

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 Robin Barbour, 8 West Street, Bridport, Dorset, DT6 3QP**

Agent for: **South West Highways Ltd, Rockbeare Hill, Lane past Rockbeare Hill Quarry, Rockbeare, EX5 2HB**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **29 January 2016**, and the plans and drawings attached thereto numbered: **Plan No 1, Plan 2, Plan 3, Plan AB1, 1038 PL12, SWH-R-RC-002 B, 1038/PL7, 1038/PL8.**

brief particulars of which are as follows:

Stockpiling and processing of inert and waste materials generated as a result of South West Highways' business activities at South West Highways, Rockbeare Hill, Lane past Rockbeare Hill Quarry, Rockbeare, EX5 2HB

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: 11 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.
- 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.

COMMENCEMENT AND CESSATION

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 Plan No 1, Plan 2, Plan 3, Plan AB1, 1038/PL7, 1038/PL8, 1038/PL12, SWH-R-RC-002 B unless as varied by the conditions below.

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

RESTORATION AND AFTERCARE

3. In the event of cessation of works associated with planning application reference DCC/3829/2015 (District Reference 16/0283/CM), the site shall be restored in accordance with the restoration concept shown on drawing 1038/PL12. Following the completion of the restoration scheme the site shall be subject to an aftercare period of five years in which time any tree, hedgerow, bush or shrub planted, or any seeding or turfing carried out in pursuance of the Decision Notice which dies, becomes diseased or seriously damaged within 5 years of planting shall be replaced in the next planting season with another of similar size and species or seed mix, unless previously agreed in writing with the Mineral Planning Authority

REASON: To ensure effective restoration of the site to minimise the impact on the local landscape in accordance with policy W20 of the Devon Waste Plan (Adopted December 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.