

Phil Norrey  
Chief Executive

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To: The Chairman and Members of  
the Development Management  
Committee

County Hall  
Topsham Road  
Exeter  
Devon  
EX2 4QD

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(See below)

Your ref :  
Our ref :

Date : 17 July 2018  
Please ask for : Gerry Rufolo

Email: 01392 382299

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**DEVELOPMENT MANAGEMENT COMMITTEE**

Wednesday, 25th July, 2018

A meeting of the Development Management Committee is to be held on the above date at 2.15 pm in the Committee Suite - County Hall to consider the following matters.

P NORREY  
Chief Executive

**A G E N D A**

**PART 1 - OPEN COMMITTEE**

1 Apologies for Absence

2 Minutes

Minutes of the Meeting held on 21 March 2018 (previously circulated).

3 Items Requiring Urgent Attention

Items which in the opinion of the Chair should be considered at the meeting as matters of urgency.

**MATTERS FOR DECISION**

4 County Matter: Waste: Mid Devon District: Variation of Condition 6 of permissions DCC/3725/2014 and DCC/3850/2016 to remove the restriction on the importation of poultry products by road at land adjacent to the existing abattoir, Lloyd Maunder Road, Willand, Cullompton (Pages 1 - 12)

Report of the Chief Planner (PTE/18/34), attached.

*Electoral Division: Willand & Uffculme*

- 5 County Matter: Waste: Teignbridge District: The infilling of agricultural land with inert material, Welwyn Farm, Six Mile Hill, Tedburn St Mary (Pages 13 - 22)

Report of the Chief Planner (PTE/18/35), attached.

*Electoral Division: Chudleigh & Teign Valley*

- 6 County Council Development: East Devon District: Construction of a new single storey foundation stage unit building with associated external works, Honiton County Primary School, Clapper Lane, Honiton (Pages 23 - 38)

Report of the Chief Planner (PTE/18/36), attached.

*Electoral Division: Tiverton West*

**OTHER MATTERS**


- 7 Delegated Action - Schedules (to include ROMPS Actions) and Summary Schedule (Pages 39 - 42)

Report of the Chief Planner (PTE/18/37), attached.

*Electoral Divisions: All*

**PART II - ITEMS WHICH MAY BE TAKEN IN THE ABSENCE OF THE PRESS AND PUBLIC**

NIL

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| <b>Membership</b>  |
| Councillors J Brook (Chair), Y Atkinson, S Aves, R Bloxham, J Hook, A Connett, G Gribble, I Hall (Vice-Chair), L Hellyer, J Hodgson, R Hosking, T Inch, P Sanders, C Slade and J Yabsley   |
| <b>Declaration of Interests</b>  |
| Members are reminded that they must declare any interest they may have in any item to be considered at this meeting, prior to any discussion taking place on that item.  |
| <b>Access to Information</b>   |
| Any person wishing to inspect any minutes, reports or lists of background papers relating to any item on this agenda should contact Gerry Rufolo.<br>Agenda and minutes of the Committee are published on the Council's Website and can also be accessed via the Modern.Gov app, available from the usual stores.  |
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| Any request to make a presentation must be given to the Office of the Chief Executive's Directorate by 12 noon on the fourth working day before the date of the meeting. The name of the person making the presentation will be recorded in the minutes. For further information please contact Exeter 01392 382299.   |
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| <b>If you need a copy of this Agenda and/or a Report in another format (e.g. large print, audio tape, Braille or other languages), please contact the Information Centre on 01392 380101 or email to: <a href="mailto:centre@devon.gov.uk">centre@devon.gov.uk</a> or write to the Democratic and Scrutiny Secretariat at County Hall, Exeter, EX2 4QD.</b>  |
|  Induction loop system available  |

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PTE/18/34

Development Management Committee  
25 July 2018

**County Matter: Waste**

**Mid Devon District: Variation of Condition 6 of permissions DCC/3725/2014 (as varied by DCC/3825/2015 and DCC/3850/2016) to remove the restriction on the importation of poultry products by road; Willand Anaerobic Digester, Lloyd Maunder Road, Willand.**

**Location: Land adjacent to the existing abattoir, Lloyd Maunder Road, Willand, Cullompton**

**Applicant: Willand Biogas LLP**

**Application No: 18/00009/DCC**

**Date application received by Devon County Council: 21 December 2017**

Report of the Chief Planner

***Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.***

**Recommendation: It is recommended that the application to vary condition 6 of planning permission DCC/3725/2014 is granted subject to:**

- (i) an additional amendment being made to Condition 13 as indicated in Appendix I to ensure all odorous feedstock delivered to the site and digestive exported from the site is transported in sealed containers; and
- (ii) a deed of variation to the original legal agreement on lorry routeing to apply to the new consent.

## **1. Summary**

- 1.1 This application is for the variation of a condition attached to the permissions relating to the construction of an anaerobic digestion [AD] facility at land adjacent to the Two Sisters poultry abattoir, Willand.
- 1.2 It is considered that the material planning considerations in the determination of the application are whether the proposed alteration to the feedstock would raise issues of additional traffic, noise, odour or other pollution on the application site.
- 1.3 The planning application, representations received, and consultation responses are available to view on the Council website under reference DCC/4037/2017 or by clicking the following link:  
<https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/4037/2017>

## **2. The Proposal/Background**

- 2.1 The application site is located between the existing Two Sisters abattoir and poultry processing plant and the sewage treatment works to the north of the village of Willand and north of the main railway line adjacent to the old Tiverton Junction and is about 4.5km from Junction 27 and 4.9km from Junction 28 of the M5 by road.
- 2.2 This AD plant was subject of a report to the Development Management Committee and, at its meeting on 15 April 2015, members resolved to grant planning permission for the development (Minute \*89 refers). The planning application indicated that the plant would produce 2MW power and would process 49,000 tonnes of mixed waste and crops. This included an assumed 25,000 tonnes of poultry waste from the

# Agenda Item 4

adjacent Two Sisters poultry abattoir which would not be delivered by public highway but from within the site.

- 2.3 At that time the operators were confident of contracts with the abattoir to make up the remaining feedstock without the need for additional road movements and a condition limiting road deliveries was offered as there was considerable concern within the district at that time about the movement of chicken manure and litter products by open trailer and the odour issues arising from this.
- 2.4 Condition 6 was therefore attached to the consent restricting the tonnage of road deliveries to 25,000 tonnes of material and requiring that road deliveries would not include poultry products.
- 2.5 There have been two further applications (DCC/3825/2015 and DCC/3850/2016) determined in 2016 to vary the plant design, and to increase the road deliveries to 55,000 tonnes. These applications were subject of a report to the Development Management Committee and, at its meeting on 27 April 2016, members resolved to grant variations to Condition 6 and Condition 2 of the original consent (Minute \*4 refers). As part of the approval the applicant entered into a Section 106 agreement controlling the routing of deliveries to the plant. Condition 6 of the new decision notice increased the amount of feedstock delivered by road to 55,000 tonnes per annum whilst still not allowing for the delivery of the poultry product to the plant by road.
- 2.6 This application seeks only to vary Condition 6 in order to remove the reference to the delivery of poultry products by road. If permitted this would enable the plant to accept waste from a wider variety of sources and to secure commercial flexibility in the future supply of feedstock to increase the breadth of the waste stream. It is acknowledged that this might include poultry in food waste, fallen stock and chicken litter. The application documentation states that this flexibility is needed to "future proof" the plant for variations in the feedstock supply market but that any poultry litter would also be transported to the plant in sealed lorries in the same manner as the rest of the odorous waste feedstock.
- 2.7 Phase 1 of the plant is constructed and is currently producing 1,000m<sup>3</sup>/h of Renewable Gas from an input tonnage of 125 tonnes of grass silage per day. The existing Environmental Permit already allows for the importation of manures, but not for general food wastes or animal by-products. The access road is currently being surfaced and the weighbridge is constructed and awaiting sign-off from the Department of Transport.
- 2.8 The current facility is a crop-only operation as the existing permit requires that, for the importation of manures, the negative pressure reception building must be in use. The applicant has stated that this and the tanks and plant required for operating as a waste facility will not be constructed until they have a waste permit and there are waste contracts in place. None of these contracts can be sought until such time as this issue is resolved as there may be chicken products in food wastes for example.
- 2.9 Following the initial concerns raised by the adjacent abattoir and the District and Parish Councils, the applicants have submitted a "Transportation and Pollution Protocol" document to explain how they intend to deal with on and off farm matters as well as biosecurity issues. This was also the subject of a more limited consultation with those who had initially raised these matters including the adjacent abattoir.

## 3. Consultation Responses

- 3.1 Environment Agency: No objection. As the proposal is to import poultry manures by road, the feedstock falls within the category of agricultural manures covered by the existing Environmental Permit (EP). The EA has also given narrative advice on the relationship between the planning consent and the permit which is discussed in more detail below in Section 6. The EP will ensure that appropriate measures are in place to protect the environment and human health and sets conditions relating to odour and noise. These conditions will come into effect as soon as the facility accepts waste feedstocks.
- 3.2 Mid Devon District Council (Planning): Raise questions about the impact of the application on traffic movements through the village and query the off-site impacts of the proposal as well as the odour impacts on dwellings in Willand. Following the second consultation they reiterated their objections based on lack of indication about number of trips and specific routes within the wider countryside and lack of safeguards about delivery and digestate movements. With relation to the submitted transportation and pollution protocol they have maintained their objections based on lack of information about specific routeing and destination for digestate although they do consider the use of sealed transport units to be more acceptable.
- 3.3 Mid Devon District Council (Environmental Health): Recommends refusal of the application unless additional conditions are applied to restrict the storage and spreading of digestate in accordance with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 and requiring that spreading should conform to the principles set out in the Code of Good Agricultural Practice to protect water, soil and air quality.
- 3.4 Willand Parish Council: Objection. Approval would have a potential adverse cumulative impact on the health and wellbeing of the residents and properties with relation to heavy traffic, road safety and odour. The Parish Council expresses concerns about past variations to the consent and that the original approval was based on incorrect information about the source and delivery of feedstock and the changes to the proposals caused by the apparent lack of waste contracts. They raise concerns about the enforcement capability of DCC and the EA and that the EA considers chicken manure to be an agricultural feedstock. They feel that the planning process is flawed as no feedstock is now available from the adjacent factory and that the number of amendments to the original proposal is unacceptable. They also raise concerns about the enforceability of the good practice protocol submitted by the operators in response to the issues raised about on farm biosecurity and that of the adjacent abattoir, location of cleaning facilities for vehicles and other matters which are essentially matters for the Environment Agency. The operator has addressed a number of these issues and these are picked up in Section 6 below.
- 3.5 Food Standards Agency: The FSA was consulted when the original concerns were expressed about the importation of poultry litter by the vet acting for the neighbouring Two Sisters Food Group (see 4.1 below). The FSA was provided with the additional "Transportation and Pollution Protocol" supplied by the applicant and asked to comment further. It commented that the procedures put in place would mitigate the risk and ease their concerns.

## 4. Advertisement/Representations

- 4.1 The application was advertised in accordance with the statutory publicity arrangements by means of a site notice, notice in the press and notification of neighbours by letter.

# Agenda Item 4

As a result of these procedures, two representations have been received. Firstly, from a District Councillor objecting to the proposal based on inaccuracies in the planning documentation regarding the ability to import wastes for the adjacent abattoir stating that the permission should not be altered to allow the importation of such material due to the inability of the applicant to secure other contracts.

- 4.2 The second letter was forwarded by the adjacent Two Sisters Food Group (2SFG) from their veterinary adviser expressing concerns about the biosecurity of their operation if the applicants were to import chicken litter (in particular). On the basis of this comment, the County Council involved the Food Standards Agency and the veterinary arm of the Environment Agency, the Animal and Plant Health Agency (APHA). The comments from the FSA are set out above in Para. 3.5 and APHA stated that this would be an "animal by-products" issue that would be considered as a part of any waste permit application. The Two Sisters Food Group were re-consulted when the applicant submitted their "Transportation and Pollution Protocol" and asked to supply any further comments from their veterinary adviser. No further comment has been received.

