

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 James Bidwell, Devon Waste Management Ltd, Deep Moor Landfill Site, High Bullen, Great Torrington, EX38 7JA**

Agent for: **Devon Waste Management Ltd, Deep Moor Landfill Site, High Bullen, Great Torrington, EX38 7JA**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **3 October 2016**, and the plans and drawings attached thereto numbered: **DMR/1, WD/N(16)731(2)A**.

brief particulars of which are as follows:

Change of use from an unused grass area to a car park for site use only at Deep Moor Landfill Site, Road From Belle View Cross to High Bullen, HIGH BULLEN, EX38 7JA

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

Date: 08 February 2017

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 - Torridge District Council Application No. 01/0992/2016/CPZ
Devon County Council Ref. DCC/3898/2016**

1. The use hereby permitted shall be discontinued and the land restored to its former condition as grass land on closure of the Deep Moor Landfill Site.

REASON: As this development is required in connection with the landfill site it should be removed when the landfill site is closed to return the area to agricultural use.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered WD/N(16)731(2)A except as varied by the conditions below.

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

3. The existing trees, bushes and hedgerows within the site shall be retained and shall not be felled, lopped, topped or damaged in areas outside of the construction of the carpark. Any tree, bush or hedgerow removed or damaged or becoming seriously diseased as a result of the development without such consent shall be replaced by trees, bushes or hedgerow plants of such size and species at location(s) and by deadlines as may be specified by the Waste Planning Authority.

REASON: To protect the amenity, wildlife and biodiversity interests in the area

4. The landscaping scheme shown on WD/N(16)731(2)A shall be carried out in the first planting season following commencement of the development. The approved scheme shall be maintained for a period of five years. Any trees, plants or grassed areas, or replacement of it, that is removed, uprooted, destroyed or dies within five years of the date of planting shall be replaced with the same or similar species in the same location.

REASON: To protect the character and improve the appearance of the site access in accordance with policy W12 of the Devon Waste Local Plan.

5. The proposed car park shall be used only for the parking of cars and no other purpose.

REASON: To prevent the use of the site for other purposes where existing provision is available in the main site.

INFORMATIVE NOTE

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.