

OFFWELL PARISH COUNCIL

MINUTES OF AN EXTRAORDINARY MEETING HELD AT 7.30PM ON MONDAY 26TH JULY 2021 IN THE VILLAGE HALL

Present: Cllrs. C. Whithear (Chair), M. Brake, P. Hopkins, P. Sauvage, T. Pepper,
M. Salter, A. Welch-Thornton,

In Attendance: A Jenkins (Clerk), EDDC Cllr. H. Parr

Members of Public: 39

In order that this meeting could be conducted in as safe a manner as possible to protect everyone attending from the Covid 19 risk, persons were asked outside the Village Hall building to abide by the following conditions of entry to the meeting:-

- 1) That all persons **must** wear a face mask before entering. (unless they have a valid health exemption reason for not wearing one)
- 2) They **use** the hand sanitiser provided on entering the foyer.
- 3) They **record** their name, address and telephone contact details on the meeting register book in the foyer.
- 4) Then **use** the hand sanitiser provided by the book.
- 5) On entering the hall, to please go and sit on one of the seats which have been set out at a 1 metre socially distanced spacing.

COUNCIL BUSINESS

The Chair welcomed everyone to the meeting and thanked them for following the Covid 19 safe measures which had been set for the meeting.

1. **To receive apologies for absence and to approve reasons given (LGA 1972 S.85)**
Cllr. J Tristram
2. **To receive any declarations of interest relating to items outlined in this agenda (this does not preclude the duty to declare further interests as applicable)**
Cllr. P Hopkins

3. Planning Application – 21-1798-FUL Land On The East Side Of Tower Road Offwell

Change of use of an existing agricultural building and associated works for use as Livestock Collection Centre.

The Chair said that this extraordinary meeting had been called to consider this particular planning application as it would potentially have a significant impact on the Parish and Parishioners.

a) Report by Clerk

The Clerk gave an outline description of the planning application itself and the planning history relating to the existing agricultural building on Tower Road.

He explained the importance of the existing Livestock Collection Centre in Honiton to farmers in the East Devon, South Somerset and West Dorset. It was not a traditional Livestock Market where livestock are auctioned. It is a Collection Centre where farmers take their animals to the Centre with their own vehicles in the morning, unload the animals and leave the site. The vehicles are supposed to be washed down before they leave the site although farmers can self declare to wash the vehicle at their farm. In the afternoon, Livestock Hauliers with large or artic livestock lorries come to the Centre and pick up the animals to take to the buyers/abattoirs. These vehicles are supposed to be washed down before they leave the site and the building also washed at the end of the day.

The Centre is important to farmers in that they know in advance of taking their animals to the Centre that the animals will be purchased by buyers at predetermined guaranteed prices. This gives farmers security in the sale and the money they will receive as compared to the traditional livestock market auction where farmers do not know if the animals will be bought and if they are what price will be achieved at auction. Also the Centre is more local location as compared to the nearest livestock markets at Sedgemoor and Exeter.

The existing Centre in Silver Street is operated by Stags but they have been given notice by the owners to leave as the site is due to be redeveloped. A planning application for that redevelopment is presently the subject of a Planning Inspector appeal hearing.

Stags have stated in their application that they have investigated a number of other sites for the relocation of the Centre (although they have not shown any evidence of this) but that these were all unsuitable. They have submitted this application as the existing agricultural building on Tower Road would be suitable as regards the building and location.

The Clerk said that the application could impact Offwell in a variety of ways:-

- a) Highways Safety on the A35 entrances, along Tower road and the lane alongside the Bishops Tower
- b) Noise and amenity impact on residents and businesses on Tower Road and the lane.

c) Environmental Impact

He did not believe that the Trace Design transport statement commissioned by Stags had fully considered and assessed the roads which would be affected by the proposed application and the traffic generation issues and impact on other road users and the local community.

Also he was concerned by the lack of detail in some respects, interpretations of the proposed vehicle trip generation and the total omission of the minor service road from the A35 past the Bishops Tower to Tower Road.

He said that he had asked Steve Guilbert to look at the Transport Statement submitted by Stags. Steve is a retired Chartered Engineer with experience/knowledge of Highways Road Design, Safety and Maintenance. He was employed in this role by Devon County Council Highways for 23 years and also by South West Highways for 20 years. He lives along Tower Road so also has first hand knowledge of the traffic problems on this road and at the A35 junctions.

He has conducted a professional survey of Tower Road and the minor lane measuring the width along their entirety and visibility at the number of entrances, and also produced a detailed critical analysis of the Transport statement commissioned by Stags.

The Clerk gave a brief summary of the survey report and the critical analysis which showed that both roads were unsuitable in terms of road width, the number of passing places, visibility for the type and amount of additional vehicle movements which would be involved with the Livestock Collection Centre.

The Clerk said that the Stags transport statement did not include a traffic count of the existing traffic movements along Tower Road and the Minor Lane and as such had not taken this into account in their assessment of the impact of the Collection Centre on the two roads. The Clerk said that he was in the process of arranging traffic counts on the two roads.

