

OFFWELL PARISH COUNCIL

MINUTES OF THE PARISH COUNCIL MONTHLY ORDINARY MEETING ON WEDNESDAY 8th DECEMBER 2021 AT 7.30PM IN THE VILLAGE HALL

Present: Cllrs. C. Whithear (Chair), P. Hopkins, T. Pepper
J. Tristram, A. Welch-Thornton, P. Sauvage

In Attendance: A Jenkins (Clerk),

Members of Public: 11

The Chair welcomed everyone to the Council meeting and outlined / reminded everyone of the Covid-19 measures which had been adopted for Council meetings. The Chair explained that the meeting had been split into two parts – the first part to deal with the planning application for the proposed Livestock Collection Centre (LCC) and the second part to deal with other business to be transacted. This was because as it had been anticipated that the majority of the public attendees were at the meeting for the LCC planning matter and this arrangement would enable them to leave the meeting once it had been dealt so as to minimize the Covid risk.

PART 1 - BUSINESS TO BE TRANSACTED

1. **To receive apologies for absence and to approve reasons given (LGA 1972 S.85 (1))**
EDDC Cllr. H. Parr, DCC Cllr. M. Hartnell
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 in respect of Item 3
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.
 - a) **Report by Clerk**

The Clerk firstly gave an outline description of the planning application itself. He said that the original application had been considered at the Parish Council meeting on the 26th July 2021 and that the Council had resolved to 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.

A detailed objection had then been submitted by the Parish Council. Honiton Town Council as the adjoining Council had also objected to the application on similar grounds and Devon Highways had also objected on Highway Safety. He said that a large number of public comments had also been submitted both in favour and against the application.

In November, the applicants had submitted a further statement with plans and a long addendum Transport Statement by Trace Design (TD) answering the matters and objections raised by the Parish/Town Councils and Devon Highways.

The Clerk said that he had noticed that there was a significant error on the site plan and after pointing this out to the Planning Department, the applicants had submitted a revised site plan.

He had asked Steve Guilbert to look at the Addendum Transport statement in detail. Mr Guilbert did not believe that it rebuts the previous objections raised by the Parish Council and the Highways Authority and he had advised as follows:-

He had answered/corrected the numbered paragraphs in the Addendum Statement as follows with the words in italics being Trace Design's (TD's) own words as found in their report:-

2.1 *“Tower Road....allows for two cars passing each other at all times except from a very short section at the southernmost end.”*

This ignores the 10m section adjacent to the drive to Collwell House, the 80m section at Broad Park, and the 50m section at the garden centre. The majority of vehicle movements will be from the A35 at Tower Cross to the site, a distance of some 900m, livestock would be brought to the Collection Centre in cattle lorries or wide trailers often drawn by tractors. Using road widths supplied by Trace Design (TD) the sections of road where a large vehicle and car could pass is at best 41%, but for two lorries only 12%. Whilst there are a couple of errors in TD's survey, they now generally correlate well with the ones supplied by the Parish Council so Trace Designs analyse statement as shown above in italics is incorrect.

2.2 TD state that the single 90 degree bend in Tower Road adjacent to Cuckoo Down Lane is at least 5.5m wide and could *“allow the passing of two large vehicles”*

However the swept path of a lorry does not allow any vehicle to pass a lorry at this location.

2.3 TD state that *“The third bend is located closer to the junction with Northleigh Hill Road and has a passing place on it to also allow the passing of two vehicles comfortably”*

This statement is totally incorrect. The bend is extremely difficult to navigate safely for two vehicles to pass particularly when one is a large vehicle or lorry and it is impossible when two large vehicles meet at this bend. On such occasions vehicles often queue up behind on one sides to and around the bend and on the other to the junction and onto Northleigh Hill road.

2.6 TD's own definition of a pinch point is given in Paragraph 2.8 of the original TS being 4.4 – 4.5m. Using the road widths supplied by TD the percentage of carriageway less than or equal to 4.5m is 47%, their proposal to create two passing places would therefore provide little benefit.

