

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 Andrew Field, Heighway Field Associates, Bradninch Court, Castle Street, Exeter, EX4 3PL**

Agent for: **Copplestone Primary School, Bewsley Hill, Copplestone, EX17 5NX**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **28 April 2016**, and the plans and drawings attached thereto numbered: **04657 TCP revision A, 1528-101 revision C**.

brief particulars of which are as follows:

Erection of 1 new classroom building in existing school grounds at Copplestone Primary School, Bewsley Hill, Copplestone, EX17 5NX

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

Date: 07 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.

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 - Mid Devon District Council Application No. 16/00670/DCC
Devon County Council Ref. DCC/3865/2016**

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 **04657 TCP revision A** and **1528-101 revision C** 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. No development shall take place until a Landscaping Scheme has been submitted to and approved in writing by the County Planning Authority. The scheme shall include:

Details for tree planting at the site including; tree planting plans; written specifications, including methods of cultivation and other operations associated with tree establishment; schedules giving species, planting sizes and proposed numbers and spacing; a schedule of implementation and maintenance to be carried out for a minimum of five years following completion. The landscaping works shall be carried out in accordance with the approved details and completed by the end of the first planting season following completion of the development.

REASON: To protect the character and appearance of the local landscape in accordance with policy DM2 (High Quality Design) of the Mid Devon Local Plan Part 3 Development Management Policies (Adopted October 2013).

4. No part of the development hereby permitted shall be commenced until a programme of percolation tests has been carried out in full accordance with BRE Digest 365 Soakaway Design (2007), and the results approved in writing by the County Planning Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.

REASON: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible. This will be in accordance with policies COR11 (Flooding) of the Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007) and DM2 (High quality design) of the Mid Devon Local Plan Part 3 Development Management Policies (Adopted October 2013).

5. No part of the development hereby permitted shall be commenced until a detailed permanent Surface Water Drainage Management Plan has been submitted to, and

approved in writing by, the County Planning Authority. This detailed permanent surface water drainage management plan will be informed by the programme of approved BRE Digest 365 Soakaway Design (2007) percolation tests as required by condition 4 above, in accordance with the principles of sustainable drainage systems. The surface water drainage management system shall then be constructed and maintained in accordance with the approved details.

REASON: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible, and is managed in accordance with the principles of sustainable drainage systems. This will be in accordance with policies COR11 (Flooding) of the Mid Devon Local Development Framework Core Strategy 2026 (Adopted July 2007) and DM2 (High quality design) of the Mid Devon Local Plan Part 3 Development Management Policies (Adopted October 2013).

CONDITIONS (DURING CONSTRUCTION)

6. All trees and shrubs not scheduled for removal on approved drawing 04657 TCP revision A shall be retained and protected during construction in accordance with the recommendations of this drawing.

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 DM2 (High quality design) of the Mid Devon Local Plan Part 3 Development Management Policies (Adopted October 2013).

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 the clearance will not disturb nesting birds and a record of this 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)

8. No external lighting to be provided as part of this development shall be used until a lighting scheme has been submitted and approved in writing by the County Planning Authority. The lighting shall be designed, located and operated in such a way that lateral and upward light overspill is minimised and the impact on the wider landscape and wildlife is minimised

The lighting scheme shall include:

- 1) specification of lighting units proposed;
- 2) written confirmation from a suitably qualified ecologist that they are satisfied with the lighting proposals with regards to bats and other nocturnal species;
- 3) details of times of use/ use of timers.

The lighting shall only be used in accordance with the approved scheme.

REASON: To minimise the potential impacts of external lighting on nocturnal species such as Bats in accordance with policy DM7 (Pollution) of the Mid Devon Local Plan Part 3 Development Management Policies (Adopted October 2013).

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.