



Planning and Licensing Committee

held on

Thursday 27 April 2017 commencing at 6pm in Cullompton Town Hall

Membership: Councillors Eileen Andrews, Gordon Guest, Janet Johns, Christopher Standford, Kate Haslett, Iain Emmett, Daniel Barnes.

Those present: Councillors Gordon Guest (in the Chair), Iain Emmett, Janet Johns, Kathryn Haslett, Daniel Barnes.

The Assistant Town Clerk (Clerk)

4 members of the public.

DRAFT MINUTES

138. **Apologies:** To receive apologies for absence. Councillor Chris Standford (work commitments) and Eileen Andrews (illness).

139. **Declarations of Interests:** To receive declarations of disclosable pecuniary interests and personal interests:

Councillor Kathryn Haslett declared a personal interest in the Item 143 as she is a member of the Swimming Pool Campaign.

140. **Minutes:** The minutes of the Planning and Licensing Committee meeting held on 23 March 2017 were adopted as a true and correct record of the meeting and signed as such. Proposed Councillor Daniel Barnes, seconded Councillor Iain Emmett.

141. **Public Question Time:** To accept questions from members of the public present at the meeting.

Members of the public made the following points in connection with the Licensing Application at 27 Fore Street:

- The proposal has residential properties in Jarman's Court immediately adjacent to it that will be severely impacted by it.
- It is considered that the application deals mostly with countering the threat of drunken violence and how it is dealt with and the owner appears to be expecting such drunken violence to occur.
- The Police appear disinterested and seem unaware of the level of violence in Fore Street on Friday and Saturday evenings and whether or not the employees of the Charcoal Grill are legally employed.
- It is obvious that all items bought in the shop will be deposited somewhere in Cullompton, probably on the floor as litter.
- A Public Nuisance will be attracted to a new late night eating establishment.

- There will be an increase in late night illegal parking – this is particularly relevant to those who live in Jarman’s Court who also work shifts and may find it impossible to drive their vehicles onto Fore Street in the early hours.
- Increased noise pollution and air pollution will have a significant impact on local residents.
- There is concern over public safety in that the food hygiene rating at the current premises has been reduced to one.
- There are no Police locally to police the additional footfall generated.
- There are no toilets at the Charcoal Grill and no public lighting in Jarman’s Court and urine stains are prevalent in the immediate vicinity of the existing premises.
- There is a feeling the public has been misled over the address of the applicant.
- There is a feeling from a local shop owner that there will be an increase in damage to shop premises, particularly windows, in the event of Charcoal Grill relocating to 27 Fore Street.
- There is a belief that the licence for the existing premises should not have been granted in the first place.
- There is concern that the current location is not complying with the current licensing hours.

142. **Planning and Licensing Matters:**

- a. To consider and make comment on planning applications received for Cullompton 21 and available to view at the [Planning Portal](#):
 - i. [17/00419/FULL](#) - Mr and Mrs Elmer
Conversion and extension of outbuildings to ancillary accommodation and 2 holiday lets with office and store at first floor level and installation of an oil tank at Fulfords, Colebrooke Lane, Cullompton.
Recommend refusal on the grounds that the structural survey carried out on the existing buildings considers them unsuitable for conversion into residential dwellings. Proposed Councillor Iain Emmett, seconded Councillor Kathryn Haslett.
 - ii. [17/00580/HOUSE](#) - Mr M Willis
Erection of two storey rear extension and single storey side extension (Revised Scheme) at 5 Langford Green, Cullompton.
Recommend grant permission. Proposed Councillor Gordon Guest, seconded Councillor Janet Johns.
 - iii. To consider an application for a fast food licence at 27 Fore Street, Cullompton (Appendix B).
Recommend refusal on the grounds that antisocial behaviour will be relocated to a more residential area of Fore Street with associated increase to public nuisance, there is a risk to public safety in that the food hygiene rating at the existing Charcoal Grill is poor. There will be a public nuisance in that noise fumes from a fast food outlet at this location will be exhausted into a largely residential area and the public’s safety will be put at risk by the building not having a sufficient fire exit to the rear.
Proposed Councillor Iain Emmett, seconded Councillor Kathryn Haslett.

