

Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/00824/FULL	Springbourne Cullompton Devon EX15 1RX	Erection of 3 dwellings with associated access and parking provision	PERCON	COMM	02/11/2017

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 site access and visibility splays shall be constructed, laid out and maintained for that purpose in accordance with the attached Diagram EX149/PA/002 to the south where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.60 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway (identified as X) shall be 2.40 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be as shown to the south and shall be 2.4m parallel to the northern boundary.
- 4 The site access road shall be hardened, surfaced, drained and maintained thereafter for a distance of not less than 6.00 metres back from its junction with the public highway.
- 5 In accordance with details that shall previously have been submitted to, and approved by, the Local Planning Authority, provision shall be made within the site for the disposal of surface water so that none drains on to any County Highway.
- 6 No development shall begin until details/samples of the materials to be used for all the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. Such approved materials shall be so used and retained.
- 7 No hard landscaping works in the areas shown on the approved plan(s) shall begin until details/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 and shall be so retained.
- 8 Prior to occupation of the dwellings hereby approved, a landscaping scheme, including details of any changes proposed in existing ground levels shall be submitted to, and approved in writing by the Local Planning Authority. All planting, seeding, turfing or earth reprofiling comprised in the approved details of landscaping shall be carried out within 9 months of the substantial completion of the development, (or phase thereof), and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species. Once provided, the landscaping scheme shall be so retained.
- 9 Prior to occupation of the dwellings hereby approved 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 shall be submitted to, and been approved in writing by, the Local Planning Authority. The boundary treatment so approved shall be completed in accordance with the approved details and shall be so retained.
- 10 Before the development hereby permitted is first brought into use, the vehicular access, parking and turning areas indicated on the approved plans shall be surfaced and drained (to avoid surface water discharge onto the highway). Following their provision, these facilities shall be so retained.
- 11 The existing access shall be permanently closed within one calendar month of the permitted access first being brought into use. Details of means of closure shall be submitted to, and be approved in writing by, the Local Planning Authority.

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12		Prior to the construction of the new access and driveway, an arboricultural method statement shall be submitted to, and approved in writing by the Local Planning Authority. The arboricultural method statement should detail how the Oak tree (the subject of the Tree Preservation Order) will be protected throughout the construction process as well as details of no dig proposal and how it will be implemented and overseen.			

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 provide a satisfactory access to the site with adequate facilities for short term parking and to provide adequate visibility from and of emerging vehicles.
- 4 To prevent mud and other debris being carried onto the public highway.
- 5 In the interest of public safety and to prevent damage to the highway.
- 6 To ensure the use of materials appropriate to the development in order to safeguard the visual amenities of the area in accordance with policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 7 To ensure the use of materials appropriate to the development in order to safeguard the amenity of the protected Oak tree.
- 8 To ensure that the development makes a positive contribution to the character and amenity of the area in accordance with policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 9 To safeguard the character and amenities of the area in accordance with policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 10 In the interest of highway safety and to ensure that adequate on-site facilities are available for traffic attracted to the site in accordance with policies DM2 and DM8 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 11 To achieve safe access to and from the site in a manner which does not cause significant danger and inconvenience to other road users in accordance with policies DM2 and DM8 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 12 To ensure the protection of the Oak tree protected by the Tree Preservation Order reference: 13/00001/TPO.

Reasons

The site is located within the settlement of Cullompton and is an allocated site for residential development in the Allocations and Infrastructure Development Plan Document. The overall number of dwellings and the design and layout of the site is considered to be appropriate in its context and makes use of the developable site area. The proposal makes sufficient provision for off-street car parking and access to the site is considered to have adequate visibility so as to ensure highway safety. A Sustainable Urban Drainage Strategy is proposed to dispose of surface water on the site by the use of an attenuation tank and the development will not increase the risk of flooding either on or off the site. Financial contributions for both off-site public open space provision and towards the implementation of the Air Quality Action Plan have been made in accordance with policies AL/IN/3 and AL/CU/15 of the Allocations and Infrastructure Development Plan Document. Consideration has been given to the impact of the development on occupiers of nearby residential properties and other material planning considerations. Therefore it is considered appropriate to recommend approval with conditions necessary to ensure the success of the development in this location. The application is in accordance with policies COR1, COR2, COR3, COR9 and COR14 of the Mid Devon Core Strategy (Local Plan Part 1), DM1, DM2, DM4 and DM8 of the Mid Devon Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework. The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.

