

# Decision Register

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Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/00391/MOUT	Land at NGR 295599 122818 (North of Bouchier Close) Bampton Devon	Outline for the erection of between 15 and 20 dwellings and up to 2500 sq. m. of B1 floor space including landscaping, parking and provision of vehicular access from the B3190	REFUSE	COMM	28/08/2015

## Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included pre application discussion, negotiation and discussions. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

## Reasons

- 1 The emerging Local Plan Review 2013-2033 Proposed Submission proposes re-classification of Bampton's status a market town and key focus of development, to a village with a limited role and development to meet local needs only and to remove the allocation of which this site forms part. Although the site is currently still allocated under policy AL/BA/2 of the Mid Devon Allocations and Infrastructure DPD, the Local Planning Authority considers on balance that significant weight can be attributed to the emerging Local Plan Review 2013-2033 Proposed Submission to justify a refusal due to three factors: a)there is general support for the re-classification of Bampton as a village and removal of the allocation, with only one unresolved objection (from the applicant) received on each of these proposals during consultation on the Proposed Submission document; b)the emerging Local Plan Review 2013-2033 Proposed Submission takes a fundamentally different strategic approach in relation to Bampton's role within the District which no longer requires the level of residential and employment development required by the Mid Devon Core Strategy (Local Plan 1); c)the site was only allocated under policy AL/BA/2 of the Allocations and Infrastructure DPD as this site was the only opportunity in Bampton for the kind of co-location and cross-subsidy required to meet the (now out of date) targets in the Mid Devon Core Strategy (LP1) in the longer term, despite there being no immediate need and the acknowledged difficulty in developing the site. The Local Planning Authority considers that, on balance, the policy justification for refusing the application therefore outweighs the policy justification for approving it.
  - 2 In the opinion of the Local Planning Authority, it has not been demonstrated that the quantum of development proposed can be provided in an acceptable form. In particular, the proposal does not demonstrate a clear understanding of the site, its wider context and the surrounding area, taking into account the potential for the development to harm the character of Bampton at this gateway site on the edge of the village, nor does it demonstrate that an acceptable relationship can be achieved between the residential and commercial elements on the site and the remainder of the allocation, nor that a satisfactory Sustainable Urban Drainage Scheme to prevent the risk of flooding elsewhere can be achieved on the site, contrary to policies COR2, COR11 and COR16 of the Mid Devon Core Strategy (Local Plan 1), AL/BA/2 of the Allocations and Infrastructure DPD (Local Plan 2) and DM2 of the Local Plan 3 (Development Management Policies).
  - 3 In the opinion of the Local Planning Authority, the proposal does not present sufficient certainty that the site will be developed as a mixed use scheme or that the economic and sustainability benefits of delivering employment floorspace on the site will be achieved, contrary to policies COR1 and COR16 of the Mid Devon Core Strategy (Local Plan 1) and AL/BA/2 of the Allocations and Infrastructure DPD (Local Plan 2).
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Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/00426/LBC	Land and Buildings at NGR 305287 106640 (Aller Barns) Kentisbeare Devon	Variation of condition (7) of Listed Building Consent 12/00787/LBC to allow the substitution of Elm floorboards with Oak timber boarding	REFUSE	DEL	26/08/2015

#### Reasons

The proposed is not considered to be acceptable as the proposed materials do not have the same character and quality as reclaimed elm floor boards. The use of modern oak boards would unacceptably diminish the particular character and qualities of this building.

#### Reasons

- 1 The use of modern oak boards to replace historic elm boarding is considered to be an inappropriate alteration to the listed building which unacceptably erode its character, appearance and fabric, contrary to National Planning Policy Framework paragraphs 132 and 134 and Mid Devon Local Plan Part 3 (Development Management Policies) Policy DM27.

