

## DEVELOPMENT MANAGEMENT COMMITTEE

7 December 2022

Present:-

Councillors J Brook (Chair), P Bullivant (Vice-Chair), I Chubb, D Cox, G Gribble, P Henderson, J Hodgson, P Sanders, C Slade, J Wilton-Love and J Yabsley

Apologies:-

Councillors S Aves, A Connett, R Hannaford and L Hellyer

**32**      **Minutes**

RESOLVED that the Minutes of the meeting held on 21 September 2022 be signed as a correct record.

**33**      **Items Requiring Urgent Attention**

No item was raised as a matter of urgency.

**34**      **County Matter: Waste East Devon District: Retrospective planning application to vary Condition 15 of planning permission 07/00955/2006 to permit fixed wash plant or machinery for inert recycling operations, Hill Barton Business Park, Clyst St Mary, Exeter**

The Committee considered the Report of the Chief Planner (CET/22/76) on the variation of condition 15 of planning permission 07/00955/2006 to facilitate the installation of additional plant to enable improved recovery/segregation of sand and stone at Hill Barton Business Park which is located approximately 4km to the east of Junction 30 of the M5.

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 related to possible increase in noise but it was highlighted that as this was a retrospective application actual noise readings had been taken rather than giving estimated information.

It was **MOVED** by Councillor J Brook and **SECONDED** by Councillor J Yabsley and

**RESOLVED** that that planning permission be granted subject to the conditions set out in Appendix 1 of the report (with any subsequent minor material changes to the conditions being agreed in consultation with the Chair and Local Member).

**35**      **County Council Development**  
**South Hams District: Relocation of Slapton Monument approximately**  
**1.4km north east on land north of A379 to preserve the monument from**  
**storm damage and restoration of existing site**

(Peter Chamberlain, Environment Manager, Devon County Council spoke on behalf of the applicant (supporter) and Cllr Jane Abbey and Cllr Michael Crowson, both from Slapton Parish Council attended under the Public Participation Scheme and spoke in objection to the application).

The Committee considered the report of the Chief Planner (CET/22/77) which related to the relocation of Slapton Monument on land north of the A379 approximately 1.4km north-east of its current location.

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 related to vulnerability of storm damage, accessibility of the monument to the public, exposure to car exhaust gases, concerns about the removal of the concrete base and replacement materials.

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 P Bullivant and

**RESOLVED** that planning permission be granted subject to the conditions set out in Appendix 1 of the report (with any subsequent minor material changes to the conditions being agreed in consultation with the Chair and Local Member).

**36**      **North Devon District: Article 4 Direction to remove permitted**  
**development rights for mineral working for agricultural purposes**  
**Location: Codden Hill, Bishop's Tawton, Barnstaple**

(Councillor P Henderson attended in accordance with Standing Order 25 (2) (b) and spoke in favour to the application).

The Committee considered the report of the Chief Planner (CET/22/78) which recommended making a non-immediate Article 4 direction to remove the permitted development rights associated with mineral extraction for agricultural purposes in the area known as Codden Hill, southeast of the village of Bishop's Tawton.

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.

It was explained that an Article 4 direction would result in the withdrawal of permitted development rights, meaning that deemed planning permission is no longer granted automatically by the GPDO and that a planning application would need to be made to the mineral planning authority.

Member discussions and questions to the Officers included points arising from the issues raised by the Speakers related to detrimental effect on residents living in that area, risk of legal action, the continuation of current operations, and confirmation that removal of permitted development rights would ensure that any future proposals for quarrying require planning consent.

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 and **RESOLVED** that:

(a) a non-immediate Article 41 direction be made, subject to any intervention from the Secretary of State for Levelling Up, Housing and Communities, covering the area shown in red in Appendix I to remove the following permitted development rights within Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended): (i) Class C - mineral working for agricultural purposes, of Part 6 Agricultural and forestry

(b) The Chief Planner be authorised to make any minor amendments necessary to the direction that do not alter the main purpose, in consultation with the Chair and Local Member.

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

The Committee received the report of the Chief Planner (CET/22/79) 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 2.17 pm and finished at 3.09 pm