## 5. Planning Policy Considerations

- 5.1 In considering this application the County Council, as County Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the relevant Development Plan policies are listed below and referred to in more detail in Section 6.

### **Devon Waste Plan (Adopted 11 December 2014)**

Policies W1 (Presumption in Favour of Sustainable Development); W2 (Sustainable Waste Management); W3 (Spatial Strategy); W5 (Reuse, Recycling and Materials Recovery); W6 (Energy Recovery); W15 (Infrastructure and Community Services); W17 (Transportation and Access); and W18 (Quality of Life).

### **Mid Devon Local Plan (Development Management Policies) (Adopted October 2013)**

Policies DM1 (Sustainable Development); DM5 (Renewable and Low Carbon Energy); DM6 (Transport and Air Quality); DM7 (Pollution).

## 6. Comments/Issues

- 6.1 The material considerations in the determination of this application are discussed below. The concerns expressed about the control of the destination of the digestate are noted but these are not material to the determination of the application as this activity will not be altered by the current application and is controlled by other legislation as set out in paragraph 6.6 below.

### Highways Issues

- 6.2 The original application was accompanied by a detailed Transport Statement and the planning permission including a condition requiring the submission of a traffic management plan and was accompanied by a legal agreement controlling routeing through Willand Village. This proposal does not increase the existing maximum



permitted road delivery to the site which would remain restricted to 55,000 tonnes per year. There seems to be a concern that this proposal would replace the 10,000 tonnes of feedstock from the abattoir, but if it did so it would still be constrained by the overall delivery restriction and so it would replace other feedstocks rather than increase them as it is the nature of the feedstock rather than the amount that is being altered.

- 6.3 There are therefore no new planning issues in terms of highway impacts as the traffic numbers do not increase. The existing conditions and schemes already enable the Council to require information about the source of feedstock and the destination of digestate so that if local issues do arise then there is at least some evidence of where the transport movements may have come from.

### Economic Considerations

- 6.4 The original application was submitted to benefit from the Feed-in Tariff scheme for biogas from AD processes. At that time no contracts had been let and from discussions with the applicant and the EA there are no current waste contracts in place.
- 6.5 The Parish Council has expressed its concern about amendments and variations to the original approval but these have been mainly made in response to the requirements of the EA in terms of plant alterations and due to the ongoing uncertainty about commercial contracts. The applicant has made it clear that they intend to pursue waste contracts to implement the application as already approved and this will mean that they will enter into contracts with local producers of agricultural and trade wastes. The use of such wastes in an anaerobic digestion plant will remove them from the waste stream and produce energy direct into the gas grid. It is clear that the nature of contracts will alter over the life of the site and due to economic fluctuations and changes in technology. The applicant has also pointed out that before such contracts are finally signed, their status is commercially confidential.
- 6.6 Seeking to control the source and destination of products to and from the plant by planning condition, when contracts are still uncertain, would not meet the tests for planning conditions set out in the National Planning Policy Framework because they cannot be precise or enforceable. The conditions as written seek to control the on-site and local highway impacts of this operation with wider impacts being controlled by a mix of permitting and farming good practice requirements. In any case there are no new issues arising from the proposed change to the nature of the feedstock that cannot be dealt with by the clarification of the vehicles to be used for delivery to ensure that odour issues are properly managed.

### Proximity to Residential Properties and Pollution Control Measures.

- 6.7 The nearest residence is some 50m from the site boundary across the main railway line. It is acknowledged that there are already existing odour problems in this area from the Two Sisters chicken abattoir and also from the adjacent sewage treatment works. The original application was supported by a bioaerosol and odour risk assessment and this has been updated to cover the proposed importation of chicken litter. Nevertheless, the emissions of odour from the site are controlled by the Environmental Permit. The Environment Agency has pointed out that the reception building with the proposed odour control system must be built before wastes including manures are accepted. Any remaining impacts that might be controlled by the planning system therefore relate only to the delivery of feedstock and the exportation of digestate on the local road network.

# Agenda Item 4

- 6.8 It is not considered that there would be any additional likelihood of odour from the importation of poultry products or wastes so long as they are also imported in sealed containers like the other wastes such as food wastes that are already permitted to be used by the existing permission. The applicant has stated that poultry litter would be imported and managed in the same way as for food waste in sealed trucks. It is suggested that to alleviate any concerns about this, Condition 13 is amended to require that any odorous materials imported into the site must be in sealed containers (the current condition only refers to waste). With relation to the concerns expressed about off-site impacts, the applicant has also provided an advisory protocol for the use of digestate from this operation based on good practice advice. This includes the washing of vehicles bringing in manures from farms which will occur within the reception building and the dirty water will go into the drainage system from that operation which is controlled by the Environmental Permit.

## The Destination of Digestate

- 6.9 There are concerns about the management of land associated with the destination and storage of the digestate from AD plants in Mid Devon generally. This was made clear by the comments made by the District Council, Environmental Health Officer [EHO] and the Parish Council. However, the management of the digestate will not be affected by the variation in Condition 6 being applied for, and these concerns relate more to the existing planning permission.
- 6.10 There are two main considerations, firstly that this plant is only now starting to produce digestate and therefore cannot be held responsible for existing issues on farms and, secondly, that the tests for planning conditions, the uncertain nature of the contracts and the as yet unknown destination of feedstock would mean that the planning system was being required to control how, as yet unspecified, farmers use their land.
- 6.11 The nature of the digestate itself will inform some of the controls over storage and spreading:
- (a) If the digestate is not produced using waste materials (e.g. a crop/manure - only plant) as currently operating, then the digestate does not qualify as waste. However, the permission at Willand is not for a crop/manure-only plant and, as the owners are actively pursuing waste contracts, this is an unlikely long-term outcome. In any case, any digestate from animal manures must be stored in facilities that meet the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010. The fact that there is already legislation covering this would mean that a planning condition would be unnecessary and the spreading of digestate onto farmland does not normally require planning permission.
  - (b) If there is waste in the feedstock (food waste or fallen stock) then the digestate, if it does not meet a specific quality test (PAS110), remains waste and its storage and spreading require an Environmental Permit which should not be duplicated by a planning condition.
  - (c) If the digestate does pass the PAS110 quality standard then it is no longer considered to be waste and the EA guidance states that, if good practice is followed, quality digestate should not pose a risk to human health or the environment. In any case, the spreading and holding of digestate is already subject to a Code of Good practice to protect water, soil and air quality and the EA is already ensuring through the EP that there is sufficient storage available at this site so that digestate is not taken to farms at unsuitable times of year.

- 6.12 It is clear that the unknown composition of the digestate will inform the final controls over its storage and spreading on agricultural land. It is also apparent that the unknown nature and duration of waste or crop contracts would mean that any condition restricting or controlling the destination of digestate would be unspecific and unenforceable as it may be stored in existing lawfully constructed farm lagoons as well as being spread direct to land.
- 6.13 The existing Condition 11 requires the operator to provide the waste planning authority with records of the source and destination of the transport movements to and from the plant and these can be requested in order to support or refute concerns that may be emerging at any particular farm destination.
- 6.14 Given the concerns expressed by the District Council, Environmental Health Officer and the Parish Council, the County Council, following further discussions with the applicant and the EA, asked the operator to provide the 'Transportation and Pollution Protocol' as mentioned above. This encourages storage and spreading in accordance with the existing good practice guidelines for applying digestate to farmland. Additionally, the Environment Agency, through the Environmental Permit, is ensuring that there is sufficient digestate available on the site and/or off-site storage capacity during the winter months to avoid "over spreading" at the destination farms. Both the EA and the FSA consider that this protocol would clarify the approach. Furthermore, the operator has stated that they will be applying for ISO14001 accreditation which is an externally audited environmental accreditation as well as following the best practice standards of the Anaerobic Digestion and Bioresources Association.

## **7. Reasons for Recommendation/Alternatives Options Considered**

- 7.1 The Committee has the option of approving, deferring or refusing this planning application.
- 7.2 The removal of part of Condition 6 as requested would have no material impact on the overall number of vehicle movements to and from the site, and a small clarification to Condition 13 would ensure that the importation of any odorous materials, whether or not they are technically classed as wastes, would need to be within enclosed containers. There would therefore be no likelihood of poultry litter importation causing additional odour in the area.
- 7.3 It can be seen from the original attempts to secure a contract with the adjacent abattoir, that attempting to tie an emerging technology to as yet unspecified and un-let contracts is not a reliable means of controlling or anticipating the environmental impacts of an operation. The existing and proposed conditions, along with the EP will be the appropriate means of controlling such impacts and attempts to tie the AD to the activities of individual farmers and the way they may manage their land are not recommended in terms of the NPPF Guidance on the precision and enforceability of planning conditions.
- 7.4 There would need to be a deed of variation to the existing legal agreement to ensure that the reissued consent was subject to the same routing agreement and delivery times within Willand village.

Mike Deaton  
Chief Planner

**Electoral Division: Willand & Uffculme**

# Agenda Item 4

Local Government Act 1972: List of Background Papers

Contact for enquiries: Sue Penaluna

Room No: AB2, Lucombe House, County Hall

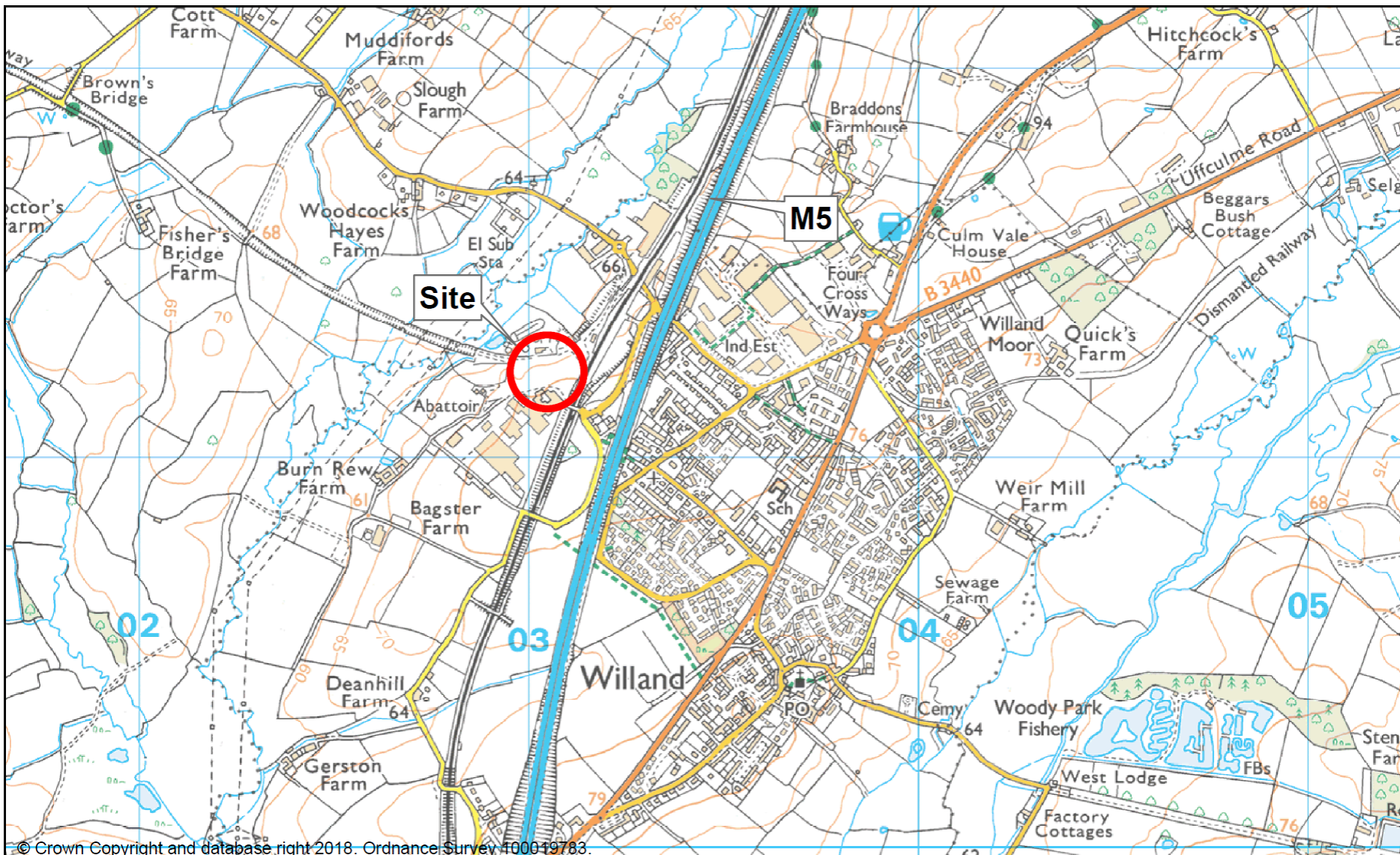
Tel No: 01392 383000

| <b>Background Paper</b> | <b>Date</b>     | <b>File Ref.</b> |
|-------------------------|-----------------|------------------|
| Original Application    | 12 January 2015 | DCC/3725/2014    |
| Casework File           | 6 January 2016  | DCC/3825/2015    |
| Casework File           | 21 March 2016   | DCC/3850/2016    |


