

Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/01524/FULL	Land at NGR 294775 111860 Palmerston Park Tiverton Devon	Repositioning of retaining structure	PERCON	COMM	03/03/2017

Conditions

- 1 The date of commencement shall be taken as 9th January 2017, the date 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 Within 3 months of the date of this decision notice, final details of the drainage outfall(s) from the retaining structure and French drain shall be submitted to and approved in writing by the Local Planning Authority. The approved drainage shall be implemented within 1 month of approval of the outfall details and only such approved drainage outfall(s) shall be used and shall thereafter be permanently retained and maintained for that purpose.
- 4 The retaining structure shall be seeded with the approved grass and clover mix within 9 months of the date of this decision notice. Within a period of 5 years from the completion of the seeding, any plants which die, are removed or become seriously damaged or diseased shall be replaced, or the earth reseeded, in the next planting season with others of similar species.

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 To ensure the development does not increase the risk of flooding elsewhere in accordance with policies COR11 and DM2 of the Local Plan 3 Development Management Policies.
- 4 To ensure that the development makes a positive contribution to the character and amenity of the area in accordance with Policy DM2 of Local Plan Part 3 (Development Management Policies).

Reasons

The proposed alterations to the approved plans in respect of the roof height and altered windows, doors and rooflights, are considered to be acceptable and not to result in a harmful effect on the street scene, the setting of the conservation area or the living conditions of neighbouring residents sufficient to warrant refusal of the application. The proposal is considered to comply with the relevant policies: COR2 and COR17 of the Mid Devon Core Strategy (LP1) and DM2, DM8, DM14, DM15 and DM27 of the Local Plan 3 Development Management Policies.

Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included discussions. 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
16/01769/FULL	Diespeker (Interiors) Ltd Unit 1 Longbridge Meadow Cullompton Devon EX15 1BT	Erection of replacement office building	REFUSE	DEL	02/03/2017

Reasons

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

Reasons

- 1 The Flood Risk Assessment (FRA) submitted with this application does not comply with the requirements set out in paragraph 9 of the Technical Guide to the National Planning Policy Framework or the Core Strategy and Mid Devon Local Plan Part 3 (Development Management Policies). The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular: 1.The proposal would impede access to an existing flood defence for future maintenance, repair, upgrade, or replacement. 2. The FRA fails to adequately address the consequences of climate change on flood flows and effects to the proposal. 3. The FRA fails to address access/egress issues in the event of a flood. The proposal is therefore contrary to policies COR11 and COR14 of the Mid Devon Core Strategy (Local Plan Part 1), DM2, of the Local Plan Part 3 and the National Planning Policy Framework and the associated Technical Guidance.

16/01833/FULL	Land and Buildings at NGR 308024 107283 (Orway Porch Farm) Kentisbeare Devon	Conversion of barns to 3 dwellings	PERCON	DEL	03/03/2017
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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 a schedule of works has been submitted to and approved in writing by the Local Planning Authority. The schedule of works shall include: (a)Details of any demolition or removal of any building fabric and any rebuilding or repairing works required to convert the buildings; (b) Details of all measures required to support any wall, floor, roof or other vertical or horizontal surface (c)Details of measures required to provide protection for the building against the weather during the conversion works. The agreed schedule shall be strictly adhered to during the course of the conversion works.
- 4 No development to which this permission relates shall commence until an appropriate programme of historic building recording and analysis has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local 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 Local Planning Authority.
- 5 The recommendations as proposed in the Bat, Barn Owl and Nesting Bird Survey (17th November 2016) prepared by Butler Ecology shall be implemented, completed and retained in accordance with the requirements of that report.
- 6 Prior to their use on site, samples or specific details of the materials to be used for all the external surfaces of the building, rainwater goods, sections moulding and profiles of all openings, and the hard surfacing of the courtyard/parking area shall have been submitted to and approved in writing by the Local Planning Authority.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
7		No boundary treatment shall be installed until there has been submitted to, and been approved in writing by, the Local Planning Authority a plan indicating the height, positions, design, materials and type of boundary treatment to be erected on the site and a timescale for its implementation. The boundary treatment so approved shall be completed in accordance with the approved details and shall be so retained.			
8		Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, no development of the types referred to in Classes A, B, C, D, E and F of Part 1, or Class A of Part 2 of Schedule 2 relating to the enlargement, improvement or other alteration of a dwellinghouse, addition or alteration to the roof, erection of a porch outside any external door, provision within the curtilage of the dwellinghouse of any building or enclosure, swimming or other pool, container for domestic heating purposes for storage of oil of liquid petroleum gas, provision of a hard surface or the erection of a gate, fence wall or other means of enclosure, shall be undertaken within the application site without the Local Planning Authority first granting planning permission.			
9		All telephone, electricity and mains gas services to the building shall be placed underground.			
10		Before the development hereby permitted is first brought into use, the parking and turning areas shall be provided and surfaced to avoid surface water discharge onto the highway. Following their provision these details shall be so retained.			
11		No dwelling shall be occupied until the off-site works to the land and buildings to the north of the application site as shown on drawing D009/16/SK1 dated January 2017 have been completed in full.			

