

# WOODBURY PARISH COUNCIL MEETING

Dear Councillor

24<sup>th</sup> March 2017

You are summoned to attend a meeting of the Planning Committee to be held in the Church Rooms, Woodbury on **Monday 24<sup>th</sup> April 2017 at 7.30pm**. The business to be transacted at the Meeting is set out below. Members of the public are welcome to attend this meeting.

A J Le Riche, LA Kendall  
Joint Clerks

## A G E N D A

	<b>PUBLIC SPEAKING (Time limited to 15 minutes):</b> To allow members of the public present to address the meeting. Individual contributions will be limited to 3 minutes. Any questions put must go through the Chairman who has the right and discretion to control speaking time to avoid disruption and repetition and to make best use of the meeting time.
1	<b>MINUTES</b> To confirm the minutes of the meeting held on 27 <sup>th</sup> March 2017 attached.
2	<b>APOLOGIES FOR ABSENCE:</b> To receive any apologies for absence.
3	<b>DECLARATIONS OF INTEREST:</b> <i>To receive any declarations of interest in any part of these proceedings. In accordance with the Code of Conduct, members and co-opted members are invited to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests. Members and co-opted members are also reminded that any change to their Declarations of Interests lodged with the District Council must be notified to the Monitoring Officer at East Devon District Council within 28 days of the change.</i>
4	<b>DECLARATIONS BY DISTRICT COUNCILLORS:</b> To receive declarations by any Parish Councillors who are also District Councillors, regarding their participation in any debate or vote relating to planning applications.
5	<b>PLANNING – Applications for consideration at this meeting:</b>  <b>EXTON</b> 17/0826/FUL Extensions and alterations to form two storey dwelling, and construction of replacement garage (revised scheme to 16/1812/FUL, to include additional first floor accommodation) Downlands, Exmouth Road, Exton  <b>WOODBURY</b> 17/0506/FUL - garden building, 7 Furze Road, Woodbury – Updated information from the applicant:  Dear Sir/Madam. Thank you for your email. The building is very tight within the property curtilage and I have amended the block plan with the building dimensions altered as to the plans. I

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	<p>have checked the dimensions and this is now correct.          Lastly regarding the use of the building I can confirm this is only for private residential use as part of the house. It will not be used for anything other i.e. commercial or a separate dwelling. The owner would like additional living space for gym/fitness and recreation use and that is all.</p> <p><b>WOODBURY SALTERTON</b>          17/0639/COU, Change of use of agricultural land to equestrian meannage for private use and fencing on Land North of Higher Road, Woodbury Salterton.</p> <p>17/0561/MFUL Erection of a building for B1, B2 and Sui Generis use for offices, workshop, parts and storage and distribution, welfare together with outside storage of vehicles at Unit 46 Greendale Business Park, Woodbury Salterton.</p>
6	<p><b>EAST DEVON PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT</b>          East Devon District Council is inviting representations on its amended Planning Obligations SPD and the accompanying Consultation Statement until 15 May 2017.</p> <p>Both documents may be viewed online at <a href="http://eastdevon.gov.uk/planning/planning-policy/planning-obligations-supplementary-planning-document-spd/">http://eastdevon.gov.uk/planning/planning-policy/planning-obligations-supplementary-planning-document-spd/</a> .</p>
7	<p><b>UNAUTHORISED DEVELOPMENT AT GREENDALE BUSINESS PARK</b>          EDDC have issued an enforcement notice and FWS Carter have appealed against this. Details are attached. Does the Parish Council wish to make any representations to the appeal?</p>
8	<p><b>FIXING THE BROKEN HOUSING MARKET – GOVT CONSULTATION.</b>          To give first consideration to this consultation, details were included in the last DALC Newsletter. <b>Members are asked to read this and consider its implications for the Parish.</b></p>

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Minutes of the meeting of the Planning Committee held at 7.30pm on Monday 27<sup>th</sup> March 2017,  
in the Church Rooms, Woodbury

**Present:** Cllrs Mrs C McGauley (Chairman), R Bartlett, Mrs C Bennett, P Bricknell, B Jones, G Jung, R Mayo, T Pattison and J Pyne,

**Also present:** 3 members of the public, District Cllr R Longhurst, Tony Le Riche and Leigh-Anne Kendal (Clerks)

**APOLOGIES FOR ABSENCE:** Apologies for absence were received from Cllrs D Atkins, J Burgess, Mrs M Edwards and G Murrin.

## **PUBLIC SESSION**

No comments were raised during the public session.

