

BOVEY TRACEY TOWN COUNCIL

TOWN HALL • BOVEY TRACEY • NEWTON ABBOT • DEVON TQ13 9EG
Tel: 01626 834217 • E-mail: info@boveytracey.gov.uk • www.boveytracey.gov.uk
Office hours: 10.30am - 12.30pm Mon, Wed. & Fri.

For information only:

The press and public are welcome and are encouraged to attend meetings. The Town Council will however be meeting online for the foreseeable future to protect the public and members from spreading the virus. Public with an internet connection can still join the meetings by requesting an invitation by email from info@boveytracey.gov.uk at least two hours before the meeting which will contain a link to join the virtual meetings via zoom.

14th April 2020

To Members of the Planning Committee

Cllrs Brooke (Ex Officio), J Arnold, U Arnold, Bradshaw, Kelly, Kerswell, Light.

Cc All other members of the Council for information.

Dear Councillor,

You are hereby summoned to attend a virtual meeting of the **Planning Committee** which will be held on **Monday 20th April 2020 at 6.30pm** for the purpose of transacting the business as set out on the agenda below.

AGENDA

Interests to be declared: In accordance with the Code of Conduct, Members are invited 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 Declaration of Interests must be notified to the Monitoring Officer at Teignbridge District Council within 28 days of the change.

PL.20/34 Apologies for absence:

****Public Participation:**

The Committee, at the Chairman's discretion, sets aside a short period of time at the commencement of the meeting when the public can ask questions or make statements regarding agenda items.

PL.20/35 Minutes:

i) **To agree** as a correct record and approve the minutes of the meeting of 9th March 2020 (*copy enclosed).

ii) **To note and approve** the observations made on application 20/00399/MAJ (BCT Factory, Old Newton Road, Heathfield) (**copy enclosed*).

PL.20/36 Standing Item – Climate Emergency:

To note the Council Declaration and to embed the climate emergency declaration across all Council services, activities, plans and other relevant work, considering the environmental impact of decisions, ensuring a fully integrated approach to mitigating the impact of climate change.

PL.20/37 Consideration of Planning Applications:

Deferred item:

- a) **19/02541/MAJ** Construction of industrial building (for manufacturing, administration and support space), access and associated parking at land at Heathlands, Old Newton Road.

TDC Applications listed to 27.3.20:

- b) **20/00463/FUL** Construction of sun lounge to replace existing conservatory at Strelna, Lowerdown.
- c) **20/00485/FUL** Rear extension at Ashwell Cottage, Trough Lane.
- d) **20/00503/FUL** Demolition of existing offices, installation of new loading doors into existing front elevation at Warburtons Bakery, Fairfax Road, Heathfield Industrial Estate, Heathfield.

DNPA Applications listed to 27.3.20: None

TDC Applications listed to 3.4.20:

- e) **20/00486/MAJ** Variation of drawing 462-050 on application 18/00839/MAJ (outline for 18 dwelling plots) to reflect a change in the layout with drawing 562-050a at Lower Bradley Farm.

DNPA Applications listed to 3.4.20:

- f) **0165/20** Erection of bat roost at site north west of Plumley Barn, Forder Lane.

TDC Applications listed to 10.4.20:

- g) **19/02583/MAJ** Application for second phase of residential development of 128 dwellings. Outline application for employment site and 5 self build dwelling plots at land to west of Monks Way.

- h) **20/00605/NPA** Application for Prior Approval under Part 3 Class Q (a) & (b) and paragraph W of the GPDO for change of use of an agricultural building from agricultural building (agricultural use) to a dwelling at Five Wyches Farm.

PL.20/38 Planning Decisions:

a) Approvals:

TDC:

- i) Loft conversion including roof lights at 1 South View. (N/O)
- ii) Certificate of Lawfulness for existing use of property as B8 (storage & distribution) at 1 Heathfield Units, Battle Road. (N/O)
- iii) Extension to front, new terrace, access ramped steps and external alterations at Moorlea, Avenue Road. (N/O)

b) Refusals: None

The Town Council's submitted observations: No objections – N/O. Objection – O. Referred – Ref'd. Not consulted – N/C.

