

Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/00669/OUT	Land at NGR 306382 109466 Jarmins Cross Kentisbeare Devon	Outline for the erection of a poultry manager's dwelling	PERCON	DEL	05/09/2017

Conditions

- 1 Before any part of the development hereby permitted is begun, detailed drawings to an appropriate scale of the layout, scale and appearance of the building, the means of access thereto and the landscaping of the site (hereinafter called the Reserved Matters) shall be submitted to and be approved in writing by the Local Planning Authority.
- 2 Application(s) for approval of all Reserved Matters shall be made to the Local Planning Authority before the expiration of one year from the date of this permission.
- 3 The development hereby permitted shall be begun before the expiration of one year from the final date of the approval of the Reserved Matters.
- 4 The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture (as defined by Section 336(i) of The Town and Country Planning Act 1990) or in forestry, or a widow or widower of such a person, or to any dependants.
- 5 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, E of Part 1 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, or the erection of buildings incidental to the enjoyment of the dwellinghouse without the Local Planning Authority first granting planning permission.

Reasons

- 1 The application was submitted as an outline application in accordance with the provisions of Articles 4 and 5 of The Town and Country Planning (Development Management) Order 2010.
- 2 To allow the accommodation to be provided quickly as it is required in connection with an existing agricultural enterprise where it has been established that there is a current functional need for permanent accommodation on the site in accordance with policy COR18 of Mid Devon Core Strategy (Local Plan 1).
- 3 To allow the accommodation to be provided quickly as it is required in connection with an existing agricultural enterprise where it has been established that there is a current functional need for permanent accommodation on the site in accordance with policy COR18 of Mid Devon Core Strategy (Local Plan 1).
- 4 The site is located outside defined settlement limits in the open countryside, where national and local planning policy requires that there is an 'essential need' for workers to live at or near their place of work in accordance with policy COR18 of Mid Devon Core Strategy (Local Plan 1) and guidance in the National Planning Policy Framework.
- 5 To safeguard the visual amenities and the character and appearance of the area in accordance with policies DM2 and DM29 of the Local Plan 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

Reasons

It is considered that the agricultural holding demonstrates a need for in excess of one full time worker. Overall, the exceptional personal medical circumstances are considered to further add to the justification for an agricultural workers dwelling in the open countryside; in this instance the existing dwelling near to the but not tied to the holding cannot satisfactorily meet the needs of the agricultural enterprise with the applicants medical justifications and intention to step back from the day to day running of the enterprise. The nature of the enterprise and requirement for fast reaction times in emergencies further justifies the need for an agricultural workers dwelling on this particular site which could not be satisfied by a dwelling in a nearby settlement. It is further confirmed that there are no buildings suitable for conversion on the holding. The application is made in outline and so all matters relating to access, scale, design, appearance and foul/ surface drainage disposal are to be considered as part of a subsequent reserved matters submission. The application proposal is therefore considered to comply with policies COR1 and COR18 of the Mid Devon Local Plan part 1 (Core Strategy), AL/IN/3 of the Mid Devon Local Plan part 2 (Mid Devon Allocations and Infrastructure Development Plan Document), DM1, DM10 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 manner with an extension of time. 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.

17/00769/MFUL	Building at NGR 304888 112428 Hitchcocks Business Park Uffculme Devon	Demolition of existing commercial building (Use Class B1, B2, B8) and erection of replacement commercial building (Use Class B1, B2, B8) with parking area	PERCON	DEL	06/09/2017
----------------------	---	--	--------	-----	------------

