

# Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/00319/FULL	Land at NGR 296008 112954 (Former Hare & Hounds Car Park) 138 Chapel Street Tiverton Devon	Erection of 2 dwellings (Plots 1 and 2) and associated works	PERCON	DEL	21/09/2016

## 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 specific details of the sustainable urban drainage system proposed to serve the site, including details of the long term management and maintenance plans for the SUDS scheme, have been submitted to and approved in writing 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. Once agreed, the development shall proceed in accordance with the approved scheme, which shall be fully operational before any of the proposed dwellings are first occupied, and shall be permanently retained and maintained in accordance with the approved details.
- 4 Prior to the commencement of development an investigation and risk assessment of the proposed garden areas must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'; a written report of the findings must be produced and shall be submitted to and approved in writing by the Local Planning Authority. The report of the findings must include: i.a survey of the extent, scale and nature of contamination; ii.an assessment of the potential risks to: ohuman health, oproperty (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, oadjoining land, ogroundwaters and surface waters, oecological systems, oarcheological sites and ancient monuments; iii.an appraisal of remedial options, and proposal of the preferred option(s).
- 5 Prior to the commencement of development a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 6 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any other part of the development, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be submitted to and approved in writing by the Local Planning Authority.
- 7 Reporting of Unexpected Contamination - In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing within 5 working days to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 6.
- 8 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.
- 9 No part of the development hereby approved shall be brought into its intended use until 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 shall be retained for that purpose at all times.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
10		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 with or without modification), no development of the types referred to in Classes A, B, C, D, F of Part 1 of Schedule 2 or Class A of Part 2 of Schedule 2 relating to the enlargement, improvement or other alteration of the house (including the installation of new windows or doors or the replacement of existing windows and doors), alterations to the roof of the dwellinghouse, the erection or construction of a porch outside any external door, provision of hard surfaces, or the erection construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure on the dwelling or within the dwelling curtilage 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 there are appropriate measures in place to deal with surface water drainage before construction begins in order to prevent increased risk of flooding in accordance with Policy COR11 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM2 of the Local Plan Part 3 (Development Management Policies).
- 4 To ensure contamination risks are appropriately identified and managed to ensure the safety of future occupiers.
- 5 To ensure contamination risks are appropriately identified and managed to ensure the safety of future occupiers.
- 6 To ensure contamination risks are appropriately identified and managed to ensure the safety of future occupiers.
- 7 To ensure contamination risks are appropriately identified and managed to ensure the safety of future occupiers.
- 8 To ensure that the proposed development does not prejudice the amenities of neighbouring properties.
- 9 To ensure adequate parking facilities are provided on site in accordance with Policy DM8 of the Local Plan Part 3 (Development Management Policies).
- 10 To safeguard the visual amenities and the character and appearance of the area, the amenities of the occupiers of the dwellings proposed and neighbouring properties, and to safeguard against the overdevelopment of the site, in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies).

#### Reasons

The proposed development of this brownfield site for two dwellings within the defined settlement limit of Tiverton is acceptable in principle. The dwellings created would provide future occupants with an appropriate level of living accommodation and external amenity space, along with parking and bin storage provision. The site is located within Flood Zone 2 and 3, however the submitted Flood Risk Assessment demonstrates that the proposal can be made safe for its lifetime without increasing flood risk elsewhere. The proposal will not result in an unacceptably adverse impact on the living conditions of the occupants of the neighbouring properties. Subject to the conditions imposed, surface water drainage and any contamination risks of the site are acceptably managed. As such, the proposed development is considered to be in accordance with policies COR2, COR7, COR7, COR9, COR11, COR12 and COR13 of the Mid Devon Core Strategy (Local Plan Part 1), DM1, DM2, DM8, DM14 and DM15 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 negotiations 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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/00589/PNHH	53 Boobery Sampford Peverell Tiverton Devon EX16 7BS	Prior Notification for the erection of an extension, extending 4m to the rear, maximum height of 2.9m, eaves height of 2.2m	PDA	DEL	16/09/2016

#### Reasons

The proposed single storey extension at 53 Boobery Sampford Peverell meets with the requirements of Article 3, Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015. Prior approval is not required.

