

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 Mark Colville, Capital Development, Matford Offices, County Hall, Exeter, EX2 4QD**

Agent for: **Devon County Council, Capital Development, Matford Offices, County Hall, Exeter, Devon, EX2 4QD**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **6 January 2016**, and the plans and drawings attached thereto numbered: **B.M.(5074)_125 revision P2, B.M.(5074)_126 revision P2, B.M.(5074)_1000 revision P6, B.M.(5074)_1001 revision P6, B.M.(5074)_1002 revision P6, 'Report of Dormice and Reptile Surveys' Footbridge Site & 'Report of Dormice Surveys' Brynsworthy Ditch , Brookside Ecology (December 2015).**

brief particulars of which are as follows:

Proposed cycle/walkway linking Fishleigh Road, Roundswell Business Park, with the B3232. This involves the construction of a 41m bridge over the A39, approximately 250m of steel approach ramps & steps, the formation of embankments and associated landscaping, at off Fishleigh Road, Roundswell

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

Date: 22 June 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.

**Schedule of Conditions - North Devon District Council Application No.
Devon County Council Ref. DCC/3830/2016**

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: - B.M.(5074)_125 revision P1, B.M.(5074)_126 revision P2, B.M.(5074)_1000 revision P6, B.M.(5074)_1001 revision P6, B.M.(5074)_1002 revision P6, 'Report of Dormice and Reptile Surveys' Footbridge Site & 'Report of Dormice Surveys' Brynsworthy Ditch, Brookside Ecology (December 2015), 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)

ECOLOGY

3. Phased Vegetation clearance shall be carried out in accordance with the Schedule of Works' set out in Table 2 (Section 4) of 'Report of Dormice and Reptile Surveys' Footbridge Site & 'Report of Dormice Surveys' Brynsworthy Ditch , Brookside Ecology (December 2015)

REASON: To minimise impacts upon dormice in accordance with North Devon Local Plan policies ENV 8 (Biodiversity) & ENV11 (Protected Species) and the para 118 of the NPPF.

4. Before the commencement of construction operations, a scheme of mitigation and compensation for Reptiles shall be submitted to and agreed with the County Planning Authority. The development shall be carried out in accordance with the approved scheme.

REASON: To mitigate impacts upon reptiles in accordance with North Devon Local Plan policies ENV 8 (Biodiversity) and the para 118 of the NPPF.

5. Details of the lighting proposed on the bridge and within the southern, Brynsworthy site, as part of the development shall be submitted to and agreed with the County Planning Authority prior to their use.

Details should include:

- a. a layout plan;
- b. mounting height where relevant;
- c. beam orientation and spread;
- d. design of lighting fixtures;
- e. controls (which should include movement sensors, and/or timers where practical to reduce energy consumption);and hours of use; and
- f. identify the of any light spill, and associated mitigation if required.

REASON: To ensure that protected species are conserved in accordance with North Devon Local Plan policies ENV 8 (Biodiversity) & ENV11 (Protected Species) and the para 118 of the NPPF.

LANDSCAPING/TREES

6. No development shall take place until a scheme to safeguard all trees, shrubs and other natural features not scheduled for removal during site works and building operations has been submitted to and approved in writing by the County Planning Authority.

The scheme shall be in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations.' The development shall be carried out in accordance with the approved scheme.

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 Adopted North Devon Local Plan Policy ENV1 (Development in the Countryside).

7. No development shall take place until a Landscaping Scheme for planting indicate on plan numbered B.M. (5074)_1002/P6has been submitted to and approved in writing by the County Planning Authority. The approved scheme shall be implemented in the first planting and seeding season following grant of this permission.

The approved scheme shall be maintained for a period of 15 years. Any tree, plant or grassed area, or any replacement of it, that is removed, uprooted, destroyed or dies within five 15 years of the date of planting or 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 Adopted North Devon Local Plan Policy DVS2 (Landscaping).

8. No development shall take place until a sample of the bridge colour, and material to be used for the path surface, have been submitted to and approved in writing by the County Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To protect the character and appearance of the local landscape in accordance with Adopted North Devon Local Plan Policy DVS2 (Landscaping).

ARCHAEOLOGY/HISTORIC BUILDINGS

9. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved scheme.

REASON: To ensure, in accordance with Policy ENV14 of the North Devon Local Plan and paragraph 141 of the National Planning Policy Framework, that an appropriate record is made of archaeological evidence that may be affected by the development.

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.