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 materials, goods, products, chattels, scrap or waste materials shall be stored outside of any unit, at any time without details of any areas to be used for storage and the type of storage first having been submitted to and approved in writing by the Local Planning Authority.
- 4 The units hereby permitted shall not be first occupied until the parking and turning facilities shown on the approved plans have been provided in accordance with that plan (Drawing number 1871 069 RevA). Once provided, such facilities shall be permanently so retained and maintained.
- 5 No part of the development hereby permitted shall be commenced until the proposed amended basin (as proposed under application 17/00559/FULL) and detailed in Drainage Statement (0180-170402-01-CY, dated 02/04/2017) is constructed and the proposed drainage layout indicated in drawing number PDL-501 Rev B submitted with this application (received 9th May 2017) connects to the drainage infrastructure flowing to that replacement attenuation pond.
- 6 Details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to it being installed. The external lighting shall be installed in accordance with the approved details and thereby retained as such unless a variation is subsequently submitted to and approved in writing by the Local Planning Authority.
- 7 The mitigation and enhancements proposed in the Bat and Protected Species Report (June 2017) prepared by Ecological Surveys Ltd shall be implemented and completed before the building is first occupied and shall be retained in accordance with the requirements of that report.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
8		Prior to demolition commencing, a works plan and risk assessment shall be submitted to and approved in writing by the Local Planning Authority. This plan and assessment should identify and risk-assess any potential hazardous material in above or below ground structures that will be removed or disturbed during demolition and measures to deal with these safely. All potentially hazardous materials should be assessed. The development shall take place in accordance with the approved works plan and risk assessment.			
9		Units 5b and 5c and associated parking shall be used for B8 use and for no other purpose (including any purpose in Class B1 or 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.			

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 adequate parking facilities and access thereto remain available for the use of the site, in accordance with policies DM2 and DM8 of Local Plan Part 3 (Development Management Policies).
- 4 To ensure appropriate facilities are provided for traffic attracted to the site in accordance with policy DM8 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 5 To ensure that surface water runoff from the site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.
- 6 In order to safeguard the visual amenity of the area and its rural character and appearance.
- 7 To ensure the protection of any ecological interests at the site in accordance with policy DM11.
- 8 In the interests of public health and protection of the environment.
- 9 To ensure sufficient parking is provided for the units on site.

Reasons

The site is located within the open countryside but within an existing industrial/business park/estate. The National Planning Policy Framework is very clear that there should be an emphasis on promoting sustainable economic development. The building itself is a standard industrial appearance. It is well screened any public highway. It is not considered that the proposal will harm the character of the area over and above the current operation of the building. There are no residential properties in very close proximity to the unit and therefore the proposed development is unlikely to impact on residential amenity. Whilst there is likely to be an increase in the traffic associated with this building, the access onto the B3181 is considered sufficient to cope with this increase without any detriment to highway safety. A further planning application has been submitted for another building and a new right turn is to be provided to assist with the potential increase in traffic generation expected from this site in the future. The proposal is therefore considered to comply with policies COR9 of CS and criterion (a) of policy DM20. It is considered that the use of this building would comply with policies COR1, COR4, COR8, COR9 and COR18 of Core Strategy and policies DM1, DM2, and DM8 of the Local Plan Part 3. In addition, the proposed development is considered to be in accordance thrust of the National Planning Policy Framework in promoting sustainable 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 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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/00835/FULL	Old School House Ashill Cullompton Devon EX15 3NH	Erection of two-storey extension and detached garage, and change of use of agricultural land to domestic garden (Revised Scheme)	PERMIT	DEL	06/09/2017

Conditions

- 1 The development hereby permitted is considered to have been lawfully commenced on 2nd August 2017.
- 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 To set a legal commencement date for the works. RD7A for the avoidance of doubt in the interests of proper planning.
- 2 For the avoidance of doubt and in the interests of proper planning.

Reasons

The revised scheme application for the erection of a two storey side extension, detached garage and change of use of agricultural land to domestic garden is considered to be acceptable in principle. The proposed development is considered to respect the character, scale, setting and design of the existing dwelling. The proposal would not result in the 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. The proposed timber cladding (red cedar) is considered to be acceptable. Overall the proposal is considered to comply with policies COR18 of the Mid Devon Local Plan part 1 (Core Strategy), 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.

17/00864/FULL	Land and Buildings at NGR 270347 99645 (Coxmoor) Bow Devon	Conversion of barn to dwelling	PERCON	DEL	07/09/2017
---------------	---	--------------------------------	--------	-----	------------

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 conclusions and mitigation measures set out in the Bat Scoping Survey by Crossman Associates (June 2017) by the Local Planning Authority shall be complied with in full during construction of the development hereby approved.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

- 4 The alterations to the building hereby approved shall not 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.
- 5 Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development)(England) Order 2015 no development of the types referred to in Classes A, B, C, D, E of Part 1, relating to extensions, alterations to roofs, porches, sheds and enclosures, 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 protection of any ecological interest at the site.
- 4 To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the building in accordance with policy DM2 and DM11 of the Mid Devon Local Plan part 3 (Development Management Policies).
- 5 To safeguard the visual amenity of the site and the character and appearance of the building in accordance with Mid Devon Core Strategy (Local Plan 1) COR2 and Local Plan Part 3 (Development Management Policies) DM2 and DM11.