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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 pre-application advice and negotiations with the agent. 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.

17/00930/OUT	Land at NGR 297462 108340 Next to The Butterleigh Inn Butterleigh Devon	Outline for the erection of 5 dwellings (including affordable housing) and associated access	REFUSE	DEL	31/10/2017
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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 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 proposed location is outside of any defined settlement, where housing development would not normally be acceptable. The Local Planning Authority recognise that due to the lack for 5year housing land supply, paragraphs 14 and 49 of the National Planning Policy Framework are engaged. The proposed housing is in a location where there are very limited nearby services and facilities to serve the occupants of the new dwellings, along with no public transport routes nearby, and narrow single track lanes that are unlit without footpaths, necessitating reliance on private motor vehicles. In addition, no local need has been identified to justify the two proposed affordable dwellings. On this basis the Local Planning Authority does not consider that the proposal is in a sustainable location for housing development, contrary to policies COR1, COR18 of the Mid Devon Core Strategy and the National Planning Policy Framework.
- 2 The proposed development would be likely to result in an increase in the volume and a change in the character of traffic entering and leaving the County Road through a junction which does not provide adequate visibility from and of emerging vehicles, contrary to COR9 of the Mid Devon Core Strategy and paragraph 32 of the National Planning Policy Framework.
- 3 Insufficient information has been submitted in relation to contaminated land. The proposed use is a sensitive and contamination vulnerable land use. In the opinion of the Local Planning Authority further information is required in relation to the risk, level and extent of any contamination, to ensure any contamination can be appropriately mitigated, in accordance with policies DM2 and DM7 of the Local Plan Part 3 (Development Management Policies).
- 4 In the opinion of the Local Planning Authority the proposed development will bring about demand for public open space facilities. Due to the size of the scheme, onsite provision is considered undesirable due to the maintenance requirements. The application proposals do not include a contribution to the provision of open space. The development is therefore contrary to policy AL/IN/3 of the Allocations and Infrastructure Development Plan Document: The provision and funding of open space through development (May 2008).
- 5 In the opinion of the Local Planning Authority, the proposal will generate a need for primary and secondary school transport due to the proposed development site being further than 2.25 miles from the nearest schools. The application proposals do not include a contribution towards the needed education infrastructure. The proposal is therefore contrary to policy AL/IN/5 of the Allocations and Infrastructure Development Plan Document: Education provision (May 2008).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01086/FULL	Ladds Westward Business Centre Mill Street Crediton Devon EX17 1HB	Erection of a two storey building (Use Class B1) following demolition of existing storage building and alterations to vehicular and pedestrian accesses	PERMIT	DEL	30/10/2017

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 proposed upper floor windows as shown on the approved plans to be set within the eastern elevation shall be non-opening and glazed with obscure glass to a specification to be agreed with the Local Planning Authority and shall be permanently maintained thereafter as non opening and obscure glazed.

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 adjoining premises from overlooking and loss of privacy and to accord with policy DM2 of the local plan.

Reasons

The proposed demolition of the existing single storey commercial building on the site to be replaced with a two storey more modern and contemporary designed building specifically for B1 uses is considered to be supportable in principal reflecting the site location within the settlement boundary of Crediton and with an existing business park. Satisfactory access and parking arrangements are to be provided. It is considered that the new building will sit comfortably within the street scene and without adversely affecting the contribution that the site makes to the wider scene and to this part of the Crediton Conservation Area. Subject to conditions regarding the glazing detail for the upper floor windows the LPA is satisfied that the proposed scheme will not result in any harmful impacts on the amenity of occupiers of nearby properties. Overall the proposal is considered to be acceptable in accordance with policy COR9 and COR15 of the Mid Devon Core Strategy (Local Plan part 1), DM1, DM2, DM8 DM17, DM21 and DM27 of the Local Plan part 3 (Development Management Policies) and government advice in the National Planning Policy Framework.