**16/148 MINUTES:** The Minutes of the meeting held on 27<sup>th</sup> February 2017 were confirmed as a correct record and signed by the Chairman. (PB / TP)

**16/149 DECLARATIONS OF INTEREST:**  
Cllr Jones declared a personal interest in plan no 17/0565.

**16/150 DECLARATIONS BY DISTRICT COUNCILLORS:** It was formally noted that the participation of Cllr Jung (who is also a Member of East Devon District Council) in both the debates and subsequent votes was on the basis that the views expressed were his preliminary views taking account of the information presently available to the Parish Council. He reserved his final views on the applications until he was in full possession of all the relevant arguments, both for and against them.

**16/151 Representation at DM Committee meetings**  
The Chairman had discussed this with Cllr Jung and District Councillor Longhurst who felt that in relation to applications where the Parish Council had strong views to support or oppose, it would be helpful if there was a Parish Council representative at DM Committee meetings.  
This practice was AGREED.

**16\152 PLANNING:** The following applications were discussed and responses agreed as follows:

## **EXTON**

**17/0569/VAR** Variation of Condition 3 (visibility splays) of planning permission 13/2445/FUL (Demolition of existing farmhouse and construction of replacement farmhouse and 2 dwellings) to allow raised visibility splays of 2.4m X 43m Exton Park Farm Exmouth Road, Exton - The Highway Authority had no objections as this was in the 30mph speed limit area - SUPPORT

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## WOODBURY

**17/0515/FUL** Construction of side/front single storey extension 9 Long Meadow Woodbury. It was felt that this development would improve the aesthetic appearance of the dwelling – SUPPORT.

**17/0527/VAR** Variation of Condition 1 of planning permission 15/1370/MRES (Reserved Matters application for the construction of 20 no dwellings) to link to planning permission 15/0982/VAR Land To South Broadway, Woodbury, Cavanna Homes (Devon) Limited. It was not abundantly clear as to the purpose or effect of this application. The Council had been informed that this was a formality to tie previous applications together. However, some of these had not yet been determined and the Parish Council had submitted objections. The result of these other applications would be the loss of one affordable home and loss of the temporary car park. – NOT SUPPORTED on the grounds that the overall effect of this application and the associated applications will be to reduce the number of affordable homes that are to be provided and remove the liability to provide the temporary car park, which is considered essential by the Parish Council and the Local Highway Authority. The Parish Council does not accept the Health and Safety reasons for not providing the temporary car park. It is suggested that suitable protection measures could be put in place to produce a safe system of operation for this temporary car park and conversely, the safety situation without the temporary car park is unacceptable. This latter view is supported by the County Highway Authority.

## WOODBURY SALTERTON

**17/0565/FUL** Construction of single and two storey extensions and detached garage at 2 Parkhayes, Woodbury Salterton.

Cllrs Bricknell and Jung described the situation on site and pointed out that excessive surface water ran from the road into the gardens of No 2 & 3 Parkhayes and then into the brook if there was capacity. If the brook was full then water was unable to dissipate from this area. This had happened as recently as December 2015 but was not mentioned in the application documents. The Applicant's Flood Risk Assessment states: "There is no specific risk of flooding from surface water indicated by the Environment Agency Map showing Risk of Flooding from Surface Water". However the Surface Water map provided by the EA clearly shows the whole property including the garden in Flood Zone 3.

In addition, there is a bund between the gardens of No 2 and "The Hive" which provides protection from surface water flooding to the neighbouring property. This is shown as being removed, in the application to locate the proposed garage. This would have serious consequences on the neighbouring property.

In view of the prominence of this building, if planning permission is granted, building materials should match existing. NOT SUPPORTED as information contained in the documents accompanying the application and the justification for development do not mention recent flooding and make no reference to the bund which protects The Hive from flooding. This will be compromised by the building of the garage.

If the Local Planning Authority is minded to grant approval then conditions should be added to require the driveway and any other hard surfacing to be porous, materials used in the development should match the existing materials and the bund between

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No 2 Parkhays and The Hive must not be compromised.

**16/153 Planning Applications Discussion about Affordable Housing.**

The Chairman raised the matter of development in Town Lane. The original application for this site was as an exception site and was for 20 homes some of which which would be affordable. The BuAB was proposed to be changed and under a recent application the site was split and part only was now to be developed with 5 open-market homes and no affordable homes. The Parish Council had supported this application.

The Parish Council had also supported proposed changes to the BuAB during the draft consultation. The Villages section of the Local Plan was now out for formal consultation and so the Parish Council would have another opportunity to consider this.

Members were concerned that the Housing Needs Survey showed a need for 17 affordable homes whereas, at the moment the only provision appeared to be 7 homes on the Cavanna Homes development at Broadway. Cllr Bartlett pointed out that the Housing Needs Survey had actually shown a need for 11 affordable homes for local people and 6 affordable homes for people from outside the area.

**16/154 Annual Parish Meeting**

The Annual Parish Meeting had been scheduled for 30<sup>th</sup> March 2017 but no arrangements had been agreed.

The Chairman and Clerk had considered options and were recommending that this now be held at 7.30pm on Thursday 27<sup>th</sup> April 2017 at Woodbury Salterton Village Hall. This was AGREED.

