

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 Kris Furness, Suez Recycling and Recovery UK Ltd, North Tyneside Transfer Station, Wallsend Road, North Shields, NE29 7SH**

Agent for: **Suez Recycling and Recovery UK Ltd, North Tyneside Transfer Station, Wallsend Road, North Shields, NE29 7SH**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **5 September 2016**, and the plans and drawings attached.

brief particulars of which are as follows:

Variation of planning condition 8 of planning permission 09/0824/CM, relating to on-site operational hours at Unit 42, Greendale Business Park, Woodbury Salterton, EX5 1EW

subject to the conditions set out in the attached sheets



Jan Shadbolt – County Solicitor

Date: 26 January 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.
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- 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. 16/2327/CM
Devon County Council Ref. DCC/3903/2016

1. The development hereby permitted shall begin not later than three years from the date of this decision notice.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development shall be operated in accordance with approved Travel Plan prepared by Atkins dated June 2009 which has been as required by condition 2 of planning permission 08/0893/CM.

REASON: To ensure adequate access and minimise the impact of construction on nearby residents/local highway network in accordance with the Development Plan specifically policy TC7 of the East Devon Local Plan - 2013-2031 (Adopted January 2016) and W18 of the Devon Waste Plan (Adopted December 2014).

3. Access to and egress from the site shall be via the private road leading from the A3052 for all vehicles, except for waste collection vehicles that are travelling to or from Woodbury or Woodbury Salterton for the purposes of collecting waste from those settlements.

REASON: In order to minimise the impact of traffic on the local minor road network in the interests of traffic safety and the amenity of the area in accordance with the Development Plan specifically policy TC7 of the East Devon Local Plan - 2013-2031 (Adopted January 2016) and W18 of the Devon Waste Plan (Adopted December 2014).

4. The materials to be used in the external surfaces of the building shall match the existing building on the site, these being blue steel profiled sheet with light grey flashings and light grey profiled steel roof.

REASON: In the interests of the visual amenity of the area in accordance with the Development Plan specifically W18 of the Devon Waste Plan (Adopted December 2014).

5. No collection vehicles used in the waste transfer operations shall enter or leave the site on a Sunday or on a bank holiday Monday or any other public holiday or outside the following hours:

0630-1800 hours on Monday to Friday; and
0630-1600 hours on a Saturday during a week in which there is a bank holiday or other public holiday.

REASON: In order to minimise the impact of traffic on the local minor road network in the interests of traffic safety and the amenity of the area in accordance with the Development Plan specifically policy EN14 of the East Devon Local Plan - 2013-2031 (Adopted January 2016) and W18 of the Devon Waste Plan (Adopted December 2014).

6. No waste transfer operations shall take place on the site on a Sunday or on a bank holiday Monday or any other public holiday or outside the following hours:

0600-1900 hours on Monday to Friday; and
0700-1700 hours on a Saturday during a week in which there is a bank holiday or any other public holiday.

During the period 0600 to 0730 hours on Mondays to Fridays and 0700 to 0730 on applicable Saturdays, all work at the site shall be restricted to within the waste transfer building and during this time all doors to the building shall be closed.

For the purposes of this condition, waste transfer operations shall include the loading and unloading of materials from vehicles and the sorting and processing of waste.

REASON: In order to minimise the impact to the amenity of the area in accordance with the Development Plan specifically policy EN14 of the East Devon Local Plan - 2013-2031 (Adopted January 2016) and W18 of the Devon Waste Plan (Adopted December 2014).

7. Members of the general public shall not be allowed to dispose of waste directly to the development hereby permitted.

REASON: In the interests of safe site operation and in the interests of traffic safety in accordance with the Development Plan specifically policy TC7 of the East Devon Local Plan - 2013-2031 (Adopted January 2016) and W18 of the Devon Waste Plan (Adopted December 2014).

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.