16/00894/HOUSE	38 Hele Road Bradninch Exeter EX5 4QX	Erection of rear extension	PERMIT	DEL	22/09/2016
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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 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 that the proposed development does not prejudice the amenities of neighbouring properties.

#### Reasons

The application for the construction of a single storey rear extension is supported in policy terms. The scale and overall design of the proposed works respect the character, scale, setting and design of the existing dwelling. There are no concerns with regard to overdevelopment of the curtilage of the dwelling. Concerns relating to the loss of privacy for neighbouring properties have been overcome with the submission of boundary treatment details. Overall the proposed development is considered to be in accordance with policies COR2 and COR17 of the Mid Devon Core Strategy (Local Plan Part 1), DM2 and DM13 of the Local Plan Part 3 (Development Management Policies) and government advice in the NPPF.

#### 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, positive practice 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
16/00994/FULL	5 Cedar Court Lowman Way Tiverton Business Park Tiverton Devon EX16 6GT	Change of use from B1 (Office) to Sui Generis (Health and Beauty Salon)	PERMIT	DEL	23/09/2016

#### 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 change of use by virtue of its scale and location is not considered to harm the amenity of Tiverton Business Park, the future amenities and services of the property or its surroundings. As such the proposal is considered to comply with Policies COR1 and COR13 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2, DM8, DM17 and DM21 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 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.

16/00996/ADVERT	5 Cedar Court Lowman Way Tiverton Business Park Tiverton Devon EX16 6GT	Advertisement Consent to display 1 non-illuminated fascia sign and 2 other non-illuminated signs	PERMIT	DEL	23/09/2016
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#### Conditions

- 1 i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission. ii) No advertisement shall be sited or displayed so as to: (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle. iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site. iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public. v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

#### Reasons

- 1 In accordance with the provisions of the Town and Country Planning (Control of advertisement) (England) Regulations 2007.

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**Reasons**

Subject to the imposed conditions, the proposed signage will not harm public safety and will not be of detriment to the amenity of the locality within which the site lays. The proposal is in accordance with government guidance in the National Planning Policy Framework and the Town and Country Planning (Control of Advertisement) (England) Regulations 2007 (as amended).

16/01086/FULL	Land Adjacent to Koggala Gables Road Willand Cullompton Devon EX15 2PL	Erection of a dwelling (Revised Scheme)	PERCON	DEL	22/09/2016
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**Conditions**

- 1 The date of commencement of this development shall be taken as the 15th July 2016 when the application was registered 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 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 that shall have been previously submitted to, and approved in writing by, the Local Planning Authority. Following their provision, these facilities shall be so retained.
- 4 Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 2015 as amended by the Town and Country Planning (General Permitted Development) Amendment (No.2) Order 2016 (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, E, of Part 1 relating to extensions or alterations to the dwelling or its roof and the provision of outbuildings, or Classes A, B, of Part 2 of Schedule 2, relating to gates, walls, fences or other forms of enclosure, shall be undertaken within the dwelling curtilage without the Local Planning Authority first granting planning permission.
- 5 Within one month of the date of this approval details or samples of the materials (including colour/type of render, brick, mortar, roof materials) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details/samples and be so retained.
- 6 Before the development hereby permitted is first brought into its permitted use the first floor bathroom window in the south west elevation shall be glazed with translucent glass, and be so retained.