Reasons

The application for the conversion of a barn to dwelling is considered to be supportable in policy terms as the building is considered to be of traditional character and contributes to the rural character of the area. It has been demonstrated that the building can be converted without significant alteration, extension or rebuilding and the scheme retains the original character of the building. The access to the site is on balance suitable to accommodate any additional movements associated with the new dwelling. It is considered that sufficient amenity space is retained for the existing dwellings(s) that sit adjacent and sufficient amenity space for future occupiers. There is sufficient room within the proposed curtilage to provide parking in accordance with policy DM8. The development should not harm any biodiversity interests at the site. The applicant has made the appropriate contribution in accordance with policy AL/IN/3. Overall it is considered that the proposal is supportable in accordance with the following policies: COR2 of the Mid Devon Core Strategy (Local Plan part 1), Local Plan Part 2 (Allocations and Infrastructure Development Plan Document) AL/IN/3 and Local Plan part 3 (Development Management Policies) DM1, DM2, DM8, DM11, DM14 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.

17/00913/HOUSE	3 Hayne Barton Cottages Cullompton Devon EX15 1QW	Erection of ancillary accommodation (Revised scheme)	PERMIT	COMM	07/09/2017
-----------------------	---	--	--------	------	------------

Conditions

- 1 The date of commencement of the development shall be taken as 14th June 2017 when the application was registered by the Local Planning Authority.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

- The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- The accommodation hereby permitted shall be used for purposes ancillary to 3 Hayne Barton Cottages and shall at no time be let, sold or otherwise be disposed of as a separate unit.

Reasons

- In order to establish a legal commencement date for the development to enable the development to be monitored by the Local Planning Authority.
- For the avoidance of doubt and in the interests of proper planning.
- To safeguard the character and appearance of the building in accordance with: Local Plan Part 3 (Development Management Policies) DM2 and DM13.

Reasons

The proposed erection of ancillary accommodation (revised scheme) in the form of a detached pitched roof timber frame, timber clad outbuilding is considered to be policy supportable. The accommodation will provide the applicant with the required additional living space to be used in association with the main dwelling which will be accessible by people less abled such as those who cannot climb stairs to access the main sleeping accommodation in the main house. The revised site location plan shows that the proposed accommodation has been moved from the location shown in the previously approved scheme so that it is further from the boundary with the neighbouring property. The proposal is considered to have an acceptable relationship with the amenities of the neighbouring properties. The scale and design of the proposed ancillary accommodation is typical of many domestic outbuildings and is considered to respect the character, scale, design and setting of the main dwelling. As such there are no outstanding issues with the proposal and conditional approval is recommended. The proposal is considered to comply with Policies COR18 of the Mid Devon Core Strategy (Local Plan Part 1), 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 negotiation and discussions with agent, neighbours and Ward Members. 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.

17/01022/HOUSE	Feast or Famine Westcott Cullompton Devon EX15 1SB	Erection of conservatory and store room	PERMIT	DEL	04/09/2017
-----------------------	--	---	--------	-----	------------

Conditions

- The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

Reasons

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

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

Reasons

The application for the erection of a conservatory and store room to the rear of the property at Feast or Famine, Westcott is considered to be supportable in policy terms. While the Local Planning Authority are not wholly supportive of the scale or appearance of the proposed application, on balance given the planning history on the neighbouring site and the benefits the proposal will bring to the current occupiers of the property, on balance the proposal is considered to be supportable. The proposed development would not result in the over-development of the dwelling curtilage. Overall, it is not considered that the application scheme would result in any significant adverse impacts to the living conditions of occupants of any neighbouring properties. On this basis the proposals are considered to sufficiently comply with the following policies; Mid Devon Core Strategy (Local Plan Part 1) COR18, 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.