- b. To receive planning determinations and consider any other planning matter brought forward at the discretion of the Chair. None.
- c. To consider applications from neighbouring Parishes. None.

143. **Neighbourhood Plan:** To consider the allocation of additional land in the Neighbourhood Plan for the construction of dwellings (Appendix A).

Following discussion surrounding the reasoning behind this proposed allocation of land for dwellings at the NW Extension and at Knowle Lane that included:

- The allocation covers a broad range of housing numbers and it was agreed that the Planning Authority will have the final determination on the exact number of dwellings at each location should planning permission be sought by developers.
- The exact range of dwellings to be allocated, following consultations with the Planning Authority and developers, was discussed with original estimates being reduced in both cases.

it was:

RESOLVED: That the Neighbourhood Plan contains policies to allocate 250-320 houses on a 33 acre site in the NW Extension in order to provide a swimming pool. Proposed Councillor Gordon Guest, seconded Councillor Iain Emmett.

RESOLVED: That the Neighbourhood Plan contains policies to allocate 240-280 houses on a 23 acre site at Knowle Lane (currently Cullompton Rugby Football Club/Kia Ora gardens) on condition that the Rugby Club and Kia Ora consent to the sale of this land and consent to relocation of Cullompton Rugby Club. Proposed Councillor Gordon Guest, seconded Councillor Janet Johns. There were 2 abstentions.

These resolutions on the allocation of dwellings at each site in the Neighbourhood Plan take forward an earlier resolution that the council supports, in principle, the allocation of these sites for dwellings in the Neighbourhood Plan in order to facilitate the construction of a swimming pool and the relocation of the Rugby Football Club.

144. **Correspondence:**

- a. A large print of the eastern distributor road proposal has been received from MDDC and is held by Councillor Gordon Guest and the Neighbourhood Plan.
- b. The Planning Committee at Mid Devon District Council resolved, in consideration of the condition of The Manor Hotel, Cullompton, "...that the Legal Services Manager be given delegated authority to take any appropriate legal action including the service of a notice or notices seeking the repair and redecoration of the exterior of the listed building. In addition, in the event of a failure to comply with any notice service to authorise prosecution and/or direct action."

145. **Date and time of the next meeting:** Thursday 11 May 2017 commencing at 6pm.

Cullompton Neighbourhood Plan.

April 2017.

Allocation of land for the Swimming pool and Hydrotherapy Pool and Cullompton Rugby Club. This is a discussion document for the planning committee. The planning committee may wish to change parts of the document.

MDDC Local Plan 2017.

The 2017 MDDC Local Plan allocates land in the west and the east of Cullompton up to 2033. This is 100 ha (249 acres) in the NW Extension (Cu1 to Cu 6) for 1,350 houses and 160 ha (400 acres) for 1,700 houses (Cu 7 to 12) in phase 1 for East Cullompton increasing to 5,000 houses in further phases. Note this translates to approximately 5.5 houses per acre depending on the land type e.g. flat land is more hills are less.

The 2013 MDDC Local Plan allocated 95 ha (235 acres) for 1,250 houses (Cu1 to Cu 6 for development of the NW Extension, and 160 ha (400 acres) for 2,100 houses (CU 7 to Cu 12) in East Cullompton as well as other sites.

Neither the swimming pool site nor the rugby club site are included in the MDDC Local plan. They would therefore be extra land allocation for housing outside of the boundaries of the MDDC Local Plan. This extra housing land would not seek to reduce the MDDC housing allocation within the MDDC local plan.

Cullompton Swimming Pool and Hydrotherapy pool.

The extra land allocation for the Cullompton Swimming Pool would be adjacent to the NW Extension land allocated in the MDDC local Plan (Cu1 to Cu 6). This land would be next to the relief road built through the NW Extension from Tiverton Road to Willand Road, as per the MDDC masterplan (2015). The housing land allocated would be extra to that of the MDDC Local Plan. Allocating this land as extra would enable the swimming pool complex to come forward sooner and be constructed earlier.