PL.20/39 **Stopping up of a Section of the Public Right of Way known as Bovey Tracey Footpath 8 and Creation of New Alternative Section of Footpath:**

To receive new information (**copy enclosed*) and **consider** the withdrawal of previous observation (ref. PL.19/111).

PL.20/40 **General Planning Matters brought forward by Councillors:**
(For information only).

SIGNED 

DATE *14/04/2020*

M WELLS
TOWN CLERK

**PLANNING COMMITTEE MEETING HELD IN THE COUNCIL CHAMBER
ON MONDAY 9TH MARCH 2020 AT 6.30PM**

Present:

Cllr J Arnold	Cllr S Brooke
Cllr U Arnold	Cllr E Kelly
Cllr R Bradshaw	Cllr A Kerswell*

In attendance:

Cllr A Allen
Cllr G Gribble**/*
Mr M Wells – Town Clerk
Mrs L Warren – Assistant to the Town Clerk
Four members of the public

**County Cllr

*District Cllr

The meeting was chaired by Cllr Kelly

Interests declared: None

PL.20/20 Apologies for absence:

Cllr S Light – Work commitment

****Public Participation:**

Mr L Calder:

- i) Reported that, since the work to relocate the street lights has been undertaken, the speed limit sign on Le Molay-Littry Way is not working.
- ii) Advised that the damaged dog waste bin in Coombe Close has not been replaced.

Mr P Beecher (Residents' Association) referred to TDC's proposed increased in car parking charges and noted the impact this will have on shopkeepers.

Mr D Vooght, applicant for application 19/02541/MAJ – construction of industrial building, access and associated parking at land at Heathlands, Old Newton Road, outlined the proposals and answered questions raised by Councillors.

PL.20/21 Minutes:

Ref. PL.20/15 Vehicle loading/unloading restrictions in Fore Street – The Town Clerk advised that loading/unloading is permitted between 7am and 7pm. Cllr Brooke requested that an item be brought forward to consider the further reduction of the movement of large vehicles at peak times.

The minutes of the meeting of 24th February 2020 (**copy previously circulated*) were then confirmed as a correct record and were approved.

PL.20/22 Standing Item – Climate Emergency:

Members noted the Council Declaration to embed the climate emergency declaration across all Council services, activities, plans and other relevant work, considering the environmental impact of decisions, ensuring a fully integrated approach to mitigating the impact of climate change.

Cllr Elphick joined the meeting at 6.35pm

PL.20/23 Consideration of Planning Applications:

Deferred item:

- a) **20/00277/MAJ** Alterations to the elevations of existing industrial building, additional hardstanding, realignment of the internal access road, new car parking, extension to surface water attenuation pond and associated works at Former BCT Factory, Old Newton Road, Heathfield.

Observations: The Town Council does not support this proposal as it is unable to quantify the increase in traffic movement and the subsequent impact this will have on local residents.

TDC Applications listed to 14.2.20:

- b) **20/00231/FUL** Loft conversion including roof lights, new spiral staircase, outhouse to be re-roofed and new 1m high fence to the front elevation at 1 South View.

Observations: No objection.

DNPA Applications listed to 14.2.20: None

Cllr Fletcher, Cllr U Arnold and three members of the public joined the meeting at 7.00pm

TDC Applications listed to 21.2.20:

- c) **19/02541/MAJ** Construction of industrial building (for manufacturing, administration and support space), access and associated parking at land at Heathlands, Old Newton Road.
Observations: To request an extension of time in order to study the ecology reports.

DNPA Applications listed to 21.2.20: None

Cllr Mills joined the meeting at 7.05pm

TDC Applications listed to 28.1.20:

- d) **20/00292/CLDE** Certificate of Lawfulness for existing use of property as B8 (storage & distribution) at 1 Heathfield Units, Battle Road, Heathfield Industrial Estate, Heathfield.
Observations: No objection.
- e) **20/00330/FUL** Conversion of ground floor post office to two flats at Brimley Post Office, Ashburton Road.
Observations: No objection.
- f) **20/00333/TPO** Remove lower limb of one oak tree and take back north facing canopy by approx. 2m where overhanging garden at 10 Redwoods.
Observations: Referred to TDC's Arboricultural Officer.
- g) **20/00334/TPO** Remove lower limb of one beech tree where overhanging garden at 10 Redwoods.
Observations: Referred to TDC's Arboricultural Officer.
- h) **20/00338/TPO** Remove north facing lower limb of one oak tree at 10 Redwoods.
Observations: Referred to TDC's Arboricultural Officer.