2.7 *“however these should not be considered as ‘pinch points’ as two cars can pass each other comfortably”*

None of the pinch points mentioned in the first paragraph above can accommodate two cars.

2.8 TD's on-site measurements compare closely with those already provided by the Parish Council which makes clear that Tower Road is demonstrably not *“more than suitable to accommodate the predicted traffic”*

The TS includes an extract from the Governments Manual for Streets Table 7.

The complete wording provided below that Table in the Manual is “Table 7.1 Illustrates what various carriageway widths can accommodate. They are not necessarily recommendations” conveniently this is omitted by TS.

2.14 *The Highway Authority did not raise an objection to the increase in vehicle numbers to and from the site under planning application reference 20/1039/FUL.”*

The planning application 20/1039/FUL was actually for a farm workers dwelling and the re-siting of a small shed. The Highway Authority quite correctly recognised that the increase in vehicle numbers from a private house would be insignificant.

2.15 *“With an average increase of 5 vehicles per day on a daily basis this is not considered to be severe....”*

Given that the Collection Centre will only be open two days a week the average traffic increase should not be averaged out over a whole week as TS have done but just the two stated days of operation.

2.18 The Parish Council upholds the view regarding the irrelevance of the use of the facility at Zeal Monachorum to predict the theoretical use of the calf rearing unit.

Even if the comparison was accepted the figures contained in Tables 4, 5 and 6 of the original traffic survey do not bear scrutiny. Table 4 shows movements of 6 full time workers who create 12 vehicle movements per day at Zeal Monachorum but the landowner at Tower Road had obtained planning permission for a farm workers dwelling on the site negating all these daily vehicle movements.

Had the calf rearing operation ever been in operation delivery of straw and removal of manure would surely have mainly come from the farm in Stoney Lane via Cuckoo Down Lane negating a further 10 weekly movements.

The 8 weekly loads of cattle by artic and smaller lorries would also not be required.

The net effect of the foregoing is to reduce the apparent daily movements in Table 6 from 15.03 to just 2.05. Stags provide the vehicle movements in Section 4.16 of the original traffic survey the maximum of which is 65, deduct 2 and the increase over and above the calf rearing unit would be 63.

Taken over a 3 hour period up until 10am “*with the livestock collected and removed from site shortly afterwards.*” As noted by Stags information paragraph 4, lets assume another hour.

Therefore, on a Monday morning there will be 16 vehicle movements per hour or one just under every 4 minutes. Add in commuter traffic between 8 and 9 on to a section of road which is only wide enough for two lorries to pass in 13% of its length and the only outcome will be chaos.

2.26 Trace Designs on site measurements do not show that a large percentage of the road capable of allowing a car and large vehicle to pass the percentage is 41%

Additionally the TS report fails to consider the problems caused by:-

- 1) lack of adequate visibility from circa 20 property or field entrances on to Tower Road.
- 2) lack of footways or flat verges to provide refuge for pedestrians, runners, dog walkers, horse riders, cyclists between the A35 and the site.
- 3) lack of traffic management entering and departing from the garden centre.
- 4) inadequate highway maintenance funds to deal with the damage which will be caused to the soft edges of Tower Road by large vehicles attempting to pass each other.
- 5) the effects of agricultural vehicles dragging mud on to the road when the “*compacted earth,*” on the ring road referred to on the site drawings of the livestock collection centre, becomes rain soaked and turns in to a quagmire with all the vehicle movements.

2.26 There is good correlation between the road width information supplied by TD and those attached to the Parish Council response with only a one percent variation. This confirms that only 41% of Tower Road from the A35 to the site is suitable only to allow a lorry and car to pass and only 13% suitable for two lorries to pass.

2.27 Appendix F (not D as stated) shows two passing places, both requiring the destruction of Devon hedge banks, the passing place adjacent to Broad Park is of insufficient length to contain an articulated lorry and only creates the bare minimum for two large vehicles to pass. No dimensions are provided by TD to accurately locate where it is intended to be constructed, and their plans are not drawn to scale. The Parish Council has tried to estimate as best as possible the exact location and from these estimates believe there are two possible locations for the passing place adjacent to Broad Park.

