

PLANNING COMMITTEE

Monday 11 April 2016

Present:

Councillor Bialyk (Chair)
Councillors Spackman, Buswell, Denham, Edwards, Lyons, Newby, Raybould and Williams

Apologies:

Councillors Choules, Prowse and Sutton

Also Present:

City Development Manager, Principal Project Manager (Development) (MH) and Democratic Services Officer (Committees) (HB)

26

DECLARATIONS OF INTEREST

No declarations of interest were made by Members.

27

PLANNING APPLICATION NO. 16/0081/03 - LAND TO REAR OF FIVE ACRES, EXETER ROAD, TOPSHAM, EXETER

The Principal Project Manager (Development) (MH) presented the application for development comprising change of use to Golf Driving Range including erection of an eight bay plus two training bay driving range building incorporating reception and tractor store, associated flood lighting, 2m high mesh security fencing and 10m high netting, associated car parking and access.

Members were circulated with an update sheet - attached to minutes.

Mrs Collingwood spoke against the application. She made the following points:-

- own and run Collingwoods Bed & Breakfast at Broom Park Nurseries;
- 12 years ago had a successful business running a Market Garden and a Farm Shop but had to diversify to run a bed and breakfast following supermarkets and large garden centres taking on many of the same lines but at a lower cost;
- the bed and breakfast has a shared boundary to this development. Being our only income this small business supports tourism by attracting national and international customers who also assist the local economy and are open throughout the year;
- accommodate a variety of clients including the elderly and those with disabilities, some of whom retire to bed early and value the relaxed and peaceful atmosphere;
- the proposed development could have a devastating effect on our livelihood and future in Topsham;
- appreciate that some objections raised have been overcome by recent amendments but feel that the noise factor and the lighting still remains relevant objections to our business and our home; and
- request refusal of the application.

Mr Butler spoke in support of the application. He made the following points:-

- speaking in capacity as President of the Exeter Golf and Country Club;
- the driving range is destined to become the property of the Golf Club in due course. The Club have entered in to a formal; agreement with Heritage Homes for them to develop the existing practice ground at Newcourt for housing. Part of the Agreement required Heritage Homes to provide a replacement practice facility;
- the outcome will release much needed funds for the Golf and Country Club to invest in much needed sporting facilities to benefit its 5,000 members; and
- approval of the application will enable the Club to take a further step towards securing the Club's future at Countess Wear for many years to come.

Responding to Members queries, he confirmed that low compression balls would be used on the driving range and that the flood lights would be turned off at 8.30pm. He stated that it was the firm intention of the Club to strictly manage the use of the facility to ensure that neighbours were not disturbed and it was acknowledged that the Club already worked hard to maintain good relations and did not cause problems for the neighbourhood. With regard to the early morning collection of balls from the Range by tractor, he agreed that the Club would adhere to an appropriate time. Given concern expressed by a Member, this would be conditioned.

The recommendation was for approval, subject to the conditions as set out in the report.

RESOLVED that planning permission for development comprising change of use to Golf Driving Range including erection of an eight bay plus two training bay driving range building incorporating reception and tractor store; associated flood lighting, 2m high mesh security fencing and 10m high netting, associated car parking and access be **APPROVED**, subject to the following conditions:-

- 1) C05 - Time Limit – Commencement
- 2) The development hereby permitted shall not be carried out otherwise than in strict accordance with the submitted details received by the Local Planning Authority on the 11th January, 19th and 29th March 2016 (*dwg. nos. 01 Rev 3.7, 02 Rev B and UKS11463_1*), as modified by other conditions of this consent.
Reason: In order to ensure compliance with the approved drawings.
- 3) Samples of the materials it is intended to use externally in the construction of the development shall be submitted to the Local Planning Authority. No external finishing material shall be used until the Local Planning Authority has confirmed in writing that its use is acceptable. Thereafter the materials used in the construction of the development shall correspond with the approved samples in all respects.
Reason: To ensure that the materials conform with the visual amenity requirements of the area.
- 4) C57 - Archaeological Recording
- 5) No development shall take place within the application site until the means of construction of foundations and formation levels for the road and parking area have been agreed in writing by the Local Planning Authority. All works shall be carried out and completed as approved, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that disturbance to important archaeological remains is minimised.

