

**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 Graham Simmons, 74 Whittington Close, Hythe, Southampton, Hampshire, , SO45 5NQ**

Agent for: **Evergreen Enterprises, Springdale Farm, Lane to Springdale Farm, Longdown, Devon, , EX6 7SD**

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: **09-010 revision b, 2014-11-04, 2014-11-02 revision G, 2014-11-03 revision G.**

brief particulars of which are as follows:

**Variation to current land restoration scheme. Engineering works to construct pond in adjacent meadow at Springdale Farm, Lane to Springdale Farm, Longdown, Devon, EX6 7SD**

subject to the conditions set out in the attached sheets



...

on behalf of the Head of Planning, Transportation and Environment

**Date: 29 April 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 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. 15/02992/DCC  
Devon County Council Ref. DCC/3810/2015**

**TEMPORARY PERMISSION**

1. The use hereby permitted shall be discontinued and the land restored in accordance with the approved restoration scheme on or before 8th June 2017.

REASON: To ensure the development is completed and restored within 12 months of the date of the permission.

**STRICT ACCORDANCE WITH PLANS**

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered 2014-11-02/G ( Layout) and 2014-11-02/G ( Proposed cross sections) and Land Restoration Report (JW/SR/15218/LR/3) except as varied by the conditions below.

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

**LANDSCAPING/TREES**

3. A Detailed Landscape Plan and Specification to be submitted within one month of this permission to be approved in writing prior to commencement. This plan to include a programme indicating the progressive restoration and landscaping of the site. It will include details of planting existing hedgebanks with new hedges; details of spillways and soil erosion protection systems; details of the percentage of each species in the planting mixes; planting method; planting stock size, spacing's, means of protection; and establishment maintenance/aftercare for first 5 year to achieve 95% cover.

Reason: To enable the proposal to blend into the countryside reflecting the traditional field hedgerows of the local landscape in accordance with NPPF: 61; 109, Teignbridge Local Plan: EN2A, and Devon Waste Plan: W2 and W12

4. The approved landscaping scheme shall be carried out in the first planting and seeding seasons following completion of the development. 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 protect the character and appearance of the local landscape in accordance with policy with NPPF: 61; 109, Teignbridge Local Plan: EN2A, and Devon Waste Plan: W2 and W12.

5. Existing trees in close proximity to the works to be protected during construction as detailed on the approved plans and demarcated on site by suitably rigid temporary protective fencing to BS 5837:2012

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage throughout the construction period, in the interests of visual amenity and nature conservation in accordance with policy W12 of the Devon Waste Local Plan.

## AFTERCARE

6. The site shall be managed to maintain the site to the standard required for agriculture/amenity use:-
- a) Aftercare shall be carried out for a period of five years following completion of the restoration of the site
  - b) Maintenance of capping and final approved landform and surface restoration levels (post settlement)
  - c) Management and monitoring of all planting and seeding and land drainage provision with remediation of any failure
  - d) Maintenance of boundary treatment

REASON: To ensure effective restoration of the site to minimise the impact on the local landscape in accordance with policy NPPF: 61; 109, Teignbridge Local Plan: EN2A, and Devon Waste Plan: W2 and W12.

7. Details of the location and design of the final water discharge shall be submitted to and approved in writing by the Mineral Planning Authority before any installation works are commenced.

REASON: To minimise the effects of the development on the surrounding area and to protect the water environment

8. A Detailed Landscape Plan and Specification to be submitted within one month of this permission to be approved in writing prior to commencement. This plan to include a programme indicating the progressive restoration and landscaping of the site. It will include details of planting existing hedgebanks with new hedges; details of spillways and soil erosion protection systems; details of the percentage of each species in the planting mixes; planting method; planting stock size, spacing's, means of protection; and establishment maintenance/aftercare for first 5 year to achieve 95% cover.

Reason: To enable the proposal to blend into the countryside reflecting the traditional field hedgerows of the local landscape in accordance with NPPF: 61; 109, Teignbridge Local Plan: EN2A, and Devon Waste Plan: W2 and W12

9. The site shall be managed to maintain the site to the standard required for agriculture/amenity use:-
- a) Aftercare shall be carried out for a period of five years following completion of the restoration of the site
  - b) Maintenance of capping and final approved landform and surface restoration levels (post settlement)
  - c) Management and monitoring of all planting and seeding and land drainage provision with remediation of any failure
  - d) Maintenance of boundary treatment

REASON: To ensure effective restoration of the site to minimise the impact on the local landscape in accordance with policy NPPF: 61; 109, Teignbridge Local Plan: EN2A, and Devon Waste Plan: W2 and W12.

## **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.