

**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 Robson, Woodacre Construction Ltd, 55 Cockington Lane, Preston, Paignton, Devon, TA3 1ED**

Agent for: **Dr Duncan Harrop,**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **22 September 2015**, and the plans and drawings attached thereto numbered: **Mound Plan, 01, 02, PVT6615\_LS revision 0, PVT6615\_SWALE.**

brief particulars of which are as follows:

**Retrospective Application to raise ground level with inert material from neighbouring property at Field off Commons Lane/Ham Lane, Shaldon, TQ14 0HW**

subject to the conditions set out in the attached sheets



.....  
on behalf of the Head of Planning, Transportation and Environment

**Date: 2 February 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.
- 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.

**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/ named Mound Plan, Drawing 01, PVT6615\_LS Revision 0, PVT6615\_SWALE, and the proposed method statement (Document 01) dated 05/01/2016, except as varied by the conditions below.

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

**PLANTING AND LANDSCAPING**

2. Within 3 months of the date of this notice the following works shall be carried out:
  1. The mounds of earth, as indicated on the Mound Plan, shall be spread in accordance with the proposed method statement (Document 01), dated 05/01/2016;
  2. The swales, as indicated by plan PVT6615\_SWALE, shall be implemented in accordance with this plan; and
  3. The land under the applicant's ownership i.e. that land bordered by a green line on Drawing 01, shall be seeded with Pony Paddock, Long Term Grazing Grass, in accordance with the proposed method statement (Document 01), dated 05/01/2016. Any grassed area, or any replacement of it, that is removed, uprooted, destroyed or dies within five years of the date of seeding shall be replaced with the same or similar species in the same location.

REASON: To protect the character and appearance of the local landscape in accordance with policy EN2A (Landscape Protection and Enhancement) of the Teignbridge Local Plan 2013 - 2033 (Adopted May 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.