

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 D Barbour, The Donkey Sanctuary, Slade House Farm, Sidmouth, EX10 0NU**

Agent for: **Mr D Barbour, The Donkey Sanctuary, Slade House Farm, Sidmouth, EX10 0NU**

Devon County Council hereby grants planning permission to carry out the development described in the application received on **26 May 2016**, and the plans and drawings attached thereto numbered: **TR15/01/1, TR15/01/2, TR15/01/4 and TR15/01/7**.

brief particulars of which are as follows:

Installation and use of modular aerobic digestion (bio-digester) plant on existing equine waste composting pad at Trow Farm, Road Past Turnpike Cottage, Trow, Salcombe Regis, EX10 0PB

subject to the conditions set out in the attached sheets



on behalf of the Head of Planning, Transportation and Environment

Date: 13 July 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.
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- 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 - East Devon District Council Application No. 16/1411/CM
Devon County Council Ref. DCC/3870/2016**

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.

2. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered TR15/01/1; TR15/01/2; TR15/01/4; TR15/01/7; Noise Impact Assessment dated 13 April 2016; Landscape and Visual Impact Assessment; and, Planning Statement dated 25 May 2016, unless as varied by the conditions below.

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

PRE-COMMENCEMENT

3. Within three months of the date of this decision notice a tree planting scheme shall be submitted to and approved in writing by the Waste Planning Authority. The approved scheme shall be implemented in the first planting (1 November to 31 March) after the commencement of the development. The approved scheme shall be maintained for a period of five years. Any tree or any 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 Area of Outstanding Natural Beauty in accordance with policy W12 of the Devon Waste Plan.

OPERATIONAL

4. The conveyor, shredder and deliveries to the composting plant shall only take place between Monday to Friday during the hours of 0830 to 1630.

REASON: To minimise the impact of the development on the local residents in accordance with policy W18 of the Devon Waste Plan.

5. The composting facility shall only be used for the processing of equine manures arising from Trow Farm and Slade Farm.

REASON: To minimise the potential impact on the Area of Outstanding Natural Beauty in accordance with policy W12 of the Devon Waste Plan.

6. All vehicles used in the delivery and loading of equine manure and collection of composted manure from the Bio digester plant shall be fitted with white noise type reversing alarms.

REASON: In order to minimise the impact on the Area of Outstanding Natural Beauty in accordance with policy W12 of the Devon Waste 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.