PL.20/24 Planning Decisions: Noted

a) Approvals:

TDC:

- i) Prune or fell trees of various species along the fence line within Area A5 as itemised in the submitted tree report at BCT Ltd, Old Newton Road. (Ref'd)
ii) Replacement two storey rear extension at 6 Blenheim Terrace (N/O)

iii) Remove and rebuild approximately 13 metres of the southern wall, works to northern wall of the church yard and renew existing path east to west at Church of St John the Evangelist, Ashburton Road. (N/O)

b) Refusals:

i) Construction and operation of an urban reserve 2.5MW gas fired power plant and associated equipment at Sabre Power, Station Park (O)

The Town Council's submitted observations: No objections – N/O. Objection – O. Referred – Ref'd. Not consulted – N/C.

PL.20/25 Teignbridge (Off-street Parking Places) Order 2020:

Members noted the order (**copy previously circulated*) and considered commenting on the Notice of Proposals affecting parking charges in the parish.

Resolved:

To respond stating that the Town Council strongly disagrees with the proposal which will have an adverse impact on town centre businesses.

PL.20/26 Devon County Council (Monks Way) 40mph Speed Limit Order:

Members noted the order (**copy previously circulated*) and considered commenting on the draft order affecting Monks Way, Bovey Tracey.

Resolved:

To respond expressing the Town Council's concerns that the proposed 40mph speed limit is not low enough and the consultation is not sufficiently robust.

PL.20/27 General Planning Matters brought forward by Councillors:

(For information only).

ClIr Brooke wished to ensure that an item is tabled to further consider traffic movements in Fore Street around school drop-off/pick-up times.

ClIr Kerswell referred to the recent floods and noted the gauge located on the railway track monitoring the flow of the river and enquired if this could be beneficial for other areas.

ClIr Kelly reported various potholes in the roads in the Heathfield area. It was noted that these should be reported to DCC Highways.

The meeting closed at 7.20pm

TEIGNBRIDGE DISTRICT COUNCIL

PLANNING DEPARTMENT

TOWN AND COUNTRY PLANNING ACT 1971

PARISH/TOWN COUNCIL OBSERVATION SHEET

Application Reference Number: 20/00399/MAJ

Brief Particulars of Proposals:

BOVEY TRACEY: - subdivision and change of use from Class B2 to create a Class B8 use unit, elevational changes and associated works including car/cycle parking at former BCT Factory, Old Newton Road, Heathfield.

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To:-

DIRECTOR OF PLANNING AND ENVIRONMENT
FORDE HOUSE
NEWTON ABBOT
DEVON
TQ12 4XX

The views of my Council are:

The Town Council does not support this proposal as the change in use could have a detrimental effect with noise and air pollution caused to local residents due to the nature and type of business proposed. It is noted that there are no hours of operation highlighted within the application. If TDC is minded to approve the application, the hours of operation must be restricted to minimise impact on neighbouring residents.



