

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: **Mrs Kate Wotton, NPS South West, Venture House, One Capital Court, Sowton Industrial Estate, Exeter, EX2 7FW**

Agent for: **Devon County Council, Built Environments Team, M11, Matford Offices, County Hall, Exeter, EX2 4QD**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **21 November 2016**, and the plans and drawings attached thereto numbered: **NPS-DR-A-(PL)-002 revision P1, NPS-DR-A(00)020 revision F, NPS-DR-A-00-030 , NPS-DR-A-00-121, NPS-DR-A-00-142, HBS-DR-C-(00)-060 revision P2, HBS-DR-C-(00)-061 revision P2, 1567/4/HPP, NPS-00-00-DR-L-(90)-800 revision P6, NPS-00-00-DR-L-(90)-801 revision P3** and documents entitled **'Loddiswell Replacement Primary: Design Report September 2016', 'SuDS Drainage Report' (report 23-20-17-1-1015 SR1), 'Construction Traffic Management Plan' (21/09/2016), 'Acoustic Report' (Ref: 09-16-58935NC2), 'Landscape and Visual Impact Assessment' (dated October 2016), 'Ecological Impact Assessment' (dated November 2016)** and supporting information contained within the email dated **10/02/2017**.

brief particulars of which are as follows:

Construction of a new 150 place, 5 classroom primary school with associated facilities and landscaping works at Land at Harvey's Field, at the end of Beechwood Park Road, adjacent to the new housing estate, Loddiswell, Kingsbridge

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

Date: 03 March 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.
- 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 - South Hams District Council Application No. 3813/16/DCC
Devon County Council Ref. DCC/3920/2016**

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-(PL)-002 revision P1, NPS-DR-A(00)020 revision F, NPS-DR-A-00-030 , NPS-DR-A-00-121, NPS-DR-A-00-142, HBS-DR-C-(00)-060 revision P2, HBS-DR-C-(00)-061 revision P2, 1567/4/HPP, NPS-00-00-DR-L-(90)-800 revision P6, NPS-00-00-DR-L-(90)-801 revision P3** and documents entitled **‘Loddiswell Replacement Primary: Design Report September 2016’, ‘SuDS Drainage Report’ (report 23-20-17-1-1015 SR1), ‘Construction Traffic Management Plan’ (21/09/2016), ‘Acoustic Report’ (Ref: 09-16-58935NC2), ‘Landscape and Visual Impact Assessment’ (dated October 2016), ‘Ecological Impact Assessment’ (dated November 2016) and supporting information contained within the email dated 10/02/2017** except as varied by the conditions below.

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

3. Notwithstanding the provisions of Part 7 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order, 2015 (or any other Order amending, replacing or re-enacting that Order); No fixed plant or machinery, buildings, structures or erections, other than those shown on the documents and plans approved by this application shall be erected, extended, installed or replaced at the site.

REASON: To enable the County Planning Authority to adequately control the development according to the submitted application and approved details, to ensure that the impact of any subsequent development in this sensitive edge of village location with views to and from the South Devon AONB is properly assessed in accordance with paragraph 115 of the NPPF and policy DP2 (Landscape Character) of the South Hams Local Development Framework Development Policies Development Plan Document.

CONDITIONS (PRE-COMMENCEMENT)

4. No development shall take place until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the County Planning Authority.

This should be based on the existing landscape proposals and will be for use by those with ongoing responsibility for grounds maintenance beyond the initial 5 year establishment phase, to identify the intended long term structure, composition of specific features to fulfil clearly stated objectives/functions, including in particular the height and structure of the bordering hedge banks to help screen the development in surrounding countryside views, and the intended purpose of the trees on the northern boundary to help break up views of the building roof when seen from the north. The LEMP should also integrate with biodiversity and SuDS functions, including identifying the timing and frequency of cutting for species-rich grassland.

The development shall be implemented and maintained in accordance with the approved plan.

REASON: To ensure that the development will conserve the landscape and scenic beauty of the AONB in accordance with paragraph 115 of the NPPF and policy DP2 (Landscape Character) of the South Hams Local Development Framework Development Policies Development Plan Document.

5. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area in accordance with policy DP4 (Sustainable Construction) of the South Hams Local Development Framework Development Policies Development Plan Document.

CONDITIONS (DURING CONSTRUCTION)

6. All trees and shrubs identified on approved drawing 1567/4/HPP shall be retained and protected during construction in accordance with the recommendations of this approved drawing.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage throughout the construction period, in the interests of visual amenity and in accordance with policy DP5 (Biodiversity and geological conservation) of the South Hams Local Development Framework Development Policies Development Plan Document.

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.