**Reasons**

- 1 In order to establish a legal commencement date for the development to enable the development to be monitored by the Local Planning Authority.
- 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 DM2 of the Mid Devon Local Plan (Development Management Policies).
- 4 To safeguard the visual amenities of the area and residential amenity of neighbouring residents in accordance with DM2 and DM14 of the Mid Devon Local Plan (Development Management Policies).
- 5 To ensure the use of materials appropriate to the development in order to safeguard the visual amenities of the area and character and appearance of the building in accordance with Mid Devon Core Strategy 2007 COR2 Mid Devon Local Plan Part 3 (Development Management Policies) DM1 and DM2.
- 6 To safeguard the privacy of the occupiers of 41 Chestnut Drive in accordance with Mid Devon Local Plan Part 3 (Development Management Policies) Policy DM2.

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**Reasons**

The proposal is acceptable as the site is within the defined settlement limit of Willand where small scale development is permitted. It is considered that the proposed development will be at a density compatible with its surroundings and will make a good use of underused land amongst existing dwellings and provide a reasonable contribution to the housing stock for the area. It is considered that this proposal will reasonably complement the appearance of the street scene and be sympathetic in terms of the relationship with the adjoining buildings. The juxtaposition with the existing nearby residential development is considered to be such that no significant impact in terms of harming the privacy and creating overshadowing of neighbouring properties will arise from this proposal. Adequate on-site parking and vehicle manoeuvring facilities with access thereto can be provided to serve the property. There are no highway objections and contributions have been made with regard to open space and air quality. The proposal is in accordance with policies COR2, COR3, and COR17 of the Mid Devon Core Strategy, Policies DM1, DM2, DM8, DM14, and DM15.

**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.

<b>16/01087/HOUSE</b>	2 Hen Street Bradninch Exeter EX5 4NR	Erection of single storey rear extension	PERCON	DEL	19/09/2016
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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 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.
- 4 Prior to the use of any above ground materials first being used on site, details/samples of the roofing material, rainwater goods and velux roof light to be used in the construction hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details/samples and be so retained.
- 5 Prior to the use of any above ground materials first being used on site, external doors, door frames and windows hereby approved shall be recessed into the walls in accordance with the submission of details that will include the design and materials. The details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details 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 that the proposed development does not prejudice the amenities of neighbouring properties.
- 4 To ensure the detailed design and use of materials are appropriate to the development/works in order to safeguard the visual amenity of the area and the Listed Building in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies).

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5 To ensure the detailed design and use of materials are appropriate to the development/works in order to safeguard the visual amenity of the area and the Listed Building in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies).

**Reasons**

The application for the construction of a single storey rear extension is supported in policy terms. The scale and overall design of the proposed works respect the character, scale, setting and design of the existing Listed Building. There are no concerns with regard to overdevelopment of the curtilage of the dwelling. Overall the proposed development is considered to be in accordance with Policies COR2 and COR17 of the Mid Devon Core Strategy (Local Plan Part 1), Policies 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 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.

16/01088/LBC	2 Hen Street Bradninch Exeter EX5 4NR	Listed Building Consent for erection of single storey rear extension and internal alterations	PERCON	DEL	19/09/2016
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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.
- 3 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.
- 4 Prior to the use of any above ground materials first being used on site, details/samples of the roofing material, rainwater goods and velux roof light to be used in the construction hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details/samples and be so retained.
- 5 Prior to the use of any above ground materials first being used on site, external doors, door frames and windows hereby approved shall be recessed into the walls in accordance with the submission of details that will include the design and materials. The details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and be so retained.

**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.
- 3 To ensure that the proposed development does not prejudice the amenities of neighbouring properties.
- 4 To ensure the detailed design and use of materials are appropriate to the development / works in order to safeguard the visual amenity of the area and the Listed Building in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies).

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5 To ensure the detailed design and use of materials are appropriate to the development/works in order to safeguard the visual amenity of the area and the Listed Building in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies).

**Reasons**

The application for the construction of a single storey rear extension is supported in policy terms. The scale and overall design of the proposed works respect the character, scale, setting and design of the existing Listed Building. There are no concerns with regard to overdevelopment of the curtilage of the dwelling. Overall the proposed development is considered to be in accordance with Policies COR2 and COR17 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2, DM13 and DM27 of the Local Plan Part 3 (Development Management Policies) and government advice in the National Planning Policy Framework.

