

DEVELOPMENT MANAGEMENT COMMITTEE

23 September 2020

Present:-

County Councillors

Councillors J Brook (Chair), Y Atkinson, S Aves, R Bloxham, A Connett, G Gribble, I Hall (Vice-Chair), L Hellyer, J Hodgson, R Hosking, T Inch, P Sanders, C Slade and J Yabsley

Apologies:-

Councillor J Hook

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Minutes

RESOLVED that the Minutes of the Meeting held on 18 March 2020 be signed as a correct record.

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Items Requiring Urgent Attention

No item was raised as a matter of urgency.

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County Matter: Waste: South Hams District: erection of waste bulking/transfer station and ancillary development on redundant land within existing anaerobic digestion site, Higher Challonsleigh, Lee Mill

(Councillor J Hodgson declared a personal interest by virtue of her membership of South Hams District Council).

The Committee considered the Report of the Chief Planner (PTE/20/19) on an application for the erection of waste bulking/transfer station and ancillary development at an existing waste treatment facility at Higher Challonsleigh Farm, Lee Mill.

The Chief Planner's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received prior to the meeting.

Member discussions included reference to associated highway improvements and the role of the Environment Agency in regard to odour control.

The matter having been debated and having regard to the main material planning policies and requirements,

it was **MOVED** by Councillor J Brook, **SECONDED** by Councillor I Hall and

RESOLVED that, subject to the applicant entering a legal agreement providing a contribution of £5,000 towards the cost of a traffic capacity, safety and amenity scheme for Lee Mill, planning permission be granted subject to and the conditions set out in Appendix I to this report with any subsequent changes to the conditions being agreed by the Chief Planner in consultation with the Chair and Local County Councillor.

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County Matter: Waste: Teignbridge District: Section 73 application to vary Condition 10 of permission 16/01969/DCC (Consolidating application for the retention of the integrated waste management facility for the processing, transfer and recycling of waste and production of recycled aggregates,

including offices, parking, hardstanding, associated plant and equipment and the extension in time (20 years) and area of the inert landfill) to raise throughput from 75,000 to 120,000 tonnes per annum, Kenbury Wood Landfill Site, Old Dawlish Road, Kennford

(Mr R Marsh (for the applicant) attended under the Council's Public Participation and spoke to this item in support of the application)

The Committee considered the Report of the Chief Planner (PTE/20/20) on the proposed increase to the amount of waste materials brought into the waste management facility at Kenbury Wood for recycling and a proportion for landfill by 45,000 tonnes per year.

The Chief Planner's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received prior to the meeting.

Members' discussion points with the Officers included litter from the site and monitoring, proposed highway improvements associated with the application and off site road signage, the agreed vehicle route plan and landfill capacity.

The matter having been debated and having regard to the main material planning policies and requirements,

Councillor A Connett **MOVED** and Councillor J Hodgson **SECONDED** that subject to further legal clarification the applicant be requested to make a £2,000 contribution to Kenn Parish Council towards the cost of the Weight Limit Traffic Orders prohibiting 7- 7.5T vehicles through Kennford Village.

The Amendment was put to the vote and declared **LOST**.

Councillor Brook **MOVED** and **SECONDED** by Councillor C Slade and it was

RESOLVED that, subject to completion of a legal agreement providing for a financial contribution towards maintenance of the local highway network and the continued routing of delivery vehicles away from the village of Kennford, planning permission is granted subject to the conditions set out in Appendix I of the Report (with any subsequent minor changes to the conditions being agreed by the Chief Planner in consultation with the Chair and Local County Councillor).

* **105** **County Matter: Waste: Teignbridge District: Importation of 350,000m3 of inert soils and topsoil for the land raising of previously disturbed land that is not capable of sustaining commercial agriculture, Lower Hare Farm, Whitestone**

The Chief Planner reported on the above planning application and, in the light of the updated risk assessment for Committee site visits, he outlined the proposed arrangements (visit previously agreed by the Committee on 5th June 2019) to be undertaken prior to the determination of the application.

