

Uffculme Parish Council
Minutes of Meeting Held
Monday 14th April 2025 at Magelake

Meeting Open – 19:01

Appointment of Chair - Councillor Hallchurch was nominated to take the position of Chair for the meeting. Proposed by Councillor Blackman, Seconded by Councillor Kingdom, majority in agreement (1 x objection)

Present – Councillors Hallchurch (Chair), Blackman, Kingdom, and Horne

Apologies for absence – Councillors Phil Cornish and Edwards.

Minutes of meeting held on 10th March 2025

Approved as correct record.

Public Session – There were 6 members of the public present. Application 25/00398/FULL was raised, with objections being raised, including comments regarding lack of consultation for the overall development and loss of privacy with the new design. Application DCC/4424/2025 was raised, with objections to the planned mitigation and restoration, and lack of clarity regarding the quality of “inert fill” to be used. It was raised that previous restoration to agriculture grade in previous phases has been inaccurate. A presentation accompanied the comments.

Councillor Kingdom asked that the resignation of Councillor Simon Lane also be noted, as his presence will be missed. The Planning Committee expressed their thanks for his leadership and involvement at the MDDC Planning Committee to represent the view of the Council and concerns of parishioners.

MDDC – Planning Decision Notices

1. **24/01618/FULL** – Variation of Condition 3 of Planning Permission 22/00432/FULL – Erection of 5 dwellings – for revised plans in relation to drainage at Land at NGR 306758 113093 Clay Lane, Uffculme - **REFUSED**
2. **25/00134/HOUSE** – Conversion of storage building to annex for main dwelling with associated works at 5 Fore Street, Uffculme, Cullompton – **APPROVED**
3. **25/00349/PNAG** – Prior notification for the erection of roof over existing silage clamp at Land at NGR 308477 110805 Haydons Farm, Ashill – **NOT REQUIRED**
4. **25/00376/CAT** – Notification of intention to remove 1 Ash tree within the Conservation Area at The Rise, Ashill, Cullompton – **APPROVED**

Tree Preservation Orders

No applications

Planning Committee

None

Planning Appeals

None

Planning Applications

As attached

Meeting Close – 20:51

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- **25/00398/FULL** – Variation of Condition 2 of planning permission 19/00914/FULL (Erection of 5 dwellings) to allow substitute plans relating to layout, redesign and appearance at Land at NGR 306840 113071 (South of Allotment Gardens), Clay Lane, Uffculme

The parish council objects to this planning application.

As the elevation to the east details the creation of additional openings to the roofline, it is noted that this would have a negative impact on the neighbouring properties, due to the level of overlooking to existing properties, causing a reduction in privacy. This would be contrary to DM1 (e) of the Mid Devon Local Plan (2013-2033).

DM1 is also not met, with the resizing of the building and reconfiguration of the floorplan results in a loss of safe and accessible places for sustainable modes of travel (d) and (h) loss of adequate storage (loss of plant/boot room).

In addition to the above points, as the overall site is due to deliver a total of 10 houses, DM1(i) should also be applied – the revised designs appear to have the addition of stepped decking to the front and rear entrances, which does not provide 20% of the dwellings built to Level 2 of Building Regulations Part M ‘access to and use of dwellings’.

If the Planning Officer were so minded to approve this application, Uffculme Parish Council would request that consideration be made to apply a condition to fix and obscure the first floor windows to the east, in perpetuity, and to ensure that an adequate level of accessible plots be provided as part of this development.

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- **25/00406/CAT** – Notification of intention to crown reduce and lift Yew tree by 2-2.5mtrs within the conservation area at 3 Ashley Road, Uffculme

The parish council has no objections to this planning application, although would request that any works are done outside of bird nesting season.

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- **25/00376/CAT** - Notification of intention to remove 1 Ash tree within the Conservation Area at The Rise, Ashill, Cullompton¹

The parish council has no objections to this planning application.

