

# Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/01511/MFUL	Viridor Waste Management Ltd Broad Path Landfill Site Burlescombe Cullompton Devon EX15 3EP	Installation of a ground mounted photovoltaic solar farm to generate up to 5MW of power (site area 8.5 hectares), and associated infrastructure	PERCON	COMM	18/12/2015

## 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 The development hereby permitted shall be carried out in accordance with the submitted Construction Management Plan and supporting Drawing BP1030-D13 received by the Local Planning Authority on the 4th December 2015.
- 4 The development hereby approved shall be carried out in accordance with the submitted flood risk management details contained in a letter dated the 20th of November 2015 reference BP1030-L3 under heading Number 7 and shown on the Indicative Layout for the Solar Array dated August 2015 and received on the 20th of November 2015 Drawing Figure P3 (Rev C). The drainage swales shall be constructed prior to the installation of the solar panels and shall be permanently retained and maintained for that purpose while the development hereby permitted is sited on the land.
- 5 The development hereby approved shall be carried out in accordance with the recommendations of the Extended Phase 1 Habitats Survey produced by Ahern Ecology in November 2014 and received on the 28th of September 2015 and the details contained in a letter dated the 20th of November 2015 reference BP1030-L3 under heading Number 6. Exclusion fencing shall be erected around fields 1 and 2 as annotated on the Indicative Layout for the Solar Array dated August 2015 and received on the 20th of November 2015 Drawing Figure P3 (Rev C) prior to the commencement of phase 1.
- 6 Prior to the commencement of phase 2 of the proposed development concerning fields 3 and 4 on the Indicative Layout for the Solar Array dated August 2015 and received on the 20th of November 2015 Drawing Figure P3 (Rev C), an up to date Extended Phase 1 Habitats Survey shall be submitted to the Local Planning Authority, the recommendations and mitigation measures set out in the survey shall be implemented in full, in accordance with a timescale which shall be submitted to and approved in writing by the Local Planning Authority.
- 7 The existing hedge and tree screening shall be retained and maintained for the life of the development hereby permitted in accordance with the details set out in plan BP1030-D14v4 named Areas of Retained Woodland during Solar Array Development (Phases 1 and 2), dated December 2015 and received by the Local Planning Authority on 14th December 2015. No trees or hedgerow shall be removed without prior consent from the Local Planning Authority.
- 8 No external artificial lighting shall be installed at the site without planning permission first having been obtained.
- 9 All cables shall be placed underground.
- 10 Notwithstanding the provisions 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), other than those expressly granted by this planning permission and required for the approved ecological mitigation, no fences, gates walls or other means of enclosure shall be erected within the application site.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
11		The planning permission hereby permitted is for a period of 25 years from the date of first export of electricity from the development to the grid (the 'first export date') after which the development hereby permitted shall be removed. Written notification of the first export date shall be given to the Local Planning Authority no later than 28 days after its occurrence.			
12		The developer shall notify the local planning authority of the permanent cessation of electricity generation in writing no later than five working days following this event. Prior to the permanent cessation of electricity generation, a scheme for the decommissioning and restoration of the site shall be submitted to and approved in writing by the local planning authority. Such a scheme shall include the following: i) Details of the removal of the solar PV panels, frames, inverter modules, substation, fencing, cabling, foundations and access track and restoration of the land; ii) Parking of vehicles for site personnel and operatives; iii) Loading and unloading of plant and materials; iv) Storage of plant and materials; v) Programme of works including measures for traffic management; vi) Provision of boundary hoarding behind any visibility zones; vii) Vehicle wheel wash facilities; viii) Highway condition surveys; ix) Extended Phase 1 habitat survey, which covers the whole of the site and predates the date of cessation of electricity generation by no more than 12 months; and x) A soil management strategy to bring the site back into agricultural use. The approved decommissioning and restoration scheme shall be fully implemented within 12 months of the cessation of electricity generation.			
13		Prior to the commencement of phase 2 of the proposed development concerning fields 3 and 4 on the Indicative Layout for the Solar Array dated August 2015 and received on the 20th of November 2015 Drawing Figure P3 (Rev C), a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall include the following details: (a) the timetable of the works; (b) daily hours of construction; (c) hours during which delivery and construction traffic will travel to and from the site; (d) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority; (e) hours during which no construction traffic will be present at the site; (f) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site (g) details of wheel washing facilities and road sweeping obligations (h) The proposed route of all construction traffic exceeding 7.5 tonnes. (i) Details of the amount and location of construction worker parking. The works shall take place in accordance with the approved construction management plan.			
14		Prior to the commencement of Phase 2 of the development hereby approved, concerning fields 3 and 4 on the Indicative Layout for the Solar Array dated August 2015 and received by the Local Planning Authority on the 20th November 2015, Drawing Figure P3 - Rev C, a Landscaping Scheme shall be submitted to and approved in writing by the Local Planning Authority. Such works shall include the gapping up of the eastern boundary of the site. The approved scheme shall be provided prior to the commencement of Phase 2. Any trees or plants which, within a period of five years from the completion of Phase 2 of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species. Once provided the approved Landscaping Scheme shall be so retained, for the lifetime of the development hereby approved.			

## 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 In the interest of highway safety and to ensure that adequate on-site facilities are available for traffic attracted to the site in accordance with Policy DM2 of Local Plan Part 3 (Development Management Policies).
- 4 To prevent an increase in flooding and to provide adequate means of surface water disposal, in accordance with Policy COR11 of the Mid Devon Core Strategy (Local Plan Part 1), Policy DM2 of Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.
- 5 To ensure the adequate protection of protected species in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies)
- 6 To ensure the adequate protection of protected species in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies)
- 7 To ensure adequate screening and to safeguard the visual amenities of the area in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
8		To minimise the potential for light pollution and disturbance to local amenity in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
9		To safeguard the visual amenities of the area in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
10		To safeguard the visual amenities of the area in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2 and DM5 of Local Plan Part 3 (Development Management Policies).			
11		To reflect the temporary nature of the proposal and to achieve restoration of the site in the interests of visual amenity, highway safety and protected species in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2 and DM5 of Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.			
12		To reflect the temporary nature of the proposal and to achieve restoration of the site in the interests of visual amenity, highway safety and protected species in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2 and DM5 of Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.			
13		In the interest of highway safety and to ensure that adequate on-site facilities are available for traffic attracted to the site in accordance with Policy DM2 of Local Plan Part 3 (Development Management Policies).			
14		To ensure adequate screening and to safeguard the visual amenities of the area in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).			

#### Reasons

Given that there are no residual objections from statutory consultees and LVIA concludes that the site is not unsuitable for the proposed development when considering the existing landscape character and visual amenity of the study area and that the landscape setting has the capacity to accommodate the proposed development. It is considered that the benefits of the scheme outweigh any harm arising and the application meets with the requirements of Mid Devon Core Strategy (Local Plan 1) Policies COR2, COR5, COR9, COR11 and COR18, Mid Devon Local Plan Part 3 (Development Management Policies) Policies DM2, DM4, DM5, DM7, DM27, DM29 and DM30 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 discussions, negotiation 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.

15/01582/FULL	Unit 3 Harris Court Kennedy Way Tiverton Devon EX16 6RZ	Erection of extension to create retail space	PERCON	DEL	18/12/2015
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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 commencement of works in the construction of new car park and turning areas to the side and rear of the unit, a detailed drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and shall be retained thereafter.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
4		The development shall be carried out in accordance with the flood resilience measures set out under Part 6 of the AWP Report dated 22nd September 2015 received by the Local Planning Authority on 16th November 2015.			
5		The development shall be carried out fully in accordance with the site layout indicated on proposed site plan 1:500 B11710 13 D received 18th November 2015. The layout specified including parking spaces, signage and turning areas shall be provided and retained thereafter.			

#### 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 appropriate drainage measures are in place in order to prevent issues with surface water and flow into the watercourse, where the site is within Flood Zone 3 in accordance with COR1 and COR13 of the Core Strategy 2007.
- 4 To ensure the development is appropriate in its construction and safe in its future use in Flood Zone 3 with provision for disposal of surface run off.
- 5 To ensure that a suitable layout for parking and access is complied with, in the interests of highway safety.

#### Reasons

The applicant has submitted a case in support of the expansion of the existing retail unit, and it is considered that this case has adequately justified the additional retail floor space. Furthermore the works by virtue of its scale, massing, design and location is not considered to harm the privacy or amenity of the occupiers of residential properties and the development will be less vulnerable to flood risk subject to the carrying out of flood mitigation measures. Subject to conditions, the proposal is considered to comply with policies COR2 and COR18 of the Mid Devon Core Strategy 2007, DM2 and DM22 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 the following 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.

15/01653/FULL	Lucas Farm Uffculme Cullompton Devon EX15 3AZ	Erection of linked extension block ancillary to main dwellinghouse	REFUSE	DEL	21/12/2015
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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 discussions, negotiations 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.

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

- 1 The existing dwelling was granted in 2006 on the basis that it complied with the relevant policies of the time and specifically that a functional and financial need for a permanent dwelling had been demonstrated and there was no suitable alternative accommodation in the locality at the time. At that time it was found that the enterprise supported a 3 bedroomed dwelling. Alterations to the internal fabric of the dwelling have resulted in the creation of a 5 bedroomed property with additional ancillary accommodation. The applicant has not supplied plans that accurately show the existing accommodation. To this end, the Council have taken all reasonable steps to estimate the accommodation provided by the existing arrangement of the dwelling. The applicant has failed to demonstrate that the proposed extension or the resultant dwelling of approximately 462sq is commensurate with the functional requirement of the enterprise and that the resultant dwelling is capable of being sustained by the enterprise. The proposed extension would result in a dwelling that is not at a size and value that will be affordable for rural workers, contrary to this element of DM10. In the absence of such evidence the Council consider that the dwelling as proposed to be enlarged would raise a significant risk that an application for the removal of the agricultural occupancy condition would be likely to succeed. This would lead to the establishment of a new dwelling outside any settlement limits in the open countryside, contrary to Policies COR18 of the Mid Devon Core Strategy (Local Plan Part 1), DM10 of the Local Plan Part 3 (Development Management Policies) and to Paragraphs 14 and 55 of the National Planning Policy Framework.
- 2 The proposed extension by virtue of its overall scale, massing, and design and location is considered to harm the appearance of the dwelling to be extended and its surroundings. As such the proposal is not considered to comply with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2 and DM13 of the Local Plan Part 3 (Development Management Policies).

15/01654/FULL	Barne Farm Clayhidon Cullompton Devon EX15 3TU	Change of use of land to allow the siting of 2 holiday lodges (Revised Scheme)	PERCON	DEL	18/12/2015
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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 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, turving 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. Once provided, the landscaping scheme shall be so retained.
- 4 The two holiday lodges hereby approved shall be occupied for holiday purposes only and shall not be occupied as a persons sole or main residence. The owners/operators shall maintain an up-to-date register of the names of all occupiers of individual caravans/cabins/chalets/lodges on the site, their arrival and departure dates and their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.
- 5 Prior to installation, details of the proposed package treatment plant shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be provided on site prior to the first occupation, or part thereof, of the holiday lodges hereby approved, and shall be retained and maintained thereafter.
- 6 Prior to its use on the lodges hereby approved a sample of the proposed roofing material shall be submitted to and approved in writing by the Local Planning Authority, the approved material shall be retained thereafter.
- 7 Prior to its use on the approved timber lodges, details of any paint, stain or any other finish to be used on the timber shall be submitted to and approved in writing by the Local Planning Authority, the approved finish shall be retained thereafter.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
8		On the approved lodges becoming redundant for the holiday use applied for, they shall be demolished and all resultant materials removed from site within 3 years of redundancy.			
9		Before their installation, details of any external lighting will have been submitted to and approved in writing by the Local Planning Authority. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.			
10		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, D, E, F of Schedule 2 Part 1 or Part 2 Class A relating to: the enlargement, improvement or other alteration to a dwellinghouse; additions or alterations to the roof of the dwellinghouse; porches; buildings incidental to the enjoyment of the dwellinghouse; hard surfaces incidental to the enjoyment of the dwellinghouse; gates, fences walls 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 that the development is well integrated with its surroundings, so as not to harm the character and landscape of the rural area and to conserve the appearance, setting and other special qualities of the Area of Outstanding Natural Beauty.
- 4 The site is outside defined settlement limits in the open countryside, where permanent dwellings with unrestricted occupation would be contrary to adopted planning policy, however the application is considered to be in accordance with Policy DM24 of the Local Plan Part 3 (Development Management Policies) and National Planning Policy Framework (NPPF).
- 5 To ensure adequate facilities are provided on site to deal with the disposal of foul sewage in conjunction with the holiday use of the site.
- 6 To ensure that the development is well integrated with its surroundings, so as not to harm the character and landscape of the rural area and to conserve the appearance, setting and other special qualities of the Area of Outstanding Natural Beauty.
- 7 To ensure the use of materials appropriate to the development/works in order to safeguard the visual amenities of the area in accordance with: Mid Devon Core Strategy (Local Plan Part 1) COR2 Local Plan Part 3 (Development Management Policies) DM2 and DM29
- 8 The site is in the open countryside and within the Blackdown Hills Area of Outstanding Natural Beauty. Should the approved use cease, their removal would protect the visual amenity and appearance of the locality against unnecessary development in the open countryside.
- 9 To safeguard the rural character of the area in accordance with Policy COR18 of Mid Devon Core Strategy (Local Plan 1) and Policy DM22 and DM29 of Local Plan Part 3 (Development Management Policies).
- 10 To safeguard the visual amenities of the area and residential privacy and amenity of neighboring residents in accordance with the Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and the Mid Devon Local Plan Part 3 (Development Management Policies) Policies DM2 and DM29.

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

The proposed siting of two holiday lodges at Barne Farm, Clayhidon, is justified in terms of their countryside location and it has been demonstrated that the niche wildlife photography holidays that will be offered at the site as set out in the submitted business plan are not something that are offered elsewhere in nearby settlements. The site is located in the Blackdown Hills Area of Outstanding Natural Beauty, the proposed lodges are considered to respect and conserve the appearance of the Area of Outstanding Natural Beauty, due to their siting and construction, subject to the conditions imposed. As such the proposed development is considered to comply with Policies COR2, COR9 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2, DM8, DM24 and DM29 of the 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 negotiations, 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>15/01695/CLU</b>	The Stables Blackborough Cullompton Devon EX15 2HJ	Certificate of Lawfulness for existing use of caravan as residential dwelling for a period in excess of 10 years	PERMIT	DEL	21/12/2015
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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 located at The Stables, Blackborough, has been sited on the land for residential purposes and has been occupied continuously as such for a period in excess of 10 years. Although it is considered on the balance of probability that the mobile home was not in continuous occupation for residential use at the time of the application, the residential use is considered to be dormant and this is sufficient to demonstrate an existing uses for the purposes of section 191(1). The caravan, its associated seating, wider garden area and access is considered to form the residential unit, the fenced field and buildings on the site are not considered on the balance of probability to form part of the residential unit and instead are considered to have an agricultural/equestrian use. The certificate granted demonstrates what the Local Planning Authority considers to be the relevant residential unit that has been as such for a period in excess of 10 years.

<b>15/01710/TPO</b>	7 Buttercup Road Willand Cullompton Devon EX15 2TX	Application to reduce side and back lateral limbs by 3 metres of 1 Oak tree protected by Tree Preservation Order 99/00002/TPO	PERMIT	DEL	21/12/2015
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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.
- 3 The works hereby permitted shall consist solely of the following: a) Crown-reduce west side of the canopy where it overhangs the 7 Buttercup Road by up to 3 metres to give 2 metre clearance between the tree and the property using natural target pruning.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
<b>Reasons</b>					
<ol style="list-style-type: none"> <li>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.</li> <li>2 To ensure the works are carried out in accordance with best Arboricultural practice.</li> <li>3 To preserve the continued contribution of the tree to the local character and amenity whilst enabling such works as are required to manage the tree and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.</li> </ol>					
15/01725/FULL	Tinarber Lapford Crediton Devon EX17 6QU	Erection of a dwelling and garage after removal of existing pre-fabricated dwelling	PERCON	DEL	24/12/2015

#### 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 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, C or D of Part 1 of Schedule 2, relating to extensions, additions and alterations to the roof and porches shall be undertaken without the Local Planning Authority first granting planning permission.
- 4 Before the commencement of the development hereby permitted samples of the materials to be used for all the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority.
- 5 Before the commencement of the development hereby permitted working details of the new external doors/door frames/windows, including sections, mouldings and profiles, finishes and glazing shall be submitted to, and be approved in writing by, the Local Planning Authority. Installation of the doors/door frames/windows shall be in accordance with these approved details, and be so retained.
- 6 The garage building hereby approved shall be used as ancillary accommodation to the proposed dwelling on the site as hereby approved, and no part shall be used, let or otherwise disposed of as a separate unit of accommodation or for commercial purposes.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and/or re-enacting that Order) the proposed windows and glazed feature at first floor level on the north east and north west elevations respectively shall glazed with obscure glass to a specification to be agreed with the Local Planning Authority and shall be permanently maintained thereafter with obscure glazed.
- 8 No development shall begin until a Method of Construction Statement to include details of: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials (d) Hours of working shall have been submitted to, and agreed in writing by, the Local Planning Authority. Only the approved details shall be implemented during the construction period.

#### 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.



Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
3		To ensure the size of the replacement dwelling reflects the requirements of Policy DM12 of the 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 Local Plan Part 3 (Development Management Policies).			
4		To ensure the new building is of an acceptable standard and makes a positive contribution to the visual qualities of the area in accordance with policy DM2.			
5		To ensure the new building is of an acceptable standard and makes a positive contribution to the visual qualities of the area in accordance with policy DM2.			
6		The application has been submitted and determined on the basis of a single replacement dwelling and garage, and on the basis there would be no policy support for a further new dwelling on the site as the site is in the open countryside in accordance with Policy COR18 of the Mid Devon Core Strategy (Local Plan 1).			
7		The safeguard the amenities of the adjoining premises from overlooking and loss of privacy in accordance with policy DM2.			
8		To ensure the provision of adequate facilities during the construction period, in the interests of highway safety and to protect the amenities of other local residents along Popes Lane.			

### Reasons

The application scheme for the erection of a dwelling and garage after removal of existing pre-fabricated dwelling is considered to be supportable in policy terms. The scheme presents a reasonable increase in scale in accordance with the relevant policy. Furthermore, given the revised siting for the new dwelling in relation to nearby properties; it is not considered that there would be any significant impacts on the amenity of occupants of any nearby properties as a result of the change in massing of the proposed house compared to that of the existing. The proposed contemporary design of the replacement dwelling is considered to be acceptable and it is not considered that it would harm the landscape character and/or visual appearance of the area. On this basis the Local Planning Authority is satisfied that the application scheme complies with the following policies, COR2 and COR18 of the Mid Devon Core Strategy (Local Plan part 1), DM1, DM2, DM8, DM12 and DM14 of the Local Plan part 3 (Development Management Policies) and Government advice 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 completing 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>15/01731/PNCOU</b>	Land and Building at Middle Rill Farm Shillingford Devon	Prior notification for the change of use of an agricultural building to a dwelling under Class Q	PDA	DEL	24/12/2015
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### Conditions

- 1 Prior to the first occupation of any part of the building subject to this application as a dwellinghouse, the two existing livestock buildings used as part of the applicant's livestock transfer business and identified to the north and to the west of the application site indicated as such on the approved Site Location Plan 1:1250 shall be removed and all resultant materials removed from the site.

### Reasons

- 1 Without the removal of these existing buildings, the siting of the building subject to this application would render its change of use from an agricultural building to a dwellinghouse as impractical and undesirable due to its proximity to buildings that are in, and capable of a use of being used for any agricultural purpose or in support of the livestock transfer business.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
15/01732/PNCOU	Land and Buildings at NGR 300414 106995 Knowle Cullompton Devon	Prior notification for the change of use of an agricultural building to 2 dwellings under Class Q	RPA	DEL	22/12/2015

#### Reasons

- 1 As there is no substantive trade or business being carried out on the land in the form of agricultural activity and associated with an agricultural holding number it is considered that permitted development rights are not available to the applicant to consider the conversion under Class Q. Agricultural use must continue until the development permitted by Class Q is commenced, the building is not in sole agricultural use. It is considered that the storage of the timber the horse stables and other items within the building is substantial so that there has been a material change of use of the building to use for domestic purposes, and non-agricultural use. This change of use has brought an end to the agricultural use, and so a change of use of the building as permitted development under Part 3 of the Second Schedule to the GPDO is no longer possible.

15/01748/CLU	Mobile Home Jewells Farm Hemyock Cullompton Devon EX15 3PX	Certificate of lawfulness for the existing use of a mobile home as a dwelling for a period in excess of 10 years	REFUSE	DEL	21/12/2015
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#### Reasons

- 1 From the evidence submitted, the applicant's evidence is not sufficiently precise and unambiguous and has not shown on the balance of probabilities: 1. That there has been a change of use to residential use and occupation of the mobile home on the site for a continuous period of 10 years prior to the date of the application; or 2. That the caravan is in fact a structure and not a caravan and has been used as a dwellinghouse for a continuous period of 4 years prior to the date of the application.

15/01749/FULL	Mellow Thatch Church Street Morchard Bishop Crediton Devon EX17 6PJ	Erection of a replacement outbuilding	PERCON	DEL	24/12/2015
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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 replacement outbuilding above hereby approved shall be used for ancillary activities to the existing dwelling on the site (currently known as Mellow Thatch), and no part shall be used, let or otherwise disposed of as a separate unit of accommodation or for commercial purposes.
- 4 Prior to construction of the replacement outbuilding hereby approved, details of the timber cladding including the finish, shall be submitted to and approved in writing by the Local Planning Authority. Installation of the timber cladding shall be in accordance with these approved details and retained as such.

#### 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 character and appearance of the site in accordance with policy DM13 of Local Plan part 3 (Development Management Policies).

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4 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 policy DM2, DM13 and DM27 of Mid Devon Local Plan part 3 (Development Management Policies).

**Reasons**

The application scheme for the erection of a replacement outbuilding is considered to be supportable in policy terms. The scale and design of the outbuilding, subject to the recommended conditions is considered to respect the character, scale, setting and design of the existing dwelling. The proposed outbuilding would not harm the character, appearance or setting of the listed building or the character and appearance of the conservation area. The application scheme would not result in overdevelopment of the curtilage. The Local Planning Authority considers that the proposed development would not result in unacceptable harm to the amenity of occupiers of neighbouring dwellings. On this basis the proposal is considered to be in accordance with the following policies: COR2 and COR17 of the Mid Devon Core Strategy (Local Plan part 1), DM1, DM2, DM13 and DM27 of the Local Plan part 3 (Development Management Policies) and Government advice 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 negotiation with agent 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.

15/01752/LBC	Mellow Thatch Church Street Morchard Bishop Crediton Devon EX17 6PJ	Listed Building Consent for the erection of a replacement outbuilding	PERMIT	DEL	24/12/2015
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**Conditions**

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
- 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 Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by 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 application scheme for the erection of a replacement outbuilding is considered to be supportable in policy terms. Subject to details of the finish of the timber cladding, to be provided by condition, the proposed outbuilding would not harm the character, appearance or setting of the listed building. The proposal would not result in the loss of any historic building fabric. Overall the proposal is considered to be in accordance with the following policies: DM27 of Local Plan part 3 (Development Management Policies) and Government advice in the National Planning Policy Framework.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
<b>15/01759/PNCOU</b>	Land at NGR 303524 120114 (Copperbeach Barn) Staple Cross Hockworthy Devon	Prior notification for the change of use of an agricultural building to dwelling under Class Q	PDA	DEL	22/12/2015

**Reasons**

- 1 The proposed change of use of the building into one dwelling (C3) as shown on the submitted Location Plan 1:500/1:5000, received 2nd November 2015 amounts to permitted development under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015. Prior approval is not required.

<b>15/01769/PNCOU</b>	Land and Buildings at NGR 276521 94179 (New Place Farm) Cheriton Bishop Devon	Prior notification for the change of use an agricultural building to 2 dwellings under Class Q	PDA	DEL	24/12/2015
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**Conditions**

- 1 1.Prior to the occupation of either of the proposed units the field gate located immediately to the west of the buildings is to be permanently closed off, by the construction of a stock proof post and rail fence. Such fence is to be retained.

**Reasons**

- 1 1.To ensure when the properties are occupied the track in front of the properties is not utilised for agricultural activity which will have a detrimental impact on the amenity of the new properties.

<b>15/01792/FULL</b>	50 St Peter Street Tiverton Devon EX16 6NR	Erection of conservatory following removal of existing	PERMIT	DEL	21/12/2015
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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 proposed conservatory by virtue of its scale, massing, design and location is not considered to harm the privacy or amenity of the occupiers of another dwelling, future amenities and services of the dwelling to be extended or its surroundings. The site is located within a conservation area. It is not considered that the development detracts from the character, appearance or historic interest of the Listed Building. As such the proposal is considered to comply with policies DM2, DM13 and DM27 of the Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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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. 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.

15/01793/LBC	50 St Peter Street Tiverton Devon EX16 6NR	Listed Building Consent for the erection of conservatory following removal of existing and internal alterations	PERMIT	DEL	21/12/2015
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**Conditions**

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
- 2 The works 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 replacement conservatory is a modest scale addition to the listed dwelling and it will not have a detrimental impact on either the character or appearance of the property in accordance with policy COR2 of the Mid Devon Core Strategy and policy DM27 of the Local Plan Part 3 (Development Management Policies).

15/01796/OUT	Dunns Cheriton Fitzpaine Crediton Devon EX17 4JE	Outline for the erection of 1 dwelling following removal of existing detached garage with all matters reserved except for siting (Layout) of the dwelling	PERCON	DEL	24/12/2015
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**Conditions**

- 1 No development shall begin until detailed drawings to an appropriate scale of the scale and appearance of the building, the means of access thereto and the landscaping of the site (hereinafter called the Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority.
- 2 Application(s) for approval of all the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters which have been approved, whichever is the later.
- 4 The detailed drawings required to be submitted by Condition CO1 shall include the following additional information: boundary treatments, landscaping, existing site levels, finished floor levels, external lighting, materials, and surface water drainage.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
5		Subject to the effect of any condition of this permission the development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.			
6		Prior to their use on site, samples of the materials to be used for all the external surfaces of the building and retaining walls have been submitted to and approved in writing by the Local Planning Authority.			
7		As part of the landscaping reserved matters, detailed drawings shall show which existing trees and hedgerows are to be retained on the site as part of the development.			
8		No part of the development hereby approved shall be brought into its intended use until the access driveway, turning areas and parking spaces have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.			
9		No development shall begin until a Method of Construction Statement to include details of: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials shall have been submitted to, and agreed in writing by, the Local Planning Authority. Only the approved details shall be implemented during the construction period.			

#### Reasons

- 1 The application was submitted as an outline application in accordance with the provisions of Articles 4 & 5 of The Town and Country Planning (Development Management Procedure) Order 2010.
- 2 In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 Planning and Compulsory Purchase Act 2004.
- 3 In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 Planning and Compulsory Purchase Act 2004.
- 4 To enable the Local Planning Authority to consider the impact of the development particularly on the occupiers of the neighbouring properties and the adjacent Conservation Area, in accordance with policy DM2 of the adopted Mid Devon Local Plan Part 3 (Development Management Policies).
- 5 For the avoidance of doubt and in the interests of proper planning.
- 6 To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the conservation area in accordance with Mid Devon Core Strategy (Local Plan 1) COR2, Local Plan Part 3: (Development Management Policies) DM2 and DM15.
- 7 In the interest of the visual amenity of the area in accordance with policy DM2 of the Local Plan Part 3: (Development Management Policies).
- 8 To ensure that adequate facilities are available for the traffic attracted to the site.
- 9 To ensure the provision of adequate facilities during the construction period and in the interests of highway safety.

#### Reasons

The application scheme is considered supportable in policy terms in that it is for a residential dwelling on land that is within the settlement boundary of Cheriton Fitzpane, where minor infill development is acceptable. The scale and appearance of the building, the means of access into the site and the landscaping details are reserved for future consideration. It is considered possible for a single dwelling to be designed so that it is of a density which is compatible with its surroundings respecting the visual amenities and appearance of the streetscene. Further it is considered that on-site parking and vehicle manoeuvring facilities with a satisfactory means of access are also capable of being provided. The proposal is therefore in accordance with policies COR1, COR2 and COR17 of the Mid Devon Core Strategy 2007, policy AL/IN/3 of Local Plan 2 and policy DM1, DM2 and DM8 of Local Plan 3.

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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 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.

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