RESOLVED that a Members' site visit be arranged in advance of consideration of a report to be made to a future meeting of the Committee.

106 **Minerals and Waste Development Framework: Review of the Devon Waste Plan**

The Committee considered the Report of the Chief Planner (PTE/20/21) on the review of the Devon Waste Plan and the work undertaken as part of the technical exercise and the conclusions drawn as a result of the evidence produced.

The Devon Waste Plan had been adopted in December 2014 and has since provided the local waste planning policy informing the determination of waste planning applications in the administrative area covered by Devon County Council.

There was a statutory requirement for planning authorities to review their local plan policies at least every five years from the date of their adoption. It had therefore been necessary to review the Devon Waste Plan to assess if the vision and objectives of the Plan were on track to be achieved and whether the Plan's policies were proving to be effective and remained fit for purpose.

A series of topic papers had been prepared which provided the evidence informing the conclusions of the review:

- Topic Paper 1: 5 Year Review of Annual Monitoring Report data
- Topic Paper 2: Review of Consistency with National Policy
- Topic Paper 3: Spatial Strategy Review
- Topic Paper 4: Review of Climate Emergency Declaration Implications
- Topic Paper 5: Duty to Cooperate Engagement

Informed by the evidence collated through the review process, officers were of the view that it was not considered necessary to update any of the Waste Plan policies at this time. The policies remained fit for purpose, consistent with national planning policy and provided an appropriate framework for the determination of waste planning applications across Devon.

Monitoring would continue through the normal annual monitoring process. A further review would be undertaken if necessary as a result of this process, or if there was a significant change in wider circumstances; for example, through the updating of the national planning policy for waste, or as a result of any actions or outcomes set out in the Devon Carbon Plan which was due to be published in 2022. In the interim period, recommendations (b) and (c) of this were proposed for action.

The only alternative option open to the County Council would be to resolve not to endorse the conclusions of the review, but given the comprehensive approach that had been taken, which was informed by national guidance, this would be inadvisable.

It was **MOVED** by Councillor J Brook, and **SECONDED** by G Gribble, and

RESOLVED that the work completed on the review of the Devon Waste Plan be noted and the following conclusions from the Review be endorsed:

- (a) the Waste Plan's policies remain fit for purpose and do not need to be updated at this time;
- (b) a guidance note is prepared to aid interpretation of the biodiversity net gain requirements of Policy W11: Biodiversity and Geodiversity in line with advice provided by Natural England; and
- (c) further work is undertaken to establish a robust methodology for estimating waste arisings which can be replicated annually and used to inform any future update to the Waste Plan that may be required at a later date.

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Minerals and Waste Development Framework: Statement of Community Involvement: Third Revision

The Committee considered the Report of the Chief Planner (PTE/20/22) on the proposed endorsement of the third revision of the Council's Statement of Community Involvement.

The County Council prepared the Minerals and Waste Plans for the parts of Devon outside of the National Parks and the unitary Authorities of Plymouth and Torbay. As part of this process the Council was required to prepare and maintain a Statement of Community Involvement that set out how the Council would engage with local communities and individuals in the preparation of its policy documents and determination of planning applications. The Council's original Statement of Community Involvement had been published in 2007 and subsequently revised in 2013 and 2018, with the Second Revision available under the heading 'Community Involvement' at:

<https://www.devon.gov.uk/planning/planning-policies/minerals-and-waste-policy>

The maintenance of a Statement of Community Involvement was a statutory requirement and the Council was obliged to review it to reflect any changes in circumstances.

It was **MOVED** by Councillor J Brook, **SECONDED** by Councillor G Gribble and

RESOLVED that the Committee note and endorse the Third Revision of the Statement of Community Involvement, incorporating the minor changes to the Second Revision indicated in section 3 of this Report, for publication on 28 September 2020.

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Delegated Action - Schedules (to include ROMPs Actions) and Summary Schedule

The Committee received the report of the Chief Planner (PTE/20/23) of action taken under delegated powers.

***DENOTES DELEGATED MATTER WITH POWER TO ACT**

The Meeting started at 2.15 pm and finished at 4.05 pm