15/00571/FULL	G's Valets Exeter Road Crediton Devon EX17 3BN	Retention of a lean-to carport/canopy	PERMIT	DEL	24/08/2015
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#### Conditions

- 1 The development hereby permitted is considered to have been lawfully commenced on 10th July 2015.

#### Reasons

- 1 To set a legal commencement date for the works.

#### Reasons

This application seeks consent for the retention of a lean-to carport/ canopy that has been erected to the front of this industrial style building. The canopy provides a covered area to complete the cleaning/valeting operations of the business that occupy the premises. The appearance of the extension in this location is considered to be acceptable. It is not considered that the lean to results in demonstrable harm to the amenity of occupiers of other nearby units or the general amenity of the area. Given the scale of the lean to it is not considered to result in insufficient parking and manoeuvring space for vehicles attracted to the site. There are no other material considerations to weigh against the grant of planning permission and therefore the retention of a lean-to car port/canopy is considered to be acceptable in accordance with policies COR2 and COR15 of the Mid Devon Core Strategy (Local Plan 1), DM1 and DM2 of Local Plan part 3 (Development Management Policies) and the National Planning Policy Framework.

#### Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included determining the application in a timely fashion. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/00829/PNCOU	Holwell Barton Neopardy Crediton Devon EX17 5EP	Prior notification for the change of use of agricultural building to dwellinghouse under Class Q	PDA	DEL	27/08/2015

#### Reasons

- 1 The proposed change of use of the building into dwelling/s as shown on the approved plans accords with the requirements of Class Q (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015. Prior approval is not required.

15/00857/FULL	Camping Barn Chenson Farm Chenson Devon	Conversion of redundant camping barn into dwelling	PERMIT	DEL	26/08/2015
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#### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 The mitigation works as proposed in the bat & nesting bird survey report & method statement (June 2015) prepared George Bemment Associates shall be implemented and completed in accordance with the requirements of those reports.
- 4 Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order) no development of the types referred to in Classes A, B, C, D, E and F of Part 1, or Class A of Part 2 relating to the enlargement, improvement or other alteration of a dwellinghouse, addition or alteration to the roof, erection of a porch outside any external door, provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, container for domestic heating purposes for storage of oil or liquid petroleum gas, provision of a hard surface or the erection of a gate, fence wall or other means of enclosure, shall be undertaken within the application site without the Local Planning Authority first granting planning permission.

#### Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the protection of any ecological interests at the site.
- 4 To ensure the character of the building is retained in accordance with policy DM11 and DM27 of Mid Devon Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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**Reasons**

The National Planning Policy Framework establishes the principle that the reuse of redundant or disused buildings in the open countryside as dwellings, could be considered acceptable, and policy DM11 of the Local Plan part 3 reflects this guidance where a building makes a positive contribution to the rural character of the locality. Therefore in policy terms the conversion of the barn into a dwelling is considered acceptable in principal. It has been demonstrated that the building can be converted without significant rebuilding, and therefore a significant amount of the original building fabric can be retained. The overall design, massing and appearance of the building as it is to be converted will not be significantly different to the existing building and is considered to be an appropriate design response in terms of balancing the character of the building and the need to upgrade it for habitable accommodation. Overall the works to the building are considered to respect the character and integrity of the building and the surrounding rural environment, and will not adversely affect the amenities and living conditions of any neighbouring properties. The proposed access arrangements are considered acceptable. The proposal is not considered to cause harm to nature conservation interests in the local area subject to adopting the mitigation measures as recommended. On this basis the proposal is considered to be compliant with DM1, DM2, DM8, DM11, DM14, DM15 and DM27 of the Local Plan Part 3 (Development Management Policies), COR1, COR2 and COR9 of the Mid Devon Core Strategy (Local Plan Part 1), and policy guidance in the National Planning Policy Framework.