Reasons

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

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01132/ADVERT	Devonshire Dumpling Morchard Road CREDITON DEVON EX17 5LP	Advertisement Consent to display 1 non-illuminated free-standing sign	PERMIT	DEL	31/10/2017

Conditions

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

Reasons

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

Reasons

Subject to the imposed conditions, the proposed signage will not harm public safety and will not be of detriment to the amenity of the locality within which the site lies. The proposal is in accordance with Government guidance in the National Planning Policy Framework.

17/01298/MFUL	Land and Buildings at NGR 305188 112386 (Hitchcocks Business Park) Carlu Close Uffculme Devon	Erection of 2 commercial buildings and formation of commercial parking yard areas with associated access works including formation of right turn lane on the B3181	PERCON	DEL	01/11/2017
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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.
- No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.
- 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-801 Rev B submitted with this application (received 8th August 2017) connects to the drainage infrastructure flowing to that replacement attenuation pond.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
5		The development shall take place in accordance with the Written Scheme of Investigation (prepared by South West Archaeology - document ref: UHE17WSiv1 and dated: 26/10/2017) that has been submitted by the applicant and approved by the Planning Authority. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.			
6		Prior to occupation or use of any part of the application site the development shall have provided in full the off-site highway works for the provision of a right turn lane on the B3181 to access the Industrial estate which have been designed and approved in writing by the Local planning Authority and have been constructed and made available for use.			
7		The mitigation and enhancements proposed in the Protected Species Report (July 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.			
8		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 091 Rev D). Once provided, such facilities shall be permanently so retained and maintained.			
9		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.			
10		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.			

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 surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.
- 4 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.
- 5 To ensure, in accordance with paragraph 141 of the National Planning Policy Framework (2012) and the supporting text in paragraph 5.3 of the Mid Devon Local Plan Part 3: Development Management Policy DM27 (2013), that an appropriate record is made of archaeological evidence that may be affected by the development.
- 6 To minimise the impact of the development on the highway network in accordance with paragraph 32 NPPF.
- 7 To ensure the protection of any ecological interests at the site in accordance with policy DM11.
- 8 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).
- 9 In order to safeguard the visual amenity of the area and its rural character and appearance.
- 10 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).

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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 buildings themselves are of a standard industrial appearance. It is well screened from 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 following the provision of the right turn. 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 Mid Devon Core Strategy (Local Plan Part 1) and policies DM1, DM2, and DM8 of the Local Plan Part 3. In addition, the proposed development is considered to be in accordance with the 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 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.

17/01310/FULL	The Wharf House Holcombe Rogus Devon TA21 0NB	Retention of summerhouse and decking	PERMIT	COMM	02/11/2017
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Conditions

- 1 The development hereby permitted is considered to have been lawfully commenced on 11th 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.
- 3 The garden room hereby permitted shall be used ancillary to the main dwelling currently known as The Wharf House, and no part shall be used, let, sold or otherwise disposed of as a separate unit of accommodation.

Reasons

- 1 To set a legal commencement date for the works. For the avoidance of doubt in the interests of proper planning.
- 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 accommodation ancillary to the main dwelling and not as a separate dwelling, in accordance with policy COR18 Mid Devon Local Plan Core Strategy and policy DM13 Local Plan Part 3 (Development Management Policies).

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Reasons

The application for the retention of existing garden room at The Wharf House, Holcombe Rogus is considered to be supportable in policy terms. While the garden room is less traditional in appearance, views of the garden room from outside of the site within the Grand Western Canal Conservation Area are limited and are viewed in framed and partially obscured views for very short periods of time when walking along the adjacent canal tow path. Any limited views of the garden room are seen in connection with the main house, existing outbuildings and driveway. The scale and massing of the development is considered to be acceptable given the proposed use of the building ancillary to the main house. There are no impacts on neighbouring properties. The appearance, siting and scale of the garden room is considered to result in less than substantial harm to the setting of the Conservation Area and as such it is recommended that conditional approval is granted. The proposal is considered to comply with policies COR18 of the Mid Devon Local Plan Part 1 (Core Strategy), DM2 and DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework. The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.

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 discussions with the agent. 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.

17/01344/FULL	Land at NGR 294775 111860 Palmerston Park Tiverton Devon	Stabilisation of existing bank to allow development permitted under planning permission 15/00779/MFUL	PERCON	COMM	02/11/2017
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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 Prior to the commencement of the stabilisation works hereby approved a landscaping scheme, including details of any changes proposed in existing ground levels shall be submitted to and approved in writing by the Local Planning Authority. All planting, seeding, turfing or earth reprofiling comprised in the approved details of landscaping shall be carried out within 9 months of the substantial completion of the stabilisation works, and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species. Once provided, the landscaping scheme shall be so retained.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the development makes a positive contribution to the character and amenity of the area in accordance with policies COR2 Mid Devon Local Plan [LP1] and policy DM2 of Local Plan Part 3 [Development Management Policies].

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Reasons

The proposed works to stabilise the bank through the use of soil nails and the laying of a mesh over the top soil will require the loss of the sycamore trees that currently exist on the bank between the development site and Palmerston Park road below and to the east. The stabilisation works are required to enable to safe development of 26 dwellings on the plateau above the bank which were approved under 15/00779/MFUL. The loss of the trees is lamentable, however, the trees on the eastern side of Palmerston park and to the east of the site will not be affected by the stabilisation works and these trees and vegetation provide a green visual screen toward the development site when looking toward it from the Exe valley to the east. Following the stabilisation works the native species within the bank will be encouraged to regrow. To ensure that the bank is once again covered with vegetation and to assist with its reintegration into the street scene and landscape; a condition requiring the submission of a landscaping scheme has been imposed. The development is therefore considered to be in accordance with policies COR2 Mid Devon Core Strategy [LP1], policy DM2 Local Plan Part 3 [Development Management Policies] and the NPPF. The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.

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.

17/01369/FULL	Holy Cross Church Cruwys Morchard Pennymoor Devon	Installation of a LPG tank in churchyard	PERCON	DEL	02/11/2017
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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 take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.
- 4 Within 1 month of the installation of the LPG tank hereby approved, the Hazel wattle hurdles shall be provided in accordance with the submitted Block Plan, received by the Local Planning Authority on the 2nd October 2017, the hurdles shall be retained until the hedge required by Condition 5 is established to a height of 1.2 metres.
- 5 In the first planting season following the installation of the tank, the laurel hedgerow shall be planted in accordance with the submitted Block Plan, received by the Local Planning Authority on the 2nd October 2017. Should any plants become damaged, diseased or die, they shall be replaced in the next planting season. The hedge shall be retained and maintained thereafter at a minimum height of 1.2 metres.

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, in accordance with Paragraph 141 of the National Planning Policy Framework (2012) and supporting text in Paragraph 5.3 of Policy DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies), that an appropriate record is made of archaeological evidence that may be affected by the development.

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4		To ensure the tank is appropriately screened while the planting establishes, to preserve the character, significance and setting of the listed church, in accordance with Policy DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
5		To ensure the tank is appropriately screened to preserve the character, significance and setting of the listed church, in accordance with Policy DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies).			

Reasons

The proposed installation of an LPG tank is considered acceptable in principle, to support the continued functioning of this listed church as a community facility. Subject to the conditions imposed and the proposed screening, the proposal is considered to adequately protect the character, significance and setting of the listed church. Overall, the proposal is considered to be in accordance with Policies COR2 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM2, DM25 and DM27 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

Reasons

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

17/01426/HOUSE	Stagstile Lower Washfield Tiverton Devon EX16 9PD	Erection of single storey side and rear extensions, raising of roof and installation of 4 dormer windows to provide first floor accommodation and erection of detached double garage and store	PERMIT	DEL	30/10/2017
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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 The proposed garage hereby approved shall be constructed clear of the public right of way (FP10 Washfield) running to the south of the application site. Any drainage incorporated into the scheme must not displace water onto the public right of way.
- 4 The development hereby approved shall be carried out in accordance with the mitigation measures as detailed in the approved Bat and Bird Survey undertaken by J.L Ecology, dated August 2017. All approved mitigation measures will be completed in full and thereafter retained with commencement of works to take place outside of the nesting bird season.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that the public right of way (footpath) is not obstructed or damaged.

