

Appendix 7 – MPC Letter to SHDC Chair



MODBURY PARISH COUNCIL

Parish Office: 32 Church Street, Modbury PL21 0QR
Tel: 07467 134 225
Email: parishclerk@modburyparishcouncil.gov.uk
Chair: Councillor Barbara Price
Clerk: Bleddyn Griffith

Cllr Mark Long,
Chair of the Development Management Committee
South Hams District Council

11th February 2026

Dear Mark,

Ref: Planning application Ref 4116/24/OPA

Thank you for your prompt response to our previous letter outlining concerns regarding the planning meeting held on 15th January 2026. While we appreciate the time and effort you have taken to reply, we must respectfully express that your response does not sufficiently address the substantive procedural issues we raised. Our original correspondence highlighted several procedural improprieties which remain unresolved in your reply.

Of particular concern is the legal advice submitted to South Hams District Council by the developers, challenging the validity of our Neighbourhood Plan. This advice was not made available to the Parish Council prior to the meeting, thereby denying us the opportunity to seek independent legal views and prepare an informed counter-argument. The advice in question contradicted previous guidance from SHDC and should, therefore, have been circulated in advance. The absence of full disclosure undermined the transparency and fairness of the proceedings.

Furthermore, it appears that the same legal advice was not shared in its entirety with the members of the South Ham Development Committee. Instead, only a verbal summary was presented, which not only differed from the summary in your reply but also left committee members inadequately informed. Introducing such significant information without prior warning was, in our view, both opaque and inappropriate. If the advice could not be shared beforehand, the meeting ought to have been postponed to ensure all parties could properly consider its implications.

Having now been provided with two differing summaries of the legal advice we would be grateful if a complete copy of this advice could be made available to us. Additionally, commissioning an independent review of the legal advice would not only serve the interests of transparency but also provide valuable guidance for future applications.



MODBURY PARISH COUNCIL

We are also concerned that, despite the meeting focusing on access issues, no representative from the Highways Department was present to answer questions.

A question was raised as to whether or not the highways officer had surveyed the roads within the existing Palm Cross estate, the roads through which heavy construction traffic would have to pass for some 3 years and which would therefore constitute a serious safety issue as well as likely damage to both roads and pavements. It was stated that he probably had, but we have serious doubts as to whether or not this was the case and consider it of crucial importance that he is allowed to be questioned in person. Note that the estate roads have yet to be adopted by Devon County Council as Bloor Homes have still to bring them up to the standard required, several years after construction finished.

Requests to delay the meeting to enable Highways Department attendance to answer these questions were dismissed by officers. This decision deprived committee members of expert input and, in our opinion, did a disservice to the deliberative process.

Additionally, throughout the meeting, officers appeared adversarial towards committee members, which further hampered open and constructive discussion. Notably, on both resolutions presented, five out of nine committee members abstained, and the application was ultimately approved only by the Chairman's casting vote. This high level of abstention signals significant discomfort or uncertainty among committee members regarding the process and the information provided.

Taken together, these points demonstrate clear procedural shortcomings that call into question the integrity of the decision-making process. We have taken our own expert legal advice on this matter which confirms our position that the procedural improprieties overwhelming justify another meeting of the Planning Committee to discuss this application and we therefore respectfully request that the planning application be remitted to the committee for reconsideration.

Since the decision reached by the Development Committee there has been considerable disquiet among current residents of the Palm Cross Estate and we will at the request of residents, be holding a public meeting to enable them to put forward their views. We would urge SHDC and the developers to participate in this public meeting, enabling open dialogue and ensuring all stakeholders are properly informed.

In summary our requests are:

- A complete copy of the legal advice re our Neighbourhood Plan is forwarded to us
- The planning application be remitted to the committee for reconsideration



MODBURY PARISH COUNCIL

- SHDC and the developer participate in a Public Meeting (date to be agreed)

We believe these steps are in the best interests of SHDC and all involved, helping to avoid potential legal action and restore confidence in the planning process.

Thank you for your attention to these serious matters. We look forward to your considered response.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'B Price'.

B Price (Cllr)
Chair
Modbury Parish Council