

DEVELOPMENT MANAGEMENT COMMITTEE

27 July 2022

Present:-

Councillors J Brook (Chair), P Bullivant (Vice-Chair), I Chubb, A Connett, D Cox, G Gribble, R Hannaford, L Hellyer, J Hodgson, P Sanders, J Wilton-Love and J Yabsley

Apologies:-

Councillors S Aves, P Henderson and C Slade

* 21

Minutes

RESOLVED that the Minutes of the meeting held on 30 March 2022 be signed as a correct record.

* 22

Items Requiring Urgent Attention

No item was raised as a matter of urgency.

* 23

County Matter: Waste: Teignbridge District: Application under S73 of the Town and Country Planning Act for Variation of Conditions 4, 19, 21 and 24 of Permission DCC/4101/2018 (19/00207/DCC) - 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 at Lower Hare Farm, Lane from Higher Hare towards Alderbed Copse, Whitestone, Exeter
Applicant: GRS Stone Supplies Ltd.
Application No: DCC/4293/2022
Date Application received by Devon County Council: 8 February 2022

(Suzi Coyne (Agent for the applicant) attended under the Public Participation Scheme and spoke in support of the application).

The Committee considered the Report of the Chief Planner (CET/22/42) on proposed variations to the conditions concerning the amendments to the phasing of an existing planning permission for landfill/land raise and the consequent alterations to the previously approved drawings.

The Council's Legal Adviser for this application reported on the legal considerations and the scope of the application in regard to use of Section 73 of the Town and Country Planning Act 1990 in the determination of this application. Members were advised that the use of Section 73 was the appropriate mechanism to deal with the proposed changes to the development and that the application before members was not a new

planning application, but the effect of approval was the grant of a new permission.

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 Planner also reported additional representations from Whitestone Parish Council and Dr G Fielding in objection and relating to consultation arrangements.

Member discussions and questions to the Officers (and which included points arising from the issues raised by the Speaker) related to the legal considerations and scope of the application; the type of material to be disposed, engineering fill, water management, ecology and biodiversity; landscape and visual impact; and highway and track access.

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 L Hellyer and

RESOLVED that, subject to the applicant entering into a deed of variation to apply the terms of the previous legal agreement to the new permission, planning permission be granted subject to the conditions set out in Appendix 1 of the Report (with variations to the conditions of the previous planning permission highlighted) (with any subsequent minor material changes to the terms of the agreement being agreed in consultation with the Chair and Local County Councillor).

(N.B. In accordance with Standing Order 32(4) Councillors A Connett, D Cox, J Hodgson and R Hannaford requested that their vote against the decision taken be recorded)

- * 24 **Notification of appeals lodged against refusal of planning permission: (a) Straitgate Farm, Exeter Road, Ottery St Mary - Application DCC/3944/2017; and (b) Hillhead Quarry, Uffculme - Application DCC/3945/2017**

The Committee noted the Report of the Chief Planner (CET/22/43) on the notification of appeals lodged against refusal of planning permission: (a) Straitgate Farm, Exeter Road, Ottery St Mary – Application DCC/3944/2017; and (b) Hillhead Quarry, Uffculme – Application DCC/3945/2017. The Report also outlined the process by which the appeals would be considered by The Planning Inspectorate and the timetable.

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

The Committee received the report of the Chief Planner (PTE/22/43) 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 3.11 pm