

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 Keith Mason, NPS South West Ltd, The Acorn Centre, 5 Oak Court, Pennant Way, Lee Mill Industrial Estate, Plymouth, PL21 9GP**

Agent for: **Devon County Council, Built Environment Team, M11, Matford Offices, County Hall, Topsham Road, Exeter, EX2 4QD**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **17 February 2016**, and the plans and drawings attached thereto numbered drawings numbered **SP01, SP01, NPS-DR-B-(00)-001 Rev P1, NPS-DR-B-(00)-002 Rev P2, NPS-DR-B-(00)-003 Rev P2, and NPS-DR-B-(60)-001 Rev 1** and documents entitled **'Planning Statement. Revision B', 'Bishopsteignton School Travel Plan', 'Construction Phase Traffic Management Plan' and 'External Lighting Statement/Plan'.**

brief particulars of which are as follows:

Demolition and replacement of existing single classroom block, with a double classroom block, complete with the formation of new access path at Bishopsteignton Primary School, Cockhaven Close, Bishopsteignton, TQ14 9RJ

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

Date: 12 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.

**Schedule of Conditions - Teignbridge District Council Application No. 16/00482/DCR3
Devon County Council Ref. DCC/3839/2016**

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 numbered SP01, SP01, NPS-DR-B-(00)-001 Rev P1, NPS-DR-B-(00)-002 Rev P2, NPS-DR-B-(00)-003 Rev P2, NPS-DR-B-(60)-001 Rev 1 and documents entitled 'Planning Statement. Revision B', 'Bishopsteignton School Travel Plan', 'Construction Phase Traffic Management Plan' and 'External Lighting Statement/Plan' 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)

DRAINAGE

3. No development shall take place until a detailed permanent surface water drainage management plan is submitted to, and approved in writing by, the County Planning Authority. This detailed permanent surface water drainage management plan will be in accordance with the principles of sustainable drainage systems, and those set out in the 'Planning Statement. Revision B'.

Reason: To ensure that surface water from the development is managed in accordance with the principles of sustainable drainage systems in accordance with Policy EN4 of the Teignbridge Local Plan.

CONDITIONS (DURING CONSTRUCTION)

LANDSCAPING/TREES

4. The landscaping scheme shown on drawing NPS-DR-B-(00)-002 rev P2 and detailed in the document entitled 'Planning Statement. Revision B' 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 EN2A of the Teignbridge Local Plan.

5. All trees and shrubs identified on approved drawing NPS-DR-B-(00)-002 Rev P2 (that are to be retained) shall be retained and protected during construction in accordance with BS5837:2012 'Trees in relation to design, demolition and construction – Recommendations.'

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 in accordance with Policy EN2A of the Teignbridge Local Plan.

CYCLE PARKING

6. Prior to the occupation of the development scooter storage for 20 scooters shall be provided in accordance with the submitted details. The scooter storage facilities shall be retained for the life of the development.

REASON: To promote sustainable travel to Bishopsteignton Primary School in accordance with Policy S9 of the Teignbridge Local Plan.

ECOLOGY

7. 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).

8. A bird nesting box shall be installed in accordance with Section 3, Appendix 2 of the Ecological Survey Report (Version 001, dated January 2016) within one month of the occupation of the new classroom.

REASON: To conserve and enhance biodiversity in accordance with Policy EN8 of the Teignbridge Local Plan.

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.