sp030418dma

sc/variation of condition Willand anaerobic digester Lloyd Maunder Road Willand

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|---|---------------|--|-------------------|--------------------------------|
|  | Chief Planner | Development Management Committee<br>County Matter: Waste   | date<br>July 2018 | scale<br>1:12,500              |
|   |               | Variation of Condition 6 of permissions DCC/3725/2014 and DCC/3850/2016 to remove the restriction on the importation of poultry products by road; Willand Anaerobic Digester, Lloyd Maunder Road, Willand. |                   | Application No:<br>18/0009/DCC |

# Agenda Item 4

Appendix I  
To PTE/18/34

**Planning Conditions (Conditions 6 and 13 amended – all others as previously issued or as altered through variations to drawings through Non-Material Amendment process.**

1. The development shall commence within 3 years of the date of this permission. Written notification of the date of commencement shall be sent to the Waste Planning Authority within seven days of commencement.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to enable the Waste Planning Authority to adequately monitor the development.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered: WIN01\_Willand\_SLa\_002 (Figure 1a: Site Location); WIN01\_Willand\_SLb\_001 (Figure 1b: Site Location); Plan AMZ01\_SP\_012 Site Plan (06.07.2018)\*; Figure 3 Elevation AMZ01\_EL\_007 (06.07.2018)\* (Figure 3 - Elevation - Silage Clamps); WIN01\_Willand\_CSa\_003 Figure 4 Cross Section (20160308 GFLE-Willand Phase 3 Planning v04-35-Cross Section A-A) (Figure 6 - Silage Clamp Cross Section - Overview); WIN01\_Willand\_CSb/c\_002 (Figure 6 - Cross Sections B-B and C-C); WIN01\_Willand\_CSD-D\_002 (Figure 8 – Planting Specification for a screening bund); WIN01\_Willand\_PP\_01 (Figure 9 – Planting specification for Willand Anaerobic Digester); WIN01\_Willand\_Flg10\_001 (Figure 3 - Individual Structures - site overview); WIN01\_Willand\_Flg10\_001 Figure 10 Individual Structures (20160308 GFLE-Willand Phase 3 Planning v04 1-36 – Structures 1-6; 13854-SC001 (Access Track Long Section); A3-002 (Indicative Road Transverse Sections A&B); except as varied by the conditions below.

\* (As approved by Non-Material amendment dated 06.07.2018)

REASON: To ensure that the development is carried out in accordance with the approved details.

3. The development hereby permitted shall be constructed in accordance with the construction traffic management plan approved on 22 July 2015 under Article 30 of the Town and Country Planning (Development Management Procedure) (England) Order 2010.

REASON: In the interest of highway safety and the efficient operation of the M5 motorway and its junctions

4. No development approved by this permission shall be commenced until details of a scheme for the provision of surface water management has been submitted to and approved in writing by the Waste Planning Authority. The details shall include:
  - (a) details of the drainage during the construction phase;
  - (b) details of the final sustainable drainage scheme;
  - (c) provision for exceedance pathways and overland flow routes;
  - (d) a timetable of construction;
  - (e) a construction quality control procedure;
  - (f) a plan for the future maintenance and management of the system and overland flow routes.

Prior to occupation of the site it shall be demonstrated to the satisfaction of the Waste Planning Authority that relevant parts of the scheme have been completed in

# Agenda Item 4

accordance with the details and timetable agreed. The scheme shall thereafter be managed and maintained in accordance with the approved details unless otherwise approved in writing by the Waste Planning Authority.

REASON: To prevent the increased risk of flooding and minimise the risk of pollution of surface water by ensuring the provision of a satisfactory means of surface water control and disposal during and after development.

5. No material shall be imported for storage at the clamps at Burn Rew Farm until such time as the highway improvement shown on drawing DCC/01 shall have been carried out.

REASON: In the interests of highway safety.

6. **The amount of feedstock delivered by road to this site shall not exceed 55,000 tonnes per annum.**

**REASON: To ensure that the impacts on the public highway network and on odour management as set out in the supporting Transportation Statement and Planning Supporting Statement are not exceeded in the interests of local amenity and highway safety.**

7. The external materials for the cladding of the proposed buildings and digestate tanks shall be RAL 7038 (goose wing grey) and the security fencing shall be RAL 6005 (dark green) unless otherwise agreed in writing by the Waste Planning Authority.

REASON: To ensure the chosen materials for this development minimise its impact on the character and appearance of the landscape in accordance with policy W12 of the Devon Waste Plan.

8. No vehicle or mobile plant used (other than visiting road lorries) shall be operated within the permission area unless they have been fitted with and use "white noise" alarms.

REASON: In the interest of protecting the local environment and community from adverse impact of noise generated at the site and to comply with policies of the Development plan: in particular policies W18 of the Devon Waste Plan and Policy COR01 of the Mid Devon Local Plan.

9. The landscaping scheme shown on plans: WIN01\_Willand\_PP\_002 (Figure 8 - Planting Specification for a screening bund) and WIN01\_Willand\_PP\_01 (Figure 9 - Planting specification for Willand Anaerobic Digester) shall be carried out **by 31 December 2018**. The approved scheme shall be maintained for a period of five years. Any trees, plants or grassed areas, or replacement of it, that is removed, uprooted, destroyed or dies within five years of the date of planting shall be replaced with the same or similar species in the same location.

REASON: To protect the character and appearance of the local landscape in accordance with policy W12 of the Devon Waste Plan.

10. The applicant shall implement the habitat enhancement and ecological mitigation measures as set out in the report dated 26 March 2015 (Appendix 11).

# Agenda Item 4

REASON: To ensure that proposed development minimises the impact on species and habitats and delivers the proposed mitigation and enhancement proposed in support of the proposal in accordance with Policy W11 of the Devon Waste Plan.

11. Prior to the importation of any feedstock to this operation, the applicant shall submit to, and have approval in writing from, the Waste Planning Authority a Traffic Management Plan (TMP) including:
- (a) Official delivery routes;
  - (b) Actions to be taken against those in breach of the delivery instructions;
  - (c) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:30 am to 9.30 am and 3.00pm to 4.00pm Mondays to Fridays to safeguard school pick up and drop off;
  - (d) the number, sizes of vehicles, and origin and destination of vehicles visiting the site in connection with the development and the frequency of their visits should be logged for Planning Authority inspection;
  - (e) details of proposals to promote car sharing amongst staff in order to limit staff vehicles parking off-site.

On approval the applicant shall take all reasonable steps to implement the approved plan.

REASON: In the interests of highway safety.

12. The applicant shall keep records of the amount and nature of the deliveries to the site and such records shall be made available on written request to the Waste Planning Authority.

REASON: To ensure that the proposed vehicular movements are maintained within the levels set out in the Transportation Statement in the interests of highway safety and public amenity.

13. **All waste or odorous feedstock delivered to this site and digestate leaving it by road shall be transported in sealed containers or tankers.**

**REASON: To prevent odours from the transportation of waste feedstock causing detriment to the amenity of residents along the delivery routes.**

14. There shall be no external storage of waste materials or soiled containers.

REASON: To prevent odours from this site affecting the amenity of nearby property.



PTE/18/35

Development Management Committee  
25 July 2018

**County Matter: Waste**

**Teignbridge District: The infilling of agricultural land with inert material, Welwyn Farm, Six Mile Hill, Tedburn St Mary**

**Applicant: Mr J Brooke**

**Application No: 18/01160/DCC**

**Date application received by Devon County Council: 30 May 2018**

Report of the Chief Planner

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

**Recommendation: It is recommended that planning permission is granted subject to the conditions set out in Appendix I to this report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local Member).**

## **1. Summary**

- 1.1 This report relates to an application for the infilling of agricultural land with inert waste subsoil near Tedburn St Mary, which includes a hard standing for parking/turning, a temporary track and the fill working area.
- 1.2 The application site is situated approximately 2 miles to the east of Tedburn St Mary, and 3.5 miles to the west of Whitestone.
- 1.3 The main considerations in the determination of this application are the principle of development against planning policy; the retention of agricultural land; impact on the highway and road safety; risk of flooding; and landscape.
- 1.4 The planning application, representations received and consultation responses are available to view on the Council website under reference DCC/4055/2018 or by clicking on the following link:  
<https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/4055/2018>.

## **2. The Proposal/Background**

- 2.1 The proposed infilling of inert waste (subsoil) would take place within the wider holding of Welwyn Farm which is located on Six Mile Hill, approximately two miles east of Tedburn St Mary and 2.4 miles from the A30. Although the farm is located in a predominantly rural location, it has a number of neighbours within a relatively close proximity for whom the development could be visible.
- 2.2 The proposal consists of an area of approximately 7,940m<sup>2</sup> (with a volume of 12,750m<sup>3</sup>) for landfill that would take 20,000 tonnes of inert waste, a 1,440m<sup>2</sup> hard standing for parking and turning, and a track measuring around 60m long by 4m wide that would connect the landfill to the hardstanding. Access to the proposal would be through an existing field gateway and no significant alterations are proposed to this aspect of the development.

# Agenda Item 5

- 2.3 The applicant states that the proposal is for agricultural benefit and the infilling with subsoil would improve the profile of the field and the soils' permeability. The current poor drainage has resulted in a shortened grazing period and machinery and stock have become stuck as a result of the soft ground. The applicant indicates that this has also led to heightened stress amongst the stock and can increase losses, adding significantly to the workload of the farm.
- 2.4 Once the specified amount of waste has been used to infill the site over a 30 months period, the land is to be restored to agricultural use. The hardstanding at the entrance will be retained and fenced with stockproof fencing and used as a stock handling and loading area. The temporary track's top scalplings will be removed, with the land under the track harrowed with a layer of topsoil, then replaced, rolled with grass seed and restored to compacted soil. The infill area will have the subsoil compacted under retained subsoil, then the topsoil will be loosened and aerated and filled in above the subsoil to reduce soil erosion, levelling the land. The topsoil will be cultivated to form a fine tilth and seedbed prior to being rolled in with seed.

## 3. Consultation Responses

- 3.1 Teignbridge District Council – No objection.
- 3.2 Environment Agency – No comments received (consulted 31 May 2018).
- 3.3 Tedburn St Mary Parish Council – Objection on grounds of increased traffic, road safety, waste implications, impact on flood risk, reduction in agricultural land, landscape impacts and destabilisation of drainage.
- 3.4 Whitestone Parish Council – Concern regarding the impact of lorries over an extended period of passing through Whitestone. It is stated that the calculations for the infilling do not appear consistent with the proposed timescale, and an increase in larger vehicles will cause greater disruption and increased road safety issues.