**Reasons**

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included the following ..... In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

<b>15/00989/OUT</b>	Land and Buildings at NGR 277638 93018 (East Of Hill View) Cheriton Bishop Devon	Outline for the erection of 8 dwellings	REFUSE	DEL	26/08/2015
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**Reasons**

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included determining the application within the agreed extension of time. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

**Reasons**

- 1 At this outline stage it is considered that the proposed redevelopment of the site for 8 residential units would lead to a cramped form of development. Furthermore it is not considered that the application proposal meets an identified and proven local affordable housing need. Therefore in the opinion of the Local Planning Authority the application proposal is contrary to the following development policies: COR1 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and policy AL/DE/6 of the Allocations and Infrastructure Development Plan (Local Plan Part 2).
- 2 In the opinion of the Local Planning Authority, and in the absence of any overriding policy support for the application scheme as an exception site to deliver affordable housing to meet an identified need, the application proposals taking into account the site location and the scope of works required to deliver an acceptable means of access into the site and an acceptable connection with Cheriton Bishop village, it is considered to represent an unsuitable form of urban development beyond the settlement boundary of Cheriton Bishop which would be unsympathetic to the visual amenities and overall character of the area. On this basis the proposals are considered to be contrary to the following development policies COR1 and COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and policy DM2 of Mid Devon Local Plan Part 3 (Development Management Policies).
- 3 The application scheme does not confirm how many vehicular car parking spaces will be provided on site, and/or how surface drainage and foul waters will be managed without adversely affecting the surrounding environment. On this basis the proposals are considered to be contrary to the following development policies: COR11 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 and DM8 of Mid Devon Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/01008/FULL	High View Farm Ashill Cullompton Devon EX15 3NS	Retention and change of use of existing stables to agricultural storage, dung store to domestic use and calf shed to domestic garage	PERMIT	DEL	24/08/2015

#### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 Works to the former dung store (storage building) and Calf shed (Double Garage) shall not be commenced until works to implement the change of use of the large agricultural building on the site to a dwelling considered under 15/00636/PNCOU has been commenced.
- 4 Once the change of use of the former dung store (storage building) and Calf shed (Double Garage) has been implemented, the buildings shall be used as incidental domestic use associated with the proposed domestic dwelling on site reference 15/00636/PNCOU and for no other use and be so retained.

#### Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the buildings will be available for their original purpose should the conversion works to convert the barn to a dwelling are not undertaken
- 4 To ensure the structures are uses for the enjoyment of the proposed dwelling and not for any alternative activity which could have a detrimental impact on the use of the site.

#### Reasons

The proposed retention and change of use of existing stables to agricultural storage, dung store to domestic use and calf shed to domestic garage by virtue of their scale, massing, design and location is not considered to harm the privacy or amenity of the occupiers of another dwelling, the future amenities and services of the proposed dwelling to be created or its surroundings. As such the proposal is considered to comply with policies DM2, DM8, DM13 of Adopted Mid Devon Local Plan Part 3 (LDF) and the National Planning Policy Framework.

#### Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included pre application discussion and negotiation. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/01011/PNCOU	Building at NGR 277918 96443 (Rock Lane Barn) Woodland Head Yeoford Devon	Prior notification for the change of use of agricultural building to a dwellinghouse under Class Q	APA	DEL	25/08/2015

#### Reasons

- 1 The proposed change of use of agricultural building to a dwellinghouse as shown on the approved plans accords with the requirements of Class Q(a) and Q (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

15/01023/FULL	Morcharde Bishop Primary School Church Street Morcharde Bishop Crediton Devon EX17 6PJ	Erection of two pairs of replacement gates	PERMIT	DEL	26/08/2015
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#### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

#### Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.

#### Reasons

The proposal for the installation of two sets of replacement gates within existing openings along the site boundary of the existing primary school site in the village of Lapford is considered to be acceptable as a matter of principal. The proposed alterations would not result in the loss of any historic building fabric or result in harm to the character or appearance of the listed building, its setting or the Morcharde Bishop Conservation Area. It is not considered that replacing the 2 sets of gates will impact on the amenity of any nearby properties. On this basis the proposal is considered to be acceptable in accordance with the following policies; Mid Devon Core Strategy (Local Plan part 1) COR2 and COR17, Local Plan part 3 (Development Management Policies) DM1, DM2 and DM27.

#### Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included determining the application in a timely fashion. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

15/01024/LBC	Morcharde Bishop Primary School Church Street Morcharde Bishop Crediton Devon EX17 6PJ	Listed Building Consent for erection of two pairs of replacement gates	PERMIT	DEL	26/08/2015
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#### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

**Reasons**

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.

**Reasons**

The proposal for the erection of two set of replacement gates is considered to be acceptable. The proposed alterations would not result in the loss of any historic building fabric or result in harm to the character or appearance of the listed building or its setting. On this basis the proposal is considered to be acceptable in accordance with the following policies; Local Plan part 3 (Development Management Policies) DM27.

15/01028/FULL	Forden Eggesford Chulmleigh Devon EX18 7JY	Erection of replacement dwelling and garage	PERCON	DEL	27/08/2015
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**Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 Prior to commencement of the development hereby approved, details of the proposed foul drainage system, including a plan showing the layout of the key elements including the drainage field and points of discharge, shall be submitted to and approved in writing by the Local Planning Authority for approval, and thereafter implemented in accordance with the approved details.
- 4 Notwithstanding the provisions of Article 3 of The Town and Country Planning (General permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes A, B, C and D of Part 1 of Schedule 2, relating to enlargement, improvement or other alteration of a dwellinghouse, addition or alteration to its roof or porch, shall be undertaken within the application site without the Local Planning Authority first granting permission.

**Reasons**

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the provision of an appropriate foul drainage system.
- 4 To ensure the size of the replacement dwelling reflects the requirements of Policy DM12 of the Mid Devon Local Plan Part 3 (Development Management Policies) and to ensure development makes a positive contribution to the visual amenities of the area in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).

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### Reasons

The application scheme for a replacement dwelling and garage is considered to be appropriately scaled and designed for its location. Although the proposed design of the dwelling includes the provision of accommodation at first floor level, given the separation distance to the neighbouring properties it is not considered that there would be any significant adverse impact upon the living conditions of occupants of any neighbouring properties. The design and appearance of the proposed dwelling is considered to be acceptable, the material palette reflects that of the existing property and it is not considered that it would detract from the character of the rural area. Further details of the proposed foul drainage system are proposed as a conditional requirement. The proposal is considered to comply with following policies COR2 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1), DM1, DM2, DM8, DM12, DM14 and DM15 of the Mid Devon Local Plan Part 3 (Development Management Policies).

### Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included determining the application in a timely fashion. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

15/01044/FULL	10 Westgate Lapford Crediton Devon EX17 6QQ	Erection of dwelling (Revised Scheme)	PERCON	DEL	24/08/2015
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### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 Prior to the erection of the building, hereby approved, details/samples of the materials to be used for all the external surfaces of the building, including natural slate roofing materials and the proposed colour wash for the external render, shall have been first submitted to and approved in writing by the Local Planning Authority. Such approved materials shall thereafter be so used and retained.
- 4 No part of the development hereby approved shall be brought into its intended use until the access, parking and turning areas have been provided and maintained in accordance with the details shown on Drawing No. 1417-02 Rev A scale 1:200, and as received on 18th August 2015. Following their provision these facilities shall be so retained.
- 5 No hard landscaping works in the areas shown on the approved plans with regard to the access and parking areas shall begin until samples of the surfacing materials to be used in those areas have been submitted to, and approved in writing by, the Local Planning Authority. Such approved works shall then be carried out before the development hereby permitted is first brought into its permitted use, (in any phase) and shall be so retained.
- 6 Before the dwelling hereby approved is occupied, a scheme of planting trees and shrubs, and which shall include for strengthening of the existing hedgebanks to be retained along the south and west boundaries, shall be first submitted to and approved in writing by the Local Planning Authority. The scheme so submitted shall include details of the species, siting and numbers to be planted. All planting, seeding, turfing or reprofiling comprised in the approved scheme of landscaping shall be carried out within 9 months of the substantial completion of the development (or phase thereof) and any trees or plants which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- 7 The adjacent Footpath No.4 shall be kept free from obstruction at all times.



Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
8		Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) Amendment (No.2) Order 2008 (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes (A, B, C, D, E F, G) of Part 1, or Classes (A,B), of Part 2, relating to fences, gates, or other structures within the curtilage of the building(s) shall be undertaken within the application site without the Local Planning Authority first granting planning permission.			
9		Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 1995 as amended by the Town and Country Planning (General Permitted Development) Amendment (No.2) Order 2008 (or any Order revoking and re-enacting that Order with or without modification): a. there shall be no additional window or skylight or other opening made in any east facing elevation; unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority			
10		The rooflight and bathroom windows as shown on the east facing elevation (towards No.10 Westgate) shall be of obscure glazing (grade 4) as hereby approved, and shall thereafter be so retained.			
11		In accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains onto any County Highway or on the adjacent Footpath No.4 Right of Way.			
12		No work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0730 and 1900 hours on Monday to Fridays and 0730 and 1300 on Saturdays.			

#### Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the use of materials and details appropriate to the development in order to safeguard the character and appearance of the area in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan 1) and Policies DM2 and DM14 of Local Plan Part 3 (Development Management Policies).
- 4 In the interests of highway safety and to ensure that adequate on-site facilities are available for traffic attracted to the site.
- 5 To ensure the use of materials appropriate to the development in order to safeguard the visual amenities of the area to be provided in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan 1) DM2 and DM14 of the Mid Devon Local Plan Part 3.
- 6 To ensure that the development makes a positive contribution to the character and amenity of the area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).
- 7 To maintain access to the public footpath in the interests of public amenity having regard to Policy COR9 of the Mid Devon Core Strategy (Local Plan Part 1) and Guidance in the National Planning Policy Framework.
- 8 To safeguard the visual amenities of the area and the character and appearance of the buildings to be provided in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan 1), DM1, DM2, DM14 of the Mid Devon Local Plan (Part 3).
- 9 The Local Planning Authority wishes to exercise control over the matter referred to in order to ensure that a well planned development takes place and having regard to the need to ensure that the privacy/amenity of the adjoining nearby residents are not unreasonably affected by reason of overlooking and having regard to the requirements of Policy DM2 of Local Plan Part 3 (Development Management Policies).
- 10 For the avoidance of doubt and to safeguard the privacy and amenity of the occupiers if the neighbouring dwelling and in accordance with Policy COR2 of Mid Devon Core Strategy (Local Plan 1), DM1 DM2, DM14 of Mid Devon Local Plan (Part 3).
- 11 In the interests of public safety and to prevent damage to the highway and having regard to the requirements of Policy DM2 of the Local Plan Part 3 (Development Management Policies).

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12 To ensure that the proposed development does not prejudice the amenities of neighbouring properties.

**Reasons**

The current proposal is acceptable in that the proposed dwelling is in a sustainable location and is considered to be appropriately scaled and designed in terms of its impact on the street scene and adjacent dwellings. The proposal is not considered to lead to an objectionable impact on the privacy and amenity of any other neighbouring occupiers and provides for suitable off-street car parking. The proposal is therefore considered to comply with the requirements of relevant policies: COR1, COR2, COR9 and COR17 of the Mid Devon Core Strategy, DM1, DM2, DM8, DM14 and DM15 of the Local Plan Part 3 (Development Management Policies), Mid Devon Adopted Policy AL/IN/3 requires that all new dwellings are subject to the necessary infrastructure payments relating to Public Open Space where these meet the tests in the Community Infrastructure Levy Regulations. Policy AL/CRE/8 of the Allocations and Infrastructure Development Plan Document also provides for new residential development in Crediton and surrounding villages to contribute towards the cost of implementing the Crediton Air Quality Action Plan. The policy is supplemented by the Supplementary Planning Document (SPD) on air quality and development. However, having regard to the tests in the Community Infrastructure Levy Regulations, no financial contributions toward public open space provision (AL/IN/3) or towards air quality (AL/CR/8) are being sought in this instance.