The extra allocated land is owned by one land owner Mr Paul Scoble.

This would deliver up to 309 houses. This would enable some 2 acres of land to be gifted to the swimming pool group. This land would be used to build the swimming and hydrotherapy pool complex. (Note when final designs and planning permission is applied for there may be some variations to the original plans).

The Swimming and Hydrotherapy Pool site is made up of three aspects. The first being the gifting of the two acres of land (by Mr P. Scoble). The second being the construction of the swimming pool building. The third being the construction of up to 309 houses to help fund the land gift and swimming pool construction.

The construction of the building is the more costly element. The landowner will be providing a contribution towards the construction of the project. This will more than likely be through a Section 106 agreement.

In the event that Mid Devon have an adopted CIL charging schedule then subject to Cullompton having an adopted Neighbourhood Plan in place Cullompton Town Council would receive 25% of the CIL receipt for development within the Parish on all CIL chargeable receipts received for housing that is granted Planning Permission after the NHP adoption.

The construction costs are currently unknown. Match funding through other organisation such as Sport England could provide any top up funding that may be required.

If the swimming pool complex did not come forward then the extra allocation of houses would not be supported.

The figure of 309 houses may change when detailed planning begins. MDDC planning have regularly reduced downwards the number of houses permitted. Cullompton Town Council planning could amend their position in the future when more specific details are available.

Cullompton Rugby Club.

The extra land allocation for the Cullompton Rugby Club would be adjacent to Kingfisher Reach (Cu 16) Saxon Fields (Cu 14) and Colebrook (Cu 21).

The extra land would provide up to 351 houses.

During the MDDC local plan period 2017 to 2033 it is likely that the current location of the Rugby Club would be completely surrounded by housing estates. Therefore the extra land allocation of the rugby club and the three landowners for housing would enable the rugby club to relocate, if the rugby club wished, at some point in the future.

The housing land allocated would be extra to that of the MDDC Local Plan. Allocating this land as extra would give the rugby club options for the future. One of these options may be to relocate to the sports zone land in East Cullompton (Cu 7 to Cu 12).

The Rugby Club land is owned by three landowners;

1. The Rugby Club
2. Mrs Mary Disney
3. Mrs Joan Hill

The area of rugby club land that could be allocated in the Neighbourhood Plan could support up to 351 homes. This figure is based on other similar developments in the area. The reason for the quantum of homes being required is to enable the Rugby Club to fund the relocation of the club when a suitable site is available.

If the rugby club relocation did not come forward then the extra allocation of houses would not be supported.

The figure of 351 houses may change when detailed planning begins. MDDC planning have regularly reduced downwards the number of houses permitted. Cullompton Town Council planning could amend their position in the future when more specific details are available.

Cummings Nursery & Devonshire Homes.

The 2013 MDDC local plan allocated 120 houses on 5.2 ha at the Cummings Nursery site. The original planning permission application was rejected. The final accepted planning permission was for 100 houses a reduction of 20 houses.

Therefore it is possible that once planning permission for the rugby club and swimming pool land is submitted MDDC planners may agree or disagree with the numbers of houses to be built on each site. This can not be determined at this stage (April 2017).

Cullompton Town Council Planning committee.

This is to make the Cullompton Town Council Planning committee fully aware that by agreeing to the provisional allocation of extra land and houses for the swimming pool site and the rugby club site through the Cullompton Neighbourhood Plan, this land would only come forward to support

both those specific schemes. That in future MDDC planning may well change the number of houses allocated on these sites downwards.

MDDC could not increase the number of houses without allocating further land in a future MDDC local plan.

So Cullompton Town Council should consider that the land allocation and number of houses allocated for the swimming pool site and the rugby club site is a maximum. That development of these extra sites would be subject to MDDC planning regulations.

Gordon Guest
Chair of Cullompton Town Council Planning
20/04/2017

Notes Knowle Lane (Cu 13) 2013 policy was for 285 houses this was reduced downwards.
Exeter Road was for (Cu 15) 2013 was for 24 dwellings reduced to 20.