¹ The decision notice for this application was issued on 11th April 2025, prior to this Planning Committee meeting

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- ***DCC/4424/2025*** – Proposed extension of Hillhead quarry for the winning and working of sand and gravel with restoration using imported inert fill inclusive of a new internal haul road and the retention of the existing mineral processing facilities at Land at south west of Penslade Cross, Hillhead Quarry Complex, Uffculme, Devon EX16 7LE²

The Parish Council does not object to this planning application, however, would like to make the following observations:

- ***Inadequate Protection of Public Rights of Way - Contravenes: Devon Minerals Plan Policies M22 (Transportation and Access) and M23 (Quality of Life)***
 - ***The proposed crossing of Uffculme Bridleway 50 introduces a signal-controlled junction for quarry haul trucks and vulnerable users, including horse riders. This design is unsafe, intrusive, and out of character with rural rights of way. No such arrangement can effectively safeguard bridleway users given projected vehicle flows (approx. every 2.5–4 minutes at peak).***
 - ***Additionally, Footpath 3 is under-assessed. Despite being referenced in the Devon Minerals Plan (Policy M22), there is no clear mitigation for its continued use or diversion, nor appropriate buffers to preserve its recreational value.***
 - ***In order to protect the important southern boundary tree line, woodland and Footpath 3, it would be requested to increase the proposed standoff from the boundary from 12.5m to 30m, to match the height of the existing trees (as a minimum), in order to add a buffer to protect wildlife and to maintain the health of the existing mature trees. It is further recommended that a 1m high bank is formed along the edge of the proposed cut and that it is planted with a hedge. Between the bank and the existing hedge should be planted with deciduous woodland species to provide a robust legacy feature and provide a screen for those using the path. The strip between the hedge and quarry edge is planted with trees to create a more robust woodland strip to act as a wildlife corridor connecting the fragmented woodland compartments.***
- ***Environmental Degradation of Ancient Landscape Features - Contravenes: BS5837, Devon Minerals Plan Policy M18 (Landscape Impact), and Policy M17 (Biodiversity).***
 - ***The proposed cutting through Sandy Lane, a historic sunken bridleway (holloway), would remove banks, hedgerows, and mature trees over a 20–25m stretch. This not only causes ecological fragmentation but irreversible visual harm to a cherished and historic public path.***
 - ***This proposal is inconsistent with BS5837:2012 (Trees in relation to design, demolition and construction). The arboricultural method statement fails to properly classify or protect existing trees, misrepresents age classes, and lacks detailed tree protection measures.***
 - ***The applicant has acknowledged existing erosion on Bridleway 50 and has offered to supply aggregate for repairs. However, they have indicated that drainage issues fall under the county council's jurisdiction. Given this, it would be prudent to request that any planning approval includes conditions mandating the***

² Councillor Horne left the meeting at 20:02, prior to discussions regarding this planning application.

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applicant to contribute to the repair and maintenance of Bridleway 50, ensuring its safety and accessibility during and after quarry operations. The Planning Statement also suggests that the crossing infrastructure will be removed upon restoration. However, the long-term impact on the bridleway's continuity, accessibility, and character is not fully addressed, nor are the arrangements for maintaining safe access during all phases of extraction. Devon Minerals Plan Policy M22 requires that mineral development "maintains or, where appropriate, enhances the Public Rights of Way network" and that "safe and convenient access is maintained for users." The proposed development fails to meet this policy test in both design and mitigation scope. As referenced above, Bridleway 50 would also benefit from an increase to the proposed standoff from the boundary from 12.5m to 30m, in order to further preserve this historic Holloway.

- *The Levelling-up and Regeneration Act 2023, particularly Section 245, amends the Countryside and Rights of Way Act 2000 to impose a stronger duty on public bodies. Specifically, it requires that:*
 - *"In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty in England, a relevant authority... must seek to further the purpose of conserving and enhancing the natural beauty of the area."*
 - *This represents a significant strengthening from the previous requirement to merely "have regard" to such purposes. As the land South West of Penslade Cross is visible from the Blackdown Hills, an Area of Outstanding Natural Beauty (AONB), the principle underscores the government's commitment to protecting and enhancing natural landscapes and public access to them. Therefore, any development that potentially degrades these values should be carefully scrutinized to ensure compliance with the spirit of the Act.*
- *Cultural and Heritage Loss - Contravenes: Levelling-up and Regeneration Act 2023, Section 245, which imposes a legal duty on planning authorities to conserve and enhance cultural and environmental features in rural landscapes.*
 - *The proposals ignore cultural history, including:*
 - *Iron seats placed for the Women's Sewing Guild, still visible today*
 - *Historic Holloway of Bridleway 50*
 - *These features hold deep local significance and have not been assessed in the cultural or archaeological appraisal.*
- *Loss of Irreplaceable Habitats & Inaccurate Biodiversity Net Gain (BNG) Assessment - Contravenes: NPPF para. 180c, Devon Minerals Plan Policy M17, and DEFRA's statutory BNG guidance.*
 - *The BNG assessment:*
 - *Fails to account for veteran trees in H1 and H2 hedgerows.*
 - *Omits dormouse and bat survey data for key areas (e.g. H2).*