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the safety and stability of the building during conversion, as this permission relates to a conversion and not a reconstruction of the building in accordance with Policies DM11 and DM27 of Local Plan Part 3: (Development Management Policies).
- 4 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 Policies) Policy DM27 that an appropriate record is made of the heritage asset that is affected by the development.
- 5 To ensure the protection of any ecological interests at the site in accordance with Policy DM11 of the Local Plan Part 3 (Development Management Policies).
- 6 To ensure the character of the building is retained in accordance with Policy DM11 of the Local Plan Part 3 (Development Management Policies).
- 7 To safeguard the character and amenities of the rural area in accordance with Policy DM2 of Local Plan Part 3 (Development Management Policies).
- 8 To ensure the character of the building is retained in accordance with Policy DM11 of the Local Plan Part 3 (Development Management Policies).
- 9 To safeguard the character and amenities of the rural area in accordance with Policy DM2 of Local Plan Part 3 (Development Management Policies).
- 10 To ensure that adequate facilities are available for the traffic attracted to the site.
- 11 To ensure the provision of adequate living conditions for the occupiers of the proposed dwellings, in accordance with Policy DM7 of the Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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Reasons

The National Planning Policy Framework establishes the principle that the reuse of redundant or disused buildings in the open countryside as dwellings, could be considered acceptable, and Policy DM11 of the Local Plan Part 3 reflects this guidance where a building makes a positive contribution to the rural character of the locality. Therefore in policy terms the conversion of all the buildings into a dwelling is considered acceptable in principle. This current application proposal has been designed in a positive manner, and the scope of the proposals in terms of the overall design and magnitude of changes to the buildings are considered to satisfactorily address the relevant development policy considerations. The overall design, massing and appearance of the buildings as they are to be converted are considered to be an appropriate design response in terms of balancing the character of the buildings and the need to upgrade them for habitable accommodation. Overall the works to the buildings are considered to respect their character and integrity and the surrounding rural environment, and will not adversely affect the amenities and living conditions of any neighbouring properties. The proposed access arrangements are considered acceptable. The proposal is not considered to cause harm to nature conservation interests in the local area subject to adopting the good practice/mitigation measures as recommended. On this basis the proposal is considered to be compliant with Policies DM1, DM2, DM8, DM11, DM14, DM15 and DM27 of the Local Plan Part 3 (Development Management Policies), Policies COR1, COR2 and COR9 of the Mid Devon Core Strategy (Local Plan Part 1) and policy guidance in the National Planning Policy Framework. There are no material considerations that would indicate that planning permission should be not be granted in accordance to the development plan.

Reasons

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included discussions and negotiations. 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.