**Reasons**

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included pre-application discussion and discussions. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

<b>15/01059/PNCOU</b>	Land and Buildings at NGR 291522 101930 (Canns Farm) Thorverton Devon	Prior Notification for change of use of an agricultural building to dwelling under Class Q	PDA	DEL	25/08/2015
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**Conditions**

1 Surface water run-off from the site shall not discharge onto the public highway.

**Reasons**

1 The proposed change of use of the building into dwelling as shown on the approved plans accords with the requirements of Class Q (a) and Q (b) of the Town and Country Planning (General Permitted Development) (England) Order 2015. Prior approval is not required.

**Reasons**

1 In the interests of highways safety in accordance with condition Q.2 - (1), criteria (d) of class Q.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/01060/PNCOU	Land and Building at NGR 292728 107687 Heronsfield Cadeleigh Devon	Prior notification for the change of use of agricultural building to 3 dwellings under Class Q (a) and (b)	RPA	DEL	27/08/2015

#### Reasons

- 1 The building is within approximately 20 metres of an existing agricultural livestock building and within approximately 26 metres of a blacksmith's forge, both outside the control of the applicant. The siting of a dwelling in this location is considered to be undesirable due to the potential for the amenities of future occupants to be unacceptably harmed by noise, odours, flies and vermin. As such the Local Planning Authority considers that the existing building has not been shown to benefit from the permitted development right for the change of use of the agricultural building into three dwellings under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 2 The design of the proposed dwellings is considered to be unacceptable in that the removal of parts of the building is not considered to be reasonably necessary for the building to function as a dwelling; the resulting design has been compromised by the need to remove parts of the building for the floorspace to be within the limits specified by Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015; and the appearance of the proposed dwellings is unattractive and does not exhibit good design quality. As such the Local Planning Authority considers that the existing building has not been shown to benefit from the permitted development right for the change of use of the agricultural building into three dwellings under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015.

15/01063/CLU	Mobile Home Hazel Croft Whitnage Tiverton Devon EX16 7DU	Certificate of lawfulness for the existing use of land for the siting of 1 residential caravan and associated garden for a period in excess of 10 years	PERMIT	DEL	28/08/2015
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#### Conditions

- 1 From the evidence submitted in support of this application and the evidence obtained by the Local Planning Authority on the balance of probability the Mobile Home, Hazel Croft, has been sited on the land for residential purposes for a period in excess of 10 years, with the unit of occupation, namely the caravan and associated garden area, being considered as the relevant planning unit, the certificate granted has been amended to reflect this.

15/01074/FULL	Higher Whipcott Farm Holcombe Rogus Devon TA21 0NA	Change of Use of C3b (a single household receiving care) to C2(residential care home) and alterations to garage	PERMIT	DEL	26/08/2015
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#### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) and The Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any statutory instrument revoking and re-enacting those Orders with or without modification, the application site including any building(s) thereon shall be used for Class C2 uses for providing care for no more than 5 (five) residents at any one time and for no other purpose.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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**Reasons**

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 The site is in a rural area and accessed along a narrow private track where public transport provision is limited and where the intensification of the use or the change of use to other uses normally permitted may not be acceptable by virtue of this rural location and the limited parking provision available on site, in accordance with Policy COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM1 and DM2 of the Local Plan Part 3 (Development Management Policies).