## 4. Advertisement/Representations

- 4.1 The application was advertised in accordance with the statutory publicity arrangements by means of a site notice, notice in the press and notification of neighbours by letter. As a result of these procedures, two representations were received of which one made no objection. The other letter raised an objection on the grounds that the amount of material to be imported was not consistent with the proposed lorry movements; the access roads are unsuitable for the proposed traffic; a clear end date is needed; a wheel wash and road sweeping are required; no working after dark and regular spreading of tipped materials; the hardstanding should be removed after conclusion of tipping; and lack of improvement to the field.
- 4.2 Following submission of revised and additional information by the applicant, consultees and representors have been notified and given the opportunity to comment on this information. Any additional comments received will be reported at the meeting.

## 5. Planning Policy Considerations

- 5.1 In considering this application the County Council, as Waste Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be

had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan policies are summarised below and the most relevant are referred to in more detail in Section 6 below.

### **Devon Waste Plan 2011-2033**

Policies W3 (Spatial Strategy), W7 (Waste Disposal), W11 (Biodiversity and Geodiversity), W12 (Landscape and Visual Impact), W16 (Natural Resources), W17 (Transportation and Access), W18 (Quality of Life), W20 (Restoration and Aftercare).

### **Teignbridge Local Plan 2013-2033**

Policies S9 (Sustainable Transport), EN2A (Landscape Protection and Enhancement), EC3 (Rural Enhancement), EN4 (Flood Risk), EN8 (Biodiversity Protection and Enhancement), EN12 (Woodlands, Trees and Hedgerows).

## **6. Comments/Issues**

- 6.1 The material considerations in the determination of this application are considered below.

### Waste Planning Policy

- 6.2 Although the application is presented as a scheme to improve agricultural working, the proposal is to infill the land with inert material and needs to be considered against waste policy as a disposal site.
- 6.3 Policy W7 of the Devon Waste Plan allows for further capacity for inert waste disposal subject to two criteria relating to reducing the distance that waste needs to travel, and limiting materials being disposed to residual non-recyclable waste.
- 6.4 While Devon appears to have sufficient capacity at its existing inert landfill sites to meet forecast future requirements, this capacity is concentrated at five sites in Devon (one of which is shortly to close), and it is apparent that some of the sites provide limited access to smaller operators. The result is that inert waste is being diverted to other locations that may benefit from waste exemptions or be unauthorised and poorly regulated. In these circumstances, it would be preferable for inert waste to be managed at an authorised site that is subject to planning conditions and monitoring.
- 6.5 While the proposed site does not result in a reduction in transportation distances in comparison with the three landfill sites around Exeter, the proposal can be justified on the basis that those sites have constraints on their availability to small waste operators and independent hauliers, and Welwyn Farm provides an alternative option for the applicant, who is a small scale waste operator, that will be preferable to the use of less authorised sites.
- 6.6 Given the short timescale of the proposed development, it is assumed to be impractical to undertake separation and recycling of mixed inert waste at this site. The alternative would be for the imported materials to be limited to subsoils, and a condition to this effect should have been included which prevents the applicant from depositing any waste materials other than subsoil.
- 6.7 Taking the above into consideration it is concluded that the proposal is consistent with the Policy W7 of the Devon Waste Plan.

# Agenda Item 5

## Retention of Agricultural Land

- 6.8 Tedburn St Mary Parish Council raise an objection over the potential loss of agricultural land as a result of the proposed infill. Whilst this is the case the operations will be temporary, and restoration will result in an overall agricultural improvement. Presently the field is poorly drained resulting in boggy conditions which have an adverse impact on the agricultural operations. The applicant has indicated that the proposed infilling will improve the land's drainage and therefore its use for grazing, and it is considered that these benefits offset the temporary reduction in available agricultural land. The proposals is therefore considered to be consistent with Policy W16 of the Devon Waste Plan and Policy EC3 of the Teignbridge Local Plan.

## Impact on the Highway and Road Safety

- 6.9 Direct access to the site is from Six Mile Hill, a C Classified County Road which is part of the rural road network with the nearest access from the major road network being the Fingle Glen junction on the A30, about 4 miles away. To complete the infilling, it is anticipated that an average of two lorries with approximately 17 tonne loads will travel to the site per day. Given that suitable material for infilling will not always be available, it is likely that there will be times where no deposits are made at the site and others where there are significantly more, though a condition is proposed in Appendix I to limit the site to receiving 6 loads per day.
- 6.10 Since submission of the application, the timeframe for the operation has been extended from two years to 30 months, which means that the required amount of subsoil can be deposited at the site within the restrictions set by the submitted Construction Management Plan [CMP] of an average of 2 vehicle loads per day. To ensure this does not extend further, a condition is proposed in Appendix I to limit the operation to 30 months following determination.
- 6.11 The CMP states that the majority of traffic would come from the A30 trunk road and along Six Mile Hill avoiding Whitestone, and this route has sufficient capacity for this traffic. The site is accessed from Tedburn Road/Six Mile Hill which is a C Classified County Route and restricted to 60mph. The access provides adequate visibility for this type and speed of road as the topography is largely flat for a considerable distance either side of the site. The CMP also states that a suitable hardstanding will be constructed, removing the need for vehicles to wait or park on the public highway.
- 6.12 As the anticipated lorry route and the access arrangements for the site are considered acceptable in terms of highway capacity and safety, the proposed development is consistent with Policy W17 of the Devon Waste Plan and Policy S9 of the Teignbridge Local Plan.
- 6.13 The submitted CMP indicates that vehicles delivering waste materials will remain on the new hardstanding, thereby minimising the likelihood of mud being carried onto the highway. In the event that mud is deposited on the highway, the CMP proposes the provision of wheel cleaning facilities.

## Ecology

- 6.14 The application site is grazed grassland with little species diversity, but with good mixed-species hedgerows on the field boundaries and a significant single oak tree to the north. As there is little good quality habitat within the site, the proposed infilling

and drainage improvement will not adversely affect biodiversity, while the CMP includes provision for protection of hedgerows and trees and planting of additional hedgerow trees.

## Landscape Impacts

- 6.15 The site lies on gently sloping land with limited external viewpoints and, in view of the short-term nature of the proposed development and the proposed method of restoration, it is considered that no significant landscape or visual effects will occur.

## Flood Risk and Drainage

- 6.16 Concern was raised by Tedburn St Mary Parish Council that the development could result in destabilisation of drainage. As the proposal is to deposit subsoil for the purpose of improving permeability of the land, it is considered that there will be no significant negative impacts on drainage.

## **7. Reasons for Recommendation/Alternatives Options Considered**

- 7.1 The Committee has the option of approving, deferring or refusing this planning application. It is considered that the importation and deposit of 20,000 tonnes of subsoil will not result in adverse impacts for the local communities and environment and will achieve an improvement in the agricultural quality of the site. It is therefore considered appropriate to grant planning permission subject to the conditions in Appendix I. As the proposal is for a landfill operation, the site will be monitored regularly by the County Council in accordance with its Local Enforcement and Monitoring Plan.
- 7.2 The alternative option of refusing this application would be difficult to substantiate in the light of the conclusions reached above.

