

**Minutes of the Planning Committee Meeting held in the Village Hall on
Friday 12th April 2013 at 8.00pm**

Present: - Cllrs Cole
Clarke
Cook
H Jeffery
Sanders
Slattery
Phillips
Salter
Pearce
David Atkins (Clerk)

Note:- Cllr Sanders in the Chair at commencement.

Apologies:- None.

In attendance:- Cllrs Potter DC, Channon CC and D G Atkins Clerk.

The Chairman stated that this was a Planning Committee meeting and the public present were not to be heard. He proposed that the order of business be reversed. Cllr Cook questioned why this was necessary, the Chairman said this would become apparent in due course.

The Chairman the gave the meeting over to Cllr Cole as Chairman of the Planning Committee.

Applications received

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A) 13/0641/TRE Otter Dene
Venn Ottery

Proposal:- T1 Oak, T5 Ash - Fell, T2 - Remove low branch over chalet, T3 remove lowest two branches.

Observations:- Recommend to send comments to EDDC stating - As this is for tree work only it is best dealt with by EDDC Tree Officer. Agreed.

Proposed Cllr Cole
Seconded Cllr Phillips Unan

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B) 13/0562/FUL and 13/0563/LBC Little Cot
Harpford (Higher Way)

Proposal:- 1. Rebuilding of collapsed retaining wall.
2. Rebuilding of retaining wall and strengthening of existing retaining wall.

As LBC.

Observations:- Recommend that Parish Council support the application as work is essential to avoid potential damage to the house itself. Would request that the Parish Council is given notice of the time and duration of the road closure. Agreed.

Proposed Cllr Cole
Seconded Cllr Salter.

Unan.

C) 13/0617/FUL & 13/0618/LBC

Brook Hayes
Venn Ottery Road

Proposal: Construction of replacement front porch and enlarged rear extension.

LBC Proposal: Construction of replacement front porch and enlarged rear extension, insertion of replacement windows, tanking of ground floor and internal alterations.

Observations:- Recommend that the Parish Council support the application as the proposed porch should minimise flood water entering the property and at the same time be more in keeping with the listed cottage than the current porch. Rear extension is modest in size will not impact on others. It was noted the rear extension was slightly bigger than the original. Agreed.

Proposed D Jeffery
Seconded H Jeffery

Unan.

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D) 13/0347/FUL

Brook Farm
Venn Ottery Road

Proposal:- Demolition of existing redundant farm buildings and construction of three detached dwellings and garages.

Observations:- The application is identical to the 12/10/2011 application. The design access statement states under the current application incorporates updated information but doesn't explain what has been updated.

Main change appears to be raising footbridge to Brook Cottage by 300mm.

Issues

- The application is partly in flood zone 3 (HIGH PROBABILITY OF FLOODING) as stated in the flood risk report prepared by the applicant it says. "Residential development, classified as 'More Vulnerable' development in PPS25 is not considered appropriate in flood in this flood zone and would need to satisfy the sequential and exception test of PPS25.

The Flood Risk Assessment Report indicates that the flood level in a 1 in 100 year event is 35.99m AOD the entrance to the site as dictated by the level of Venn Ottery Lane is 35.72m. In a flood event 0.27m and with the allowance recommended by the EA for Global Warming flood level increases 36.2m - 35.72 = 0.48m of fast flowing flood water on the only route in or out of the site. (This is with a 20% allowance for global warming climate change CDE are using 30% allowance in the KAW storm water allowances). In 2012 we experienced two 1 in 100 year events in the area.

The floor levels of the proposed properties are 36.80m this it to comply with the applicants FRA 900mm above the estimated highest floor level (Floor levels are set at this level because of the uncertainty of the levels calculated in the modelling).

It is not appropriate to ignore the need for the sequential test or exception test as the application does not fall into the "Definition of minor development" see FRA page 9.

Building the proposed houses on elevated platforms of approximately 1.3 metres.

Bin storage is in the main flood flow the proposed gravelled car parking for Brook Farm is up to a metre below the anticipated flood level.

The recent Inspectors decision for refusal of 8 Hazel Close was primarily because of the flood risk. Members agreed with the Chairman's overview. It was agreed to maintain the objection to the development as proposed.

Proposed	Cllr Phillips	
Seconded	Cllr Jeffery	Unan

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E) 13/0347/FUL Swallows Barn
Tipton St John

Proposal:- Construction of garden studio (retrospective app.).

Observations:- Retrospective application for studio beside house, as this is a retrospective application and the neighbour is objecting to its position I recommend a site visit.

Proposed D Jeffery	
Seconded Cook	Unan

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F) 13/0316/MOUT Land to the south of King Alfred Way

Proposal:- Outline application for the development of up to 42 houses, a community hall, doctors surgery and associated infrastructure, open space and landscaping (all matters except access reserved).

The Council took legal advice from the district's democratic services manager and was told Cllr Salter had a Disclosable Pecuniary Interest (DPI) as the application was next door to his land and could affect the value of his home. A DPI is an issue it is deemed may cause conflict with a representative's role as an elected member.

Cllr Salter, who had declared an interest and was happy not to vote on the matter, refuted the claim and insisted he should be allowed to give his verdict and express factual concerns.

He said he had 'no problem' with houses being built in the field - but the application was 'riddled with inconsistencies'.

Cllr Salter claimed that some of his colleagues did not want him to talk as they were 'worried' about what was going to be said.

Chairman CLLR Sanders said the Council was following proper procedures in its actions and warned that some 'serious language' was being used.

At this point Cllr Salter challenged Cllr Cole on the matter of his interest as Cllr Salter considered that he had purchased a Property from Clinton Devon estates some years ago

and this constituted a Pecuniary interest. This was refuted by Cllr Cole who said he had purchased the Property through Agents and had completed the Transaction prior to any matter. now to be considered.

Cllr Sanders considered the whole matter needed further Legal opinion and adjourned the proceedings.

Chairman

Date