**Reasons**

Subject to the imposed conditions the proposed change of use is considered acceptable for this rural location having regard to the fact that the primary building is already in use for the care of 5 people and the impact upon the local road network and the privacy and amenity of neighbouring residents. Appropriate provision is made within the scheme for foul drainage arising from the proposed garage conversion. Taking into account all material considerations, including representations and consultation responses, the application is in accordance with the presumption in favour of sustainable development set out in policy DM1 of Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework and also with policies COR9 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 and DM8 of Local Plan Part 3 (Development Management Policies).

**Reasons**

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included discussions and determining the application in a timely fashion. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

<b>15/01075/FULL</b>	Duxmoor Calverleigh Tiverton Devon EX16 8JW	Erection of two-storey extension following demolition of existing single-storey rear and side extensions	PERMIT	DEL	26/08/2015
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**Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 The development shall be carried out in accordance with the recommendations set out within the submitted ecology survey, dated 02.07.2015, having particular regard to appendix 4 - Conservation action statement.

**Reasons**

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure any nature conservation interests are preserved in accordance with policy DM11 of the Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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**Reasons**

The proposed extension by virtue of its scale, massing, design and location is not considered to harm the privacy or amenity of the occupiers of another dwelling, the future amenities and services of the dwelling to be extended or its surroundings, protected species. As such the proposal is considered to comply with policies DM2 and DM13 of Mid Devon Local Plan part 3 (Development Management Policies) and guidance as in National Planning Policy Framework.

**Reasons**

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included determining the application in a timely fashion. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

<b>15/01133/TPO</b>	Land at NGR 294835 112898 (Adjacent To Shortridge Mead Flats) Patches Road Tiverton Devon	Application to pollard to 3m 1 Holm Oak tree protected by Tree Preservation Order 80/00001/TPO	PERMIT	COMM	27/08/2015
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**Conditions**

- 1 The works hereby permitted shall be carried out within two years of the date of this consent.
- 2 All works shall be carried out in accordance with BS3998:2010 Tree Work Recommendations and/or European Pruning Guide (AA guidance Note No. 5) by an appropriately experienced and qualified tree surgeon.

**Reasons**

- 1 To ensure the works carried out remain appropriate to the condition of the tree(s) and in the interests of visual amenity and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.
- 2 To ensure the works are carried out in accordance with best Arboricultural practice.

**Reasons**

The proposed works to pollard the tree are considered to be sufficiently justified, and are not considered to result in an unacceptable impact upon the amenity of neighbouring residents of the visual amenities of the surrounding residential area. Permission is hereby granted subject to conditions.

<b>15/01182/FULL</b>	Backwood Farm Bickleigh Tiverton Devon EX16 8RA	Erection of replacement dwelling following demolition of existing dwelling (Revised scheme)	PERMIT	DEL	27/08/2015
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**Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
3		Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes A, B or C of Part 1 of Schedule 2, relating to extensions, additions and alterations to the roof shall be undertaken without the Local Planning Authority first granting planning permission.			
4		The development hereby approved shall be carried out in accordance with the recommendations set out in paragraph 4.1 (page 7) of Seasons Ecology Bat Surveys Report dated August 2014.			

#### Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the character and amenity of the area are not harmed and the rural dwelling stock remains affordable for local residents in accordance with Policy DM12 of the Local Plan Part 3 (Development Management Policies).
- 4 To ensure the development does not cause harm to any European Protected Species and mitigate possible impacts upon local wildlife in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1).

#### Reasons

The Local Planning Authority considers that the proposal complies with the requirements of Policy DM12 of the Local Plan Part 3 (Development Management Policies) in that it is a replacement dwelling which, together with the unspent permitted development rights, does not exceed the floorspace of the existing dwelling. The design is considered acceptable to comply with Policy DM2 of the Local Plan Part 3 (Development Management Policies) and Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and by virtue of its isolated location, it is unlikely that there will be any public views, other than far reaching ones. The proposal therefore complies with Policies COR and COR18 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2 and DM12 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

#### Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included determining the application in a timely fashion. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

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