

## DEVELOPMENT MANAGEMENT COMMITTEE

1 December 2021

Present:-

Councillors J Brook (Chair), P Bullivant, A Connett, D Cox, G Gribble, R Hannaford, J Hodgson, J Wilton-Love and J Yabsley

Member attending in accordance with Standing Order 25

Councillor J Bailey

Apologies:-

Councillors I Hall, D Barnes, I Chubb, L Hellyer, P Sanders and C Slade

\* **5**      **Minutes**

**RESOLVED** that the Minutes of the Meeting held on 21 July 2021 be signed as a correct record.

\* **6**      **Items Requiring Urgent Attention**

No item was raised as a matter of urgency.

\* **7**      **County Matter: East Devon District: Extraction of up to 1.5 million tonnes of as raised sand and gravel, restoration to agricultural land together with temporary change of use of a residential dwelling to a quarry office/welfare facility, Straitgate Farm, Exeter Road, Ottery St Mary**

(Kirstin McCarthy (Aggregate Industries) and Duncan McIntosh (Aggregate Industries), both for the applicant, attended under the Public Participation Scheme and spoke in support of the application; and Councillor Amanda Townsend, Rupert Thistlethwayte, Chris Wakefield, Professor Rick Brassington (attended remotely), Monica Mortimer, Tim Taylor and Councillor Roger Giles, attended under the Scheme and spoke in objection to the application).

(Councillor J Bailey attended in accordance with Standing Order 25 and spoke in objection to the application).

The Committee considered the report of the Chief Planner (PTE/21/44) on an application for the development of a new sand and gravel quarry, a new site access and ancillary storage and quarry facilities on 42.5ha of land at Stairgate Farm, Ottery St Mary. The Committee also considered an Update

Note on proposed new and amended conditions and which detailed minor corrections to the Report. The Chief Planner also reported on representations received since the publication of the Report and outlined new reasons for objection within the recent representations.

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 and questions to the Officers (which included points arising from the issues raised by the Speakers) related to: planning policy considerations, the level and number of objections received, transportation, access and highway safety; the water environment including hydrogeology water supplies, surface water management (and on which an Environment Agency representative gave advice (remotely)), and flood risk; health and amenity; the historic environment; landscape and visual impact; biodiversity impacts; restoration proposals, including agricultural and soil considerations; economic considerations; sustainability and climate change; availability of alternatives; and scope and enforceability of the proposed legal agreements and conditions.

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

**MOVED** by Councillor J Brook, and **SECONDED** by Councillor J Yabsley that subject to the applicant entering into a legal agreement providing for the measures set out in Appendix I of the Report, the County Solicitor be authorised to grant planning permission subject to the conditions set out in Appendix II of this Report and as amended in the Update Note with any subsequent minor material changes to the conditions being agreed by the Head of Planning Transportation and Environment in consultation with the Chair and the local County Councillor.

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

It was then **MOVED** by Councillor A Connett and **SECONDED** by D Cox and

**RESOLVED** that the application be refused for the following reasons (Chief Planner to refer to the relevant Planning Policy Guidelines in the Decision Notice):

- (a) the great weight afforded by the NPPF to the protection of heritage assets irrespective of the degree of harm;
- (b) the potential unacceptable impact on human health relating to private water supplies;
- (c) the unresolved road safety issues relating to the cattle crossing and children's bus stop;

(d) the lack of evidence of protected species due to the failure to provide up to date surveys;

(e) lack of finalised surface water management plan

(f) loss of mature trees and 1.5km of important hedges; and

(g) sustainability of transporting material for processing in light of the climate emergency.

(N.B. In accordance with Standing Order 32(4) Councillor G Gribble requested that abstention from the vote and the decision taken be recorded)

\* 8 **County Matter: Minerals: Mid Devon District: Importation of up to 1.5 million tonnes of as-raised sand and gravel from Straitgate Farm into Hillhead Quarry for processing, Hillhead Quarry, Uffculme, Cullompton**

The Committee received the report of the Chief Planner (PTE/21/45).

The Chief Planning Officer reported that in view of the decision to refuse the Straitgate planning application (Minute\*7 refers) it was now considered appropriate for a revised recommendation to be submitted to refuse this application.

It was **MOVED** by Councillor D Cox, **SECONDED** by Councillor J Hodgson and

**RESOLVED** that planning permission be refused on the grounds that the importation of materials is considered to be unsustainable and therefore contrary to policy M12 and policy M22 of the Devon Minerals Plan and in view of the refused Straitgate Farm quarry application.

\* 9 **County Council Development: Teignbridge District: Creation of a new 5km stretch of shared use path (Teign Estuary Trail) from the Passage House Inn, east of Newton Abbot Racecourse, along the Teign Estuary to Teignmouth via Bishopsteignton, primarily over existing farmland. The scheme involves the creation of a minimum 3m wide pathway with sections of boardwalk, viewing platforms, and a bridge, Bishopsteignton, Teignmouth**

(Judith Sharples, Henry Merritt, Hannah Clark (for the applicant), Anjumn Kanani (for the applicant) and Councillor Stuart Hughes (for the applicant) Estelle Skinner (Teignbridge District Council) attended (all remotely) in accordance with the Public Participation Scheme and spoke in support of the application; and Alison Green (Savills Solicitors on behalf of Trevor Davey),

attended (remotely) under the Participation Scheme and requested an amended scheme).

The Committee considered the report of the Chief Planner (PTE/21/46) on the proposed construction of a pedestrian/cycle way between Teignmouth and Newton Abbot along the Teign Estuary, running alongside the railway track for the most part.

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. The Chief Planning Officer also reported on representations received since publication of the Report.

Member discussions and questions to the Officers related to health, economic and sustainability benefits and ecological impacts; landscape and fencing, and any lighting arrangements and provision of rest areas.

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

**MOVED** by Councillor P Bullivant, **SECONDED** by Councillor J Hodgson and

**RESOLVED** that the County Solicitor be authorised to grant planning permission subject to the conditions set out in Appendix I of the Report (with reference to include provision of rest areas where appropriate in condition 8) and with any subsequent minor material changes to the conditions being agreed by the Head of Planning, Transportation and Environment in consultation with the Chair and Local County Councillor.

\* **10** **Delegated Action - Schedules (to include ROMPS Actions) and Summary Schedule**

The Committee received the report of the Chief Planner (PTE/21/47) on action taken under delegated powers.

**NOTES:**

1. *Minutes should always be read in association with any Reports for a complete record.*
2. *If the meeting has been webcast, it will be available to view on the [webcasting site](#) for up to 12 months from the date of the meeting*

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

The Meeting started at 2.15 pm and finished at 4.48 pm