Mike Deaton  
Chief Planner

## **Electoral Division: Chudleigh & Teign Valley**

Local Government Act 1972: List of Background Papers

Contact for enquiries: Keegan Ferreday

Room No: AB2, Lucombe House, County Hall

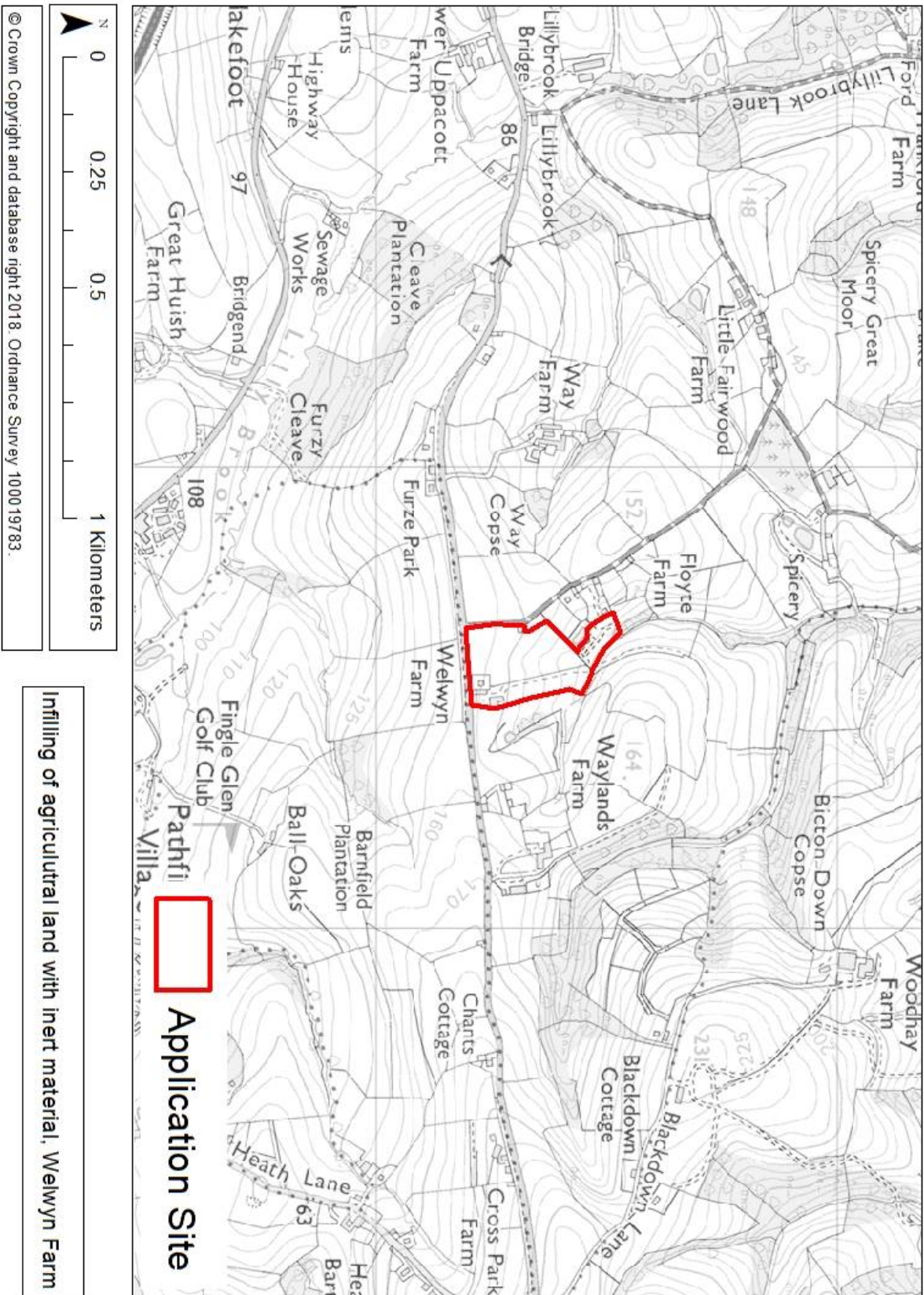
Tel No: 01392 383000

**Background Paper**  
Casework File

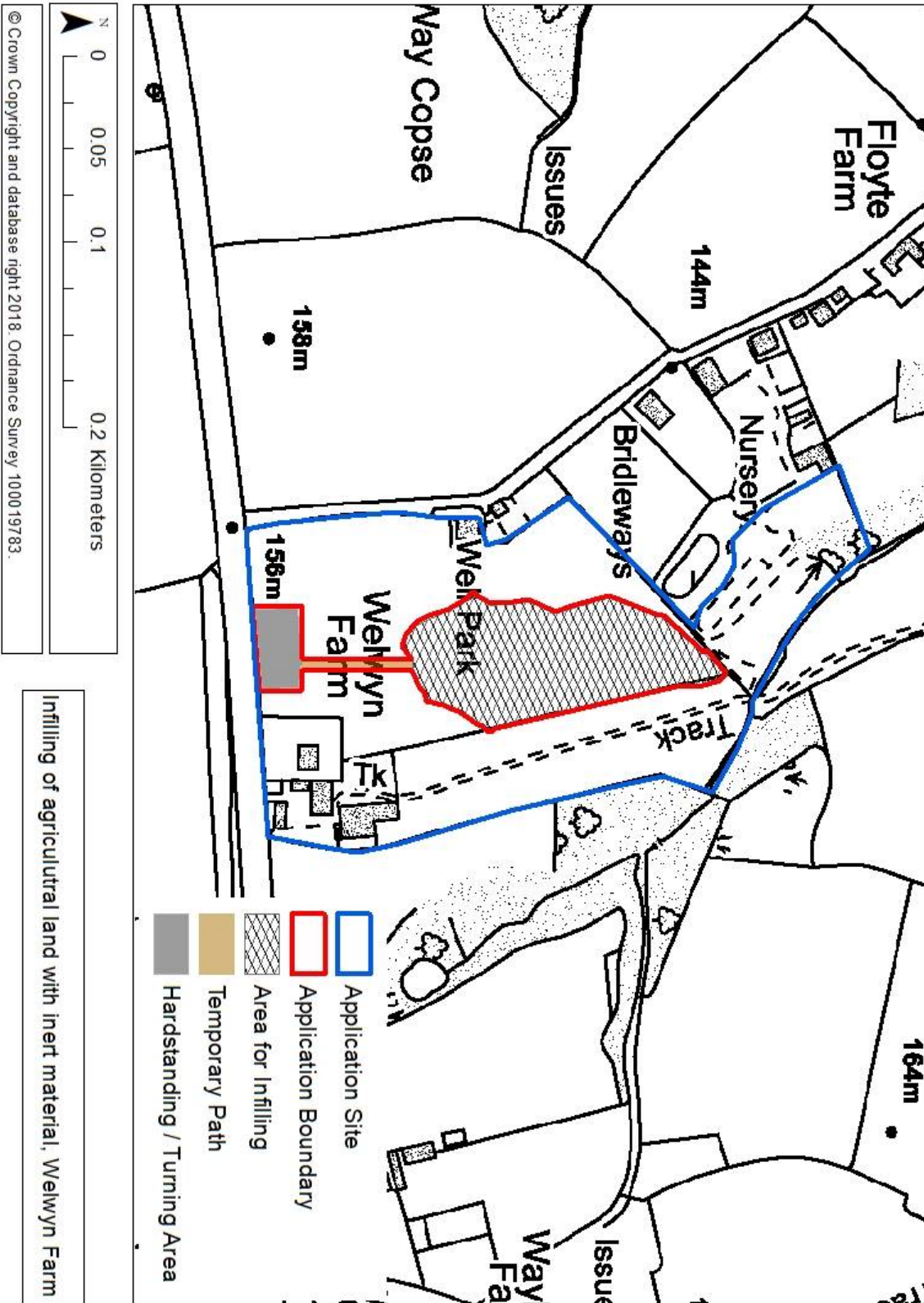
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## Site Plan



# Agenda Item 5

## Appendix I To PTE/18/35

### Planning Conditions

1. The development shall commence within three years of the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings Site Location and Block Plan-200-01 Rev B, Topographic Survey-200-02. OS Data Incorporating Topographic Survey-200-03, As Proposed Site Location and Block Plan-200-04 Rev A and Site Sections-200-05 and document titled Planning Statement (Rev A)-Development Schedule of Works/Restoration Scheme/Construction Management Plan.

REASON: To ensure that the development is carried out in accordance with the approved details.

3. No waste other than the inert waste material of subsoil, as stated in the Planning Statement (Rev A)-Development Schedule of Works/Restoration Scheme/Construction Management Plan, shall be deposited at the site.

REASON: To exclude recyclable wastes that are not appropriate for disposal at the site in accordance with Policy W7 of the Devon Waste Plan.

4. All tipping of inert waste shall cease by 1 February 2021, and the site shall be fully restored by 1 August 2021 in accordance with the scheme approved under condition 6.

REASON: To ensure completion and restoration of the site within the approved timescale and in the interest of residential amenity, the local landscape and the retention of agricultural land in accordance with Policies W12, W18 and W20 of the Devon Waste Plan and Policy EN2A of the Teignbridge Local Plan.

5. The development shall be carried out in strict accordance with the details submitted in the Construction Management Plan, included as Appendix 4 in the Planning Statement (Rev A)-Development Schedule of Works/Restoration Scheme/Construction Management Plan.

REASON: To ensure that the development is carried out in accordance with the Construction Management Plan and Policies W17 of the Devon Waste Plan and S9 of the Teignbridge Local Plan.

6. The restoration scheme shall be carried out in strict accordance with the details submitted in the Restoration Scheme, included as Appendix 3 in the Planning Statement (Rev A)-Development Schedule of Works/Restoration Scheme/Construction Management Plan.

REASON: To ensure that the development is carried out in accordance with the approved details of the Restoration Scheme and Policy W20 of the Devon Waste Plan.



# Agenda Item 5

7. Development shall be carried out in accordance with the actions set out in the Ecological Appraisal (David F Wills, February 2018) and Appendix 3 of the submitted Planning Statement (Rev A)-Development Schedule of Works/Restoration Scheme/Construction Management Plan.

REASON: To ensure that biodiversity is protected and species are conserved in accordance with Policy W11 of the Devon Waste Plan and Policy EN8 of the Teignbridge Local Plan.

8. Tree protection measures will be established and implemented during construction works in accordance with 'BS 5837:2012 - Trees in relation to design, demolition and construction'

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage by the development, in the interests of visual amenity and in accordance with Policies W11 and W12 of the Devon Waste Plan and EN2A and EN8 of the Teignbridge Local Plan.



PTE/18/36

Development Management Committee  
25 July 2018

## County Council Development

**East Devon District: Construction of a new single storey foundation stage unit building with associated external works, Honiton County Primary School, Clapper Lane, Honiton**

**Applicant: Devon County Council**

**Application No: 18/1157/CM**

**Date application received by Devon County Council: 11 May 2018**

Report of the Head of Planning, Transportation and Environment

***Please note that the following recommendations are subject to consideration and determination by the Committee before taking effect.***

**Recommendation: It is recommended that:**

- (a) **Subject to the satisfactory resolution of the outstanding issue relating to flood risk, Members resolve to grant planning permission subject to the conditions set out in Appendix I to this report (with any subsequent minor changes to the conditions being agreed in consultation with the Chair and Local Member); and**
- (b) **Prior to the issue of the planning permission confirmation of the resolution to grant permission is reported to the National Planning Casework Unit to afford the Secretary of State for Housing, Communities and Local Government the opportunity to call-in the application for his own determination as required by the Town and Country Planning (Consultation) (England) Direction 2009.**

## **1. Summary**

- 1.1 This report relates to an application to demolish an existing temporary single storey private nursery building and replace this with a permanent single storey building to provide for an expanded foundation stage at Honiton County Primary School.
- 1.2 The main considerations in the determination of this application are the loss of the use of land being used as a playing field, the traffic and transport impacts, and landscape and ecological impacts.
- 1.3 The planning application, representations received, and consultation responses are available to view on the County Council website under reference DCC/4009/2017 or by clicking on the following link:  
<https://planning.devon.gov.uk/PlanDisp.aspx?AppNo=DCC/4059/2018>.
- 1.4 As the application has generated an objection by Sport England to the loss of part of the school playing field, a resolution of the Council to grant permission must be referred to the Government's Planning Casework Unit under the provisions of The Town and Country Planning (Consultation) (England) Direction 2009. The Secretary of State will then consider whether to call in the application for his own determination.

# Agenda Item 6

## 2. The Proposal/Background

- 2.1 Honiton Primary School is located between the A30 Honiton Bypass and Honiton High Street approximately 200m north from the latter along Clapper Lane. There is car parking to the south east of the main school building which is accessed from Clapper Lane. Residential properties are located to the south and east of the site, with Honiton Community College to the west.
- 2.2 The application proposes demolition of the current single storey building (currently used as a privately-owned nursery) and construction of a permanent single storey building to provide a foundation stage unit to accommodate up to 39 Foundation Stage 1 (nursery) children and a Foundation Stage unit to accommodate 90 Foundation Stage 2 (reception) children. Some internal remodelling is also proposed to achieve a three-year form entry across all year groups but planning permission is not required for this aspect of the development. Externally, the grounds would also be altered, but it is proposed that the existing on-site car parking provision for visitors and staff will remain.
- 2.3 The existing school campus consists of a mix of single and two-storey brick-built buildings which are bordered to the east by a combination of hard play and parking facilities, and to the north by a grassed playing field and 'forest school'. The proposal seeks to replace an existing single storey temporary building, currently being used as a private nursery, with a single storey, predominantly larch clad building including associated outdoor space. In terms of scale and massing the proposed buildings sit appropriately within the context of the existing site and the proposed mixture of flat, mono-pitched and dual-pitched roofs complement the current campus buildings.
- 2.4 The proposed new classroom blocks and hard play area would encroach upon the southern end of the existing playing field and would equate to a potential loss of playing field space of approximately 21%. Some small newly grassed areas will also be created within the confines of the Foundation Stage Unit secure play area. A 1.2m high fence is proposed along the northern and eastern boundary of the Foundation Stage Unit secure play area with gates on the eastern boundary for emergency vehicle access.
- 2.5 Vehicular access to the school is via Clapper Lane, to the north of Honiton High Street, and a recently agreed pedestrian route utilises an existing pathway within the grounds of the adjacent Honiton Community College. Parking is also available at the Silver Street car park, which is adjacent to Honiton livestock market.

## 3. Consultation Responses

- 3.1 East Devon District Council (Planning): Objects to the application on the grounds of loss of an area of the playing field. In coming to its conclusion the district council recognises that there is no in principle objection to educational development at the school; considers that the design is acceptable; considers the development would not impact on neighbours amenity; replacement planting could be secured by planning condition; and, recommend that if permission is granted the Highway Authority should consider the need to condition a construction management plan and an updated school travel plan.
- 3.2 East Devon District Council (Environmental Health): No objections subject to a condition being attached to any permission granted which controls the use of machinery, construction processes and deliveries between the hours of 07.30 and

18.00hrs Monday to Friday, or 08.00 and 13.00hrs on Saturdays to protect the amenities of local residents from noise and other construction processes.

3.3 Honiton Town Council: Objects to the application on the following grounds:

- the ecological impact assessment and the proposed site plan provided by the applicant are contradictory with regards to the felling of trees;
- the applicant had not provided a tree plan;
- the proposed development would lead to an increase in traffic in an area where there were existing issues; and
- the proposed development would lead to a loss of sport pitches land and a loss of open space in a town which already suffered from a shortfall in sport pitches and open spaces.

3.4 Sport England: Objects to the application as it is not considered to accord with any of the exceptions to Sport England's Playing Fields Policy or with Paragraph 74 of the NPPF.

#### 4. **Advertisement/Representations**

4.1 The application was advertised in accordance with the statutory publicity arrangements by means of a site notice and notification of neighbours by letter. As a result of these procedures two letters of representation were received which raised the following issues: Clapper Lane is unable to cope in terms of access and parking for any additional school traffic; the lack of a detailed school travel plan; methods to ensure children and parents access the site via the Silver Street car park pedestrian route; the lack of a road safety audit; and the lack of detail within the submitted construction management scheme with regards to the public highway.

