



**Devon Countryside Access Forum
c/o Public Rights of Way team
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Mr A Hill
Planning Development Manager
Climate Change, Environment & Transport
Devon County Council
County Hall
Topsham Road
Exeter EX2 4QD

15 July 2024

Dear Mr Hill

Lower Brenton Farm planning application DCC/4337/2023

The Devon Countryside Access Forum (DCAF) is a local access forum under the Countryside and Rights of Way Act 2000 (CRoW Act). Its statutory remit is to give independent advice “as to the improvement of public access to land in the area for the purposes of open-air recreation and the enjoyment of the area...” Section 94(4) of the Act specifies bodies to whom the Forum has a statutory function to give advice, and this includes county councils.

The DCAF currently has nineteen members, appointed by Devon County Council, who represent the interests of landowners/managers, access users and other relevant areas of expertise such as conservation and tourism.

The Devon Countryside Access Forum has considered the revised application for the landfill site at Lower Brenton Farm. Its response to the initial planning application is attached for information and to be cross-checked against the revised proposals. The additional comments below will be on the agenda for formal approval at the next DCAF meeting on 23 September.

The DCAF notes that the revised application no longer mentions a temporary fence on the phasing plan and the reference to the temporary cow track has been removed.

The Devon Countryside Access Forum is a local access forum. It is required, in accordance with Sections 94 and 95 of the Countryside and Rights of Way (CRoW) Act 2000, to provide advice as to the improvement of public access to land for the purposes of open-air recreation and enjoyment.



The Forum also notes the additional signage, extended visibility splay and dry ramp cleaner relating to lorries crossing Shillingford Lane. The Forum welcomes steps to mitigate safety implications for cyclists using Brenton Road and other affected routes. However, the revised application does not adequately address the primary concerns related to safety and amenity previously raised.

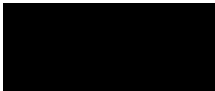
The Forum notes and endorses the concerns raised by Teignbridge District Council in their response dated 20.6.24 with particular reference to:

- The importance of existing footpaths /bridleways in the locality, all the more so given the significant current and potential residential development in the area.
- The negative impact the landfill site would have on the level of amenity these public rights of way currently offer, which would discourage their use.

Furthermore, the Forum advises that that the 'stock proof fence' detail should ensure that barbed wire is installed on the outer face of the posts, away from the footpath users, especially where there are double fences in close proximity to the footpath. Ideally there should be no barbed wire and, if absolutely necessary, a plain wire strand should be added to the inside of the posts at the level of the highest barbed wire strand. This may help people if they slip. Where a path is double fenced management and maintenance can be difficult. Fencing should be as far away from the public rights of way users as practicable.

These comments constitute formal advice from the Devon Countryside Access Forum and Devon County Council is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to relevant advice from this forum in carrying out its functions. Feedback would be appreciated.

Yours sincerely



Hilary Winter
Forum Officer

Letter sent on behalf of the Devon Countryside Access Forum

Chair: Sarah Slade

Vice Chair: Chris Cole