The Committee then considered a speaker for the meeting. The Clerk was asked to approach the Police and Crime Commissioner.

*The Meeting was closed at 8.50pm.*

Signed ..... Date .....  
Presiding Chairman

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**Town & Country Planning Act 1990, Appeal by FWS Carter and Sons**  
**Site address – Greendale Business Park, Woodbury Salterton EX5 1EW**

The above appeal arises from the serving of an Enforcement Notice in respect of the unauthorised development which has taken place on the land. The appeal is proceeding by means of Written Representations.

The matters which appear to constitute the breach of planning control

Without planning permission, the construction of four compounds, by the levelling of the land, the laying of hard surfaces using concrete and scalping, enclosing with security fencing, gates, CCTV cameras and lighting. The construction of two buildings and the associated use of the land to store a portacabin type temporary building, cubicle, shipping containers, mobile park homes, caravans and other associated items.

The Council considered it expedient to issue the Notice having regard to the provisions of the Development Plan and to other material planning considerations.

Reasons for issuing the Notice

It appears to the Council that the above breach of planning control has occurred within the last four years.

The development, by virtue of its scale and extension beyond the built form of Greendale Business Park and outside of any recognised development boundary, is within the open countryside where new development is strictly controlled. The development represents a sprawling development in the countryside in conflict with the special approach to accommodate industrial development within defined settlements as identified within the Local Plan. The development also has the potential to impact on the amenity of occupiers of nearby dwellings by virtue of noise and potentially light pollution and potential unacceptable visual impact on the landscape.

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The proposal is therefore contrary to the provisions of Strategy 7 (Development in the Countryside), Policy E4 (Rural Diversification), Policy E5 (Small Scale Economic Development in Rural Areas), Policy E7 (Extensions to Existing Employment Sites), Policy D1 (Design and Local Distinctiveness), Policy EN14 (Control of Pollution), Policy D2 (Landscape Requirements) and Policy D3 (Trees on Development Sites) of the adopted East Devon Local Plan and guidance within the National Planning Policy Framework.

The requirements of the Notice are to –

1. Permanently remove from the land the concrete hardstanding, foundations and associated drainage works from the compounds 39, 48A and 47
2. Permanently cease the use of the land as compounds and for use of storage of mobile park homes, caravans, shipping containers, portacabin type buildings and storage of associated items.
3. Permanently remove from the land all fencing from the perimeters of and within compounds 39, 48A, 47 and 11.
4. Permanently remove from the land all gates from the perimeters of and within compounds 39, 48A, 47 and 11.
5. Permanently remove from the land all CCTV cameras and supporting ancillary equipment from within compounds 39, 48A, 47 and 11.
6. Permanently remove from the land all light fittings and cabling from compounds 39, 48A, 47 and 11.
7. Permanently remove from the land the two permanent buildings sited within compound 39.
8. Permanently remove from the temporary buildings including the shipping containers.
9. Permanently remove from the land the cubicle.
10. Permanently remove from the land the mobile Park Homes, caravans and associated items.
11. Replace the topsoil in compounds 39, 48A and 47 to a depth of 20cm and reseed with an agricultural grass mix which shall be retained and maintained in perpetuity.
12. Permanently remove to an authorised place of disposal, all materials associated with compliance with steps 1,3, 4, 5, 6, 7, 8, 9 & 10.

The time for compliance is within six months of the Notice taking effect.

The appellant has appealed on the following grounds –

(a) That planning permission should be granted for what is alleged in the notice,

and;

(f) The steps required to comply with the requirements of the notice are excessive

and lesser steps would overcome the objection.

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If you wish to make comments in respect of the appeal, you can do so on the Planning Portal at <https://acp.planninginspectorate.gov.uk> or by emailing [teame1@pins.gsi.gov.uk](mailto:teame1@pins.gsi.gov.uk) . If you do not have access to the internet you can send three copies to The Planning Inspectorate, Room 3E Temple Quay House, 2 The Square, Bristol BS1 6PN.

**All representations must be received by 2 May 2017.** Any representations submitted after the deadline will not usually be considered and will be returned. The Planning Inspectorate does not acknowledge representations. **All representations must quote the appeal reference:**

**APP/U1105/C/16/3165341.** Please note that any representations you submit to the Planning Inspectorate will be copied to the appellant and the local planning authority and will be considered by the Inspector when determining the appeal.

The appeal documents are available for inspection at the Council Offices, Knowle, Sidmouth EX10 8HL between 8.30am to 5.00pm Monday to Friday. I am also to inform you that a publication produced by the Planning Inspectorate is available on the Planning Portal at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal> or from the Council on request.

When made, the decision will be published on the Planning Portal.

Yours sincerely

*R Capon*

**Senior Technical Officer**

**Development Management**