

# Leechwell Garden Association

Community Spaces Grant Application (Stage 2)  
URN: JWES-7VGG56

Supporting Document No. 7  
Planning Permission Approval



South Hams  
District Council

In any correspondence please quote application number: SLM/56/2251/05/DC

# Planning Permission Granted

Town and Country Planning Act, 1990  
Town and Country Planning (General Development Procedure) Order, 1995

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Application No.: 56/2251/05/DC  
Date Received: 9th December 2005  
Applicant: South Hams District Council, Follaton House, Plymouth Road, Totnes, S. Devon,  
Agent: Harrison Sutton Partnership, Little Priory Court, Fore Street, Totnes, Devon, TQ9 5NJ.  
Proposal: Change of use for public space - Regulation 3, LPA own development pursuant to a decision by Council, Minute No. 5904 dated 11th November 2004.  
Location: The Bungalow Site off Heath Way West, Totnes, Devon, TQ9 5SY.

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The South Hams District Council hereby **grant** permission to carry out the development described above for the following reason(s):

1. This applications has been determined in accordance with Section 38 of the of the Planning & Compulsory Purchase Act 2004 which states that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise. This application has been determined in accordance with approved Development Plan Policies (which are contained in the Devon County Structure Plan and the South Hams Local Plan); relevant Government planning policy guidance; and is approved in the absence of any other overriding material considerations and having given due weight to all other matters raised in this application including technical and other representations received. The relevant Policies are Structure Plan CO7, ST18; South Hams Local Plan Policies SHDC1, SHDC2, SHDC11, SHDC12, SHDC13, SHDC14, SHDC15, SHDC18, SHDC19, SHDC20 and TP1.

Special regard has been given to the representations about visual impact of the proposed developments on the landscape setting, relationship with adjoining dwellings and other detailed matters but these were not considered to be overriding because the detailed design is considered to be acceptable.

## Subject to the following condition(s):

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Dated this 22nd December 2006

Head of Planning & Building Control

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 (as amended).

2. No development shall take place until full details of (both and hard) soft landscape works(excluding the public highway) have been submitted to, and approved in writing by the Local Planning Authority. The Landscape Plan shall include details of:

- (i) Existing features for retention and means of protection during the development; (ii) Features to be removed with clear justification for the proposed removal;
- (iii) The location, species, density and size of proposed tree, shrub and hedge planting;
- (iv) The means of establishment, protection and maintenance of the trees, shrubs and hedges;
- (v) The location and species mix of grassland and meadow;
- (vi) The means of establishment, protection and maintenance of grassland and meadows;
- (vii) The location, establishment and maintenance of water features;
- (viii) The location, establishment and maintenance of areas proposed for public adoption;
- (iv) Materials, heights, levels and details of hard landscaping;
- (v) Materials, heights and details of fencing and other boundary treatments;
- (vi) The location of advance planting;
- (vii) A timetable for the implementation of phasing of all hard and soft landscape works.
- (viii) Arrangements for stripping, storage and re-use of top soil.

Reason: In the interests of public amenity and local landscape character.

3. No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: In the interests of public amenity and local landscape character.

4. Full details of a secure boundary treatment with all new and existing gardens shall have been submitted to and approved in writing by the Local Planning Authority and implemented in full before the gardens are brought into use.

Reason: To safeguard the amenities of adjacent properties.

5. Full details of the public access arrangements including the management and control of such access shall have been agreed in writing by the Local Planning Authority before the gardens are brought into use.

Reason: To safeguard the amenity safety in the area.

6. 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 by the applicant and approved by the Local Planning Authority.

Reason: To safeguard the archaeological interests within the site.

Dated this 22nd December 2006



Head of Planning & Building Control

7. No works which affect the water course through the site shall be carried out until a scheme has been agreed by the Local Planning Authority which shows how it will be incorporated into the landscaping proposals for the site.

Reason: To safeguard the amenity and historic value of this feature.

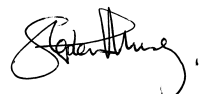
**INFORMATIVE**

1. This permission is to be read in conjunction with the Section 106 Obligation dated 24 May 2006 between South Hams District Council (1), South Hams District Council (2) and Devon County Council (3).

2. This Decision Notice refers to drawing no.407 & 600 received on 9 December 2005.

**THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS**

Dated this 22nd December 2006



Head of Planning & Building Control