

# Chudleigh Town Council

# **Planning Committee**

# Tuesday 21 February 2023: 7pm

## Public participation:

None.

## In attendance:

Cllrs McCormick (Chair), Rick Webb, Hadley, Hares, Frost, Bushell, and Sherwood. Also in attendance John Carlton (Clerk).

## Apologies:

Councillors Lillington and Bowling

## Declaration of members’ interests:

None.

## Urgent matters brought forward by the Chair:

Councillor McCormick reminded councillors that there was a site meeting with DCC Highways and Wain Homes on 22 February. The reason for the meeting was to allow councillors to talk through concerns about the adequacy of the access to the new development. He provided an update on the CH2 planning application reporting that the LPA had lodged an objection because they considered the self-build plots to be too small.

## Application 23/00019/MAJ: Rock Nursery, Station Hill, Chudleigh. Erection of a farm shop, café and Class E commercial units. To include associated parking, access arrangements, landscaping and ecology mitigation.

Councillor McCormick summarised the significant responses on the planning portal. Natural England were seeking a Habitat Regulations Assessment from the LPA before committing an opinion. Devon Wildlife Trust had lodged a strong objection due to their concerns about the impact of the development on the greater horseshoe bat. The DCC Flood team were seeking further information regarding how surface water would be dealt with. After lengthy discussion councillors unanimously agreed to lodge an objection on the following grounds:-

* Unimaginative design and over-development of the site.
* Inadequate on-site parking provision.
* Danger to pedestrians. The provision of two crossing points with central refuge island was inadequate. At least one of the crossing points needed to be controlled.
* Evidence required from the Habitat Regulations Assessment that the development would not adversely impact on the SSSI and Chudleigh caves bat colonies.

Councillors asked the Clerk to make clear that, despite the objections, the Council wanted to see development of the site. **(Action point 1)**

## Application 23/00120/OUT: Ball Hill Farm, Chudleigh. Outline application (all matters reserved) for provision of one agricultural dwelling to replace temporary agricultural dwelling.

Councillor McCormick summarised the planning history of the site. After lengthy discussion councillors agreed that they did not wish to object at this time but wanted to make clear that they considered it imperative that the agricultural tie remained and that the temporary building should be removed on completion of the new build. They also fully supported the list of proposed conditions listed in the Habitat Regulations Assessment:- **(Action point 2)**

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| The works, including vegetation clearance, shall proceed in strict accordance with the precautions, measures and enhancements described in the protected species survey report (by Butler Ecology, dated 12 March 2020).  REASON: For the benefit of SAC bats and other legally protected species.  Works shall commence at least 30 minutes after sunrise and cease at least 30 minutes before sunset each day during the active season of bats (i.e., from April to October inclusive). No lighting shall be left on over-night during the construction phase. Any works compounds to be located away from hedges, woodland edges and bat boxes. Any works compounds lighting to be PIR activated security lighting only on short timers (1 minute maximum), directed away from hedges, trees and bat boxes.  REASON: To permit continued use of the site by SAC bats and other light-averse species.  No external lighting shall be installed on, or in association with, the dwelling, except for low-lumen, PIR motion-activated lights on a short timer (maximum 1 minute), sensitive to large objects only (to avoid triggering by bats or other wildlife). Any such lights shall be mounted in association with the main doors only, at a height no greater than 1.9m from ground level, directed and shielded downward and away from hedges and trees. The lights shall produce only narrow spectrum, low-intensity light output, UV-free, with a warm colour-temperature (3,000K or less) and a wavelength of 550nm or more.  All internal lighting shall be designed to have low illuminance output, no UV component, maximum colour temperature of 3,000 Kelvin and minimum light wavelength of 550 nanometres. Lighting units shall be ceiling mounted and directed/cowled away from windows and glazed doors. All glazing shall be treated to have low light transmission properties, i.e., with Visible Light Transmission of 40% or less. No skylights shall be installed.  REASON: For the benefit of SAC bats and other light-averse species.  Prior to commencement, including site clearance, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the local planning authority. The LEMP shall provide details of:   * Tree and hedge retention, including retention of the hedge forming the southern site boundary, the roadside hedge forming the eastern site boundary and the woodland forming the eastern site boundary; * Tree and hedge root protection zones, and means of protecting them, that will be established prior to and maintained throughout the construction works; * A Devon hedgebank to be created along the northern site boundary, including dimensions and cross section of bank; species, size, number, spacing and location of hedging to be planted on the bank; tree guards, mulch or other protection to be provided; management during establishment phase including watering; and long-term management to maintain a thick, dense hedge at least 3m tall; * Hard and soft landscaping to be provided within the curtilage of the dwelling, including limited amounts of hard surfacing only, to maximise the vegetated area present.   Once approved and prior to first occupation, the LEMP shall be implemented.  REASON: To enhance habitats, flyways and light-screening for SAC bats and other species.  A prior to commencement condition is required as site clearance may result in harm to hedges/trees which should be retained/protected.  At reserved matters stage, plans and elevations should be checked to ensure that:   * + 1. the dwelling is no closer to, and preferable further from, the hedges and woodland edge than the existing dwelling; and     2. the glazed areas on elevations facing hedges and the woodland edge are no larger than, and preferably smaller than the existing dwelling. |

## Application 23/00151/CLDE: 1A Mulberry Close, Old Exeter Street, Chudleigh. Certificate of Lawfulness for existing use as a separate dwelling.

Councillors noted that the applicant had been operating and renting out the dwelling at 1A Mulberry Close as a separate dwelling despite the planning consents in place making clear that it was only to be used as ancillary accommodation to 19 Old Exeter Street and, latterly 1 Mulberry Court. Consequently, councillors decided to lodge an objection to the application. **(Action point 3)**

## Teignbridge Local Plan 2020-2040: Consultation response.

Councillor McCormick provided a PowerPoint presentation on the contents of the draft local plan. Councillors noted that developments CH1 to CH6 had an allocation of 436 dwellings whereas 501 would be built. They wondered whether that would negate the need for the proposed Lower Bell Field development. It was agreed that the Clerk would circulate the presentation and the Town Council response to the consultation would be determined at the meeting of full council on 6 March **(Action point 4)**

## Correspondence:

None

The meeting closed at 8.15pm

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| No | Action Point | By whom/when | Cleared |
| 1 | Application 23/00019/MAJ: Rock Nursery: Advise LPA that the Council objects to the proposal | The Clerk | Yes |
| 2 | Application 23/00120/OUT: Ball Hill Farm: Advise LPA that the Council requires various conditions attached to any consent. | The Clerk | Yes |
| 3 | Application 23/00151/CLDE: 1A Mulberry Close: Advise LPA that the Council objects to the proposal. | The Clerk | Yes |
| 4 | Local Plan 2020-2040 consultation: Circulate PowerPoint presentation to councillors for discussion at full council | The Clerk | Yes |

Signed:

Name: Michael McCormick

Chair of planning committee

Dated: 6 March 2023