17/01040/HOUSE	Netherton 3 Church Path Halberton Tiverton Devon EX16 7AT	Re-instatement of dormer window on North East elevation	PERMIT	DEL	04/09/2017
-----------------------	--	--	--------	-----	------------

Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

Reasons

- 1 In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.

Reasons

The proposed dormer extension is considered to be acceptable both in respect of the context of the existing building and within the conservation area. Therefore, the proposed is in accordance with Policy DM13 of the Mid Devon Local Plan part 3 (Development management Policies) and paragraphs 131, 132 and 134 of 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
17/01041/LBC	Netherton 3 Church Path Halberton Tiverton Devon EX16 7AT	Listed Building Consent for re- instatement of dormer window on North East elevation	PERMIT	DEL	04/09/2017

Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

Reasons

- 1 In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.

Reasons

The proposed dormer reinstatement is considered to be acceptable in respect of the context of the listed building and evidence of its past appearance. There will be no harm to the historic fabric of the building. Therefore, the proposal is in accordance with Policy DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies) and paragraphs 132 and 134 of the National Planning Policy Framework.

17/01043/FULL	23 Newport Street Tiverton Devon EX16 6NL	Change of use of office to a dwelling in multiple occupation	PERMIT	DEL	08/09/2017
---------------	--	---	--------	-----	------------

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 is appropriately designed and located with minimal changes required to bring forward a House in Multiple Occupation. Whilst amenity space and parking is not provided in the scheme these are available very close in the local area. The proposal is therefore in accordance with the Mid Devon Core Strategy (Local Plan Part 1) Policies COR3 and COR4; Local Plan Part 3 (Development Management Policies) Policies DM2, DM21 and DM27 and the National Planning Policy Framework and should be granted consent.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

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 discussions and advice given - application has come in as agreed. 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.

17/01057/PNCOU	Land and Buildings at NGR 283960 113766 (Mont Villa) Nomansland Devon	Prior notification for the change of use of an agricultural building to a dwelling under Class Q	APA	DEL	05/09/2017
----------------	---	--	-----	-----	------------

Conditions

- 1 The dwelling hereby approved shall not be occupied until the following works have been completed: a)the buildings indicated on the updated block plan received on 4th September 2017 have been removed; b)the entrance to the farm has been separated from the entrance to the dwelling; c)a fully complete 2 metre high acoustic barrier has been erected in the position indicated on the updated block plan received on 4th September 2017, such barrier to be formed from a solid construction with no air gaps, and to achieve a minimum mass of 10 kg/m2.

Reasons

The proposed change of use of an agricultural building to a dwelling as shown on the approved plans accords with the requirements of Class Q(a) and Q(b) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Reasons

- 1 To protect the residential amenity of the future occupiers of the dwelling.

17/01077/FULL	Halfway House Willand Cullompton Devon EX15 2RF	Retention of fence adjacent to Muxbeare Lane	PERMIT	DEL	04/09/2017
---------------	--	---	--------	-----	------------

Conditions

- 1 The development hereby permitted is considered to have been lawfully commenced on 11th July 2017.
- 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 To set a legal commencement date for the works. RD7A for the avoidance of doubt in the interests of proper planning.
- 2 For the avoidance of doubt and in the interests of proper planning.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

Reasons

The application for the retention of a fence to the front of the Halfway House, Willand is considered to be supportable in policy terms. The appearance of the fence is typical of standard close boarded fences and the height of the fence is considered to be acceptable. The fence does not affect or limit the visibility when exiting Muxbeare Lane. It is not considered that there would be any significant adverse impacts on the living conditions of occupants of the neighbouring site users. Overall the proposal is considered to comply with the following policies; Mid Devon Core Strategy (Local Plan part 1) COR17, Local Plan part 3 (Development Management Policies) DM2 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.

17/01103/CLP	Land and Buildings at NGR 286070 123791 (Highfield Farm) Oakford Devon	Certificate of Lawfulness for the proposed erection of an industrial building	PERMIT	DEL	08/09/2017
---------------------	--	---	--------	-----	------------

Reasons

The proposal amounts to permitted development in accordance with Schedule 2, Part 7, Class H of The Town and Country Planning (General Permitted Development) Order 2015 (Amended).