#### 5. **Planning Policy Considerations**

5.1 In considering this application the County Council, as County Planning Authority, is required to have regard to the provisions of the Development Plan insofar as they are material to the application, and to any other material considerations. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that where regard is to be had to the Development Plan, the determination shall be in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the Development Plan policies are listed below and the most relevant are referred to in more detail in Section 6 below.

##### **East Devon Local Plan - 2013-2031 (Adopted January 2016)**

Strategy 23 - Development at Honiton; Strategy 6 - Development within Built-Up Area Boundaries; D1 - Design and Local Distinctiveness; D2 - Landscape Requirements; D3 – Trees and Development Sites; RC6 - Local Community Facilities; RC1 - Retention of Land for Sport and Recreation; TC2 - Accessibility of New Development; and TC9 - Parking Provision in New Development; EN14 – Control of Pollution; EN18 – Maintenance of Water Quality and Quantity.

**National Planning Policy Framework (March 2012):** paragraphs 72 to 74.

**Planning Practice Guidance**

# Agenda Item 6

## 6. Comments/Issues

6.1 The material considerations in the determination of this application are considered below.

### Retention of Land for Sport and Recreation

6.2 Sport England have objected to the application because they consider it not to accord with any of the exceptions of Sport England's Playing Fields Policy (<https://www.sportengland.org/media/12940/final-playing-fields-policy-and-guidance-document.pdf>) or with Paragraph 74 of the NPPF.

6.3 A summary of these 5 exceptions can be found below but E4 is the most relevant in this case:

- **E1** - An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport.
- **E2** - The development is ancillary to the principal use of the playing field and does not affect the quantity/quality of pitches.
- **E3** - The development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch.
- **E4** - Playing field lost would be replaced, equivalent or better in terms of quantity, quality and accessibility prior to loss.
- **E5** - The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field.

6.4 Paragraph 74 of the NPPF states that:

*“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”*

6.5 The NPPF includes a glossary of planning terms which defines Open Space as *“All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity”*.

6.6 In terms of planning policy, Policy RC1 of the East Devon Local Plan states that:

*“Proposals that would result in the loss of open space currently or previously used for recreation and/or sports uses, play areas or playing fields will not be permitted unless:*

1. *Alternative provision of equivalent community benefit is made available and will be appropriately laid out by the applicant as a replacement. Or*

2. *Sports and recreational facilities can best be retained and enhanced through the redevelopment of a small part of the site. Or*
3. *Locally There is an excess of public open space, children's play areas or sports pitch provision in the area as the case may be."*

- 6.7 The field at the primary school is described within Appendix 3 – Honiton Specific Analysis of East Devon's adopted Playing Pitch Strategy (2015) as *'a large generic grass field where there is no community use due to access to facilities.'* It could therefore be argued that this would not constitute loss of open space as referred to by policy RC1 of the current Local Plan nor the NPPF. However, regardless of this strategy, the site is designated in the adopted Local Plan as 'Recreation Areas, Allotments, Accessible Open Space'.
- 6.8 It is therefore a matter of planning balance, i.e. need against potential harm, by which the Council determine this application. Whilst it is acknowledged that the proposal will impact upon approximately 21% of the overall playing field area, pressures for additional school places, and anticipating the requirements for future primary provision as a result of future housing growth within the town, are also key considerations.

#### Educational Considerations

- 6.9 Devon County Council's (DCC's) 'East Devon Infrastructure Planning Evidence Base Report' dated June 2015 and submitted as part of the Council's consultation comments in response to East Devon's Local Plan examination and hearing sessions consultation states that:
- "There are 8 primary schools within the area, two of which serve the main town. Due to significant increase in parental preference in the town schools, expansion of primary provision within the town is forecast to be required to mitigate demographic growth, parental preference and, most significantly, housing development."*
- 6.10 Using the figures from the applicant's education statement of need, there are currently 1,024 primary school pupils living in the Honiton Town catchment area which is served by Honiton Primary and Littleton Primary Schools. In total 841 pupils attend these two schools and the remainder attend the village schools in the rural locality. The current combined capacity of the town's two primary schools is 833 places with Honiton Primary School having a capacity of 420 places and Littleton Primary School a capacity of 413 places.
- 6.11 The County Council's East Devon Infrastructure Planning Evidence Base Report identifies that the key difference between Honiton and Littleton primaries is that Honiton Primary was assessed as having the ability to expand within the current site and Littleton Primary was assessed as having limited ability to expand within the current site boundaries.
- 6.12 Of the remaining five, more rural, primary schools in the Honiton area, two (Farway and Broadhembury) were assessed as having no ability to expand within the current site, and three (Awliscombe, Stockland and Upottery) were assessed as having limited scope for expansion within their current site boundaries. It is also considered that these schools' more rural location and distance from Honiton town centre does not provide the most sustainable of locations in which to expand school place spaces.

# Agenda Item 6

6.13 Therefore, given the constraints relating to land availability at existing school sites and proximity to current and future populations in Honiton requiring school places, Honiton Primary School is viewed as being the most appropriate and sustainable option. Bearing this in mind, and the number of newly approved and allocated developments in the Honiton area, which is estimated to be around 700 dwellings, it has been calculated that, in the next 4 years (from 2018 – 2022), pupil numbers at Honiton Primary School will reach 530, and by 2025 this figure will increase to 630. This presents increased pressure on primary school places in the area and, if not sufficiently planned for and created, will result in insufficient local provision to cope with demand.

6.14 Paragraph 72 of the NPPF states that:

*“The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.*

*They should:*

- give great weight to the need to create, expand or alter schools; and*
- work with schools promoters to identify and resolve key planning issues before applications are submitted.”*

6.15 Devon County Council’s Education Infrastructure Plan 2016-2033 also sets out its core responsibilities as follows:

*“i securing sufficient educational provision (including early years and childcare) in our area to meet the needs of our children, parents and communities, retaining responsibility for overall strategic planning and commissioning of school places;*

*ii championing high standards in all schools and improving standards in early years’ settings so all children can go to a good or outstanding school or early years provider;*

*iii supporting the most vulnerable children including those in care, at risk of social exclusion and those who have specific educational needs;*

*iv acting as champions for all parents and families;*

*For school provision, we also have a wider responsibility to:*

*v promote sustainable patterns of provision and travel; and*

*vi continue to maintain and improve our schools estates for effective teaching and in relation to the health and safety of the users.”*

6.16 In proposing additional places at Honiton Primary School, the County Council has attempted to balance the need to provide enough places overall with the need to maintain the sustainability of all the schools in the area and to provide opportunity for parental preference/choice.

6.17 In reaching their final decision with regards to location of the newly proposed classrooms, the applicant considered four options and, on balance, the proposal



which is the subject of this application, and is an iteration of the fourth proposal, was the preferred option for the following reasons:

- to create the best possible foundation stage environment and maintain the school's OFSTED 'outstanding' rating;
- to provide a smooth and sequential age progression which would seamlessly integrate with the existing year group dispersal;
- to minimise disruption to the school and avoid pupil's education being adversely affected during construction;
- for cost effectiveness and programme efficiency;
- to segregate the construction site from school activities; and
- for ease of construction (buildability) and ensuring a practical site set up.

## Highways/Car Parking/Traffic Issues

- 6.18 Concerns have been raised regarding the impacts on the local highway network, in particular Clapper Lane, as a result of the additional traffic which may worsen the current situation. In highway terms it is considered that the retained existing access to the school will not change. The School Travel Plan and the Pre-Construction Management Scheme (informing a full Construction Environment Management Plan from the Main Contractor when appointed and to be agreed) appear robust and there is no evidence to lead to any conclusion that increased traffic, as a result of future development sites being built and occupied, would be severe.
- 6.19 The applicant has advised that provision has been made for parents to utilise a pedestrian route which will access Honiton Primary School to and from Silver Street long stay car park during school drop-off and pick-up times using existing pathways within community college. In addition, a condition is proposed requiring an updated School Travel Plan and programme of implementation be submitted, should permission be granted, to promote safer, active and sustainable travel to school.

## Landscaping and Trees

- 6.20 The proposal looks to remove two category B (of moderate quality and value) trees to the west of the site. These trees are located where the Foundation Stage Unit 1 provision space is proposed and consist of a mature Silver Maple and a mature Birch. In mitigation a total of 6 new trees are proposed to be planted to the north of the new tarmac hard play area. All other existing trees are to be retained.
- 6.21 It is therefore considered that the inclusion of the mitigating planting and with the inclusion of a condition requiring a detailed landscaping scheme and appropriate tree protection measures, prior to and during construction, being implemented, the development is acceptable from a landscaping perspective.

## Flooding and Drainage.

- 6.22 Presently the design for the temporary storage of surface water does not meet the relevant standard. It is understood that the is matter is being addressed by the applicant in consultation with DCC as the flood risk authority and it is likely that any change to the design will not be material to the overall scheme. This is reflected in the recommendation to the report whereby permission would not granted until this issue is resolved.

# Agenda Item 6

## 7. Reasons for Recommendation/Alternatives Options Considered

- 7.1 The Committee has the option of approving, deferring or refusing this planning application (subject to the requirement explained in 1.4 for any resolution for approval to be referred to the Secretary of State).
- 7.2 In conclusion it is considered that there is a demonstrable need for this facility given the lack of alternative sites with the capacity for expansion. The objections from two neighbouring properties are noted and it is acknowledged that there will be an increase in parking and traffic on the surrounding streets, however, these impacts are not considered to be at an unacceptable level and are ultimately associated with new developments coming online. On balance, taking into the objections from the District Council, Town Council and Sport England and considering paragraph 72 of the National Planning Policy Framework, which outlines local planning authorities should give great weight to the need to create schools, it is considered that it is appropriate to grant planning permission in accordance with the recommendation of this report.

