

DEVELOPMENT MANAGEMENT COMMITTEE

23 November 2016

Present:-

Councillors J Brook (Chairman), P Bowden (Vice-Chair), A Dewhurst, P Diviani, A Eastman, G Gribble, R Hannaford, J Hawkins, R Hosking, R Julian, E Morse, P Sanders, R Vint, E Wragg and J Yabsley

* 26

Minutes

RESOLVED that the Minutes of the meeting held on 19 October 2016 be signed as a correct record.

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Items Requiring Urgent Attention

There was no item raised as a matter of urgency.

28

Minerals and Waste Development Framework: Devon Minerals Plan: Inspector's Report and Adoption

(Councillor Bowden declared a personal interest in this matter by virtue of representing the area adjoining Straitgate Farm, Ottery St Mary)

The Committee considered the report of the Head of Planning, Transportation and Environment (PTE/16/57) on the preparation of the Devon Minerals Plan, findings of the Inspector's Report and proposed adoption. The Head of Service reported representations received from Councillor Wright in respect of Straitgate Farm, Ottery St Mary referenced in the draft Plan.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Diviani and

RESOLVED

(a) that the conclusions and recommendations of the Inspector's report on the Examination of the Devon Minerals Plan be noted;

(b) that the Devon Minerals Plan and associated Policies Map be endorsed for consideration by Cabinet on 14 December 2016 and adoption formally by the County Council on 16 February 2017, respectively, which incorporate the main modifications recommended by the Inspector and the additional modifications that were consulted on by the Council;

(c) that the Head of Planning, Transportation and Environment be authorised to make further additional modifications prior to adoption of the Devon Minerals Plan and Policies Map that may be required to address factual errors, minor updates and formatting matters; and

(d) that the additional documents proposed in 6.1 of Report PTE/16/57 to assist implementation of the Devon Minerals Plan and the provision for further reports to the Committee be noted.

(N.B. In line with the Council's Development Management protocol Councillor Wragg was precluded from voting on the application not having been present throughout the debate thereon)

* **29** **Minerals and Waste Development Framework: Cornwall and West Devon Mining Landscape World Heritage Site: Supplementary Planning Document: Adoption**

The Committee considered the report of the Head of Planning, Transportation and Environment on the preparation of a Supplementary Planning Document [SPD] to provide guidance for consideration of planning applications within the Cornwall and West Devon Mining Landscape World Heritage Site [the WHS], and proposed adoption of the SPD jointly with Cornwall Council and West Devon Borough Council.

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Diviani and

RESOLVED

(a) that the Committee jointly adopt, with Cornwall Council and West Devon Borough Council, the Cornwall and West Devon Mining Landscape World Heritage Site Supplementary Planning Document;

(b) that the Head of Planning, Transportation and Environment be authorised to determine the joint date of adoption of the Supplementary Planning Document in discussion with Cornwall Council and West Devon Borough Council; and

(c) that prior to adoption of the Supplementary Planning Document, the draft Document be used by this Council as informal planning guidance.

(NB In accordance with Standing Order 32 Councillor Sanders requested that his abstention from voting be recorded)

* **30** **County Matter: South Hams District: Variation and removal of conditions at Drakelands Mine, Drakelands, Nr PLYMOUTH, Devon PL7 5BS**

(Mr R May (Chairman, Sparkwell Parish Council) and Ms J Roach (Sparkwell Parish Council) attended and spoke at the invitation of the Committee against the application and Mr R Clark (on behalf of the applicant, Wolfe Minerals), Mr B Rhodes (D&C Business Councils) and Mr G Cowcher (Devon Chamber of Commerce) attended under the Council's Public Participation Scheme and spoke in support of the application).

(Representatives from the Environment Agency and South Hams District Council's Environmental Health attended and spoke at the invitation of the Committee).