16/01836/MARM	Land at NGR 288080 098230 East of Station Road Newton St Cyres Devon	Reserved Matters (layout, scale, appearance and landscaping) for the erection of 25 dwellings with parking and open space, following Outline approval 14/01332/MOUT	PERCON	COMM	03/03/2017
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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 shall not be commenced until the trees shown for retention within the Arboricultural Impact Assessment Report prepared by Aspect Tree Consultancy have been protected in accordance with the tree protection measures detailed in the Tree Protection Plan reference 04653 TPP_RevA received on 28th November 2016. The protection measures shall be maintained during the whole period of site excavation and construction. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas: i. There shall be no changes in ground levels ii. No materials or plant shall be stored iii. No buildings or temporary buildings shall be erected or stationed iv. No materials or waste shall be burnt; and v. No drain runs or other trenches shall be dug or otherwise created without the prior written consent of the Local Planning Authority.
- 3 Prior to their use on site samples of the materials to be used for all the external surfaces of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Such approved materials shall be so used and retained.
- 4 No hard landscaping works in the areas shown on the approved plan(s) shall begin until samples of the surfacing materials to be used in those areas have been submitted to, and approved in writing by, the Local Planning Authority. Such approved works shall then be carried out before the development hereby permitted is first brought into its permitted use, (in any phase) and shall be so retained.

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- 5 Prior to occupation of any of the dwellings on this site, additional details of the hedgerow and tree planting on the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details of the planting in addition to all seeding, turfing or earthworks comprised in the approved details of landscaping as shown on the submitted plans, shall be carried out within 9 months of the substantial completion of the development, (or phase thereof), whichever is the sooner; and any trees or plants which within a period of five years from the implementation of the scheme (or phase thereof) , 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.
- 6 The parking spaces within the car ports and/ or drive through garages on plots 4, 10, 18, 22 and 25 as shown on the approved plans shall be permanently retained and made available for vehicular parking.
- 7 Prior to the occupation of any of the dwellings on the site, details of refuse storage arrangements shall be submitted to and approved in writing by the Local Planning Authority. Implementation shall be in accordance with these agreed details prior to the occupation of the dwelling to which it relates and be so retained.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 In order to ensure that damage does not occur to the trees during building operations in accordance with policy DM2 of Local Plan Part 3 (Development Management Policies).
- 3 To ensure the use of materials appropriate to the development/works in order to safeguard the visual amenities of the area and in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Local Plan Part 3 (Development Management Policies) Policies DM2, DM14 and DM27.
- 4 To ensure the use of materials appropriate to the development/works in order to safeguard the visual amenities of the area and in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Local Plan Part 3 (Development Management Policies) Policies DM2 and DM14.
- 5 To safeguard the character and amenities of the area in accordance with Policies DM2 and DM14 of Local Plan Part 3 (Development Management Policies).
- 6 To ensure that an appropriate level of parking provision is retained in order to protect the general amenity of the area in accordance with Policy COR2 and Local Plan Part 3 (Development Management Policies) Policies DM2 and DM8.
- 7 To ensure that there is appropriate facilities for refuse storage on site in accordance with Policy DM14 of Local Plan part 3 (Development Management Policies).

Reasons

This is a reserved matters application for the erection of 25 dwellings with parking and open space. The site is outside the settlement boundary of Newton St Cyres however the principle of residential development in this location has been established by the outline consent 14/01332/OUT which also secured provision of the new primary school. Overall it is considered that the proposed layout, design, density and scale of the development is acceptable and will respect the character and appearance of the surrounding area. Sufficient parking has been provided. It is not considered that the proposed development would harm the amenity of neighbouring occupiers, or the general amenity of the area, neither is it considered that the new dev will adversely affect the character or appearance of the Newton St Cyres Conservation Area. On this basis the proposal is recommended for approval in accordance with Policy COR1, COR2, COR3, COR8, COR9 and COR11 of the Mid Devon Core Strategy, AL/IN/3 of the Mid Devon Allocations and Infrastructure Development Plan Document (Local Plan part 2) and Mid Devon Local Plan part 3 (Development Management Policies) DM1, DM2, DM3, DM8, DM14 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 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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/01908/FULL	Acrylux Ltd 4 Tiverton Way Tiverton Business Park Tiverton Devon EX16 6TG	Change of use from industrial unit (Use Class B1, B2) to gym (Use Class D2) and reconfiguration of car park	REFUSE	DEL	03/03/2017

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 The proposed development would lead to the loss of employment land in Mid Devon contrary to Policy DM21 of the Mid Devon Local Plan Part 3 (Development Management Policies).

16/01911/CLU	1 Smallbrook Cottages Newton St Cyres Exeter Devon EX5 5AZ	Certificate of lawfulness for the existing use of a dwelling as 2 separate dwellings	PERMIT	DEL	27/02/2017
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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 1 Smallbrook Cottage has been occupied continuously as two separate dwellings for a period in excess of four years.