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- *Assumes creation of ponds and ditches that are physically unfeasible due to porous geology.*
 - *The proposed removal of mature hedgerows, identified as bat foraging and commuting routes (with 11 bat species, including Barbastelle and Greater Horseshoe), will sever essential ecological corridors.*
- *Visual, Acoustic and Dust Intrusion - Contravenes: Devon Minerals Plan Policies M18, M23, and Guidelines for Landscape and Visual Impact Assessment (GLVIA).*
 - *The use of temporary subsoil bunds as screens:*
 - *Is against visual screening best practices (David Jarvis Associates 2012),*
 - *Will not effectively mitigate impacts before Phase 1 excavation begins,*
 - *Damages mature hedges via compaction and lack of vegetation.*
 - *A permanent, vegetated landscape bund, aligned with natural contours, is essential if this development proceeds.*
- *The application as submitted is flawed, both in technical detail and planning justification. It contravenes several core principles of the Devon Minerals Plan, fails to meet national planning standards for biodiversity and landscape protection, and disregards cultural heritage and public amenity.*

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- **25/00451/FULL** – Removal of condition (b) of planning permission 90/02282/FULL (Conversion of outbuildings to two holiday cottages) relating to holiday occupancy to allow full residential use at Stable & Swallow Cottage, South Farm, Blackborough³

The parish council objects to this planning application.

The proposed change of use conflicts with several policies outlined in the Mid Devon Local Plan (2013–2033), particularly concerning the preservation of the Area of Outstanding Natural Beauty (AONB), infrastructure capacity, healthcare provision and economic sustainability.

Impact on the Blackdown Hills AONB (Policy S6: Environmental Protection) - The site is situated within the Blackdown Hills, designated as an Area of Outstanding Natural Beauty. Policy S6 emphasizes the need to conserve and enhance the natural beauty of such areas. Transitioning from holiday accommodation to permanent residence could lead to increased development pressure, potentially altering the character of the landscape and setting a precedent for further permanent developments within the AONB.

Infrastructure Capacity (Policy S8: Infrastructure) - Policy S8 mandates that developments must be supported by adequate infrastructure. Permanent residency would likely increase demand on local infrastructure, including water supply, sewage systems, and road networks. Given the rural nature of Blackborough, existing infrastructure may not be equipped to handle the additional load, leading to potential service degradation for current residents

Healthcare Provision (Policy S1: Sustainable Development Priorities) - Policy S1 outlines the need for developments to contribute to the health and well-being of communities. Permanent residency would increase the local population, thereby placing additional strain on nearby healthcare facilities, which may already be operating at or near capacity. Without a clear plan to enhance healthcare services in conjunction with the proposed development, the well-being of both new and existing residents could be compromised.

Economic Sustainability and Tourism Impact - The existing use of the property as holiday accommodation contributes to the local tourism economy, supporting businesses such as shops, restaurants, and recreational services. Converting this property to permanent residence would remove a source of tourist lodging, potentially reducing tourist footfall and negatively impacting local businesses that rely on seasonal visitors. This change could undermine efforts to promote economic sustainability in the region.

The proposed change of use does not align with the strategic objectives of the Mid Devon Local Plan (2013-2033), particularly regarding the preservation of the AONB, infrastructure adequacy, healthcare provision and economic sustainability. Approval of this application could set a precedent for similar developments, further exacerbating these issues. The original conditions applied, in accordance with the approval of planning, were put in place for valid reasons, none of which will have materially changed since the original approval. The Parish Council would urge the Planning Enforcement Team to investigate potential non-compliance, and to seek to resolve any breaches as appropriate.

³ Councillor Horne left the meeting at 20:02, prior to discussions regarding this planning application.

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- **25/00490/FULL** – Erection of agricultural livestock building 605sqm at Land and Buildings at NGR 305521 109780 Home Farm, Bradfield⁴

The Parish Council has no objections in respect of this planning application.

⁴ Councillor Horne left the meeting at 20:02, prior to discussions regarding this planning application.