

Date: 21 December 2020
Direct phone: 01395 517519
Direct email: efreeman@eastdevon.gov.uk
Our ref: 20/1855/FUL



Lympstone Parish Council
Miss L Tyrell
c/o Minnows
Longmeadow Road
Lympstone
Devon
EX8 5LF

Dear Councillors

Ref: 20/1885/FUL – Installation of a sewage treatment package (retrospective application) at Land Adjoining The Workshop, Longmeadow Road, Lympstone

I am writing further to your letter of the 14th December 2020 regarding the above mentioned matter. I am sorry to hear of your concerns regarding the Council's decision on this matter but I hope that this letter helps to address your concerns.

I would start by saying that Members were provided with a detailed officer report as part of the agenda for the Planning Committee meeting which had previously been discussed with the chair and vice-chair of the committee. The purpose of the officers verbal presentation is to draw out key issues from the published report and provide an update on any correspondence since the report was drafted. To my mind between the printed report and the officers verbal presentation Members had all of the information they needed to make an informed decision.

Turning to your numbered points and in response to each I can comment as follows:

1. Mr Rose used the address of the site as it was given to us by the applicant and then used both an OS plan and an aerial photograph to show the position of the proposal in relation to other properties and local features. This in combination with the printed report would have given Members a clear understanding of the location of the proposed site.

Blackdown House, Border Road, Heathpark Industrial Estate,
Honiton, EX14 1EJ
DX 48808 Honiton

Phone: 01395 516551
Email: csc@eastdevon.gov.uk
[@eastdevon](http://eastdevon.gov.uk)

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2. The fact that the change of use of the workshop to a dwelling was granted on appeal was mentioned by Mr Rose in his presentation but the fact that it was granted on appeal is not material to the latest application.
3. I have read Mr Lloyds letter of objection but the nearest main sewer appears to be in Longmeadow Road. I can only think that he is referring to the private connections to that main sewer from the properties known as Brooklyn and Highfield. I doubt that it would be appropriate to connect a further property through this route and it would clearly not overcome concerns about needing the agreement of other land owners who I would suggest would be unlikely to agree even if this were a viable solution.
4. The letters of objection were summarised in the officer's report and a late letter was also referred to by Mr Rose in his verbal presentation. The letters of objection are all publically available through our web-site and Members know that they can read them if they wish to understand the concerns in greater detail. Indeed it is notable that in addressing the committee Cllr Olly Davey made reference to him having done exactly that.
5. I am not sure of the relevance of this point.
6. I am not sure what law you are referring to but the planning legislation does not require us to consult any further afield than the immediately adjoining properties or post a site notice. In this case both were done. Other consents will be required from the Environment Agency for the proposed discharge and it may be that further consultation will be done by them at that stage.
7. The description of development and the text in the body of the report both make reference to the application being retrospective and so I believe that was clear. However the fact that it was retrospective should have no bearing on how it is considered. It is only the planning merits of the proposal which are material to the decision on the application.
8. A couple of Members made reference to deferring the application for further investigations to take place but no motion was tabled for a deferral and ultimately it was resolved to approve the application based on the available information.
I am not sure on what basis you are saying that the EA was overruled since they did not object to the application and the test of whether a mains sewer connection is feasible is for the Local Planning Authority.
9. I assume you are referring to Policy EN19. I can confirm that it was referred mentioned.
10. You would have to take up any concerns you have with Cllr Jung's comments at the meeting with him.
11. The Council's Solicitor was asked to summarise the motion that was before the committee in this case which is usual practice. The Chair did not directly question the officer on the report but Members of the committee raised a number of questions to which Mr Rose gave a suitable response.

I don't agree that the meeting lacked detail or a proper debate. Between the officer's report and verbal presentation all of the relevant issues had been highlighted and Members debated the issues and made an informed decision.

It is our policy not to respond to letters of objection from members of the public on planning applications simply because we receive so many that it would be possible to do so. I am not aware that any formal replies have been provided in this case albeit it may be that some objectors spoke to officers during the processing of the application.

I hope my comments are helpful in putting the parish councils mind at rest with regard to this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ed Freeman', with a long horizontal flourish extending to the right.

Ed Freeman

Service Lead – Planning Strategy and Development Management