Stags claimed in their application that it was in accordance with various policies and strategies within the EDDC **East Devon Local Plan 2013-2031**. The Clerk briefly summarised these policies but said that in his opinion that the application would be contrary to the following policies and strategies:-

Strategy 7 (Development in the Countryside)

Strategy 28 (sustaining and Diversifying Rural Enterprises)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Policy D8 (Re-use of Rural Buildings Outside of Settlements)

Policy RC6 (Local Community Facilities)

TC7 (Adequacy of Road Network and Site Access)

As regards Policy D8 in particular, he said that the building in question had only recently been built following a planning application by a local farm for the purpose of a calving unit which was needed for the ongoing viability of it's farming business. The farm had been required to demonstrate this need to EDDC as part of it's planning application. It had also been required to further demonstrate this need for a further planning application for a farmworkers dwelling on the site to provide care for the calves being reared. This planning application had only been approved earlier this year. (the Parish Council had supported both these Applications)

The Clerk said that the application by Stags would therefore appear to be in direct contravention of Policy D8 condition 5 in that it will undermine the viability of an existing agricultural enterprise (the ongoing viability and need of which has only just been proven to the planning authority) or require a further replacement building to fulfill the same function.

He also said that the proposed change of use and loss of the permitted calf rearing unit for an existing viable farming business would be contrary to the National Planning Policy Framework (NPPF).

He said that no ecological report on the impact of the proposal had been submitted. The site was in open countryside, outside the Built-Up area Boundary and within an AONB and that there were concerns about there being detrimental impacts on residential amenity from traffic and noise.

The application also states that a 25,000 litre effluent tank for waste and drainage would be installed and that the effluent from this would be spread on the farmland during appropriate periods or tankered away. No assessment appears to have been made on the environmental impact risks of either a leak of this effluent with it's disinfectant chemicals or from when it is spread on the land.

Concerns had been expressed to him about the effluent possibly affecting the water quality in the nearby Offwell Woods and its stream and ponds. These woods and it's water system of streams and ponds are recognised as areas of significant biodiversity and wildlife importance. Any changes in nutrient levels or effects from the disinfectants used resulting from an effluent leakage or from being spread on the land could adversely affect the water quality. The water in the Offwell Woods system originates from the various field ditches around and below the site of the proposed livestock collection centre. He understood that the Forestry Commission (the owners and managers of Offwell Woods) have not been notified by EDDC planning of the application)

b) Open Session (Public Forum)

Questions & representations from parishioners relating to this application

This was a 60 minute session where any member of the public may speak for up to three minutes.

Aproximately 15 members of the public spoke and made representations.

Those who were opposed to or had serious concerns about the application raised the following matters:-

- the amount of traffic that the application would create.
- the unsuitability of Tower Road and the minor lane to cope with this extra traffic due to the widths and the lack of sufficient passing places and that those used were often private entrances. Some properties were only 1.5 metres off the road.
- Road safety concerns for pedestrians, dog walkers, runners, cyclists and horse riders due to the extra and type of traffic (4x4 pickups with livestock trailers, lorries and artic livestock lorries) and the narrow road widths with no pavements.
- That major problems with road safety concerns would be caused at the A35 junctions by the additional traffic entering and exiting both Tower Road and the minor lane, and queuing back on the A35 to and around “Devil’s elbow”
- Only two days of operational use at present but Stags said they hoped that the throughput of livestock handled would increase. This could then increase the number of days of operational use of the Centre.
- The adverse effect on existing businesses along Tower Road (touring caravan site, horse livery, garden centre) from the additional traffic and extra noise.
- That the building had only recently been built following a planning application by a local farm for the purpose of a calving unit to support it’s farming business. That this application by Stags was for a collection and delivery type of business and that Tower Road was not the correct location for it. That the most suitable location for it should be Honiton Showground with its excellent and easy access off the A30.
- The environmental impact from effluent and the washing off being spread on the land and then from the field ditches affecting water quality in watercourses and ponds in Offwell Woods.
- The detrimental impact on residential amenity particularly from the extra traffic along Tower Road and the minor service road.

A number of the local farmers present spoke in support of the application for the Livestock Collection Centre. They explained and stressed the importance of the Livestock Collection centre to the local farmers and the farming community in East Devon. They said that it provided them with a local centre through which they could sell their livestock for predetermined guaranteed prices. These guaranteed prices and sale of their animals was important for the ongoing viability and success of their farming businesses.

They believed that Tower Road was a suitable location for the Collection Centre and that the additional traffic would not cause problems for users and residents along Tower Road and the minor lane. They already drive their various large farm vehicles along these two

roads without causing any difficulties for others and felt that the two roads were suitable for the Collection Centre vehicles and lorries. Also they did not envisage that it would cause major problems at the two junctions with the A35.

c) Councillors consideration of the application.

Cllr Hopkins had declared an interest in the application and took no part in this Item.

Cllr. Sauvage said that whilst he appreciated the importance to the farming community of the Livestock Collection Centre being able to continue at a new location in the Honiton region, he felt that the proposed location on Tower Road was unsuitable. Tower Road and the minor lane were narrow roads with few passing places and the additional traffic would also worsen the well known entry /exit waiting problems and road safety issues which occur at the A35 Tower road junction.

Cllr Brake made similar comments and said that the Livestock Collection Centre should be relocated onto the Honiton Showground.

Cllr Brake proposed that the Parish Council object to the planning application to resite the Livestock Collection Centre into the existing agricultural building on Tower Road due to:-

- a) the Highways & Transport Issues identified in Mr Guilbert's survey and critical analysis reports.
- b) it being contrary to EDDC Local Plan policies and strategies
- c) the Environmental detrimental impacts on residential amenity and to the local environment and to water quality in the local streams and ponds in Offwell Woods. Also that Planning request an ecological report be submitted.
- d) Also to suggest that the Honiton Showground would be the ideal site for the Livestock Collection Centre and that Stags discuss and investigate this possibility with the Honiton & District Agricultural Association.

Seconded by Cllr. Sauvage. The majority of Councillors in favour.

The Chair thanked everyone for attending.

The Meeting closed at 8.55pm

Signed...*C Whithear*..... Date.....*20/10/2021*....