The Committee considered the Report of the Head of Planning, Transportation and Environment (PTE/16/59) on an application and accompanying Environmental Statement for variation of conditions of planning permission 9/42/49/0542/85/3 at the Drakelands Tungsten Mine (previously Hemerdon), near Plymouth, PL7 5BS by

(i) variation of condition 3 of the planning permission to allow the continued extraction of tungsten and tin, processing and disposal of mineral wastes until 5 June 2036; and

(ii) removal of condition 13 of the planning permission: remove the restriction on the operating hours of the primary crusher.

The Head of Service's Report gave a reasoned assessment of the proposal, referring to all relevant policies and summarising the comments and views of interested parties received. The Head also reported on the outcome of an investigation, undertaken at his request by an Officer who was not related to the County Council's Planning Service, relating to allegations around the probity of an unidentified County Council Planning Officer and this application; the allegations had been found to be unsubstantiated. The Head of Service also reported on two letters which had been sent directly by Sparkwell Parish Council to Members of the

Committee since publication of the Report (PTE/16/59) and on the site visit by Members of the Committee that had been held the previous day (having also heard, from Sparkwell Village Hall, the blast sound from the Mine).

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

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Sanders and

RESOLVED

(a) that the application to vary Condition 3 (to extend the life of the site from June 2021 to June 2036) and to remove Condition 13 (restriction of hours of operation of the primary crusher) of the existing permission be granted; and

(b) that the remaining conditions be amended as set out in Appendix II to Report PTE/16/59;

(c) that the terms of the Unilateral Undertaking attached at Appendix III to Report PTE/16/59 be noted;

(d) that the Habitats Regulations Assessment attached at Appendix IV to Report PTE/16/59 be noted.

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County Matter: Waste East Devon District: Proposed relocation of the EMS Skip Hire and waste transfer facility, Hill Barton Business Park, Clyst St Mary

(Councillor Bowden declared a personal interest in this matter by virtue of being a member of the Hill Barton Business Park Liaison Group).

(Mr A Sayers (Farringdon Residents' Association) and Mr Frey attended under the Council's Public Participation Scheme and spoke against the application and Mr Stewart (applicant) attended and spoke in support, at the invitation of the Committee).

The Committee considered the Report of the Head of Planning, Transportation and Environment (PTE/16/60) on an application for the relocation of the EMS Skip Hire and waste transfer facility, including the erection of a materials recycling building, to accommodate the processing, storing and recycling of general skip waste and office accommodation at Hill Barton Business Park, Clyst St Mary.

The Head of Service'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 matter having been debated and having also had regard to the main material planning policies and requirements

It was **MOVED** by Councillor Brook, **SECONDED** by Councillor Wragg and

RESOLVED that planning permission be granted subject to the conditions set out in Appendix II to Report PTE/16/60 (with any subsequent changes to the conditions being agreed in consultation with the Chairman and the local County Councillor and with the following change to condition 7 (Hours of Operation):

'(ii) Vehicles shall leave the site only between the hours of 0630 to 1700 Mondays to Fridays and 0630 to 1300 hours on Saturdays'.

* **32** **County Council Development: Teignbridge District: Widening of an existing footway to accommodate cyclists at Tucks Plot, A379, Dawlish**

(Councillor Gribble declared a personal interest in this matter by virtue of being the Deputy Leader of Teignbridge District Council)

The Committee considered the report of the Head of Planning, Transportation and Environment (PTE/16/60) on an application for the widening of an existing 60m section of footway to provide a 4.0m wide cycle/footway to accommodate cyclists at Tucks Plot, A379 that leads through Tucks Plot, located within the town centre of Dawlish. The Committee noted that following further discussions with Officers Dawlish Town Council had withdrawn its objections.

The Head of Service'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 matter having been debated and having also had regard to the main material planning policies and requirements

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

RESOLVED that permission be granted subject to the conditions set out in Appendix II to this report with any subsequent changes to the conditions being agreed in consultation with the Chairman and Local County Councillor.

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

The Committee received the report of the Head of Planning, Transportation and Environment (PTE/16/62) of action taken under delegated powers.

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