

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 Michael Roberts, Preliminary Planning Professionals, 30 Nelson Place, Newton Abbot, Devon, TQ12 2JH**

Agent for: **ABC Siddalls Skip Hire, Unit 11b, Coventry Farm, Torquay Road, Kingskerswell, Devon, TQ2 7HX**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **20 October 2015**, and the plans and drawings attached thereto numbered: MGR/15/0161B/APP; MGR/15/0161B/02; MGR/15/0161B/03; MGR/15/0161B/05A; MGR/15/0161B/06;.

brief particulars of which are as follows:

Retrospective application for building to house a picking line, and proposed extension of site boundary for waste operations - including 2 existing buildings and a new access track at ABC Siddalls Skip Hire, Coventry Farm, Torquay Road, Kingskerswell, Devon TQ2 7HX

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

Date: 11 March 2016

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 an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months of the date of this notice, whichever period expires earlier.
- 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 - Teignbridge District Council Application No. 15/02979/DCC
Devon County Council Ref. DCC/3800/2015**

STRICT ACCORDANCE WITH PLANS/DOCUMENTS

1. The development shall be carried out in strict accordance with the details shown on the approved drawings numbered:- MGR/15/0161B/APP; MGR/15/0161B/02; MGR/15/0161B/03; MGR/15/0161B/05A; MGR/15/0161B/06; unless as varied by the conditions below.

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

PRE-COMMENCEMENT

LANDSCAPING/TREES

2. Within 3 months of the date of this permission, full details of landscaping proposals shall be submitted to the Waste Planning Authority for approval. The proposals shall include: Details for tree planting adjacent to Torquay Road including; tree planting plans; written specifications, including methods of cultivation and other operations associated with tree establishment; schedules giving species, planting sizes and proposed numbers and spacing; a schedule of implementation and maintenance to be carried out for a minimum of five years following completion. The landscaping works shall be carried out in accordance with the approved details and completed by the end of the first planting season following the date of this permission.

REASON: To protect the character and appearance of the Area of Great Landscape Value in accordance with Waste policy W11 (Landscape and Biodiversity) & Teignbridge Local Plan Policy EN2A (Landscape Protection and Enhancement).

Note:

Container grown stock can be planted any time (although not best practice in July or August), provided that there is sufficient watering and maintenance.

DRAINAGE

3. The surface water drainage management system of the development hereby permitted shall not be constructed until a detailed surface water drainage management scheme/plan has been submitted to, and approved in writing by, the Waste Planning Authority (WPA). This scheme shall be submitted within three months of the date of this permission. This detailed surface water drainage management plan/scheme will be informed by the programme of approved BRE Digest 365 Soakaway Design (2007) percolation tests (which shall be approved by the WPA), and in accordance with the principles set out in the Drainage Strategy (Report Ref. 16001, First Issue, dated February 2016).

The surface water management scheme shall be implemented within one month of approval by the Waste Planning Authority and be carried out in accordance with the approved details.

REASON: To protect water quality and minimise flood risk in accordance with waste policy W19 (Flooding) and Teignbridge Local Plan Policy S1A (Presumption in favour of Sustainable Development).

DUST

4. Within one month of the date of this permission, a scheme to suppress/minimise and monitor dust shall be submitted to and approved in writing by the Waste Planning Authority.

The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.

The development shall be carried out in accordance with the approved scheme.

REASON: To minimise dust arising from the development in accordance with Waste Local Plan policy W18 Quality of Life and Teignbridge Local Plan policy S11 (Pollution)

5. The picking line building shall be clad in timber prior to commencement of its use. A sample of timber cladding shall be submitted to and agree in writing with the Waste Planning Authority, prior to use of the building.

REASON: To protect the character and appearance of the Area of Great Landscape Value in accordance with Waste policy W11 (Landscape and Biodiversity) & Teignbridge Local Plan Policy EN2A (Landscape Protection and Enhancement).

BOUNDARY TREATMENT

6. Within two months of the date of this permission, details of the boundary treatment behind the Picking Line building and at the base of the extended area shall be submitted to and agreed in writing by the Waste Planning Authority. This shall include details of the proposed construction method and the final appearance of boundary treatment. The treatment shall be constructed in accordance with the approved details and within three months of the date of the permission.

REASON: To protect the character and appearance of the Area of Great Landscape Value in accordance with Waste policy W11 (Landscape and Biodiversity) & Teignbridge Local Plan Policy EN2A (Landscape Protection and Enhancement).

OPERATIONAL

HOURS OF USE

7. All plant and machinery associated with the development hereby permitted shall only operate at the site:-
 - between 0900 and 1800 hours, Mondays to Fridays,
 - and 0900 and 1400 on Saturdays.

No operations associated with plant and machinery shall take place on Sundays or Bank or Public Holidays.

REASON: To minimise the impact of the development on the local residents and businesses in accordance with waste policy W18 (Quality of Life) and Teignbridge Local Plan policy SA1A (Presumption in favour of Sustainable Development)

NOISE

8. The site shall be operated in accordance with an approved Noise Management Scheme, which shall be submitted to the Waste Planning Authority within two months of the date of this permission. The scheme shall be reviewed in March every year or when plant is installed or any change in process occurs. A copy of any revised scheme shall be submitted to the Waste Planning Authority for approval within 14 days of being completed.

REASON: To minimise the effect on the living conditions of local residents in accordance with Waste policy W18 (Quality of Life) & Teignbridge Local Plan Policy S1A (Presumption in Favour of Sustainable Development).

WASTE RESTRICTIONS

9. Stockpiles of waste and top soil shall not be stored in stockpiles that exceed 4 metres in height.

REASON: To protect the character and appearance of the Area of Great Landscape Value in accordance with waste policy W12 (Landscape and Visual Impact) & Teignbridge Local Plan Policy (Landscape Protection and Enhancement).

10. No burning of waste material associated with this development shall take place on the site.

REASON In order to protect the living conditions of those in the adjacent residential properties in accordance with Waste policy W18 (Quality of Life) & Teignbridge Local Plan Policy S1A (Presumption in Favour of Sustainable Development).

DELIVERIES

11. There will be no public delivery of waste to and from the site. There shall be no public use of the weighbridge at the site.

REASON: To prevent additional vehicle movements to the site and to minimise impacts upon the living conditions of local residents in accordance with Waste policies W17 (Transportation and Access) W18 (Quality of Life) & Teignbridge Local Plan Policy S1A (Presumption in Favour of Sustainable Development).

12. The daily numbers of laden vehicles arriving at the site shall be recorded and made known in writing to the Waste Planning Authority within 14 days of a written request for that information.

REASON To ensure that the increase of traffic onto Torquay Road associated with the development is minimised. In accordance with Waste policy W17 (Transportation and Access).

WATER PROTECTION AND POLLUTION CONTROL

13. There shall be no discharge of foul or contaminated drainage or trade effluent from the site into either the ground or surface waters, whether direct or via soakaways.

REASON To protect the groundwater and surface water quality in the area in accordance with Teignbridge Local Plan Policy S11 (Pollution).

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.