Mike Deaton  
Chief Planner

## Electoral Division: Feniton & Honiton

Local Government Act 1972: List of Background Papers

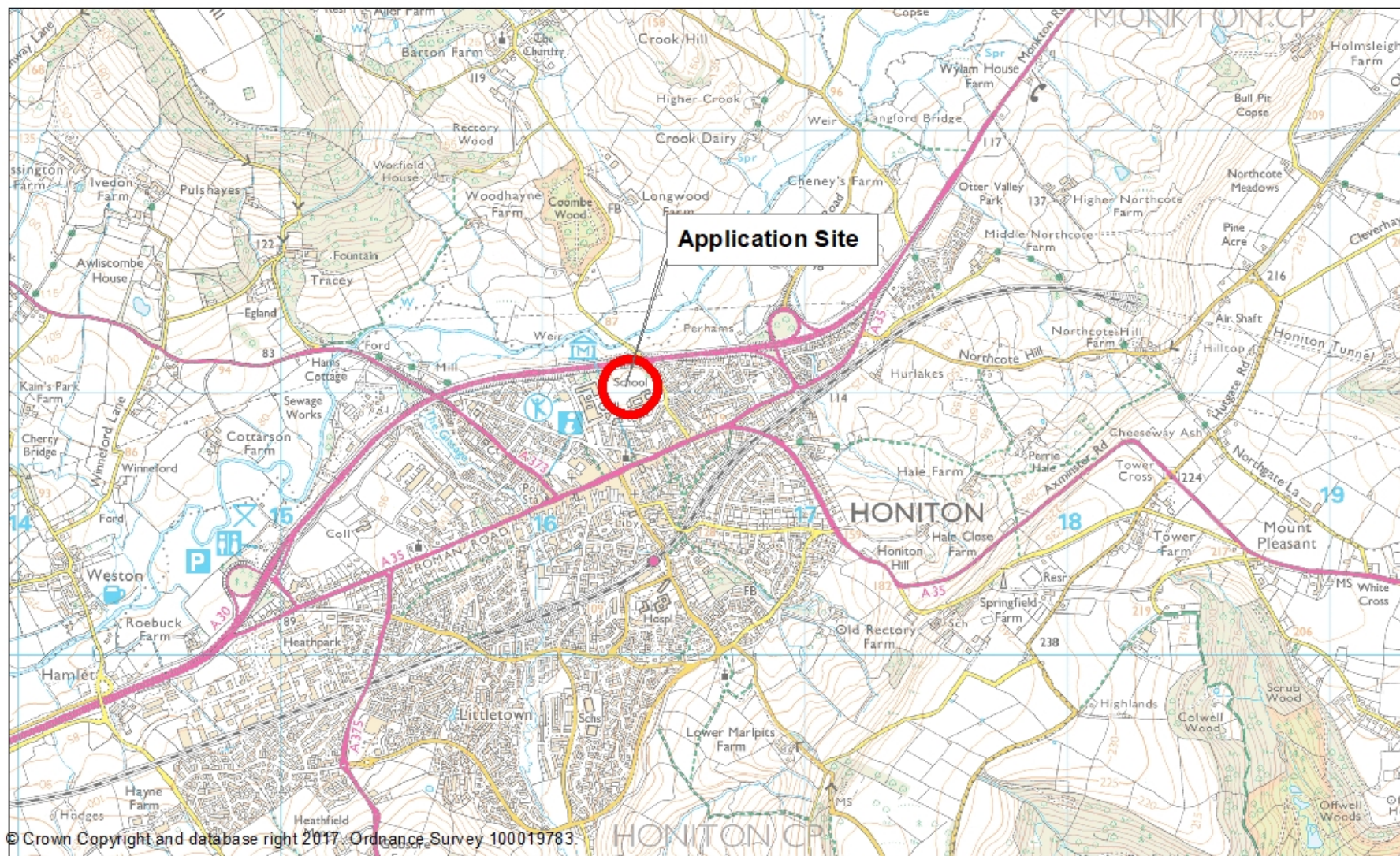
Contact for enquiries: Barnaby Grubb


Room No: AB2, Lucombe House, County Hall

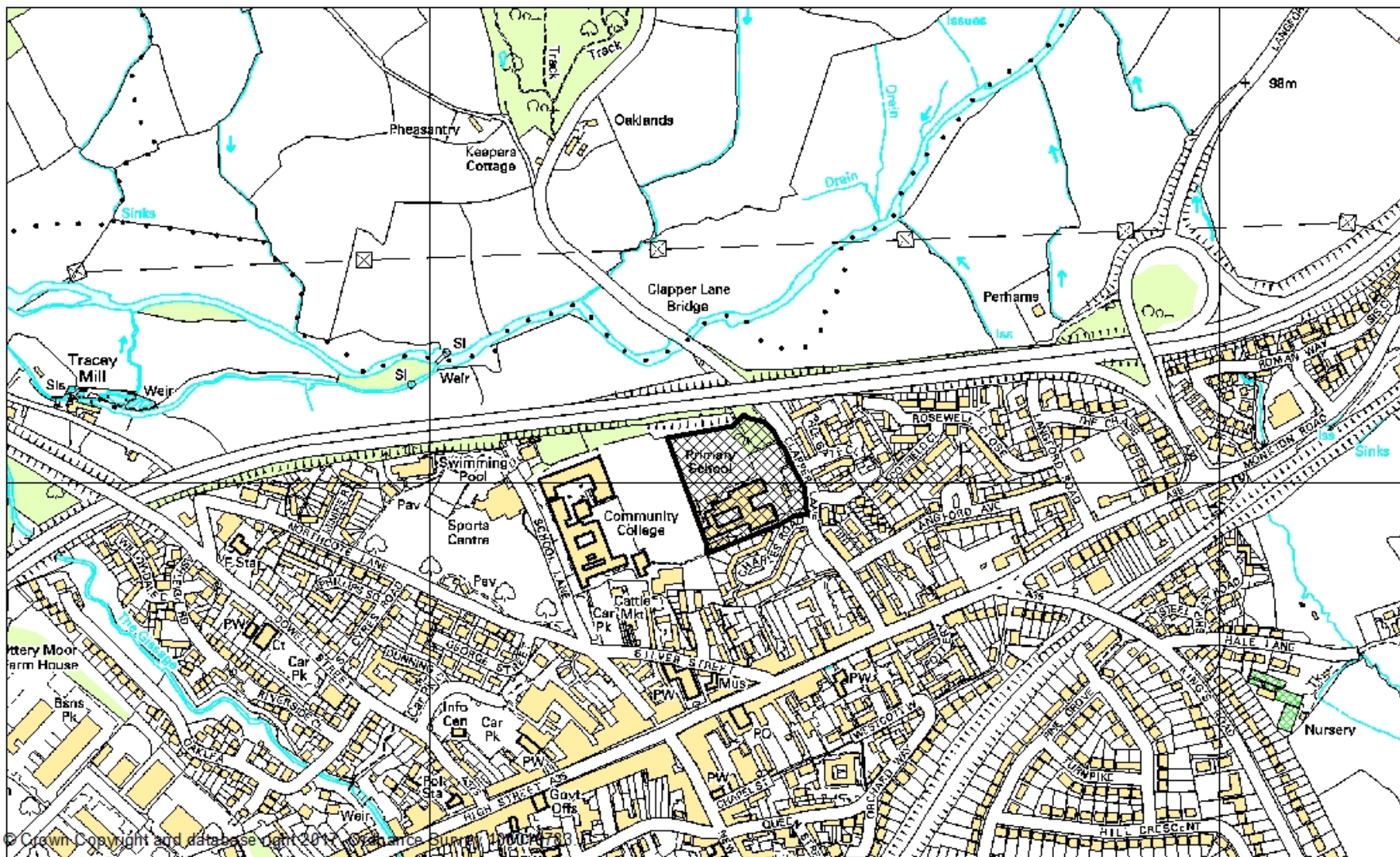
Tel No: 01392 383000

| Background Paper | Date | File Ref.     |
|------------------|------|---------------|
| Casework File    |      | DCC/4059/2018 |


bg030718dma  
sc/cr/Construction of new single storey foundation stage unit Honiton County Primary School Clapper Lane  
Honiton  
02 170718

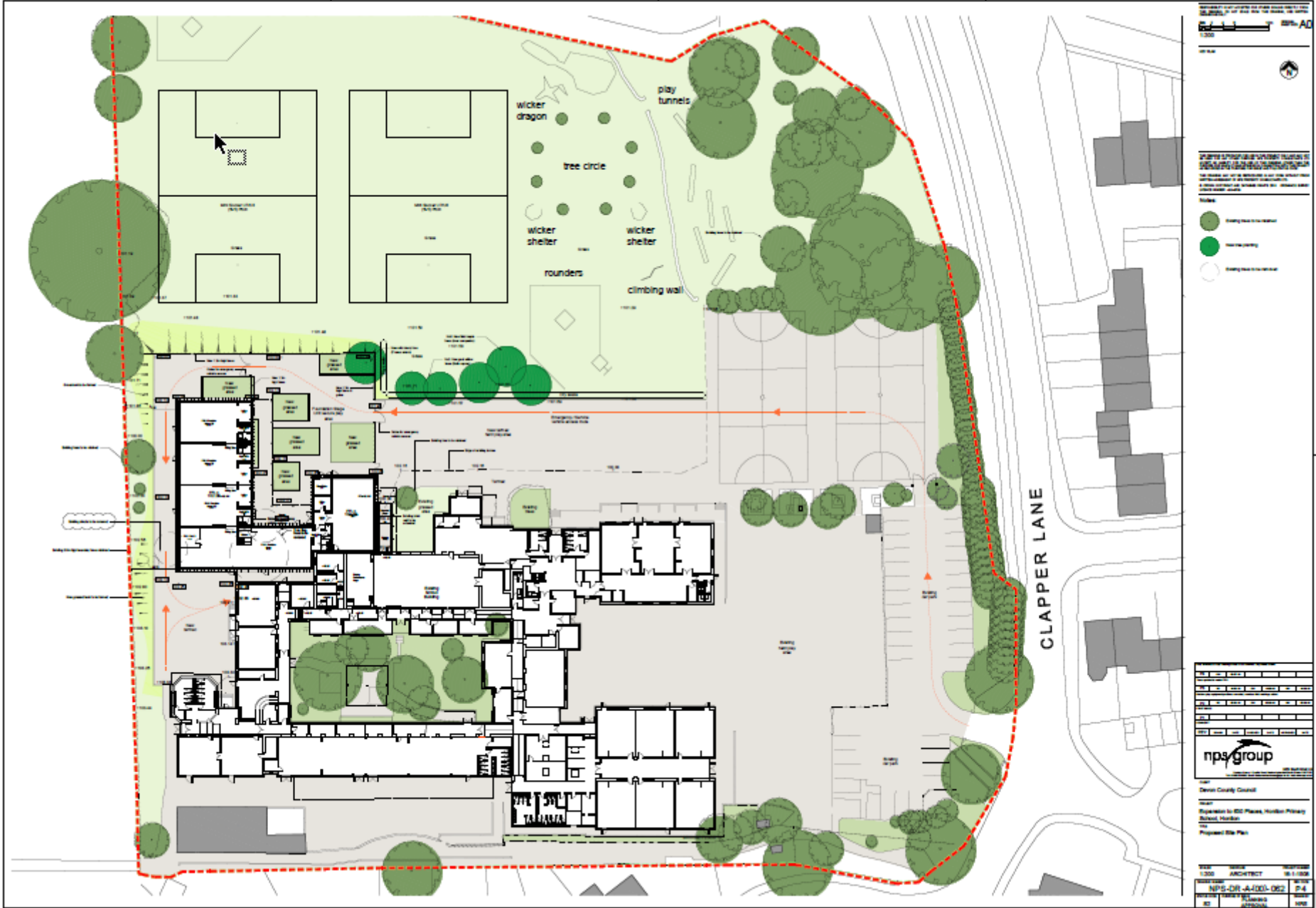


|   |  |  |                   |                               |
|---|--|--|-------------------|-------------------------------|
|  | Head of Planning,<br>Transportation<br>and Environment   | Development Management Committee<br>County Council Development | date<br>July 2018 | scale<br>1:18,544             |
|   | Construction of a new single storey foundation stage unit building with associated external works. |  |                   | Application No:<br>18/1157/CM |



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|  |  |                                  |                               |                  |
|--|--|----------------------------------|-------------------------------|------------------|
|                 | Head of Planning,<br>Transportation<br>and Environment | Development Management Committee | date<br>July 2018             | scale<br>1:6,175 |
|  |  | County Council Development       | Application No:<br>18/1157/CM |                  |
| Construction of a new single storey foundation stage unit building with associated external works. |  |                                  |                               |                  |



## **Planning Conditions**

### **STANDARD COMMENCEMENT**

1. The development shall commence within three years of the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

### **STRICT ACCORDANCE WITH PLANS**

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered NPS-DR-A-(01)-010 Rev P2 (Location Plan); NPS-DR-A-(00)-062 Rev P4 (Proposed Site Plan); NPS-DR-A-(00)-063 Rev P3 (Proposed Contextual Site Plan); NPS-DR-A(01) 067 Rev P1 (Proposed Elevations 1,2,3 & 4) and NPS-DR-A(01) 068 Rev P1 (Proposed Elevations 5,6 & 7); W15414-SX (Topographical Survey & Underground Utilities); NPS-00-00-DR-A-(00)-012 Rev B (Proposed External Areas Analysis Diagram); HBS-DR-C-(00)-060 Rev P5 (Proposed Drainage Layout); 23-20-18-1-1113 D01 (Exploratory Hole Location Plan); 17-1-1508 SuDS/MW (Sustainable Drainage Statement); BS5837:2012 Tree Survey Data (Ref: 1567/2.TCP Dated October 2015); 1567/2/TCP (Tree Constraints Plan); 08-20-16-1-1508 (Pre-Construction Information Summary); Ecological Impact Assessment (Reference HonitonECIA.doc, dated November 2015, Includes Digital Images); and Validation Checklist & Planning Statement - Revision B: 03.07.18 except as varied by the conditions below.