16/01913/FULL	M S Heating and Plumbing Whipcott Farm Holcombe Rogus Devon TA21 0NA	Retention of change of use of agricultural building to storage and office use	PERMIT	DEL	01/03/2017
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Conditions

- 1 The date of commencement of this development shall be taken as the 4th January 2017 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 The application site including any building thereon shall be used for B1 purposes only in conjunction with the primary occupation of the dwelling presently known as Whipcott Farm, TA21 0NA and for no other purpose (including any purpose in Class B8, B2, of the Schedule to The Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, and shall at no time be let, sold or otherwise be disposed of as a separate business unit away from Whipcott Farm.

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.

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3		To safeguard the appearance and amenity of the open countryside location and to prevent an inappropriate intensification of the use of the site in accordance with Policies DM2, DM11 and DM20 of Mid Devon Local Plan.			
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Reasons

The proposed use of the building and parking area will blend in satisfactorily within the site without any loss of privacy/amenity or overshadowing to occupiers of any neighbouring dwellings. Onsite parking will not be unduly affected by the proposal and will be maintained in accordance with the parking standards associated with this location. The unauthorised use of the building over a couple of years has caused no adverse impacts on the immediate surrounding area and further afield. The proposed continued use of the building and access although not normally appropriate within the open countryside, there are nevertheless occasions when such uses can be considered reasonably acceptable if specific use controls are put in place to limit the potential growth and activity on the site. Government advice supports this approach provided the building is the re-use of an existing building, within close proximity to Local Centres and supports small-scale economic development where it provides the most sustainable option. On the basis of a desk top search your officers have not identified any more suitable premises within the immediate area, where there is an available unit of a similar size. However the planning system is there to support economic activity and as such it is considered on balance that the proposal is sufficiently low key and complies with the requirements of Policies COR4, COR18 and COR12 of the Mid Devon Core Strategy (Local Plan part 1), Policies DM1, DM2, DM8, DM11 and DM20 of the Adopted Mid Devon Local Plan and the National Planning Policy Framework.

Reasons

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

16/01957/FULL	Lower Granary Knowle Farm Knowle Crediton Devon EX17 5BX	Conversion of 2 apartments to form 1 dwelling, incorporation of existing single storey lean-to to form ground floor extension, and hard and soft landscaping	PERMIT	DEL	01/03/2017
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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 scheme for the proposed external works and change of use to form a single dwelling is supportable in policy terms. It is not considered that the proposal would significantly harm the character, appearance or setting of the listed building. Overall the application scheme is considered to be in accordance with the following Policies: COR2 of the Mid Devon Core Strategy (Local Plan Part 1), DM2, DM13 and DM27 of the 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
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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.

16/01958/LBC	Lower Granary Knowle Farm Knowle Crediton Devon EX17 5BX	Listed Building Consent for the conversion of 2 apartments to form 1 dwelling, incorporation of existing single storey lean-to to form ground floor extension, and hard and soft landscaping	PERCON	DEL	01/03/2017
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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 Prior to their use on site, samples of the roof material and doors to the lean-to including colour and finish, shall be submitted to and approved in writing by the Local Planning Authority. No other materials other than the approved materials shall be used without the prior written approval of the Local Planning Authority.

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 the use of appropriate materials in order to safeguard the character and appearance of the listed building in accordance with Policy COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM2, DM13 and DM27 of the Local Plan Part 3 (Development Management Policies).

Reasons

The proposed works are considered to be supportable in policy terms as the works are not considered to significantly harm the character, appearance and setting of the listed building. The proposal would result in the loss of some internal historic building fabric, however this is justifiable to achieve the proposed works to the outbuilding that will ensure that this part of the building is retained intact. Overall the proposal is considered to be acceptable with Policy DM27 of the Local Plan Part 3 (Development Management Policies) and Government advice in the National Planning Policy Framework.