16/01118/FULL	The Barn Marshalls Farm Burlescombe Tiverton Devon EX16 7JY	Removal of condition 9 of planning permission 02/00606/FULL relating to holiday occupancy to allow for full residential use	PERMIT	DEL	21/09/2016
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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 surfaces of the building shall be retained as existing and where necessary repaired and/or renewed with salvaged materials, or those that are similar in age, colour and texture to the original, unless the written consent of the Local Planning Authority is given to any variation thereto.
- 4 Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 2015 as amended by the Town and Country Planning (General Permitted Development) Amendment (No.2) Order 2016 (or any Order revoking and re-enacting that Order with or without modification): a. There shall be no addition or extension to the dwelling (including the insertion of dormer windows or chimneys); b. There shall be no further building, structure or other enclosure constructed or placed on the site; c. No additional window or other opening shall be made in any elevation Unless an application for planning permission in that behalf is first submitted to and approved by the Local Planning Authority.
- 5 The site shall be drained on a separate system with all clean roof and surface water kept separate from foul drainage.
- 6 The doors for the development hereby approved shall be of timber only, and dark stained or painted black.

**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 visual amenities of the area and to ensure the development does not have an adverse effect on the appearance of the building.
- 4 In the interests of maintaining the character of the building.
- 5 In order to safeguard the character, appearance and setting of the converted building, which retains a rural character, in accordance with Local Plan Part 3 (Development Management Policies) policy DM11.



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6 In the interests of maintaining the character of the building.

**Reasons**

The use of the barn as holiday accommodation was granted permission on the basis that a holiday use would enable the reuse of an otherwise redundant traditional agricultural building, and also supports the local economy, and was therefore in compliance with relevant planning policy at the time. The removal of the occupancy condition 9 will allow for the use of the property as a separate open market dwelling in the open countryside. The development plan is silent on the removal of occupancy conditions and so other material planning considerations must be taken into account. In this case the removal of condition 9 to allow the re-use of the building as a full residential unit is considered justified given that the applicants have provided information to support their case that this particular site, in this location, remains unviable for tourism lets despite continued marketing. In the opinion of the Local Planning Authority, the applicants have made a genuine effort to actively market the unit, but given the location disadvantages, and other related factors, have been unable to secure their particular locational disadvantages, and other related factors, have been unable to secure their financial viability. Given the continuing lack of use and the consequent limited contribution otherwise being made to the local economy, on balance it is considered that there is sufficient justification in this instance to approve the application. Having regard to all the material considerations, the application is considered to sufficiently accord with the requirements of Mid Devon Core Strategy (Local Plan Part 1) COR1, COR2, COR18, Local Plan Part 3 Policies DM1, DM2, DM8, DM11, DM24 and government policy 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. 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>16/01127/HOUSE</b>	5 Station Court Coplestone Crediton Devon EX17 5DT	Erection of timber garage and formation of new driveway	REFUSE	DEL	16/09/2016
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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 discussion with the applicant 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.

**Reasons**

1 As a result of the scale and siting of the proposed garage building and the loss of landscaping to provide the driveway, the application scheme is considered to adversely impact upon the character and appearance of the existing dwelling and the street scene. The scope of the curtilage is insufficient to accommodate the proposed development without detracting from the appearance of the area or the amenity of neighbouring properties. Overall it is considered that the application proposal is contrary to the requirements of the following Policies: DM2 and DM13 of the Local Plan Part 3 (Development Management Policies) and COR2 of the Mid Devon Core Strategy (Local Plan Part 1).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/01139/TPO	The Oaks 3 The Gables Willand Cullompton Devon EX15 2FE	Application to reduce the crown of 2 Oak trees (T15 & T17) by 1-2m and remove the limb of 1 Common Ash tree (T12) protected by Tree Preservation Order 08/00004/TPO	SPLIT	DEL	16/09/2016

#### 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) Remove limb to the north of the Ash tree, visibly infected by *Innonotus hispidus*.

