRIDGES**

Applicant:

Mr & Mrs C & R Meecham & Hunter.

Location:

Ashdale Farm, Dalwood, EX13 7HS.

Proposal:

Temporary agricultural workers dwelling.

RESOLVED:

1. The appropriate assessment be adopted.
2. Approved subject to conditions as per officer's recommendation.

65 **23/0847/FUL (Minor) WOODBURY & LYMPSTONE**

Applicant:

Mr Morris.

Location:

Meadowgate, Church Road, Lympstone, EX8 5JU.

Proposal:

Proposed dwelling and off-road parking and double garage within the garden.

RESOLVED:

Approved subject to conditions as per officer's recommendation including an additional condition to tie the garage as ancillary use to the main dwelling house.

66 **23/1113/FUL (Minor) WEST HILL & AYLESBEARE**

Applicant:

Mr Will Gater.

Location:

Elsdon House, land at Orchard Cottage, Elsdon Lane, West Hill.

Proposal:

Proposed new detached dwelling with integral garage, new site entrance and parking.

RESOLVED:

1. The appropriate assessment be adopted.
2. Approved subject to conditions as per officer's recommendation with an amendment to condition 3 to have either a hornbeam or beech hedge in place for the majority of the eastern boundary of the site.
3. A decision will not be issued until the end of the revised consultation period and subject to no new material planning considerations being raised as a consequence of that process.

67 **23/0615/VAR (Other) SIDMOUTH RURAL**

Applicant:

Mr Gary Burns (Serenity Leisure Parks Ltd.)

Location:

Salcombe Regis Camping and Caravan Park, Salcombe Regis.

Proposal:

Variation of Condition 3 (shop with residential accommodation to replace existing) of application 87/P0699; the building should be used solely for the permitted purpose of a residential dwelling, site office and shop in conjunction with and solely for the permitted use of the caravan site.

RESOLVED:

1. Refused contrary to officer recommendation for the following reason:-
Members considered that the removal of the condition was not justified as it had not been robustly demonstrated that the building was not required for the operational purposes of the camping and caravan site and that the loss would not undermine the current and/or future viability of the camping and caravan site and result in an unsustainably located open market dwelling in the countryside contrary to Strategy 7 of the East Devon Local Plan

2. Delegation to the Chair, Vice Chair and Ward Member to agree whether it is appropriate to refer to any further national or local plan policies in the reason for refusal.

68 **23/1131/VAR (Other) WOODBURY & LYMPSTONE**

Applicant:

Mr Tom Buxton-Smith.

Location:

The Glade, Stony Lane, Woodbury Salterton, EX5 1PP.

Proposal:

Variation of Condition 2 (approved plans) of application (21/0908/VAR) to allow for revision of plans for the proposed garage that include changes to the external materials, garage and access door positions and internal layout.

RESOLVED:

Approved subject to conditions as per officer's recommendation.

69 **23/1478/FUL (Minor) BROADCLYST**

Applicant:

Ms Naomi Harnett.

Location:

Land to the north of Stuart Way, Clyst St Mary.

Proposal:

New building to house an energy substation with associated vehicle access, boundary fencing, external works and infrastructure.

RESOLVED:

Approved subject to conditions as per officer's recommendation.

70 **Local Government (Access to Information) Act 1985 - Exclusion of Press and Public**

that under Section 100(A)(4) of the Local Government Act 1972 the public (including the press) be excluded from the meeting as exempt and private information (as set out against the Part B agenda item), is likely to be disclosed and on balance the public interest is in discussing the items in private session (Part B).

71 **Verbal update regarding Planning Appeal to Members**

The Planning Solicitor provided Members with legal advice in respect to the Jewson's Ltd, Fore Street, Exmouth planning appeal.

Attendance List

Councillors present (for some of all the meeting)

I Barlow
S Gazzard
A Hall
J Heath
M Howe
Y Levine
H Riddell
S Smith
D Wilson
E Wragg (Chair)

Councillors also present (for some or all the meeting)

P Arnott
J Bailey
K Bloxham
R Collins
P Faithfull
G Jung
J Loudoun

Officers in attendance (for some or all the meeting)

Wendy Ormsby, Development Manager
Ed Freeman, Assistant Director Planning Strategy and Development Management
Damian Hunter, Planning Solicitor
Wendy Harris, Democratic Services Officer
Liam Fisher, Senior Planning Officer
Lynne Shwenn, Senior Development Control Officer

Councillor apologies:

B Bailey
C Brown
A Bruce
S Chamberlain
E Rylance

Chairman

Date: