

Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
14/01567/FULL	Velthams Morebath Tiverton Devon EX16 9AL	Conversion and extension of existing barn to form dwelling and replacement garage (Revised Scheme)	PERMIT	DEL	22/12/2014

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 No development shall begin until a schedule of works has been submitted to and approved in writing by the Local Planning Authority. The schedule of works shall include: (a) details of any demolition or removal of any building fabric and any rebuilding or repairing works required to convert the buildings; (b) details of all measures required to support any wall, floor, roof or other vertical or horizontal surface (c) details of measures required to provide protection for the building against the weather during the conversion works. The agreed schedule shall be strictly adhered to.
- 4 The development shall be carried out in accordance with the recommendations in the protected species survey by Devon Wildlife Consultants dated July 2013 and the protected species survey of building, bat emergence and dawn re-entry surveys by Devon Wildlife Consultants dated August 2013. No works to the barn shall be carried out until a replacement bat roost has been provided in the form of a bat loft above the proposed garage in accordance with details to be approved under a European Protected Species Licence from Natural England.
- 5 Working details of the external windows and doors shall be submitted to, and approved in writing by, the Local Planning Authority before their installation in the buildings. Installation of the windows and doors shall be in accordance with the approved details and shall be so retained.
- 6 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 and D of Part 1 of Schedule 2, relating to the enlargement or alteration of the dwelling or its roof, 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 character of the building of retained and to protect the building during conversion works in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM2 of the Local Plan Part 3 (Development Management Policies).
- 4 To safeguard protected species on the site and to enhance the site for biodiversity in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).
- 5 To ensure the use of materials and detailing appropriate to the development, in order to safeguard the character and appearance of the building in accordance with: Mid Devon Core Strategy (Local Plan Part 1) COR2 Local Plan Part 3 (Development Management Policies) DM2.

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6 To protect the character of the building and the living conditions of neighbouring occupiers in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM2 of the Local Plan Part 3 (Development Management Policies).

Reasons

The current proposal is acceptable in that the building is capable of being converted without significant rebuilding, alteration or extension, the small extension to the rear being required for lift access to the first floor. Adequate living space, parking and amenity space will be provided. Subject to conditions, the design is considered to preserve the character and appearance of the barn and not to harm the rural character of the area. The proposed conversion is not considered to lead to any material loss of privacy or amenity for neighbouring occupants. It has been demonstrated that adequate provision can be made to replace any habitats lost during the conversion and compliance with the recommendations in the ecology reports has been conditioned. The proposal is considered to comply with the requirements of relevant Policies: COR2 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2, DM8, DM11, DM14 and DM15 of the Local Plan Part 3 (Development Management Policies).

14/01654/FULL	7 Sawyers Mill Shillingford Tiverton Devon EX16 9RY	Erection of first floor extension over existing garage	PERMIT	DEL	22/12/2014
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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 No development shall begin until details of the materials to be used for all the external surfaces of the building(s) have been submitted to, and approved in writing by, the Local Planning Authority. Such approved materials shall be so used and 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 use of materials appropriate to the development in order to safeguard the visual amenities of the area, character and appearance of the building, in accordance with Policy DM2 and DM13 of the Mid Devon Local Plan Part 3 (Development Management Policies).

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 of the dwelling to be extended or its surroundings. As such the proposal is considered to comply with Local Plan Part 3 (Development Management Policies) DM2 and DM13.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
14/01789/PNCOU	Land and Buildings at NGR 290600 119277 (Wheatlands Farm) Stoodleigh Devon	Prior notification for the change of use of agricultural building to 2 no. dwellinghouse under Class MB(a) and (b)	APA	DEL	22/12/2014

Conditions

Before the dwellings hereby approved are first occupied, use of the building marked as "Redundant barn" on drawing number PP003C dated December 2014 and the adjacent cattle yard shall cease and shall not be used for any agricultural or other purpose without having first granted planning permission for such use.

Reasons

The proposed change of use of the building into dwelling/s as shown on the approved plans accords with the requirements of Class MB (a) and MB (b) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Reasons

In the interests of highway safety as, without the existing agricultural use ceasing, the development would generate additional traffic which would not be acceptable without improvements to the access visibility and visibility at the junction at Ash Cross, and in the interests of the amenities of future occupiers of the dwellings.

14/01804/FULL	Land Adjacent to Applegarth Silver Street Culmstock Cullompton Devon EX15 3JE	Erection of 2 bungalows and associated works	PERMIT	DEL	23/12/2014
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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 No development shall begin until there has been submitted to, and approved in writing by the Local Planning Authority, a landscaping scheme, including details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth reprofiling comprised in the approved details 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 five 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.
- 4 Before the development hereby permitted is first brought into use, the vehicular access, parking and turning areas indicated on the approved plans shall be surfaced and drained (to avoid surface water discharge onto the highway) in accordance with details to be submitted to, and be approved in writing by, the Local Planning Authority. Following their provision, these facilities shall be so retained.
- 5 No dwelling shall be occupied until there has been submitted to, and been approved in writing by, the Local Planning Authority a plan indicating the height, positions, design, materials and type of boundary treatment to be erected on the site. The boundary treatment so approved shall be completed in accordance with the approved details prior to the first occupation of either of the approved dwellings and shall be so retained.
- 6 The visibility splays shown on the approved plan shall be constructed prior to the first occupation of the first dwelling. There shall be no obstruction to visibility within these splays over 600mm above adjoining road level, and such visibility splays shall be so retained.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
2		For the avoidance of doubt and in the interests of proper planning.			
3		To ensure that the development makes a positive contribution to the character and amenity of the area in accordance Policy DM2 of Local Plan Part 3 (Development Management Policies).			
4		In the interest of highway safety, and to ensure that adequate on-site facilities are available for traffic attracted to the site in accordance DM2 (criterion d) and DM14 Local Plan Part 3 (Development Management Policies) and/or in accordance with guidance in the National Planning Policy Framework (NPPF).			
5		To safeguard the character and amenities of the area in accordance with Policy DM2 of Local Plan Part 3 (Development Management Policies).			
6		In the interest of highway safety to ensure adequate visibility at the point of access and egress from vehicles entering or leaving the site in accordance with DM2 (criterion d) Local Plan Part 3 (Development Management Policies) and/or in accordance with guidance in the National Planning Policy Framework (NPPF).			

Reasons

Subject to the imposed conditions the proposed dwellings are considered to be of an appropriate scale, design and siting for this edge of village location and having regard to the nature of the surrounding built environment. The dwellings will not cause demonstrable harm to the privacy or amenity of neighbouring properties and make adequate provision for the parking and turning of vehicles on the site utilising a new access which has sufficient visibility from and of emerging vehicles; each of the dwellings is provided with an appropriate amount of private amenity space. Having regard to all material considerations the application is in accordance with the requirements of Mid Devon Core Strategy (Local Plan 1) Policies COR1, COR2, COR17, Local Plan Part 3 (Development Management Policies) DM2, DM8, DM14, DM15 and Government guidance within the National Planning Policy Framework.

14/01816/FULL	Land and Buildings at NGR 273231 108312 (Adjacent Malt Scoop Public House) Lapford Devon	Variation of condition 3 of planning permission 12/01782/FULL to change white timber windows to light oak stain	PERMIT	DEL	23/12/2014
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Conditions

