

Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/00465/OUT	Land and Buildings at NGR 294162 107150 (Site Adjacent to Bickleigh Church) Bickleigh Devon	Outline for the erection of 4 dwellings (Revised Scheme)	PERCON	COMM	09/09/2016

Conditions

- 1 No development shall begin until detailed drawings of the landscaping of the site (hereinafter called the Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority.
- 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 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 As part of the landscaping reserved matters, detailed drawings shall show which existing trees and hedges are to be retained and the location of mitigation planting on the site as part of the development.
- 5 No development shall begin until a detailed surface water drainage scheme for the site (including Sustainable Urban Drainage systems including attenuation measures) has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and maintained thereafter.
- 6 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the District Planning Authority.
- 7 No development shall begin until details of the materials to be used for all the external surfaces of the buildings have been submitted to and approved in writing by the Local Planning Authority. Such approved materials shall be so used and retained.
- 8 No thatching works shall begin until details of the style of thatching and the materials to be used to cover the roofs of the development have been submitted to, and approved in writing by the Local Planning Authority. The thatching shall be carried out in accordance with these approved details and be so retained.
- 9 No development shall begin until a scheme for the management and maintenance of the public open space shown on the submitted plans has been submitted to, and been approved in writing by the local planning authority. The approved scheme shall be implemented on completion of development and the open space area shall thereafter be permanently retained, managed and maintained in accordance with the approved scheme.
- 10 No development shall begin until a Reptile Mitigation Strategy, as recommended within the Blue Sky Ecology Report, dated October 2014, has been prepared by a qualified ecologist and submitted to, and approved in writing by the local planning authority. The development shall be carried out in accordance with the recommendations within the Reptile Mitigation Strategy.
- 11 If any works to hedges, trees or the existing buildings on site are programmed to take place in the main bird nesting season of March to August inclusive, a survey should be undertaken by a qualified ecologist and submitted to the Local Planning Authority. If evidence of nesting birds is found then works shall not commence until the ecologist has verified that the chicks have fledged.

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12		Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including: (a) the timetable of the works; (b) daily hours of construction; (c) any road closure; (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance; (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits; (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases; (g) 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; (h) hours during which no construction traffic will be present at the site; (i) the means of enclosure of the site during construction works; and (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site (k) details of wheel washing facilities and obligations (l) The proposed route of all construction traffic exceeding 7.5 tonnes. (m) Details of the amount and location of construction worker parking. (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work. The development shall be carried out in accordance with the approved Construction Management Plan.			
13		Visibility splays shall be provided, laid out and maintained for that purpose at the site access where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.60 metres above the adjacent carriageway/drive level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.40 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 25.00 metres in both directions.			
14		The site access road shall be hardened, surfaced, drained and maintained for a distance of not less than 6.00 metres back from its junction with the public highway in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority.			
15		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 on to any County Highway.			
16		No development shall begin until a scheme for tree planting and tree management has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the completion of the development and shall thereafter be permanently retained, managed and maintained in accordance with the approved scheme. New tree planting should be in accordance with the processes laid out in 'BS8545:2014 Trees: from nursery to independence in the landscape - Recommendations'.			
17		No development shall begin until an Arboricultural Method Statement and Tree Protection Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Arboricultural Method Statement and Tree Protection Plan shall be strictly adhered to before and during construction of the approved development.			

Reasons

- 1 The application was submitted as an outline application in accordance with the provisions of Articles 4 and 5 of The Town and Country Planning (Development Management) Order 2010.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 In the interest of visual amenity of the area in accordance with policy DM2 of the Local Plan Part 3 (Development Management Policies).
- 5 To ensure appropriate measures are taken to manage surface water in accordance with policies DM2 of the Local Plan Part 3 (Development Management Policies) (2013) and Mid Devon Core Strategy (Local Plan Part 1) Policy COR11.
- 6 To ensure, in accordance with paragraph 141 of the National Planning Policy Framework (2012) and the supporting text in paragraph 5.3 of the Mid Devon Local Plan Part 3: Development Management Policy DM27 (2013), that an appropriate record is made of archaeological evidence that may be affected by the development.

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7		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 Policy COR2 and Local Plan Part 3 (Development Management Policies) Policy DM27.			
8		To ensure the use of materials/detailing appropriate to the character and appearance of the building in accordance with Mid Devon Core Strategy Policy COR2 and Local Plan Part 3 (Development Management Policies) Policy DM27.			
9		To safeguard the character and amenities of the area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).			
10		To ensure protected species are not killed or injured during the construction phase of development.			
11		To ensure that the wild birds are not killed or injured during the construction phase of development in accordance the requirements of the Wildlife and Countryside Act 1981.			
12		To minimise the impact of the development on the highway network.			
13		To provide adequate visibility from and of emerging vehicles.			
14		To prevent mud and other debris being carried onto the public highway.			
15		In the interest of public safety and to prevent damage to the highway.			
16		To safeguard the character and appearance of the area in accordance with Policy DM2 of the Local Plan Part 3: Development Management Policies.			
17		To ensure the development makes a positive contribution to the character and appearance of the area by protecting existing trees during development in accordance with policy DM2 of the Local Plan Part 3: Development Management Policies.			

Reasons

The proposed development for the erection of four dwellings and provision of public open space is not policy compliant with the development plan given the location of the development outside a defined settlement limit. However, the absence of a five year supply of deliverable housing land is a material consideration which requires the proposal to be approved unless the harm significantly and demonstrably outweighs the benefits, or that other policies within the National Planning Policy Framework indicate otherwise. The range of services and facilities at Bickleigh, is greater than within most locations which are outside defined settlement limits, whilst the provision of a frequent bus service along the adjoining main road from Tiverton to Exeter/Crediton means there is a viable alternative for residents seeking access to employment opportunities and other facilities in those locations. The proposal is also considered acceptable in relation to its impact on the historic environment with at most only less than substantial harm having been identified associated with the impact on short views to and from the church linked to the removal of some hedgerow. The harm arising is not considered to significantly and demonstrably outweigh the benefits associated with the provision of additional housing. The proposed development is considered to have an acceptable impact in terms of highways, design, appearance and ecology and to comply with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2, COR3 and COR11, Allocations and Infrastructure Development Plan Document (2010) Policy AL/IN/3 and Local Plan Part 3: Development Management Policies (2013) policies DM2, DM8, DM14, DM15 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 negotiation with the applicant to achieve improvements to the scheme. 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.