#### 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.
- 3 To preserve the continued contribution of the tree[s] to the local character and amenity whilst enabling such works as are required to manage the tree[s] and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

#### Reasons

- 1 At this time a crown reduction of 1-2 m to either of the Oak trees within the garden of The Oaks, 3 The Gables is not arboriculturally justified and will be of no benefit to the trees.

16/01142/CLU	Land at NGR 304900 109915 (Bradfield Clockhouse) Bradfield Willand Devon	Certificate of Lawfulness for an existing building with a mixed use of agriculture and ancillary domestic storage for a period in excess of 4 years	PERMIT	DEL	16/09/2016
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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 probabilities the building has been substantially complete, with solar panels mounted for a period in excess of four years. The amended description of the certificate granted accurately reflects what the Local Planning Authority considers to be the use of the building on the basis of the evidence submitted and obtained.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/01144/HOUSE	5 Fairway Tiverton Devon EX16 4NF	Erection of a replacement extension to East elevation and conservatory; erection of extension to West elevation; erection of garage and alteration to access	PERMIT	DEL	19/09/2016

#### 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 extensions and garage building by virtue of their overall 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. As such the proposal is considered to comply with policies COR2 of Mid Devon Core Strategy (Local Plan Part 1) and policies DM2 and DM13 of 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.

16/01150/HOUSE	10 Cherry Tree Gardens Tiverton Devon EX16 6ST	Erection of single storey extension (Revised Scheme)	PERMIT	DEL	16/09/2016
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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.

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

The application scheme for a proposed single storey extension is considered to be supportable in policy terms. The proposal is considered to respect the character, scale, setting and design of the existing dwelling and given its scale is not considered that it would result in overdevelopment of the dwelling curtilage. It is not considered that the extension would result in any significant adverse amenity impacts on the neighbouring properties. The proposed development is considered to be in accordance with the following Policies: COR2 and COR13 of the Mid Devon Core Strategy (Local Plan Part 1), DM1, DM2 and DM13 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 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>16/01153/HOUSE</b>	11 Silver Street Kentisbeare Cullompton Devon EX15 2BH	Erection of single storey rear extension and relocation of rear window serving landing to first floor level	PERMIT	DEL	16/09/2016
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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 cladding hereby approved shall be of either Larch or Cedar only. The cladding shall be allowed to silver with age over time and shall be 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 appearance of the area within the Conservation Area. To ensure the appearance of the extension respects the appearance and character of the area in accordance with Policies DM2 and DM27 of the Local Plan Part 3 (Development Management Policies).

**Reasons**

The application for the erection of a single storey rear extension is considered to be supportable in policy terms. The overall scale and design of the application scheme is considered to be acceptable taking into account the character, scale, setting and design of the existing house. Furthermore it is not considered that the application scheme would result in any material adverse impacts to the living conditions of occupants of neighbouring properties. On this basis the proposals are considered to sufficiently comply with Policies DM13 and DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

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. 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.

16/01154/FULL	Aishe Barton Old Butterleigh Road Silverton Exeter EX5 4HF	Replacement of existing barn with new store and barn and installation of tennis court (Revised scheme)	PERMIT	DEL	22/09/2016
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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 garage and storage building hereby approved shall be used solely for purposes incidental to the residential property referred to as Aishe Barton (or by any other name given forthwith).
- 4 The development shall be carried out in accordance with the schedule of materials specified under Oxenham Consult Confirmation of Materials received by the Local Planning Authority on 18th December 2015 including salvaged double roman clay roof tiles as agreed on site on 27th November 2015, and Neon or similar low reflectivity roof integrated solar panels.