17/01111/HOUSE	The School House Oakford Tiverton Devon EX16 9EW	Re-instatement of entrance gate and erection of log and storage sheds	PERMIT	DEL	05/09/2017
-----------------------	---	---	--------	-----	------------

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 approved gate shown on the proposed block plan received by the Local Planning Authority on the 4th of September 2017 named School House Site Plan Plan View P1, shall be inward opening only and shall be retained and maintained as such thereafter.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 In the interests of highway safety, to ensure there is no obstruction to the highway by the gates or from vehicles entering or exiting the site.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

Reasons

The application is for the erection of two garden sheds and the installation of new entrance gates within the curtilage of a residential dwelling and is considered to be supportable in policy terms. The sheds and entrance gate in terms of their scale, design and position are considered to be acceptable in terms of how they will sit on the site and how they will present to the wider public realm, safeguarding the character and appearance of the village conservation area. 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 properties. Overall the proposal is considered to comply with the following policies; Mid Devon Core Strategy (Local Plan part 1) COR2, COR18 of the Local Plan part 3 (Development Management Policies) DM2, DM13, DM27 and Government advice in the National Planning Policy Framework.

Reasons

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

17/01124/HOUSE	Studleys Hemyock Cullompton Devon EX15 3SU	Conversion of existing outbuilding to form an annexe and additional ancillary accommodation (Revised Scheme)	PERCON	DEL	04/09/2017
-----------------------	--	--	--------	-----	------------

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 annexe building hereby approved shall be used as ancillary accommodation to the existing dwelling on the site (currently known as Studleys), and no part shall be used, let or otherwise disposed of as a separate unit of accommodation or for commercial purposes.
- 4 The roof covering of the development hereby permitted shall be of slate. A sample and details of the type and size of slate shall be submitted to, and be approved in writing by the Local Planning Authority prior to its use on the building. Such approved slate shall be so used and retained.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 The application has been submitted and determined on the basis of ancillary accommodation and not as a separate dwelling house.
- 4 To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the listed building and Blackdown Hills AONB in accordance with policies DM27 and DM29 of the Mid Devon Local Plan part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

Reasons

The proposed conversion of the existing outbuilding to form an annexe and additional ancillary accommodation, by reason of its design, scale and appearance is considered to respect the character, appearance and siting of the adjacent listing building, street scene and the site as a whole. As such, the proposed development is considered to comply with policies COR18 of the Mid Devon Local Plan part 1 (Core Strategy), DM2, DM13, DM27 and DM29 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 negotiations re-design and appearance with applicant and determining the application in a timely 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.

17/01131/CLU	Roselands Uplowman Tiverton Devon EX16 7LX	Certificate of lawfulness for the existing use of a dwelling in breach of agricultural occupancy Condition (4) of planning permission EN. 5220/34892 for a period in excess of 10 years	PERMIT	DEL	05/09/2017
--------------	--	---	--------	-----	------------

Reasons

From the evidence submitted in support of this application, and in the absence of any counter evidence, the Local Planning Authority considers on the balance of probability that the dwellinghouse known as Roselands, Uplowman, has been occupied in breach of the agricultural occupancy condition (4) imposed on planning permission EN. 5220/34892 for a period in excess of 10 years.

17/01137/FULL	Land at NGR 287211 109687(Allberry Farm) Pennymoor Devon	Erection of an agricultural building for the storage of farm machinery, production of honey and fruit preserves	PERMIT	DEL	04/09/2017
---------------	--	---	--------	-----	------------

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
------------	---------	----------	----------	---------------	---------------

Reasons

The proposal is considered to be acceptable in that the building is designed for its proposed purposes and located appropriately for its use. The site is well screened within the landscape and the building is not considered to harm the character of the countryside. In addition, the building is some distance from any neighbouring dwelling and is not considered to harm the living conditions of any neighbouring residents. The development is considered to be in accordance with policies COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 and DM22 of the 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.