REASON: To ensure that the development is carried out in accordance with the approved details.

### **CONDITIONS (PRE-COMMENCEMENT)**

#### **CONSTRUCTION MANAGEMENT**

3. No development shall take place until a Construction Management Scheme has been submitted to and approved in writing by the County Planning Authority. The statement shall provide details of:
  - a) Timetable/programme of works;
  - b) Measures for traffic management [including routing of vehicles to and from the site, details of the number/frequency and sizes of vehicles];
  - c) Days and hours of building operations and deliveries;
  - d) Location of loading, unloading and storage of plant and materials;
  - e) Location of contractor compound and facilities;
  - f) Provision of boundary fencing/hoarding;
  - g) Parking of vehicles of site personnel, operatives and visitors;
  - h) Dust control; and
  - i) Recycling during construction.

The development shall be implemented in accordance with the approved scheme.

REASON: To ensure adequate access and associated facilities are available for the construction traffic and to minimise the impact of construction on nearby residents and the local highway network in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031.

## **LANDSCAPING/TREES**

4. No development shall take place until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the County Planning Authority. The LEMP shall include:
- a) Method statements for planting methods, maintenance and management where required, along with a timetable/schedule
  - b) An annotated map(s) illustrating the measures to mitigate and enhance ecology and landscape on the site.

The development shall be implemented in accordance with the approved LEMP. All planting and landscaping shall be implemented in the first planting and seeding season after commencement. Any trees, plants or grassed areas, or replacement of it, that is removed, uprooted, destroyed or dies within five years of the date of planting shall be replaced with the same or similar species in the same location.

REASON: To ensure that protected species/habitats/local landscape are conserved and enhanced in accordance with policy D3 (Trees and Development Sites) of the East Devon Local Plan 2013-2031.

## **DRAINAGE**

5. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the County Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

## **SCHOOL TRAVEL PLAN**

6. The buildings subject of this permission shall not be occupied until a School Travel Plan including a programme of implementation has been submitted to and approved in writing by the County Planning Authority. The travel plan shall be implemented in accordance with the approved implementation programme.

REASON: To ensure safe and sustainable travel to Honiton Primary School in accordance with strategy 5B (Sustainable Transport) of the East Devon Local Plan 2013-2031.

# Agenda Item 6

## **CYCLE PARKING**

7. No development shall take place until details of secure cycle/scooter storage facilities have been submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To promote sustainable travel to Honiton Primary School in accordance with strategy 5B (Sustainable Transport) of the East Devon Local Plan 2013-2031.

## **CONDITIONS (DURING CONSTRUCTION)**

### **CONSTRUCTION TRAFFIC**

8. Notwithstanding the requirements of condition 3 above, deliveries to the site related to the construction of the approved development shall only take place at the following times:
  - During school term time on Mondays to Fridays from 07:30 to 08:30 hours, 09:30 to 15:00 hours and 16:00 to 17:30 hours;
  - Outside of school term times on Mondays to Fridays from 07:30 to 17:30; and
  - Saturdays from 08:00 to 13:00.

No deliveries shall take place on Sundays or Public Holidays.

REASON: To ensure adequate access and associated facilities are available for construction traffic and to minimise impact on the local highway network and on local amenity in accordance with D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031.

## **LANDSCAPING/TREES**

9. All trees and shrubs identified for retention on approved drawing NPS-DR-A-(00)-062 Rev P4 shall be retained and protected during construction in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations' and the recommendations in the submitted and approved Tree Survey ref. 1567/2.TCP, dated October 2015.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage throughout the construction period, in the interests of visual amenity and in accordance with policy D2 (Landscape Requirements) of the East Devon Local Plan 2013-2031.

10. No vegetation clearance shall take place during the bird nesting season (1 March to 31 August inclusive) unless the developer has been advised by a suitably qualified ecologist that clearance will not disturb nesting birds and a record of this is kept. Such checks shall be carried out in the 14 days prior to clearance works commencing.

REASON: To minimise impacts on nesting wild birds and ensure that no birds take up residence in the intervening period in accordance with paragraph 109 of the NPPF and the Wildlife and Countryside Act 1981 (as amended).



## **DRAINAGE**

11. All surface water run-off shall be kept separate from foul drainage, and foul drainage shall be appropriately connected to the public sewerage system.

REASON: To protect water quality and minimise flood risk in accordance with Policies EN14 and EN18 of the East Devon Local Plan 2013-2031.



**Delegated Schedule – 11th July 2018 - Summary**

| <u>District/Location/Application Number</u>   | <u>Proposal</u>  | <u>Electoral Division</u>               | <u>Action Taken</u>            |
|---|--|---|--------------------------------|
| <b>South Hams District Council</b><br>Dittisham Recycling,<br>Bosomzeal Cross to Downton<br>Cross, Dittisham, TQ6 0HP<br><br>DCC/3930/2016                          | Extension of existing permission site<br>area (18/1633/09/CM). To include<br>North access road to allow re-<br>positioning of existing access road<br>nearer the boundary of the permitted<br>application site | Dartmouth & Marldon                     | Withdrawn After<br>Validation  |
| <b>East Devon District Council</b><br>Exeter Road Primary School,<br>41 Exeter Road, Exmouth, EX8<br>1PU<br><br>DCC/3986/2017                                       | Retention of existing mobile<br>classroom block for a further 7-8<br>years   | Exmouth & Budleigh Salterton<br>Coastal | Conditional Approval           |
| <b>South Hams District Council</b><br>Challonsleigh Farm, Lane to<br>Challonsleigh, Smithhaleigh, PL7<br>5AY<br><br>DCC/4003/2017                                   | Storage of UVPC for bulking and<br>transfer  | Bickleigh & Wembury                     | Conditional Approval           |
| <b>Teignbridge District Council</b><br>Suez Recycling and Recovery<br>Ltd, Brunel Road Recycling<br>Centre, Brunel Road, Newton<br>Abbot, TQ12 4PB<br>DCC/4015/2017 | The erection of a 6m black mesh<br>litter fence 62m in length  | Newton Abbot North                      | Conditional Approval           |
| <b>East Devon District Council</b><br>Challenger Farm, Membury,<br>EX13 7JT<br><br>DCC/4020/2017  | To raise the ground level in a field<br>next to the farm buildings   | Whimble & Blackdown                     | Withdrawn Before<br>Validation |
| <b>Teignbridge District Council</b><br>Denistone and Broadway Ball<br>Clay Sites, Kingsteignton, TQ12<br>3TH<br><br>DCC/4031/2017                                   | Consolidating planning application<br>for the development of consented<br>mineral reserves, realignment of the<br>Ugbrooke Stream and restoration of<br>Denistone and Broadway Ball Clay<br>Sites              | Kingsteignton & Teign Estuary           | Withdrawn Before<br>Validation |

# Agenda Item 7

Delegated Schedule - 11th July 2018 - Summary

| <u>District/Location/Application Number</u>   | <u>Proposal</u>  | <u>Electoral Division</u>     | <u>Action Taken</u>         |
|---|--|-------------------------------|-----------------------------|
| <b>East Devon District Council</b><br>Unit 42, Road to Greendale Business Park, Greendale Business Park, Woodbury Salterton, EX5 1EW<br>DCC/4036/2017 | An amendment and minor enlargement of the existing external storage bays   | Exmouth                       | Withdrawn Before Validation |
| <b>North Devon District Council</b><br>Ilfracombe Church of England Junior School, Princess Avenue, Ilfracombe, EX34 9LW<br>DCC/4040/2018             | Demolition of 2nr. double mobile classroom blocks and canopy. Construction of a modular triple classroom building with toilet facilities and segregation fencing | Ilfracombe                    | Conditional Approval        |
| <b>Teignbridge District Council</b><br>Pioneer Yard, Heathfield Landfill, John Acres Lane, Fosterville, Kingsteignton, TQ12 3GP<br>DCC/4044/2018      | Variation of condition 4 of planning permission reference 17/00445/DCC (DCC/3948/2017) from Vandyke Brown to Juniper Green for proposed waste transfer station   | Kingsteignton & Teign Estuary | Conditional Approval        |
| <b>Torriford District Council</b><br>Parking area between Moreton Park Road and Laurel Avenue, Bideford<br>DCC/4045/2018                              | Demolition and rebuilding of 5 blockwork garages on a like-for-like basis in order to repair a collapsed culvert which runs underneath                           | Bideford West & Hartland      | Conditional Approval        |
| <b>West Devon Borough Council</b><br>Wardhayes, Annex to Okehampton College, Simmons Way, Okehampton, EX20 1PY<br>DCC/4046/2018                       | Application for the installation of a new MUGA, associated fencing, landscaping and the provision of 2 disabled parking spaces                                   | Okehampton Rural              | Conditional Approval        |
| <b>West Devon Borough Council</b><br>Hurditch Farm, Road from Tuell Down Cross to Blacksmiths Arms, Lamerton, PL19 8QA<br>DCC/4049/2018               | New slurry lagoon and screen planting  | Okehampton Rural              | Conditional Approval        |

# Agenda Item 7

## Delegated Schedule - 11th July 2018 - Summary

| <u>District/Location/Application Number</u>   | <u>Proposal</u>  | <u>Electoral Division</u> | <u>Action Taken</u>   |
|---|--|---------------------------|-----------------------|
| <b>North Devon District Council</b><br>Instow Community Primary School, Road from Barton Cross to Instow CP School, Instow, EX39 4LU<br>DCC/4050/2018   | Construction of single storey building for pre-school reception centre   | Fremington Rural          | Conditional Approval  |
| <b>North Devon District Council</b><br>Fremington Community Primary School, Beechfield Road, Fremington, EX31 3DD<br>DCC/4051/2018                      | Removal of old dilapidated "Devon Lady" classroom block and replacement with a permanent modular classroom building                                | Fremington Rural          | Conditional Approval  |
| <b>Exeter City Council</b><br>Countess Wear Community Primary School, Glasshouse Lane, EX3 7BS<br>DCC/4054/2018   | The renewal of 2 double classrooms for a further 15 years  | Wearside & Topsham        | Conditional Approval  |
| <b>North Devon District Council</b><br>The Park School, Park Lane, Barnstaple, EX32 9AX<br>DCC/4056/2018  | Classroom refurbishment, including conversion of existing wc spaces into new classroom space and associated new windows and fire escape corridors. | Barnstaple South          | Permitted Development |
| <b>Exeter City Council</b><br>Devon County Council, County Hall, Topsham Road, Exeter, EX2 4QD<br>DCC/4058/2018   | Prior notification for demolition of existing bicycle shelter  | St David's & Haven Banks  | No Objection          |
| <b>South Hams District Council</b><br>Malborough with South Huish C of E Primary School, Higher Town, Malborough, Kingsbridge, TQ7 3RN<br>DCC/4060/2018 | Demolition and removal of an existing 'Devon Lady' classroom and replacement with a new modular classroom  | Salcombe                  | Conditional Approval  |

# Agenda Item 7

Delegated Schedule - 11th July 2018 - Summary

| <u>District/Location/Application Number</u>  | <u>Proposal</u>  | <u>Electoral Division</u>     | <u>Action Taken</u>   |
|--|--|-------------------------------|-----------------------|
| <b>Teignbridge District Council</b><br>Heathfield Landfill, John Acres Lane, Fosterville, Sandygate, TQ12 3GP<br><br>DCC/4061/2018 | Installation and use of two 30m3 CPL Carbon Link VOCSorber carbon filters to treat the gas on exit from the gas plant, prior to utilisation in the generators at Heathfield Landfill | Kingsteignton & Teign Estuary | Conditional Approval  |
| <b>South Hams District Council</b><br>Tip T2, Lee Moor China Clay Works<br><br>DCC/4062/2018                                       | Prior Notification of the removal of material  | Bickleigh & Wembury           | Permitted Development |