**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 compatible use in connection with the main dwelling of what is a large building capable of being used in separation from the main residential property, where national planning policy is restrictive of the creation of new residential units in the countryside.
- 4 To ensure materials appropriate to the development hereby approved and to respect the rural character and setting of the nearby listed building in accordance with COR2 of the Core Strategy (Local Plan Part 1), DM2, DM13 and DM27 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

**Reasons**

The proposed garage/store is considered to be well integrated with their surroundings by virtue of their scale, massing, design and location. The development is not considered to result in unacceptable harm to the privacy or amenity of the occupiers of another dwelling, the rural setting or the setting of the nearby listed building. Overall, the proposed works are considered to comply with policies COR2 and COR18 of the Core Strategy (Local Plan Part 1), DM2, DM13, DM22 and DM27 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework. Planning permission is granted subject to conditions.

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. This has included dealing with the application in a positive, proactive manner. 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>16/01161/FULL</b>	Land and Buildings at NGR 298322 108694 (Barnfield) Cullompton	Change of use of land to allow the siting of a shepherd's hut for tourism and formation of hardstanding for the parking of vehicles	REFUSE	DEL	21/09/2016
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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 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.

**Reasons**

- 1 In the opinion of the Local Planning Authority, insufficient information has been supplied to justify the change of use of the land for tourism, and in particular the use for the siting of a Shepherd's hut and provision of parking along with access to the site. No information has been supplied relating to sustainable rural tourism and leisure that benefits businesses in rural areas, or the need for this type of accommodation in this location. The proposal is therefore considered to be contrary to policies DM1, DM2, DM24 of the Local Plan Part 3 and the Core Strategy Policy COR18, National Planning Policy Framework Para 28, 29
- 2 The application site is located in the open countryside some distance from any established village, services or facilities. In the opinion of the Local Planning Authority the proposal, due to its location sited at the bottom of a field and proposed remote parking facilities are unacceptable and would not be an appropriate form of development and would have a detrimental impact on the rural character, appearance and visual amenity of the area. The proposal is therefore considered to be contrary to policies DM1, DM2, DM24 of the Local Plan Part 3 and the Core Strategy Policy COR18, National Planning Policy Framework Para 28, 29

<b>16/01166/HOUSE</b>	Postwood Gardens Kentisbeare Cullompton Devon EX15 2BS	Erection of single storey side extension and carport (Revised Scheme)	PERMIT	DEL	21/09/2016
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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.

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

The proposed extension in terms of its scale, design and position at the north west of the property is not considered to dominate the host dwelling and is considered to be supportable in policy terms. The extension is considered to respect the character, scale, setting and design of the existing dwelling. The proposal would not result in over development of the curtilage and it is not considered that there would be any significant adverse impacts on the living conditions of occupants of the neighbouring property. Overall the proposal is considered to comply with the following policies; Mid Devon Core Strategy (Local Plan part 1) COR2 and COR18, Local Plan part 3 (Development Management Policies) DM2, DM8 and DM13 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 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>16/01169/HOUSE</b>	Court Lodge Station Road Cullompton Devon EX15 1BE	Erection of extension to garage to form carport and additional garage	PERMIT	DEL	16/09/2016
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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 application for the erection of extension to garage to form a carport and additional garage is considered to be supportable in policy terms. The overall scale and design of the application scheme is considered to be acceptable taking into account the character, scale, setting and design of the existing house. Furthermore it is not considered that the application scheme would result in any material adverse impacts to the living conditions of occupants of neighbouring properties. On this basis the proposals are considered to sufficiently comply with policies DM2 and DM13 of the Mid Devon 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
16/01175/FULL	Storage Buildings at NGR 276954 107601 (Post House) Fore Street Morchard Bishop Devon	Erection of dwelling following demolition of garage and workshops (Revised scheme)	PERCON	DEL	22/09/2016

