

Minutes of the Planning Committee meeting held on Thursday 23rd June 2022 at 5.45pm held in the Village Hall.

Present: Cllr. Graham (Chairman); Cllr. Smith; Cllr. Johnstone; Cllr. Wallace; 5 members of the public; Penny Clapham (Clerk).

1. **Apologies for absence:** Cllr. Clarke. Cllr. Enderson. Cllr. Hodder.
2. **Declarations of Interest:** In accordance with the Code of Conduct, members are required to declare any personal or disclosable pecuniary interests, including the nature and extent of such interests they may have, in items to be considered at this meeting. Members are also reminded that any change to their Declarations of Interests must be notified to the Monitoring Officer at Mid Devon District Council within 28 days of the change.
3. **Public Discussion:** An opportunity for members of the public to make representations, answer questions and give evidence in respect of any item of business on the agenda, or any matter of interest to the parish. The period of time designated for public participation shall not exceed 10 minutes.

Reminder that members of the public are not allowed to raise issues when the Council is in committee.

Parishioner, son of the applicant for the lawfulness application stated he was available to answer any questions.

4. **PLANNING** – Mid Devon District Council have asked for comments from the parish council on the following planning applications-
 - i. **22/01163/CLU** Certificate of lawfulness for the existing use of outbuilding/workshop as a single dwelling with associated and attached wooden decking for a period in excess of 4 years, Land and buildings at Fairfield, Colebrooke.

Cllr. Graham read an objection from neighbours (also present at this meeting).

Standing orders suspended for parishioner to comment.

This is a certificate of lawfulness not a planning application. Further information was disclosed to the meeting in the form of a submission of evidence. Council put some questions to the applicants. Suitably answered.

Standing orders resumed.

The Council object to this proposed Certificate of Lawfulness. This as a greenfield site on which the applicant has developed and occupied a dwelling without planning permission. While the Applicant claims to have lived in the dwelling for 4 years, the Parish Council were not aware of this and would have raised their concerns earlier. The site is immediately adjacent to the Two Moors Way and is clearly visible to walkers on that route. The Parish Council considers that the applicant is seeking to circumvent the due process of planning to acquire a dwelling that should be thoroughly appraised by the Planning Authority given its position and the change of use of farmland. This will set a most unfortunate precedent .

- ii. **Erection of 2 agricultural buildings** land at Easterbrook Farm, Penstone.
22/01084/PNAG storage barn
22/01115/PNAG livestock barn

Comment for 22/01084 - for a very large Storage Barn

- The location is at the highest possible point of the field in which it is situated. Guidance is that buildings should not be located on skylines and should be sensitive to the surroundings.
- The barn is very large and high - higher than the average two story house. Guidance is that planners should consider whether buildings will have a detrimental effect on the landscape in terms of visual amenity.
- The barn is of a commercial and even industrial design, with roller doors. Guidance for planners is that development giving rise to buildings not designed for agricultural purposes is not permitted. Courts have held that this condition relates to the physical appearance and layout of a building, not its function.
- The barn is isolated in the field. Guidance is that barns should normally form part of a group rather than stand in isolation and relate to existing buildings in size. The barn is not near the existing buildings on the land which are lower in the field and it far exceeds the size of the existing buildings
- The size of the barn and the applicant's reference to bringing in hay from other land suggests this will be a large store. There are legitimate concerns about the suitability of the access for emergency vehicles should a fire break out. (The access is over a narrow farm track and then up a steep field). There is no nearby water source.

For the above reasons the PC requests that the Planning Officer finds that prior approval is required, so that an application has to be tested against the criteria for full planning consent under the MDDC Local Plan, if the applicant decides to go ahead. The PC considers this application to be ill-judged and insensitive to the surrounding countryside. If a storage barn is needed it could quite satisfactorily be situated in a much less prominent position. To allow a barn in this position would set an inappropriate precedent for other such applications.

Comment for 22/01115 - for a large livestock barn

- The location is at the highest possible point of the field in which it is situated. Guidance is that buildings should not be located on skylines and should be sensitive to the surroundings.
- The barn is isolated in the field. Guidance is that barns should normally form part of a group rather than stand in isolation and relate to existing buildings in size. The barn is not near the existing buildings on the land which are much lower down in the valley.
- The drawing submitted is of such poor quality it is not adequate for purpose.
- The drawing shows numerous roof lights and openings - far more than is usual for such a barn. This aspect of the design is not sensitive to its surroundings.

For the above reasons the PC requests that the Planning Officer finds that prior approval is required, so that an application has to be tested against the criteria for full planning consent under the MDDC Local Plan, if the applicant decides to go ahead. The PC considers this application to be ill-judged and insensitive to the surrounding countryside. If a livestock barn is needed it could quite satisfactorily be situated in a much less prominent position. To allow a barn in this position would set an inappropriate precedent for other such applications.

Meeting closed at 6.13pm

Signed.....

Date.....