

## COUNTY OF DEVON

**TOWN AND COUNTRY PLANNING ACT 1990**  
**THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)**  
**(ENGLAND) ORDER 2015**  
**TOWN AND COUNTRY PLANNING (APPLICATIONS) REGULATIONS 1988**  
**TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992**

### GRANT OF CONDITIONAL PLANNING PERMISSION

To: **Mr Dale Walker, NPS SW Ltd, Venture House, 1 Capital Court, Bittern Road, Sowton Industrial Estate, Exeter, EX27FW**

Agent for: **Devon County Council, County Hall, Exeter, EX2 4QD**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **26 July 2016**, and the plans and drawings attached thereto numbered: **NPS-DR-A(01)01 revision A, A(02)01 revision A, A(03)01 revision A, A(04)01 revision A and NPS-DR-L(90)01 revision P1.**

brief particulars of which are as follows:

**Demolition of 2 double temporary classrooms and construction of one new 4 classroom block with ancillary accommodation at Withycombe Raleigh C of E Primary School, Withycombe Village Road, Exmouth, EX8 3BA**

subject to the conditions set out in the attached sheets



.....  
on behalf of the Head of Planning, Transportation and Environment

**Date: 14 September 2016**

### NOTE

This is not a decision under the Building Regulations

Failure to adhere to the details of the approved plans or to comply with the above conditions constitutes a contravention of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.

If this planning permission is for development by Devon County Council it can enure only for the Council's benefit.

## **TOWN AND COUNTRY PLANNING ACT 1990**

### **NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS**

#### **Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

#### **PURCHASE NOTICES**

If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render that land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a Purchase Notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Schedule of Conditions - East Devon District Council Application No. 16/1890/CM  
Devon County Council Ref. DCC/3886/2016**

1. The development shall commence within three years of the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered NPS-DR-A(01)01 revision A, A(02)01 revision A, A(03)01 revision A, A(04)01 revision A and NPS-DR-L(90)01 revision P1 except as varied by the conditions below.

REASON: To ensure that the development is carried out in accordance with the approved details.

3. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August inclusive) unless the developer has been advised by a suitably qualified ecologist that clearance will not disturb nesting birds and a record of this is kept. Such checks shall be carried out in the 14 days prior to clearance works commencing.

REASON: To minimise impacts on nesting wild birds and ensure that no birds take up residence in the intervening period in accordance with paragraph 109 of the NPPF and the wildlife and Countryside Act 1981 (as amended).

4. No development shall take place until a Construction Management Scheme has been submitted to and approved in writing by the County Planning Authority.

The statement shall provide details of:

- a) Timetable/programme of works
- b) Measures for traffic management [including routing of vehicles to and from the site, details of the number/frequency and sizes of vehicles]
- c) Days and hours of building operations and deliveries
- d) Location of loading, unloading and storage of plant and materials
- e) Location of contractor compound and facilities
- f) Provision of boundary fencing/hoarding
- g) Parking of vehicles of site personnel, operatives and visitors.
- h) Recycling during construction

The development shall be implemented in accordance with the approved scheme.

REASON: To ensure adequate access and associated facilities are available for the construction traffic and to minimise the impact of construction on nearby residents/local highway network in accordance with the Development Plan specifically policies TC7 and D3 of the East Devon Local Plan - 2013-2031 (Adopted January 2016).

5. The external materials for the outer window panes on the western elevation of the building shall be 10mm thick toughened glass.

REASON: To ensure the development does not compromise the use of the adjacent playing field in accordance with the Development Plan specifically policy RC1 of the East Devon Local Plan - 2013-2031 (Adopted January 2016).

### **INFORMATIVE NOTE**

If at any time a protected species is found during activities or works, all work must stop immediately and a suitably qualified ecologist contacted

#### **Statement of compliance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015**

In determining this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement of the NPPF, as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015.