### 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 work shall be carried out on the site on any Sunday, Christmas Day or Bank Holiday or other than between the hours of 0800 and 1800 hours on Monday to Fridays and 0900 and 12noon on Saturdays and there shall be no works on site on Sundays or bank holidays.
- 4 Prior to construction of the dwellings hereby approved, samples and/or 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.
- 5 Prior to the commencement of any works to demolish the existing building or clear the site of the existing buildings a demolition plan strategy shall be submitted to and approved in writing by the Local Planning Authority confirming how the existing building is to be dismantled and removed from the site and confirming the scope of protective screening on the site boundaries whilst these works are being undertaken. Thereafter the demolition of the existing building(s) on the site shall be completed in accordance with the agreed details.
- 6 Prior to the occupation of the dwelling hereby approved, the boundary treatments as shown on the approved plans shall be completed and maintained as such thereafter.
- 7 Prior to the commencement of any development on the site, including any demolition works, the applicant shall carry out a detailed investigation, site characterisation and risk assessment aimed at identifying the full extent and type of land contamination present and the measures to be taken to ensure that no significant pollutant linkages will exist on the site following development. The assessment should include for all possible human health, controlled water, ecosystem and building receptors. A report of the investigation and its recommendations shall be submitted to and approved in writing by the Local Planning Authority.
- 8 Should the report required by condition 7 require remediation to take place, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be submitted to and approved in writing by Local Planning Authority before development begins. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 9 The remediation scheme approved under condition 8 (if required) shall be carried out in accordance with its terms prior to the commencement of development (other than that required to carry out remediation), unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be 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, of Part 1, relating to extensions, additions and alterations to the roof, porches, outbuildings 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.



Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
3		To ensure that the construction phase of the development does not have an unacceptable impact on the amenity of neighbouring occupiers.			
4		To ensure the use of materials and detailing appropriate to the development in order to safeguard the character and appearance of the area in accordance with policy DM2 of the Local Plan Part 3 (Development Management Policies).			
5		To seek to minimise of the development on the amenities of the neighbouring residential dwellings, in accordance with policy DM2.			
6		In accordance with the details as submitted, and in accordance with policy DM2.			
7		To ensure that risks from land contamination to future users of the land, neighbouring land and uses, ecological systems and controlled waters are minimised and to ensure the development can be carried out safely, in accordance with policies DM2 and DM7 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
8		To ensure that risks from land contamination to future users of the land, neighbouring land and uses, ecological systems and controlled waters are minimised and to ensure the development can be carried out safely, in accordance with policies DM2 and DM7 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
9		To ensure that risks from land contamination to future users of the land, neighbouring land and uses, ecological systems and controlled waters are minimised and to ensure the development can be carried out safely, in accordance with policies DM2 and DM7 of the Mid Devon Local Plan part 3 (Development Management Policies).			
10		To safeguard the visual amenity of the area and to protect the residential amenity of neighbouring residents in accordance with policy COR2 of the Mid Devon Core Strategy and DM2 of the Local Plan part 3 (Development Management Policies).			

### Reasons

The application for the erection of a dwelling within the settlement boundary of Morchard Bishop and is considered to be supportable in policy terms. The dwelling is now considered (revised following withdrawal of LPA ref: 16/00626/FULL) to be appropriately scaled and designed and will be in keeping with the general layout and appearance of dwellings in the area, affording a positive contribution to the character and appearance of this part of the Conservation Area. The location of the house within the application plot is on balance, given the current state and condition of the site at present considered to present an acceptable relationship with the surrounding properties. Conditions are recommended to manage the demolition of the existing building and general site clearance matters. There is an existing access to serve the dwelling with sufficient space to accommodate off street car parking. The applicant has made appropriate provisions to satisfactorily mitigate against the need to provide new open space off site (and/or maintenance of existing) and to improve Air Quality with the Crediton AQMA. On this basis the proposal is considered to be compliant with the requirement of relevant policies: CO1, COR2, COR9 and COR17 of the Mid Devon Core Strategy (Local Plan Part 1), DM1, DM2, DM8, DM14 and DM27 of the Local Plan part 3 (Development Management Policies), AL/IN/3 and AL/CRE/8 of the AIDPD and government 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 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.