

## 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 Andrew Preston, Greenslade Taylor Hunt, Winchester House, Deane Gate Avenue, Taunton, TA1 2UH**

Agent for: **Mid Devon District Council, Mr Andy Busby, Phoenix House, Phoenix Lane, Tiverton, EX16 6PP**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **13 January 2017**, and the plans and drawings attached thereto numbered: **1808P-PL-01A, 1808P-PL-02A, and BL061/002 revision I.**

brief particulars of which are as follows:

**Change of use of an existing building from commercial use to a waste transfer station for municipal waste at 3 Carlu Close, Hitchcocks Business Park, Willand, Cullompton, EX15 3FA**

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

**Date: 28 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.
- 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 - Mid Devon District Council Application No. 17/00097/DCC  
Devon County Council Ref. DCC/3939/2016**

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 carried out in strict accordance with the details shown on the approved drawings and documents numbered; 1808P-PL-01A ; 1808P-PL02A; BL061.002-Rev I except as varied by the conditions below.

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

3. No waste other than Local Authority Collected Waste shall enter or be treated at the site.

REASON: To exclude wastes that are not acceptable at the site in accordance with the Development Plan specifically policy DM07 Mid Devon Local Plan Part 3 (Adopted October 2013) and W1 and W5 of the Devon Waste Plan (Adopted December 2014).

4. No more than 35,000 tonnes of waste shall be delivered to the site in any calendar year. The operator shall maintain monthly records of waste at the site and make them available to the Waste Planning Authority at any time upon request.

REASON: To minimise the impact of the development on the local residents and the local highway network in accordance with the Development Plan specifically policy DM07 Mid Devon Local Plan Part 3 (Adopted October 2013) and W1, W3 and W17 of the Devon Waste Plan (Adopted December 2014).

5. 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:  
0530-1800 hours on Monday to Friday; and  
0530-1800 hours on a Saturday during a week in which there is a bank holiday or any other public holiday.

REASON: In order to minimise the impact to the amenity of the area in accordance with the Development Plan specifically policy DM06 Mid Devon Local Plan Part 3 (Adopted October 2013) and W17 and W18 of the Devon Waste Plan (Adopted December 2014).

6. 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 DM06 and DM07 of the Mid Devon Local Plan Part 3 (Adopted October 2013) and W17 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.