16/01963/FULL	Checkers Post Office and Store Cheriton Bishop Exeter Devon EX6 6JE	Retention and repositioning of 3 condensing units, and erection of acoustic enclosure	PERMIT	DEL	28/02/2017
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Conditions

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

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 The acoustic enclosures hereby approved shall be implemented and completed in accordance with the approved plans and the technical details as set out in the Classic Acoustics Ltd report submitted as part of the application details, within 2 months of the date of this permission.
- 4 Any noise emitted by the external plant/equipment shall not increase the background noise level LA90(15min) at any time when the plant is in operation. The noise emitted shall be measured 1.0m from the façade of the nearest noise sensitive dwellings (5-9 Chestnut Close).

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 amenities of the area and occupiers of nearby buildings in accordance with Policy DM2 and DM7 of Local Plan Part 3 (Development Management Policies).
- 4 To safeguard the amenities of the area and occupiers of nearby buildings in accordance with Policy DM2 and DM7 of Local Plan Part 3 (Development Management Policies).

Reasons

The proposed development for the retention and repositioning of 3 condensing units, and erection of acoustic enclosures to the units external to the building is considered to be supportable in policy terms. Overall subject to the ongoing control provided by the proposed conditions and the provision of the acoustic enclosures it is not considered that the units will adversely affect the residential amenities (in terms of noise output) neither is it considered that it result in any harmful impacts on the amenity of the area regards visual impacts. On this basis the proposals are considered to be acceptable and in accordance with the following policies: COR17 of the Mid Devon Core Strategy, DM1, DM2 and DM7 of the Local Plan Part 3 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 resolving the application to a positive outcome. 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.

16/01971/FULL	Bell Inn 20 - 22 Exeter Road Cullompton Devon EX15 1ED	Conversion of existing Public House and living accommodation to form 2 dwellings	REFUSE	DEL	01/03/2017
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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.

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Reasons

- 1 The application proposes the conversion of a Grade II Listed Building which has been used for employment purposes into two number residential houses. In the opinion of the Local Planning Authority insufficient evidence has been submitted with this application to demonstrate that the building is capable of conversion without undue harm to the essential character of the building. The proposal is therefore contrary to policy DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies) and government advice in the National Planning Policy Framework.
- 2 The site lies within defined settlement limits where policy COR4 of the Core Strategy (Local Plan Part 1) and DM21 considers the need to retain employment space and restricts the provision of new dwellings without specific justification. In the opinion of the Local Planning Authority, insufficient evidence has been provided to demonstrate that there is no commercial interest in the use of the site for employment generating purposes. In addition, insufficient information has been provided to demonstrate that the development of the application site for mixed use purposes that incorporate an employment-generating use would not result in a financially viable development. Accordingly the application is contrary to the requirements of Policies COR4 of Core Strategy (Local Plan Part 1) and DM21 of Local Plan Part 3 (Development Management Policies).
- 3 The provision of one parking space and the utilisation of the existing garage for parking of a single vehicle falls short of the necessary provision of 4 parking spaces required for the development. No information has been provided to justify a departure from these development plan requirements and therefore the application is in conflict with Policy DM8 of the Local Plan Part 3 and the Supplementary Planning Document Parking provision in new development.
- 4 Policy AL/IN/3 of the Allocations and Infrastructure Development Plan Document and the Supplementary Planning Document on the Provision and Funding of Open Space through Development make clear that new housing developments will need to make a financial contribution toward the provision and funding of open space within the Parish. In this instance, the development would increase the pressure upon existing facilities, and no financial contribution has been received, contrary to the aforementioned policy.
- 5 The Local Planning Authority considers that, without mitigation, the development proposed would worsen Air Quality within the Cullompton Air Quality Management Area as vehicle movements from the development would necessitate travel through the area. No financial contribution towards the implementation of the Air Quality Action Plan for Cullompton has been received, contrary to the requirements of policy AL/CU/15 of the Allocations and Infrastructure Development Plan Document and the Supplementary Planning Document on Air Quality and Development.