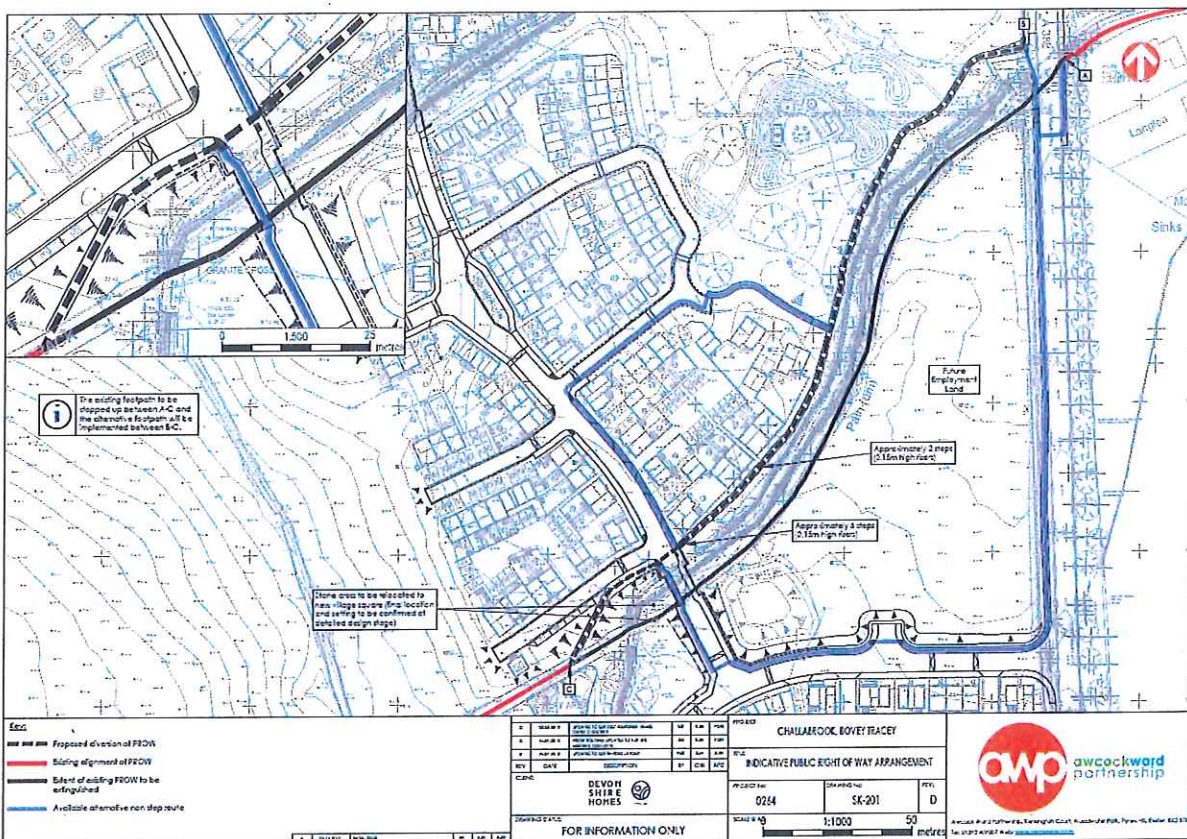
M. WELLS
Town Clerk
6th April 2020

Notes for Consideration by Bovey Tracey Town Council

Regarding the Stopping up of a section of the Public Right Of Way, known as Bovey Tracey Footpath 8, and creation of new alternative section of footpath under Section 257 of the Town and Country Planning Act 1990 (application reference 19/00708/PROW).

Reasons why the re-routing of the PROW is necessary:

The section of PROW that needs to be stopped up is approximately 270 metres in length and runs along the south bank of the Challabrook Stream. As can be seen in the image below.



1. Above image shows - Indicative PROW Arrangement – showing existing PROW subject to stopping up in a solid black line and proposed route in a black dashed line.

The new route to replace this stopped up section runs along the north bank of the stream. This change is necessary to facilitate the essential stream improvements that are an integral part of the overall flood alleviation measures that this development will deliver for the protection of this new development along with existing properties in Bovey Tracey that currently suffer from flooding in significant storm events. These stream improvements consist of widening the bed of the stream and introducing a tiered profile and wider overall stream channel on the south bank. This widens the stream past the line of the existing PROW. The stream cannot be widened on the north bank as this consists of the existing

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This means that the stream improvements and changes to the culverts are not deliverable unless the PROW is stopped up as the PROW will effectively be in the footprint of the widened stream.

These measures provide additional water storage capacity and also direct water more quickly to the storage attenuation basins in the low north east area of the site which store water and control the rate of discharge through the existing culverts under Monks Way.

All of the above was carefully considered as part of the Planning Application for Phase 1 of this development and was supported by the PROW Officer and approved at Committee.