Location A assumes the passing bay would be sighted midway between existing trees so they would not be affected by the passing bay construction, however this is in one of the narrowest part of the road and would require the maximum amount of hedge destruction.

Location B Whilst it is always unwise to scale from drawings particularly given that the drawing they supply is not to scale. (Compare the 5.5m road width with the length of the bay 15m it should be approximately 3 times longer but it is not!) This location would be within the root spread of two trees, one being a mature oak and therefore unacceptable.

3.2 The Critical Analysis provided freely by a retired qualified Professional Highways Engineer to the Parish Council was unbiased offering no personal opinion and was professionally written to highlight errors and omissions in the Traffic Survey. In contrast to Trace Design, who were presumably employed by Stags to support their application.

3.3 TD's comments are erroneous and their description of Tower Road and its usage bears no resemblance to the actual and true facts. Large vehicles and lorries often and regularly use Tower Road causing constraints and difficulties for other road users.

3.4 It is unclear why TD question the Highways Authority's definition of a pinch point when in Paragraph 2.8 of the original Transport Statement, TD define a pinch point as a 4.4 - 4.5m road width. The road width data supplied by TD indicate five such locations between the A35 and the site.

3.5 TD's comments are yet again erroneous and bear no resemblance to the true situation. In places there is barely sufficient room for a pedestrian, dog walkers to stand as a large vehicle or lorry passes.

3.6 & 3.7 Again TD's comments are erroneous. There are skid marks and many vehicle drivers do NOT drive at low speeds and do NOT provide a safe environment for pedestrians and others.

3.8, 3.9 & 3.10 The traffic associated with the granted permission for the calve rearing unit is not comparable to the traffic which would be generated by the proposed livestock Collection Centre and then obviously raises different Highways impacts and concerns.

Tower Road does NOT have the ample capacity to accommodate the additional vehicle traffic generated by the proposed development as claimed by TD.

3.11 Trace Design state that the edge erosion is "*based on a perception from the consultant preparing these comments, which are unjustified and unsupported by evidence.*"

Trace Design's statement is totally false and demonstrates again that they have not undertaken a true and accurate assessment of Tower road. The evidence of the road edge erosion/edge overrun is clearly there for all to see.

Trace Design go on to explain that "*Devon County Council inspected this road on the 26/07/2021 as shown in **Figure 1** below. There are no improvements proposed on this road by Trace Design is aware of.*"

Figure 1 shown on page 14 is in fact a plan of Cuckoo Down Lane!!! This error together with other questionable conclusions drawn by Trace Design leads one to repudiate the accuracy of their submission in total, Could it have been just a desk top survey?

3.20 The Parish Council has obtained Dept. of Transport data on traffic accidents recorded by Police Officers over the last 20 years. The data showed the proliferation of accidents on the A35 between Devils Elbow and the Mount Pleasant junction and along the length of Tower Road from the A35 to the golf course junction. It is clear from this information that the majority of accidents in this area are concentrated at Tower Cross on the A35 and to a slightly lesser extent at Devils Elbow and Mount Pleasant near the A35 junction to Offwell and minor lane past the Bishops Tower. The other black spot is centred at the other end of Tower Road at its junction with the Northleigh Road together with several accidents in Tower Road itself, particularly at the Tower Road/ Springfield Lane /Unnamed minor lane crossroads junction.

As regards the A35, the Parish Council have previously approached the Highways England to consider imposing a speed limit on this section of the A35 or installing speed cameras due to safety hazards caused by speeding vehicles at junctions such as Tower Cross and the Offwell junctions.

The accidents statistics will indisputably increase should the Livestock Collection Centre become a reality.

3.12 The development in Zeal Monachorum is of no relevance whatsoever in consideration of this planning application and comparison of the traffic levels for the granted the calving unit with the proposed livestock collection centre.