16/01972/LBC	Bell Inn 20 - 22 Exeter Road Cullompton Devon EX15 1ED	Listed Building Consent for conversion of existing Public House and living accommodation to form 2 dwellings	REFUSE	DEL	01/03/2017
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Reasons

- 1 Insufficient information has been provided to enable the Local Planning Authority to adequately assess the impacts the works will have on the historic character and interest of the listed building. The submitted design and access statement and heritage statement are not supported by evidence and lack a clear chronology of the history and phasing of the building which in turn does not provide sufficient justification for the works proposed. The proposed changes to windows are unsympathetic and will cause harm to the listed building and information is lacking regarding precisely which windows are proposed to be replaced. In the absence of further information it is considered that the proposal is not in conformity with the Local Plan Part 3 DM27 and National Planning Policy Framework.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
16/01985/FULL	Land and Buildings at NGR 294436 101081 (Speedway Garage) Thorverton Devon	Retention of change of use of land for car sales	PERMIT	DEL	03/03/2017

Conditions

- 1 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

Reasons

- 1 For the avoidance of doubt and in the interests of proper planning.

Reasons

The site is located within the open countryside when development is controlled. The National Planning Policy Framework is very clear that there should be an emphasis on promoting sustainable economic development, even in the open countryside. The proposed development does not have an impact on the local road network. It is not considered that the proposal will significantly harm the rural character of the area over and above the current operation of the site. There are no residential properties in close proximity to the extended site and therefore the proposed development is unlikely to impact on residential amenity. As such, it is considered that the proposal complies with Policies COR1, COR4, COR9 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policies DM1, DM2 and DM20 of the Local Plan Part 3 (Development Management Policies). In addition, the proposed development is considered to be in accordance thrust of the National Planning Policy Framework in promoting sustainable rural economic development.

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.

16/01987/FULL	Between Unit 4 Highmount Court & Plot 5 Mid Devon Business Park Willand Cullompton Devon EX15 2FB	Erection of an infill extension	PERCON	DEL	01/03/2017
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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 external lighting shall be installed on the site unless details have been previously approved in writing by the Local Planning Authority. Only the approved details shall be provided and thereafter shall be 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.

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3 To ensure that the lighting associated with site the does not result in detriment to the safety of drivers using the public highway.

Reasons

Proposed is the erection of a small infill between 3 industrial units at Land at (Mid Devon Business Park), South View Road, Willand, and the existing 3 units on the site. The site is allocated (policy WI1) within the Mid Devon Local Plan Part 3 (Development Management Policies) for B1, B2 or B8 uses and is located within the settlement limit of Willand; therefore there is policy support for industrial development in this location. The design of the infill is considered of a high quality, is acceptable and in keeping with the existing units on the site, incorporating the use of sustainable materials. Surface water drainage is proposed to be connected to the existing sustainable urban drainage scheme to the south of the proposed building. The development is not considered to have an unacceptable impact on health, the natural environment or general amenity. It is considered a suitable access and parking area is proposed and that the development will not give rise to a significantly unacceptable level of vehicular movement. As such, the proposal is considered in accordance with policies DM2, DM4, DM7, DM8, WI1 of the Local Plan Part 3 (Development Management Policies), COR1, COR2, COR4, COR9, COR17 of the Mid Devon Core Strategy (Local Plan part 1) 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 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.

16/01989/TPO	4 St Aubyns Park Tiverton Devon EX16 4JG	Application to fell 1 Horse Chestnut tree protected by Tree Preservation Order 14/00004/TPO	PERMIT	DEL	02/03/2017
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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) Fell Horse Chestnut tree
- 4 The tree/s* to be removed shall be replaced by Acer campestre (6-8cm girth) supplied in accordance with BS8545:2014 Trees: from independent in the landscape - Recommendations. The tree shall is to be planted within 10m of the felled tree, or other such species and location as may be agreed in writing with the Local Planning Authority. The replacement tree should be planted in the next growing season following the felling of the tree and in accordance with the above specification should they be damaged, uprooted, destroyed or die.

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.

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4 To replace the lost amenity of the felled tree.

Reasons

Due to the extent of the decay in the tree, Mid Devon District Council Tree Officer has no objection to the felling and replacement planting of the Horse Chestnut tree at St Aubyns Park.