Bovey Tracey Town Council – Comments on application

In considering this Section 257 application the Town Council have objected and commented as shown below in an extract from the Planning Committee minutes of the 2nd September 2019 (item PL.19/76 j):

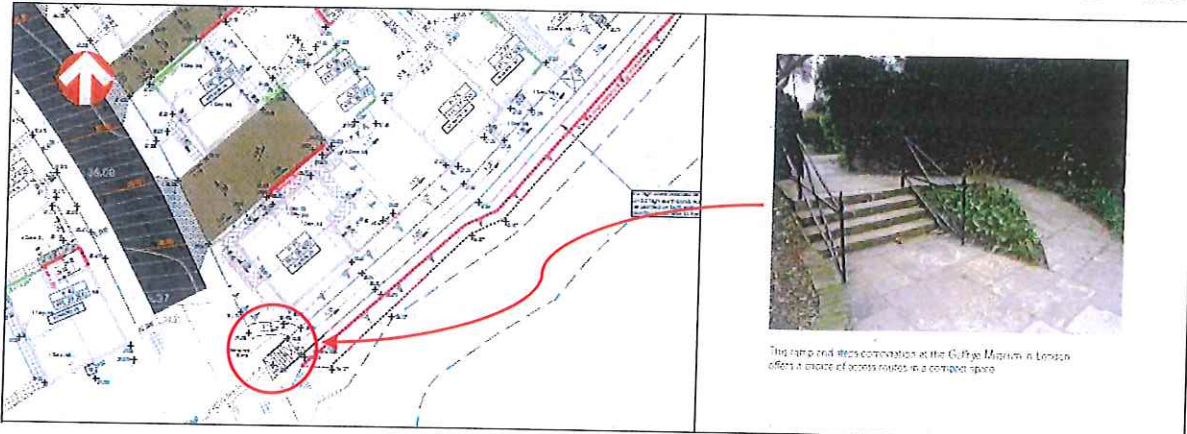
Observations: The Town Council does not support this proposal. Concern was expressed as the proposed route is not full accessible (steps) and the available non step route is less scenic. Further concern was also expressed regarding the proposed relocation of the cross.

In response to these comments Devonshire Homes have strived to minimise the steps on the actual proposed new PROW route.

DDA (Disability Discrimination Act) requires a reasonable approach to improving access for disabled people including less able-bodied persons. Guidance recommends that a ramp alone is not always the best solution to resolving a gradient. Many people with walking difficulties find it easier to negotiate steps with the aid of a handrail. Guidance continues to also state that offering a choice of routes is the best solution.

With that in mind Devonshire Homes has now been able to reduce the number of steps on the new route to just 5 steps at the point where the path will alight on to the new highway adjacent to the new culvert crossing. Previously, there were 6 steps at this point and 2 steps further along the path to the east. It is worth noting that the proposed steps have a riser height of just 132mm rather than the standard 150mm so they will be easier to walk up for most users.

Devonshire Homes has also been able to propose a further step-free route consisting of a short ramp next to the 5 steps as can be seen in the image below:



3. Image showing potential short ramp (circled) to provide 3rd step-free route for pedestrians unable to use steps.

This change is subject to planning approval as it will require the slight re-alignment of the position of the house within the overall boundaries of plot 75. The Planning Officer has suggested that she would be agreeable to this proposal.

This short ramp will provide a 3rd step free alternative route, with the other two shown by the purple lines in Image 1 above, and will be on the most scenic route compared to other 2 options which you have considered to be less scenic.

It is also worth noting that the proposed new PROW route along with its proposed surfacing of hoggin (a mix of sands, clay and gravel that when compacted, forms a firm semi-solid footpath surface whilst allowing water to drain through it) and tarmac will be much more accessible than the current PROW which has a largely bare earth/grass surface which becomes slippery and muddy after rain as can be seen in the image below:



4. Image showing poor surface of existing PROW.

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Comments have also been received that the proposed route and the alternative step-free routes will be less scenic than the current route.

Consideration should be given to the fact that the area of land to the south of the stream and alongside the current route has outline planning approval for Employment use (B1/B2 or B8) as can be seen in Image 1 above. This is likely to be developed (by others) in due course and with the area immediately adjacent to the stream likely to be storage or parking areas with security fencing forming the boundary to the improved stream. Therefore, reducing the amenity value if the PROW was able to be retained in its current route.