3.16, 3.17 & 3.18 Whilst TD admit to errors in the Transport Statement they somehow still come to the unbelievable conclusion that the proposed development would result in an increase of less than 1 vehicle trip per day (based on a 7 day working week). This is totally erroneous and misleading particularly with statements by both Stags and TD showing that at present the Livestock Collection centre only operates on two days of the week.

3.22, 3.23 & 3.24 The Parish Council totally refute TD's statements in these paragraphs and how they arrive at their conclusions.

The Parish Council state that the following comments from the Parish Council's previous critical analysis are still valid and correct:-

The access has had little use over several years save for the grazing of sheep and cultivating crops in the field behind the existing shed.

The proposal requires uprooting a significant length of well-established Devon hedge bank in an Area of Outstanding Natural Beauty.

It has been shown that the figure of just 5 trips per day is wrong. Stags summary attached to this application details 45,000 head of sheep, 2600 head of cattle and 2000.

Trace Design in their response have completely ignored the concerns expressed by the Parish Council in relation to the minor service road from the A35 past the Bishops Tower to Tower Road. It was not considered in their original Transport Statement or in their response statement. This omission, together with lack of details and the various errors in both documents clearly demonstrates that they have NOT conducted a full and thorough assessment of the local highway network and the impact of the vehicles associated with the planning application.

The detailed documents and responses submitted by the Parish Council clearly show that Tower Road is not a suitable location and that the additional traffic generated by the proposal would create many traffic problems along both Tower Road and the minor service road. These two rural roads are restrictive in width with few passing places which are in the main private entranceways, poor visibility splays and no pavements. Both roads are well used by walkers, joggers, cyclists and horse riders and the additional traffic of large livestock lorries and 4x4 or tractors with livestock trailers would create extra problems and dangers for these users.

Another consideration is that the farmers take their animals to the livestock collection centre in their own vehicles and trailers. Some may take only a few animals, others a lorry full. but there will certainly be a lot of vehicle movements on each of the two mornings taking into account the annual throughput of animals. The applicants have still not produced any evidence and details of the traffic movements in and out of the existing centre over the last 5 years. This information should have been presented with their application as it must be readily available from their records.

The Clerk said that the new documents submitted by Stags show that the effluent tank capacity has now been increased from 25,000 litres to 84,000 litres. This effluent 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 its disinfectant chemicals or from when it is spread on the land. There are concerns about the effluent possibly affecting the water quality in the nearby Offwell Woods and its stream and ponds..

The revised plans submitted show shows that the one way vehicle circulation around the building within the site will be a compacted earth field perimeter access track. The Highways Authority believe that this will turn into a muddy quagmire when it is rain soaked. There are concerns about mud being transferred onto the Highway but also the possible bio security hazards of disease transmission from vehicle to vehicle as they travel through the same mud. Surely this vehicle circulation route should be concrete in order to minimise/eliminate this risk and be capable of being washed down. If so, this could produce more effluent , surfacing run off and washing off water being produced necessitating more tankering way journeys and/or more spreading on the land at appropriate times.

Also the lorry washout is situated at the start of the circulation route. Surely it should be situated at the other side of the building on the exit side.

Stags still claimed the 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 is still contrary to the various policies and strategies.

Stags had also provided details of the other possible relocation sites they had considered, why they had been rejected and the reasons why the Tower Road site had been the chosen and preferred site. The Clerk read out this information.

The Chair thanked the Clerk for his long and detailed report.

b) Open Session (Public Forum)

Questions & representations from parishioners relating to this application only

(This was a 60 minute session where any member of the public may speak for up to three minute).
7 members of the public spoke and made representations.

One person spoke in support of the application saying that Offwell was a rural farming parish and that the Council should support the application. The Livestock Collection Centre was important for the Farming community in East Devon. He 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. Large vehicles already travel along these two roads without causing any difficulties for others and felt that the two roads were suitable for the Collection Centre vehicles.