- 6) No other part of the development hereby approved shall be commenced until the full technical details of the site access onto Exeter Road have been approved in writing by the Local Planning Authority.
Reason: To provide a safe and suitable access is achieved and protect the function of the primary cycle route, in accordance with paragraphs 32 and 41 of the National Planning Policy Framework.
- 7) No part of the development that is a distance greater than 15.0 metres from Exeter Road shall be commenced until the proposed vehicle access onto Exeter Road has been provided in accordance with details agreed under condition 6. The access to be retained for those purposes at all times.
Reason: To ensure that a safe and suitable access is achieved and protect the function of the primary cycle route, in accordance with paragraphs 32 and 41 of the National Planning Policy Framework.
- 8) C35 - Landscape Scheme
- 9) Construction work shall not take place outside the following times: 8am to 6pm (Monday to Fridays); 8am to 1pm (Saturdays); nor at any time on Sundays, Bank or Public Holidays.
Reason: In the interests of the amenity of occupants of nearby buildings.
- 10) Unless otherwise agreed in writing by the Local Planning Authority the use hereby approved (including ball collection and maintenance activities) shall not be carried on other than between the hours of 08.00am and 09.00pm Mondays to Fridays and 09.00am to 09.00pm on Saturdays and Sundays.
Reason: So as not to detract from the amenities of the near-by residential properties.
- 11) Unless otherwise agreed in writing by the Local Planning Authority the flood lighting hereby approved associated with the use of the driving range shall only be used between the hours of 08.00am and 08.30pm Monday to Friday and 09.00am and 08.30pm Saturdays and Sundays.
Reason: So as not to detract from the amenities of the near-by residential properties.
- 12) The development hereby approved shall be implemented in accordance with the recommendations and mitigation measures set out in Section 6 and 7 of the submitted Ecological Assessment (Sunflower International Ecological Consultancy) dated March 2016.
Reason: To ensure that the development proceeds in a manner that appropriately mitigates any potential ecological impact associated with the development.
- 13) The boundary fencing and netting hereby approved shall be erected in accordance with further detailed drawings which shall be submitted to and approved in writing by the Local Planning Authority prior to their erection. The details will be expected to demonstrate that the boundary treatments will be erected inside of existing boundary hedgerows to facilitate their retention, that the fencing incorporate features to ensure wildlife can still obtain access across the site, and that the netting incorporates appropriate features to aid its detection by bats. Thereafter the boundary treatments shall be erected strictly in accordance with the approved details.
Reason: In the interests of the visual amenity of the area and to ensure that the detailed design of the boundary treatments are acceptable.

- 14) No part of the development hereby permitted shall be commenced until a programme of percolation tests have been carried out in accordance with BRE Digest 365 Soakaway Design (2007), and the results approved in writing by the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations of the proposed soakaways and permeable surfaces.
Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.
- 15) No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan has been submitted to, and approved in writing by, the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. This detailed permanent surface water drainage management plan will be informed by the programme of approved BRE Digest 365 Soakaway Design (2007) percolation tests, in accordance with the principles set out in the Proposed Infrastructure Layout (Drawing No. 0100, Rev. P1, dated March 2016).
Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible, and is managed in accordance with the principles of sustainable drainage systems.

28

LIST OF DECISIONS MADE AND WITHDRAWN APPLICATIONS

The report of the City Development Manager was submitted.

RESOLVED that the report be noted.

29

APPEALS REPORT

The schedule of appeal decisions and appeals lodged was submitted.

RESOLVED that the report be noted.

30

SITE INSPECTION PARTY

RESOLVED that the next Site Inspection Party will be held on Tuesday 19 April 2016 at 9.30am, comprising Councillors Bialyk, Buswell and Edwards. The following site inspection will be on 10 May 2016 at 9.30 a.m., Councillors attending to be advised.

31

COUNCILLORS CHOULES, BUSWELL AND WILLIAMS

The Chair reported that this would be the last Planning Committee meeting for Councillors Choules, Buswell and Williams who were standing down at the May elections. He and Committee Members paid tribute to their hard work for the Council as well as their service as Members of this Committee.

Additional Information Circulated after Agenda Dispatched - circulated as an annexe

(The meeting commenced at 5.30 pm and closed at 6.06 pm)

Chair

**PLANNING COMMITTEE
11 APRIL 2016
ADDITIONAL INFORMATION**

Correspondence received and matters arising following preparation of the Agenda

<p>Item 5 Pages 5-16 Ref: 16/0081/03 Land to rear of Five Acres Exeter Road Topsham</p>	<p><u>Revised Consultation response DCC (Lead Local Flood Authority)</u></p> <p>Comments as follows and recommends two additional conditions as set out below:-</p> <p>“Devon County Council Flood and Coastal Risk Management Position. Following my recent correspondence (FRM/2016/396, dated 24th February 2016), the applicant has provided additional information in respect of the surface water drainage aspects of the above planning application, for which I am grateful. I have received a Proposed Infrastructure Layout (Drawing No. 0100, Rev. P1, dated March 2016), MicroDrainage Model Outputs (dated 21st March 2016), and a Drainage Maintenance Schedule (Rev. A, dated 17th March 2016), via e-mail. I am satisfied that these documents address my previously raised concerns in terms of the management of surface water on this site, and the applicant must ensure that these documents are formally submitted the Planning Case Officer to be registered as part of this application. Assuming that this is done, and the following pre-commencement planning conditions are imposed on any granted permission, I am happy to confirm that our objection can be withdrawn.”</p> <p><u>Condition 14</u> No part of the development hereby permitted shall be commenced until a programme of percolation tests have been carried out in accordance with BRE Digest 365 Soakaway Design (2007), and the results approved in writing by the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations of the proposed soakaways and permeable surfaces. Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.</p> <p><u>Condition 15</u> No part of the development hereby permitted shall be commenced until a detailed permanent surface water drainage management plan has been submitted to, and approved in writing by, the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. This detailed permanent surface water drainage management plan will be informed by the programme of approved BRE Digest 365 Soakaway Design (2007) percolation tests, in accordance with the principles set out in the Proposed Infrastructure Layout (Drawing No. 0100, Rev. P1, dated March 2016). Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible, and is managed in accordance with the principles of sustainable drainage systems.</p> <p>The officer recommendation is that these two conditions are added to those set out in the main report.</p>
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