The new route, along with the newly introduced short ramp providing a step-free alternative route immediately adjacent to the line of the proposed PROW, has been chosen to keep the route as close to the existing PROW line and length as possible but to also provide a more scenic walk alongside the new proposed landscaped public open spaces and attenuation basins as opposed to past the employment development and inevitable boundary fencing.

Comments have also been made as to why the footbridge shown on the original plans that crossed the stream at the Monks Way end of the PROW has now been omitted.

This bridge was removed following a response to the detailed bridge design from the Environment Agency, in October 2018, which objected to the design and “insufficient information to justify the need for a footbridge crossing Challabrook (Avenue) Stream at all given that the proposed new footpath could simply join Monks Way a short distance away on the other side of the watercourse.”

The EA were concerned with the likelihood that any structure over the stream could cause blockage and impedance to water flow in storm events as debris would build up against the structure itself.

Following this response we had to look at all options available and in consultation with Devon County Council Highways and the Public Rights Of Way Officer teams, whom we met on site in December 2018, agreed to this alternative proposal omitting the need for the footbridge altogether. Therefore, providing an overall safer route with less risk of blockage and impedance of flood flows caused by a bridge structure and reducing maintenance obligations.

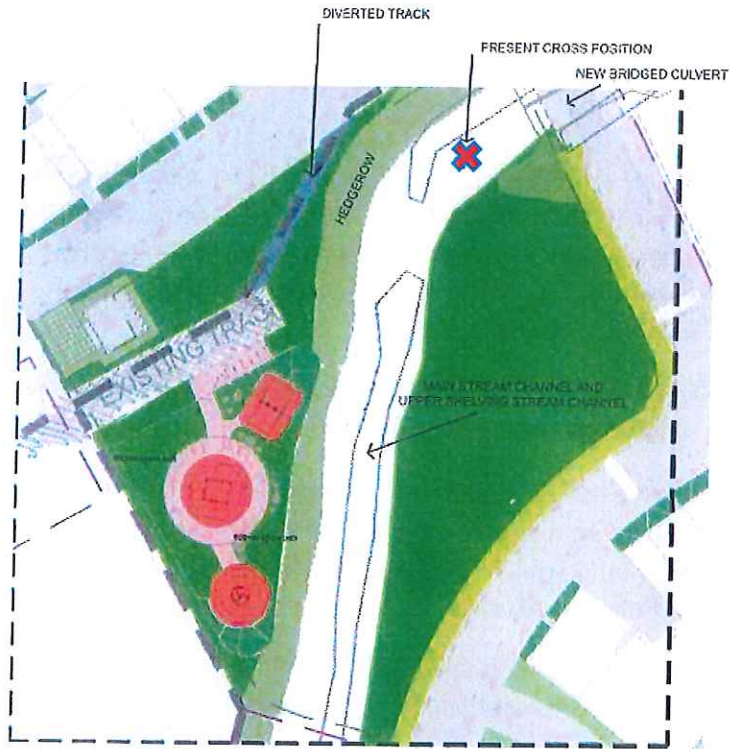
Conclusion

We hope that the above information and new proposals give the Councillors reassurance that, whilst it is unfortunate that this section of PROW needs to be stopped up and replaced with a new route, the proposals have been given very careful and exhaustive consideration and that the benefits of these proposals, outlined above, are sufficient for the Town Council’s objection to be reviewed and confirmation can be provided that the objection is withdrawn.

