

Officer Decisions

Head of Planning, Transportation and Environment - Dave Black

Summary of Matter or Issue Requiring Decision

To act on the advice given by the County Solicitor regarding the lack of substantive evidence to warrant defence of the second reason for refusal in the Deep Moor decision in the current planning appeal.

Decision Taken

To advise the Planning Inspectorate, the Appellant and the Rule 6 Parties that the County Council will not be pursuing the second reason for refusal (relating to impacts from visual intrusion, noise and vibration and odours) by providing any evidence on it at the forthcoming inquiry concerning Deep Moor, and to confirm this position in the Council's Statement of Case.

Summary of Reason(s) for Decision Taken

Summary of Alternatives or Options considered and rejected

The alternative option of defending the second reason for refusal at the inquiry is considered to be unsustainable in the light of the expert advice summarised in the attached report, and would place the Council at risk of having costs awarded against it if it is found to have acted unreasonably in pursuing the reason.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation

None. This decision has been discussed with the Chairman of the Development Management Committee and the local member for Torrington Rural.

Contact for enquiries/further information

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Decision Date

19 June 2017

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be made available or inspection by the public at the Council's Offices or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring 01392 382888 or email: members.services@devon.gov.uk