

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: **Ms Regina Hessemann, SLR, Langford Lodge, 109 Pembroke Road, Bristol, , BS8 3EU**

Agent for: **Kenbury Wood Ltd, Mr Chris Pope , 14 Oak Tree Place, Manaton Close, Matford Business Park, Exeter, EX2 8WA**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **21 August 2015**, and the plans and drawings attached thereto numbered:

001 Rev2 (office elevations), 002 Rev1 (elevations), 003 Rev1 (elevations), 004 Rev1 (elevations), 005 Rev2 (switch gear cabin plan), 006 Rev2 (switch gear cabin elevations), , KW CZ-1.2 (location and site cabin plan), KW CZ-3 (cabin zone utilities plan), KW CZ-2 (sections) and KW CZ - 4 (drainage)

brief particulars of which are as follows:

Installation of office/welfare cabins within a designated cabin zone and provision of an electrical switch gear cabin, generator, staff footpath, low level lighting bollards, lighting column and septic tank, ancillary to the applicant's waste management operation at Kenbury Wood Resource Recovery Centre at Kenbury Wood Landfill Site, Old Dawlish Road, Kennford, EX6 7XD

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: 30 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 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 15/02400/DCC.
Devon County Council Ref. DCC/3805/2015**

COMMENCEMENT

1. **The development shall commence within three years of the date of this permission.**
REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

STRICT ACCORDANCE WITH PLANS/DOCUMENTS

2. **The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered:
001 Rev2 (office elevations), 002 Rev1 (elevations), 003 Rev1 (elevations), 004 Rev1 (elevations), 005 Rev2 (switch gear cabin plan), 006 Rev2 (switch gear cabin elevations), KW CZ-1.2 (location and site cabin plan), KW CZ-3 (cabin zone utilities plan), KW CZ-2 (sections) and KW CZ - 4 (drainage) unless as varied by the conditions below.**

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

WATER PROTECTION AND POLLUTION CONTROL

3. **Before the cabins are brought into use the approved surface water scheme, identified on plan KW CZ-4 (Proposed Surface Work Drainage Plan) shall be provided.**

REASON: To minimise the risk of flooding in accordance with policy DWP policy W19 (Flooding)

HOURS OF USE

4. **The use of the office and welfare facilities shall be restricted to between 05.30 and 18.30 hours.**

REASON: To protect the living conditions of nearby residents and to protect the character of the AGLV in accordance with DWP policies W12 and W18.

LIGHTING

5. **No external lighting shall be installed until a lighting scheme has been submitted and approved in writing by the WPA. The lighting shall be designed, located and operated in such a way that lateral and upward light overspill is minimised and the impact on the wider AGLV and wildlife is minimised**

The lighting scheme shall include:

- 1) specification of lighting units;
- 2) assessments of the impact of the lighting on the AGLV and wildlife;
- 3) details of times of use/ use of timers.

The lighting shall only be installed in accordance with the approved scheme.

REASON: To ensure that wildlife and the distinctive character of the Haldon Hills AGLV is not harmed in accordance with DWP policies W12 (Landscape) and W11 (Biodiversity) and TLP policies EN02A and EN11

**Schedule of Conditions - Teignbridge District Council Application No 15/02400/DCC.
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6. **The external walls of all of the proposed cabins including the electrical switch gear cabin and generator cabin shall be coloured Van Dyke Brown.**

REASON: To ensure the development is in keeping with the character and appearance of the Haldon Hills AGLV in accordance with DWP policies W12 (Landscape) and W11 (Biodiversity) and TLP policies EN02A and EN11.

7. **The existing bund identified on approved plan KW CZ-3 shall be extended in length by 3 metres before the proposed cabins are brought into use.**

REASON: To protect the character and appearance of the Haldon Hills AGLV in accordance with DWP policy W12 (Landscape) and TLP policy EN02A (Local Landscape).

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.