17/01141/TPO	7 Pear Drive Willand Cullompton Devon EX15 2QS	Application to fell 1 Oak tree protected by Tree Preservation Order No. 96/00014/TPO	PERMIT	DEL	05/09/2017
--------------	---	--	--------	-----	------------

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 Oak Tree
- 4 The tree that is to be removed shall be replaced by a standard Quercus robur 6-8cm girth supplied in accordance with BS8545:2014 Trees: from independence in the landscape - Recommendations. The trees shall 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 are carried out in accordance with best Arboricultural practice.
- 2 To ensure the works are carried out in accordance with best Arboricultural practice.
- 3 To preserve the continued contribution of the tree to the local character and amenity whilst enabling such works as are required to manage the tree and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.
- 4 In the interests of replacing the amenity lost by the removal of the tree.

Reasons

Due to the rapid decline and virtual death of the tree MDDC Tree Officer has no objection to its removal.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01147/FULL	Fairview & Land at NGR 277015 93584 Cheriton Bishop Exeter EX6 6JU	Erection of replacement dwelling and garage with store above and change of use of agricultural land to residential garden	PERCON	DEL	06/09/2017

Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes A, B, C, D or E of Part 1 of Schedule 2, relating to extensions, additions and alterations to the roof, porches and outbuildings shall be undertaken without the Local Planning Authority first granting planning permission.
- 4 The garage building, hereby approved, shall be used ancillary to the main dwelling on the site and shall at no time be used, let, sold or otherwise disposed of as a separate unit.
- 5 The development hereby permitted shall be carried out at all times strictly in accordance with the recommendations of the ecological survey report by David F Wills Ecological Consultant (July 2017).
- 6 Prior to construction of the dwelling hereby approved, a plan of the proposed boundary treatments indicating the height, positions, design, materials and type of boundary treatment to be erected on the site and a timescale for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments so approved shall be completed in accordance with the approved details and shall 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 the size of the replacement dwelling reflects the requirements of Policy DM12 of the Local Plan part 3 (Development Management Policies) and to ensure development makes a positive contribution to the visual amenities of the area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).
- 4 The site is located in the countryside where the provision of additional dwelling is not supported by policy COR18.
- 5 To safeguard the biodiversity interest at the site.
- 6 To ensure the scheme provides a positive contribution to the character and appearance of the area in accordance with policy COR2 of the Mid Devon Core Strategy (Local Plan part 1) and DM2 of the Local Plan part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
------------	---------	----------	----------	---------------	---------------

Reasons

The application scheme for the erection of a replacement dwelling and garage with store above and change of use of agricultural land to residential garden is considered to be supportable in policy terms. The scheme presents a reasonable increase in floor space that is considered to be compliant with policy DM12. Despite the increase in scale of the dwelling there are no nearby properties that would be significantly impacted by the proposal and it is considered that the larger dwelling can be accommodated within the site without resulting in harm to the character and appearance of the rural area. The material palette is considered to be appropriate for the rural location. The access and parking arrangements are considered to be acceptable. The provision of the garage building with storage above is considered to be acceptable as an ancillary building. The agricultural land that is proposed to change to garden is well related to the existing garden area and would not result in the loss of a significant area of productive agricultural land. The proposal would not result in any harm to biodiversity interests at the site. On this basis the proposal is considered to comply with the following policies, COR2 and COR18 of the Mid Devon Core Strategy (Local Plan part 1), DM1, DM2, DM8, DM12, DM13 and DM14 of the Local Plan part 3 (Development Management Policies) and Government advice in the National Planning Policy Framework.

Reasons

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

17/01202/HOUSE	Old Barn Loxbeare Tiverton Devon EX16 9RJ	Erection of garage and workshop	PERMIT	DEL	04/09/2017
----------------	--	---------------------------------	--------	-----	------------

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 proposal is considered to be acceptable in that the garage and workshop are considered to be suitably scaled and designed for their use and location and not to have an adverse effect on any neighbouring residents. The proposal is considered to be in accordance with the relevant policies COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 and DM13 of the 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 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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01216/PNHH	1 Winder Crescent Tiverton Devon EX16 5FE	Prior Notification for the erection of an extension, extending to 6m to the rear, maximum height of 3.5m, eaves height of 2.3m	PDA	DEL	04/09/2017

Conditions

- 1 The proposed extension amounts to permitted development in accordance with Schedule 2, Part 1, Class A of The Town and Country Planning (General Permitted Development) Order 2015.
-