

**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 Amanda Burden, Luscombe Maye, 59 Fore Street, Totnes, Devon, TQ9 5NJ**

Agent for: **Greencrop Ltd (T/A Cuming Containers), Stuart Lethbridge, Torr Quarry Transfer Station, Torr Quarry, East Allington, Totnes, TQ9 7QQ**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **13 August 2015**, and the plans and drawings attached thereto numbered: **TQTS 1, TQTS 2, TQTS 3, TQTS 4, TQTS 5, Location Plan, Topographic Survey, Portacabin Spec, SKM\_C224e15090313130, SKM-C224e15090313131.**

brief particulars of which are as follows:

**Retention of Waste Transfer Station with extension to site and proposed landscaping/wildlife environment proposals at Torr Quarry Transfer Station, Torr Quarry, East Allington, Totnes, Devon TQ9 7QQ**

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: 5 November 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.

## **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 - South Hams District Council Application No. 08/1817/15/CM  
Devon County Council Ref. DCC/3795/2015**

**STRICT ACCORDANCE WITH PLANS**

1. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered TQTS 1, TQTS 2, TQTS 3, TQTS 4, TQTS 5, Location Plan, Topographic Survey, Portacabin Spec, SKM\_C224e15090313130, SKM-C224e15090313131, except as varied by the conditions below.

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

**HOURS OF USE**

2. The site shall only be used between 07.00 and 18.00 on Mondays to Fridays, between 09.00 and 17.00 on Saturdays.

REASON: To control the use of the site .

**DRAINAGE**

3. No further development shall take place until a scheme to manage drainage of all surface water, and foul water from the development has been submitted to and approved in writing by the Waste Planning Authority.

The scheme shall provide details of:

- Measures to ensure that all foul water and trade effluent is discharged to the main foul water sewage system
- the connections to the main foul water sewage system
- maintenance for the life of the development
- sustainable management of surface water runoff during construction and operation to treat and/or remove suspended solids/contaminants
- measures to prevent drainage of surface/groundwater into any excavated area
- the location and working surface and drainage arrangements for the repair, maintenance and refuelling of plant, equipment and machinery
- measures to prevent pollution of any well, borehole, spring or watercourse including dry ditches with a connection to a watercourse]

The development shall be implemented in accordance with the approved scheme.

REASON: To minimise the risk of pollution of watercourses and aquifers and of flooding in accordance with policy W14 of the Devon Waste Local Plan.

**LANDSCAPING/TREES**

4. The landscaping scheme shown on TOTS5 shall be carried out in the first planting and seeding seasons following the date of this permission. 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 conserve and enhance the South Hams Landscape giving the proximity of the site to the South Devon AONB and to integrate the set into its setting in accordance with Policy W14 of the Devon Waste Local Plan.

5. All parts of the site where stripping of soils and overburden has not yet been carried out shall be kept free from weeds and all necessary steps shall be taken to control weeds growth at an early stage in their growth to prevent their setting seeds. Measures shall be put in place to control the Japanese Knotweed on the site.

REASON: To ensure that the site the site does not become a source of weed seeds in the locality.

6. No stock piles in the inert Waste Processing Yard shall exceed 4 metres in height.

REASON: To protect the character and appearance of the local landscape in accordance with Policy W14 of the Devon Waste Local 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.