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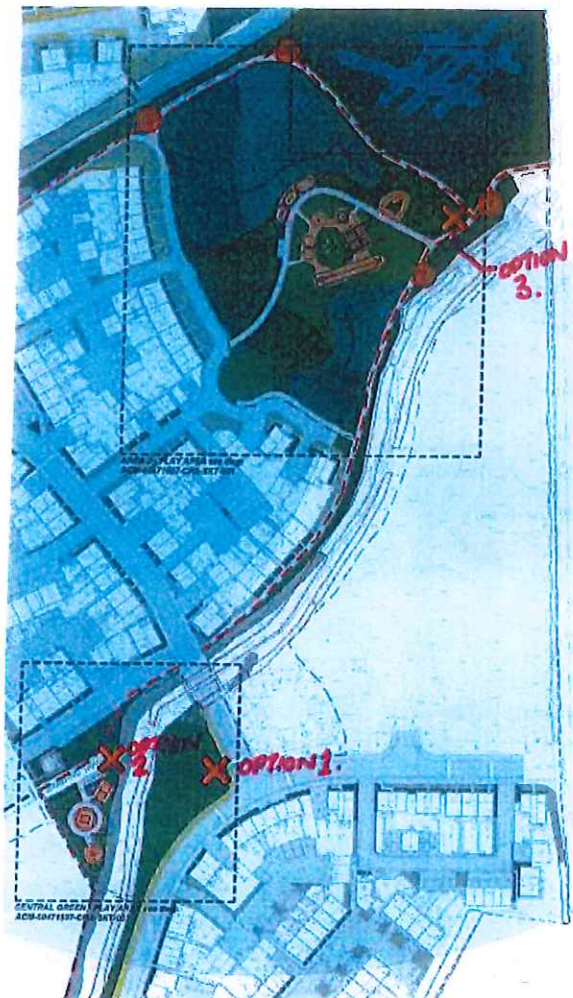
Relocation of the Stone Cross

Concern has also been raised about the proposed relocation of the Stone Cross. Again, this is necessary as the Stone Cross is located within the footprint of the proposed stream improvement works.



This image shows the current location within footprint of stream improvement works

The relocation of the Stone Cross is subject to a Listed Building Consent for which a Heritage Statement has been prepared and this document recommends a new prominent location for the Stone Cross. This is shown as option 1 in the image on the following page and is followed by an extract from the Heritage Statement that sets out the reasons why this location is considered to be the most appropriate.



This image shows the 3 locations considered for the relocation of the Stone Cross in the Heritage Statement

8.0 HERITAGE IMPACT ASSESSMENT – PARA 190 NPPF

8.1 REASONS FOR RELOCATING THE CROSS

Due to the Planning Application 17/01821/MAJ Conditional Approval has been given for 156 dwellings and relevant infrastructure. It is understood that Challabrook stream requires widening to alleviate the flooding of the A382 and downstream properties. The developer has provided a statement of need and that can be found in Appendix 1. It is paramount that this heritage asset is retained, away from the danger and substantial harm of flooding. Therefore a new location is required to ensure that the cross is retained for future generations.

8.2 IMPACT ON THE SIGNIFICANCE

From historic records and on site studies it is highly unlikely the cross is currently located in its original location or setting. From Section 7 it can be concluded that the cross has considerable artistic, historic and communal interest. By relocating the cross (again) the artistic, historic and communal interest should not be affected as long as communal access is retained and improved. As no documentation has come to light to confirm the original location of the cross it is my opinion that it should be relocated nearby its present location, but where public appreciation can be maximised. Statements of Heritage Significance¹ states that 'opportunities to better reveal or enhance significance' should be looked for therefore public knowledge of the asset should be improved by the proposal.

8.3 PROPOSED NEW LOCATION OF THE CROSS

The developer has provided 3 options for the relocation of the Stone Cross (see fig 17).

OPTION 1: In the heart of the Development on a green open space adjacent to a primary road junction.