- 1 The effective date for the development hereby approved is 30th October 2014.
- 2 The development hereby permitted shall be carried out in accordance with plans listed in the schedule on the decision notice.
- 3 The entrance gates provided as shown on the approved plans shall be so retained shall continue to be hung only so that they open away from the highway.
- 4 There shall be no obstruction to visibility within the approved splays over 600mm above adjoining road level, and such visibility splays shall be so retained.
- 5 Following the provision of the vehicular access, parking and turning areas indicated on the approved plans and implemented as such, these facilities shall be so retained.
- 6 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, G of Part 1, or Classes A, B, C of Part 2 of Schedule 2, 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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
2		For the avoidance of doubt and in the interests of proper planning.			
3		To ensure the formation of a safe and satisfactory access.			
4		In the interests of highway safety to ensure adequate visibility at the point of access and egress from vehicles entering or leaving the site.			
5		In the interests of highway safety to ensure adequate visibility at the point of access and egress from vehicles entering or leaving the site.			
6		To safeguard the character and appearance of the Conservation Area and residential amenity of neighbouring residents in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies) and Government policy as contained in the National Planning Policy Framework.			

Reasons

It is the opinion of the Local Planning Authority that the proposed change of finish from paint to stain to all the windows as they have been installed at the house is acceptable in the setting of the character and appearance of the Conservation Area. On this basis the proposal is in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies) and Government policy as contained in the National Planning Policy Framework.

14/01858/PNCOU	Wheatland Stud (Wheatland Farm) Stoodleigh Tiverton Devon EX16 9QE	Prior notification for the change of use of agricultural building to 2 dwellings under Class MB(a)	APA	DEL	22/12/2014
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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 MB (a) of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Prior approval is not required.

14/01861/FULL	Land at NGR 300503 112348 (Bycott Farm) Lower Town Halberton Devon	Erection of cover over existing silage clamp	PERMIT	DEL	22/12/2014
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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 building hereby approved, shall be used only for agricultural purposes. On its becoming redundant for such purposes, it shall be demolished, and all materials resulting from the demolition shall be removed from the site, within 3 years of the date this occurs.

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 safeguard the rural character of the area in accordance with Policies DM2 and DM22 of Local Plan Part 3 (Development Management Policies).

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Reasons

The proposed agricultural building is considered to be reasonably necessary for the purposes of agriculture on the holding and by virtue of its scale, massing, design and location within the centre of the farmyard is not considered to harm the amenity of the occupiers of nearby dwellings, or its surroundings, including the setting of the Halberton Conservation Area and that of the unlisted Bycott Farmhouse which is considered to be an unlisted heritage asset. As such the proposal is considered to comply with Policy COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2, DM22 and DM27 of the Local Plan Part 3 (Development Management Policies).

14/01871/FULL	Higher Penstone Farm Penstone Colebrooke Crediton Devon EX17 5JR	Erection of replacement rear extension, side extension and garden room	PERMIT	DEL	23/12/2014
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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 external finishes of the development hereby permitted shall match in material, colour, style, and texture those of the existing building.
- 4 The extneisons above hereby approved shall be used for ancillary activities to the existing dwelling on the site (currently known as Higher Penstone Farm), and no part shall be used, let or otherwise disposed of as a separate unit of accommodation or for commercial purposes.

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 a satisfactory appearance to the development in the interests of the visual amenities of the area and to comply with policies DM2 and DM13 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 4 In accordance with COR18 of Mid Devon Core Strategy (Local Plan Part 1), as the site is in open countryside and outside of a settlement boundary there is no policy support for a development of a new dwelling in the open countryside.

Reasons

The application scheme for the erection of rear and side extensions (to include a self-contained bedroom) and a garden room is considered to be acceptable. The property benefits from a large curtilage and it is not considered that the proposal would result in over development of the curtilage. The proposal is not considered to result in any significant adverse impacts on the occupiers of neighbouring properties in terms of loss of light, overlooking or loss of privacy. The side extension utilises the space between the dwelling and a barn to the west but the scheme does not include any amendments to the barn building itself. The proposed sun room extends from the principle elevation of the property, given the scale and design is considered to be a subservient addition to the host dwelling. Overall the application scheme is considered to respect the character and appearance of the property and is in accordance with the following policies Mid Devon Core Strategy (Local Plan Part 1) COR2 and COR18, Local Plan Part 3 (Development Management Policies) DM1, DM2 and DM13 and Government advice in the National Planning Policy Framework.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
14/01874/FULL	24 Churchills Rise Hemyock Cullompton Devon EX15 3AU	Erection of single storey extension and retention of the conversion of a garage to additional living accommodation	PERMIT	DEL	22/12/2014

