

**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 Dale Walker, NPS South West Ltd, Venture House, One Capital Court, Sowton Industrial Estate, Exeter, EX2 7FW**

Agent for: **Devon County Council, County Hall, Topsham Road, Exeter, Devon, , EX2 4QD**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **11 December 2015**, and the plans and drawings attached thereto numbered: **NPS-DR-A(01)01 revision P2, NPS-DR-A(01)02 revision P3, NPS-DR-A(01)04 revision P1, NPS-DR-A(27)01 revision P1, NPS-DR-A(04)01 revision P2, NPS-DR-A(27)05 revision P2, NPS-DR-A-(04)-02 revision P3.**

brief particulars of which are as follows:

**External modifications to existing office block to include changes to fenestration, new public entrance, new loading bay door, addition of brise soleil (south and east elevation), new plant equipment area on roof and demolition of link building at Civic Centre, North Walk, Barnstaple, EX31 1EA**

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: 20 January 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.

**Schedule of Conditions - North Devon District Council Application No. 60469**  
**Devon County Council Ref. DCC/3813/2015**

**STANDARD 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**

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered NPS-DR-A(01)01 revision P2, NPS-DR-A(01)02 revision P3, NPS-DR-A(01)04 revision P1, NPS-DR-A(27)01 revision P1, NPS-DR-A(04)01 revision P2, NPS-DR-A(27)05 revision P2, NPS-DR-A-(04)-02 revision P3 except as varied by the conditions below.

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

**CONDITIONS (PRE-COMMENCEMENT)**

3. Prior to the commencement of development, including any site clearance, groundworks or construction within each sub-phase (save such preliminary or minor works that the County Planning Authority may agree in writing), a Construction Management Plan (CMP) to manage the impacts of construction during the life of the works, shall be submitted to and approved in writing by the County Planning Authority. For the avoidance of doubt and where relevant, the CMP shall include:-
  - a) measures to regulate the routing of construction traffic;
  - b) the times within which traffic can enter and leave the site;
  - c) the importation and removal of spoil and soil on site;
  - d) the removal /disposal of materials from site, including soil and vegetation;
  - e) the location and covering of stockpiles;
  - f) details of measures to prevent mud from vehicles leaving the site;
  - g) control of fugitive dust from earthworks and construction activities; dust suppression
  - h) a noise control plan which details hours of operation and proposed mitigation measures;
  - i) details of any site construction office, compound and ancillary facility buildings
  - j) specified on-site parking for vehicles associated with the construction works and the provision made for access thereto;
  - k) a point of contact (such as a Construction Liaison Officer/site manager) and details of how complaints will be addressed

The details so approved and any subsequent amendments as shall be agreed in writing by the County Planning Authority shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.

REASON: To minimise the impact of the works during the construction of the development in the interests of highway safety and the free-flow of traffic, and to safeguard the amenities of the area.

4. The roof plant enclosure shall be coloured mid grey RAL 7000 and the Brise Soliel shall be coloured dark anthracite RAL 7016 and both shall have a matt finish.

REASON: To ensure the development is in keeping with the character and appearance of the surrounding area.

5. No vegetation clearance shall take place during the bird nesting season (01 March to 31 August inclusive) unless the developer has been advised by a suitably qualified ecologist that clearance will not disturb nesting birds and a record of this is kept. Such checks shall be carried out in the 14 days prior to clearance works commencing.

REASON: To minimise impacts on nesting wild birds and ensure that no birds take up residence in the intervening period in accordance with paragraph 109 of the NPPF and the wildlife and Countryside Act 1981 (as amended).

#### CONDITIONS (OPERATIONAL)

6. All plant and machinery mounted on the roof shall be within the screened area identified on approved plan NPS-DR-A (27)05 Rev P2. The height of any plant or machinery shall not exceed the height of the proposed screen identified on approved plan NPS-DR-A-(04)-02 Rev P3.

REASON: To ensure the development is in keeping with the character and appearance of the surrounding area in accordance with policy.

#### **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.

#### **Asbestos Advisory Note:**

The building is of an age where materials containing asbestos may have been used in its construction or subsequent modification. The building should be surveyed for such materials prior to demolition by a suitably qualified person. Where found, materials containing asbestos should be removed and disposed of in accordance with current legislation and guidance.