Those who were opposed to or had serious concerns about the application expressed the following views:-

- 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 arctic 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 its 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.
- Mud from the site causing a hazard on the highway.
- That Stags appeared to have not properly and fully considered the Honiton showground as a possible site. They had mentioned the costs of a new building as being the main problem. A suggestion was made that Stags should consider forming a Cooperative with their Collection Centre farming clients. This may raise the necessary finances to fund a new building and that they should explore this possibility and formally discuss the matter with the Honiton & District Agricultural Association.

b) 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 everyone appreciated the importance to the farming community of the Livestock Collection Centre but the proposed location on Tower Road was totally unsuitable. Tower Road and the minor lane were narrow roads and there was already serious safety issues and concerns caused by the existing amount of traffic and the lack of passing places. The roads were particularly hazardous for pedestrians, dog walkers, runners, cyclists and horse riders. The Addendum Transport statement submitted by the applicants did not properly address these matters and the increased safety issues which would be caused by the Livestock Collection Centre traffic.

Other Councillors expressed similar views and said that the Livestock Collection Centre should be relocated elsewhere if it was unable to remain at Silver Street.

Cllr Sauvage proposed that the Parish Council continue to 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 and by Devon Highways
- 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.
- d) Also to suggest that Stags revisit the matter of the Honiton Showground as a relocation site for the Livestock Collection Centre and that Stags discuss and fully investigate this possibility with the Honiton & District Agricultural Association.

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

The Chair thanked everyone for attending.

PART 2

OPEN SESSION

No matters raised

4. Minutes of the Meeting held on 17th November 2021

The minutes were declared a true record of the proceedings, proposed by Cllr. P. Sauvage seconded by Cllr. Tristram, all in favour.

5. Matters arising from the Minutes

None

6. Reports:

a) Police

None

b) District and County Councillors

c) Clerk

None

d) Offwell Neighbourhood Support Group

None

e) Highways Matter

a) Cllr Tristram and Cllr Sauvage reported that they had attended some of the workshops of the virtual online Highways Town & Parish Council Conference. They had been very informative and useful.

The Clerk advised that he was yet to have a site meeting with the Highways Officer regarding the request for an additional new grit bin. He requested Councillors to advise him of any other matters they wished him to discuss the Officer.

The Clerk advised that he had reported blocked road drains on Ramsden Lane between The Sheiling and the Electricity Sub Station. Highways investigating.

f) Footpaths Report

None

g) Any Other Reports

None

7. To consider any matters pertaining to Coronavirus and Offwell Parish

None

8. Correspondence

Noted

9. Finance

a) Current Financial Position

The Clerk advised that the present balance is £4240.92

The above balance EXCLUDES payments to be approved under Item 10b on the agenda
Lloyds CIL Account £12.09

b) Expenditure to be approved for which bills have been received

- 1) Payment of £326.72 for the Clerk's salary for the month of December 2021

Payments proposed by Cllr. Tristram, seconded by Cllr. Sauvage. All in favour.

10. Budget & Precept

Deferred to next meeting. The Clerk advised that EDDC had agreed that the precept form could be submitted on the 20th January 2022.

11. Other Planning Applications:

None

12. Website

Deferred to future meeting

13. a) Queen's Platinum Jubilee 2022

- b) Request from the Village Jubilee Committee for a monetary contribution from the Parish Council towards the cost of village events planned to mark the occasion and for a commemorative gift for the children of the Village.**

Both matters deferred to next meeting

14. Devon Climate Emergency – Devon Climate Declaration

Deferred to next meeting

15. Agenda Items for Next Meeting

Queens Platinum Jubilee 2022

Request from the Village Jubilee Committee for a monetary contribution from the Parish Council towards the cost of village events planned to mark the occasion and for a commemorative gift for the children of the Village.

Devon Climate Emergency – Devon Climate Declaration

Budget & Precept

16. Date and Time of Next Meeting

Wednesday 19th January 2022 at 7.30pm

The meeting closed at 9.40pm

Signed *C. Whithear*

Date **19/01/2022**