

DEVELOPMENT MANAGEMENT COMMITTEE

5 February 2025

Present:-

Councillors J Brook (Chair), J Trail BEM (Vice-Chair), A Connett, D Cox, L Hellyer, P Sanders, C Slade, C Whitton and J Yabsley

In attendance (virtually)

Councillor J Wilton-Love

Apologies:-

Councillors S Aves, I Chubb, I Hall and J Hodgson

Members attending in accordance with Standing Orders 25

S Hughes

67 Declarations of Interest

The Chair reminded Members they should declare any interests they may have in any item to be considered, prior to any discussion taking place on that item. The details of District and or Town and Parish Twin Hatters was on the attached list - [A list of county councillors who are also district, borough, city, parish or town councillors](#)

*** 68 Minutes**

RESOLVED that the minutes of the meeting held on 23 October 2024 be signed as a correct record.

69 Items Requiring Urgent Attention

There were no items requiring urgent attention.

*** 70 County Matter: Waste**
Teignbridge District: Provision of temporary construction, demolition and excavation waste recycling facility; importation and landfilling of up to 700,000 cubic metres of inert waste materials; and associated works including installation of drainage infrastructure and alterations to existing vehicular access, Lower Brenton Farm, Brenton Road, Kennford

The Chair invited the Director of Legal and Democratic Services to give a statement which informed committee members that a late application had been received from the applicant.

It was explained that the applicant was requesting the opportunity to provide further information to address the last two reasons for refusal, which both dealt with the inadequacy of the applicant's Environmental Statement in relation to climate change and human health.

The Environmental Impact Assessment Regulations required that, for EIA development such as this planning application, the Council must 'reach a reasoned conclusion on the significant effects of the proposed development on the environment' having examined the environmental information provided by the applicant.

In addition to this the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Article 35) stated that the local planning authority should 'have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application'.

Given that the applicant had requested the opportunity to provide additional environmental information (albeit at a late stage in the application process), the legal advice was that it was reasonable to allow that opportunity through deferral of the application to the subsequent committee meeting. A decision not to allow the applicant this opportunity may leave the Council open to legal challenge and/or a costs claim at appeal.

Members of the public who wished to speak on this matter had been informed of the request to defer and were not in attendance.

As the agenda and report had been published, this was a matter for the Committee to determine..

Councillor Sanders therefore **MOVED** and it was **SECONDED** by Councillor Trail that, based on the legal advice received, the item be deferred until the next meeting.

Councillor Connett then **MOVED** and Councillor Cox **SECONDED** the following amendment:

The Development Management Committee notes, but does not approve of, the decision made on Friday 31st January to defer consideration of application DCC/4337/2023.

The Committee acknowledges that for all practical purposes, consideration of this application must now be deferred until the next meeting on 2nd April 2025, and records that the decision to defer was made contrary to the Council's Constitution.

Further, the Development Management Committee formally records its apologies to the residents and respondents who had taken time, trouble and effort to respond to the application and had prepared to attend today's meeting. The Committee acknowledges that communication from the Council to the community about the proposed delay could, and should, have been much better.

The Chair apologised for any confusion relating to this matter. The intention had been to enable the full information to come before the Committee for decision at the next meeting and to avoid wasting the public or the applicants time or money attending a meeting where the item would not be heard.

It was noted that the communication had been inadequate and efforts would be made to improve this..

The amendment in the name of Councillor Connett was then put to the vote and declared **LOST**.

The **MOTION** in the name of Councillor Sanders was then put to the vote and declared **CARRIED** that the item be deferred until the next meeting.

(NOTE: In accordance with Standing Order 32(4) Councillor Connett asked that his vote against the motion be recorded in the minutes.)

* 71

County Council Development:

Creation of a new cycle and pedestrian multi-use path, plus associated works, Land to the west of the A375, between Sidford and Sidbury

(Stuart Jarvis attended in person under the Public Participation Scheme and spoke in favour of the application).

(Councillor John Loudon attended in person, and Rich Allen remotely, under the Public Participation Scheme and spoke against the application)

(Councillor Hughes, who was the local member, also spoke in favour of the application).

The Committee considered the Report of the County Planning Manager (CET/25/6) relating to the creation of a new cycle and pedestrian multi-use path, plus associated works, land to the west of the A375, between Sidford and Sidbury.

The application sought to create a new cycle and pedestrian multi-use path between Sidford and Hillside at Sidbury to provide a suitable active travel route as an alternative to the A375. The path, 710m in length, between Sidford and the southern edge of Sidbury was part of a wider project to provide an active travel link as far as the centre of Sidbury. At present, the

only direct route for cyclists between those settlements was the A375 which was a busy highway unsuitable for pedestrians and dangerous for cyclists. A safe cycle and pedestrian route has been requested by residents in this area and previous proposals had been put forward including an application for a cycle/pedestrian route along the eastern boundary of the A375, though this previous application had been withdrawn.

The proposal had been submitted as phase one of the cycle/pedestrian link and would run parallel to the A375 from Laundry Lane at Sidford in the south to a cul-de-sac of houses at Hillside on the edge of Sidbury in the north.

Highway improvement works were proposed within Hillside under permitted development rights and these were outside the scope of the application. In addition, a further length of multi-use path to the north was the subject of a separate planning application for residential development being considered by East Devon District Council.

It was considered that the main material planning considerations in the determination of the proposed development were the principle of the development, its layout and design, highways and road safety, nature conservation, residential amenity, light pollution, flood risk and drainage, landscape and visual impact, archaeology and sustainable construction.

Member discussions and questions to the Officers related to the safety of pedestrians and cyclists in the Hillside area, measures to address other existing road safety issues, and concerns of Sidbury Town Council.

It was felt that a site visit to look at the safety and signage issues should be carried out.

Councillor Sanders **MOVED** and it was **SECONDED** by Councillor Slade and

RESOLVED that this item be deferred pending a site visit and then brought back to the next available committee meeting.

* 72

County Council Development:

South Hams: Construction of pedestrian cycle footbridge, associated earthworks, highway improvements, drainage and landscaping, Deep Lane Overbridge, Plympton

The Committee considered the Report of the County Planning Manager (CET/25/7) relating to the construction of pedestrian cycle footbridge, associated earth works, highway improvements, drainage and landscaping, Deep Lane B3416 Overbridge, Plympton.

The application proposed the construction of a new pedestrian and cycle bridge adjacent to the existing highway A38 overbridge at Deep Lane, and other associated works including a length of shared use path to the north, a cycle/pedestrian crossing, earthworks, and the construction of a dedicated left-turn lane and associated retaining wall for the A38 westbound slip road.

The development was required in order to improve walking and cycling connections and to create a safe active travel route between the new town of Sherford to the south of the A38 and Langage Business Park to the north as both the residential and employment areas had expanded in accordance with their respective allocations in the Plymouth and South West Devon Joint Local Plan. The proposed new route would link to the existing National Cycle Network Route 2 to Lyneham Inn to link Sherford from the south and the existing Cycle Network serving Plympton.

There was a member question relating to the signal control for cycle crossings.

The matter having been debated and having regard to the main material planning policies and requirements, it was **MOVED** by Councillor Brook and **SECONDED** by Councillor Sanders and

RESOLVED that 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).

73 **Schedules of planning applications**

The Committee received and noted the Report of the County Planning Manager (CET/25/8) on action taken under delegated powers.

74 **Schedules of consultation responses**

The Committee received and noted the Report of the County Planning Manager (CET/25/9) on corporate responses on strategic planning applications sent to the relevant district councils.

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 2.00 pm and finished at 3.03 pm