

## 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: **Devon Waste Management Ltd, 14 Oak Tree Place, Manaton Close, Matford Business Park, Exeter, Devon, EX2 8WA**

The Devon County Council hereby grants planning permission to carry out the development described in the application received on **18 March 2015**, and the plans and drawings attached thereto numbered: **Location Plan Rev A** and **Site Plan Rev A**.

brief particulars of which are as follows:

**Composting of shredded green waste for on-farm use at Old Dawlish Road, Exeter, Devon, EX6 8ET**

subject to the conditions set out in the attached sheets



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on behalf of the Head of Planning, Transportation and Environment

**Date: 3 June 2015**

#### 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.

## **NOTES**

### **APPEALS TO THE SECRETARY OF STATE**

1. 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.
2. 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.\*
3. 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 can be submitted electronically via the Planning Portal at <http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal>
4. 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.
5. 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**

6. 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.
7. 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**

### **Teignbridge District Council Application No. 15/00993/DCC Devon County Council Ref. DCC/3751/2015**

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

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 submitted on the site and location plans and the supporting planning statements.

REASON: To enable the Waste Planning Authority to control the development in order to minimise its impact on the area, in accordance with the application details, in the interest of residential amenity/local landscape and in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

3. The development hereby approved shall be only for the composting of shredded green waste\*.

REASON: To protect the interest of residential amenity and the local landscape, in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

\* NOTE: Shredded green waste shall refer to any plant waste which has not previously been altered in any form except by being shredded. It does not include vegetable based kitchen waste.

4. No shredding activities shall take place on the site.

REASON: To protect the interest of residential amenity and in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

5. The amount of green waste processed on the site shall not exceed 500 tonnes of material at any one time.

REASON: To protect the character and appearance of the local landscape and to protect the living conditions of local residents in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

6. No more than 1500 tonnes of green waste shall be processed at the site in any calendar year.

REASON: To protect the character and appearance of the local landscape and to protect the living conditions of local residents in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

7. The compost heap shall not exceed 3 metres in height.

REASON: To protect the character and appearance of the local landscape and to protect the living conditions of local residents in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

8. There shall be no selling of composted material to the public from the site or the public delivery of green waste to the site.

REASON: To prevent additional traffic movements to and from the site and to protect the living conditions of local residents in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

9. Compost produced at the site shall be used solely for incorporation into the farm holding in which this permission site is located.

REASON: To prevent additional tractor and trailer movements on the local highway network in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

10. The development shall be for the composting of shredded green waste arising from Kenbury Wood shredding site.

REASON: To protect the local environment and the amenities of local residents in accordance policies of the Development Plan: in particular policy W18 (Quality of Life) of the Devon Waste Plan.

### **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.

**Highway Advice Note**

The applicant is advised there is a weight limit on Bables Bridge of 44t.