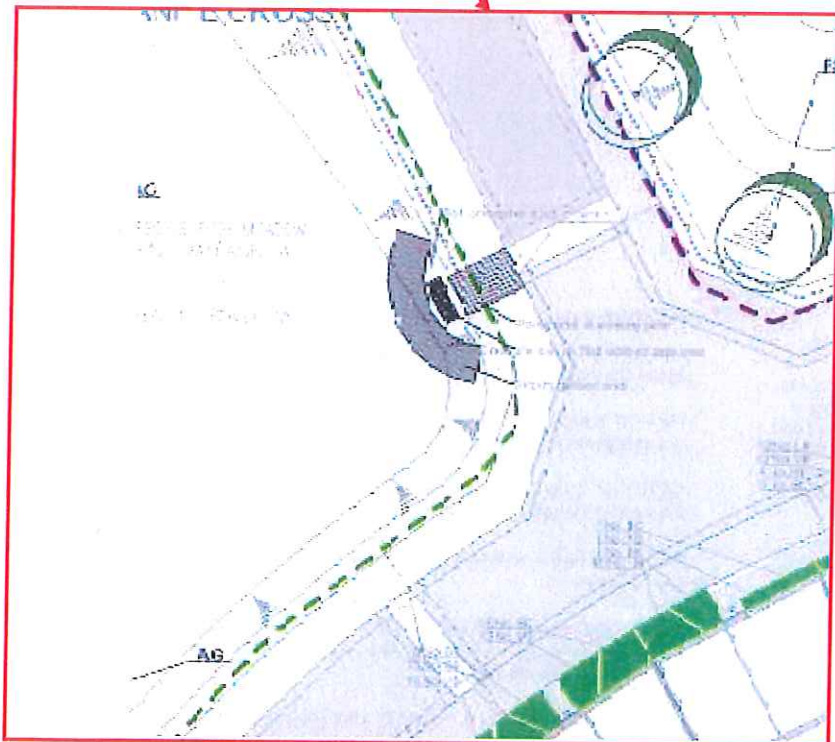
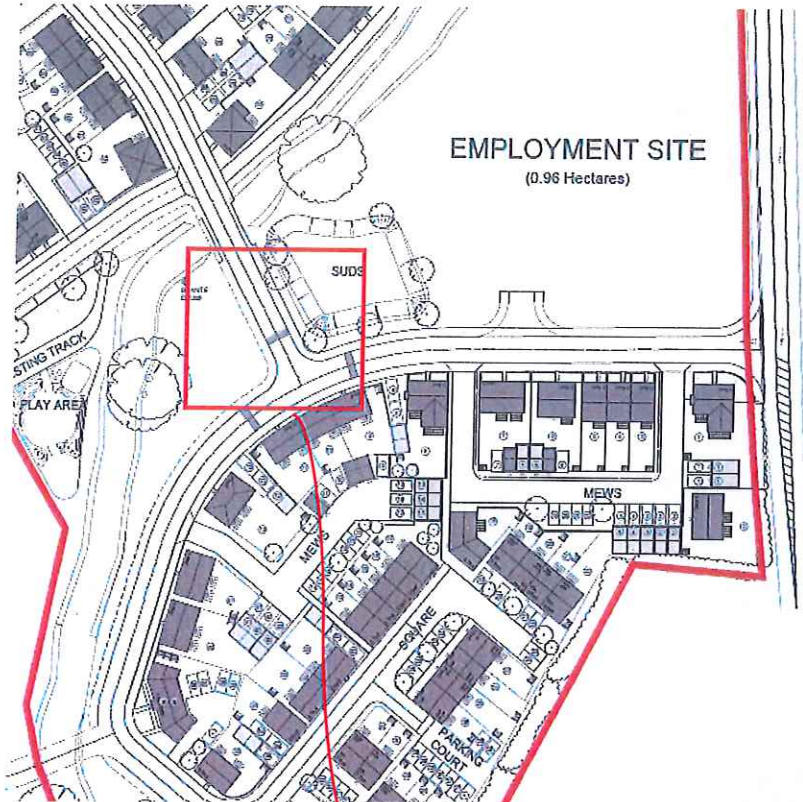
OPTION 2: In the heart of the Development on a public space adjacent to the proposed diverted footpath.

OPTION 3: To the north of the Development adjacent to the flood alleviation area.

If it has been proved due to drainage requirements that the cross has to be relocated then from a heritage point of view Option 1 is the preferred location. This will:

- Utilise the cross again as 'a way-marker needed for a decision point in a journey'¹.
- Allows the heritage asset to be appreciated by more of the general public.
- Setting will be improved
- Security will be improved for the asset.
- A signboard should be created to improve public knowledge

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These images show how the Stone Cross is proposed to actually be positioned in Option 1. A level area will be created with hard surfacing in front to allow people to view the Cross and to read the information sign detailing the chequered history of this historically interesting Cross.

We would like to ask the Councillors to consider the proposed locations and to provide comment on which of the locations would be their preference. We would be happy to express this preference to the Conservation Officer when we submit the Listed Building Consent application.