17/00004/FULL	Units 2 & 3 Sandparks Business Centre Denners Way Uffculme Cullompton Devon EX15 3XG	Conversion of Unit 3 to 1 bedroom flat (50.85sqm) and office (50.85sqm) to create live/work unit in association with Unit 2 (197sqm)	REFUSE	DEL	01/03/2017
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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 negotiation and discussions. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

Reasons

- 1 The site lies within defined settlement limits of Uffculme where policy COR4 of the Core Strategy 2007 (Local Plan Part 1) and DM21 considers the need to retain employment space and restricts the provision of new dwellings without specific justification. In the opinion of the Local Planning Authority, insufficient evidence has been provided to demonstrate that there is no commercial interest in the use of parts of the site for employment generating purposes. In addition, insufficient information has been provided to demonstrate that the development of the application site for mixed use purposes that incorporate an employment-generating use would not result in a financially viable development. Accordingly the application is contrary to the requirements of Policies COR4 of Core Strategy 2007 (Local Plan Part 1) and DM21 of Local Plan Part 3 (Development Management Policies).
- 2 The proposal is contrary to Section 7 of the National Planning Policy Framework, Policies DM2, DM14 and DM15 of the Local Plan Part 3 (Development Management Policies) and technical housing standards (nationally described space standard March 2015) because by virtue of the size of accommodation proposed the proposal is of a poor design that would deliver sub-standard living accommodation and a lack of external amenity space. The internal accommodation would not provide adequate facilities for its future occupiers.
- 3 The provision of mixed parking spaces and unclear information falls short of the necessary provision of 10 parking spaces required for the development and so is in conflict with Policy DM8 of the Local Plan Part 3.
- 4 The site is located within flood zone 2 & 3 where proposals for residential units are strictly controlled. The proposal will provide living accommodation within a potentially vulnerable location subjecting the occupant to possible risk. No sequential test has been undertaken to establish there is no alternative to this proposal at a lower risk of flooding, contrary to policy COR11 of the Core Strategy (Local Plan Part 1) and the National Planning Policy Framework.

17/00010/HOUSE	Las Flores Uffculme Road Willand Cullompton Devon EX15 2SA	Erection of a garage	PERMIT	DEL	01/03/2017
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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.

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2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

Reasons

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

Reasons

The application for the erection of a garage to the front of the property is considered to be acceptable. The overall scale and design of the scheme respects the character, scale, setting and design of the existing house. The proposed development would not result in the over development of the curtilage. Overall, it is not considered that the application scheme would result in any significant adverse impacts on the living conditions of occupants of any neighbouring properties. On this basis the proposals are considered to sufficiently comply with the following policies; Local Plan part 3 (Development Management Policies) DM2 and DM13 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.

17/00020/FULL	Yerrishayes Kentisbeare Cullompton Devon EX15 2HF	Erection of extension to dwelling	PERMIT	DEL	01/03/2017
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Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 Notwithstanding the provisions of 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, G and H of Part 1, or Classes A, B, C, D, E and F of Part 2 of Schedule 2, relating to all proposed development within these classes,, shall be undertaken within the application site without the Local Planning Authority first granting planning permission.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the development is compliant with the same restrictions as those pertaining to the permitted development under Class Q of the existing dwelling, to ensure parity and conformity with the original proposal, and to ensure the site is appropriately controlled in accordance with the general permitted development order.

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Reasons

The proposed extension by virtue of its 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 DM2 and DM13 of Adopted Mid Devon Local Plan Part 3 (LDF) and the National Planning Policy Framework.

Reasons

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

17/00041/HOUSE	10 Post Hill Tiverton Devon EX16 4ND	Erection of two storey extension	PERMIT	DEL	03/03/2017
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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 two storey side and rear extension and associated works, in terms of their scale, design and position are on balance considered to be supportable in policy terms. The extension is considered to adequately 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 adequately comply with the following policies; Mid Devon Core Strategy (Local Plan part 1) COR2 and COR13, 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 Councillor briefing, 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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/00053/HOUSE	5 Langford Green Langford Cullompton Devon EX15 1RG	Erection of two storey side extension and single storey rear extension	REFUSE	DEL	03/03/2017

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 The proposed two storey side and single storey rear extensions, by reason of their location, scale, massing, design and relationship with the existing dwelling, are considered to detract from the character, appearance and setting of the existing building, the street scene and collective appearance of the four pairs of semi-detached former estate dwellings, contrary to policies COR2 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1), DM2, and DM13 of the Local Plan Part 3 and the National Planning Policy Framework.
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