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 Before the first use of the raised external areas, including the proposed terrace as shown on the approved plans the 1m high solid panel timber fence with 0.8m high timber trellis over and glazed screen as also shown on the approved plans shall first have been provided. Once provided the approved boundary treatment and glazed screen shall thereafter be retained.
- 4 Before the raised external amenity areas and raised garden hereby permitted are first brought into their intended use, the northern boundary treatment, planting and opaque screen as indicated on the approved plans shall first have been provided. Once, provided the boundary treatment, planting and opaque screen shall thereafter be retained. Any plants which within a period of five 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.

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 protect the privacy and amenity of the occupiers of the neighbouring property in accordance with policies DM2 and DM13 of Local Plan Part 3 (Development Management Policies).
- 4 In order to preserve privacy and amenity for the occupiers of the neighbouring property to the north, in accordance with policies DM2 and Dm13 of Local Plan Part 3 (Development Management Policies).

Reasons

On balance, the proposed extensions, alterations and raising of ground levels 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 dwelling to be extended or its surroundings to an extent to warrant refusal of the application. The site is located within the Area of Outstanding Natural Beauty but is not considered to detract from its character, appearance or other aspects of its natural beauty. In reaching this decision, the Council has carefully considered all representations made and consultation responses received. On balance, having regard to all material considerations the proposal is considered to comply with Local Plan Part 3 (Development Management Policies) DM2, DM8, DM13, DM29 and Government guidance as set out in the National Planning Policy Framework.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
14/01900/PNCOU	Land at NGR 292213 107885 (Next To Caswell House) Cadeleigh Devon	Prior notification for the change of use of an agricultural building to a dwelling under Class (MB)a	RPA	DEL	22/12/2014

Reasons

- 1 It has not been demonstrated that the building was in an agricultural use as part of an established agricultural unit on the 20th March 2013, in accordance with criterion (a) of Class MB.1. Furthermore, the building is unlikely to have been used as part of an agricultural trade or business and therefore, the permitted development rights as set out in Class MB, Part 3 of the Town and Country Planning (General Permitted Development) Order 1999 (as amended) are not applicable to the application site.
- 2 The Local Planning Authority considers that any increased use to the existing access resulting from the proposed development would, by reason of the limited visibility, be likely to result in additional dangers to all the users of the road. Additionally, upgrades to the access to improve visibility are unlikely to amount to permitted development in accordance with Class MB of The Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2008.
- 3 In order for this proposal to be permitted development under Class MB, it must relate to the 'change of use of a building and land within its curtilage from use as an agricultural building to a use falling within Class C3 (dwellinghouse)'. The term 'curtilage' is defined as 'an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building'. In this instance, the applicant has provided a plan which indicates a floor space of 38sqm and a curtilage of 90sqm and therefore this proposal is not in accordance with the requirement of Class MB relating to permitted development.
- 4 Due to a lack of supporting information, it cannot be established that there are no contamination risks upon the site, the proposal is therefore contrary to condition MB.2 (1) (c) of Class MB.

14/01906/CLP	Vindor Stoodleigh Tiverton Devon EX16 9PP	Certificate of Lawfulness for the proposed erection of an extension	PERMIT	DEL	22/12/2014
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Conditions

- 1 The proposed extension, including the addition of two roof lights into the existing roof slope, amounts to permitted development in accordance with Article 3, Schedule 2, Part 1, Class A and Class C of The Town and Country Planning (General Permitted Development) Order 1995 as amended by The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2008.