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4 To ensure the protection of endangered species, under the European Habitats Directive and the Conservation of Natural Habitats and of Wild Fauna and Flora (Council Directive 92/43/DDC) which is implemented in the UK by the Conservation (Natural Habitats & Conservation) Regulations 1994 (Statutory Instrument No 2716) amended in 2007 and in accordance with policy DM2 of Mid Devon Local Plan Part 3 (Development Management Policies).

Reasons

The proposed extensions and alterations to the existing property and proposed detached double garage by virtue of the overall scale, 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 host dwelling or its surroundings. As such the proposal is considered to comply with Policies DM2 and DM13 of the Local Plan Part 3 Development Management Policies.

Reasons

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

17/01435/FULL	Upcott Roundhouse Upcott Barton Cheriton Fitzpaine Devon EX17 4LF	Retention of holiday lodge	PERCON	DEL	03/11/2017
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Conditions

- 1 The effective date of this permission is considered to be 13th September 2017.
- 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 holiday let units hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up to date register of the names of all occupiers of the holiday let unit, their arrival and departure dates and their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.
- 4 No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination and predicted lighting contours, have been first submitted to, and approved in writing by, the Local Planning Authority. Any external lighting that is installed shall accord with the details so approved.
- 5 The building hereby approved, shall be used as holiday accommodation only. On it becoming redundant for such purposes, it shall be demolished, and all materials resulting from the demolition shall be removed from the site, within 3 years of the date this occurs unless otherwise agreed in writing by the Local Planning Authority.

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 site is in the countryside outside defined settlement limits where permanent dwellings with unrestricted occupation without special justification would be contrary to planning policy, however, holiday let development where a countryside location has been justified is considered to be in accordance with policy DM24 of the Mid Devon Local Plan Part 3 (Development Management Policies).
- 4 To satisfactorily protect the character and appearance of the landscape
- 5 To safeguard the rural character of the area in accordance with policy DM24 of the Mid Devon Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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Reasons

The application for the retention of roundhouse holiday accommodation at Upcott Barton is considered to be supportable in policy terms. The site provides unique visitor accommodation the needs of which are not met by existing provisions within nearby settlements. The holiday accommodation has operated successfully for several years and has a healthy schedule of bookings. The applicants have also provided justification as to why existing outbuildings at site cannot be converted or replaced. The development occupies a prominent location at site however its scale and design is such that it assimilates satisfactorily with its immediate surroundings and within the wider landscape. A condition requiring its removal should it fall out of use as a holiday let is considered sufficient to protect the longer term character of the landscape. No highways and/or movement issues are raised. Given the separation distance it is not considered that the proposal would result in significant adverse impacts to the amenity of neighbouring occupiers. On balance the proposal is considered to be acceptable in accordance with policies COR2 and COR18 of the Mid Devon Core Strategy, DM1, DM2, DM24 and DM27 of the Local Plan part 3 (Development Management Policies) and government advice in the National Planning Policy Framework.

Reasons

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

17/01440/PNCOU	33A Higher Street Cullompton Devon EX15 1AJ	Prior Notification for the change of use from Storage and Distribution Building (Class B8) to 2 Dwellings (Class C3) under Class P	PDA	DEL	01/11/2017
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Reasons

The proposed change of use of the building into 2 dwelling(s) as shown on the approved plans accords with the requirements of Class P of the Town and Country Planning (General Permitted Development) (England) Order 2015 and so is considered to be permitted development.

17/01445/OUT	Kenwith Peep Lane Crediton Devon EX17 3BD	Outline for the erection of 2 dwellings following demolition of existing dwelling and formation of new entrance (Revised Scheme)	PERCON	DEL	02/11/2017
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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(s), 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 the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters which have been approved, whichever is the later.
- 4 The detailed drawings required to be submitted by condition 1 shall include the following additional information: boundary treatments, hard and soft landscaping, existing site levels, proposed site levels, finished floor levels, materials, and surface water and foul drainage.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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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 In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 Planning and Compulsory Purchase Act 2004.
- 3 In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 To enable the Local Planning Authority to consider the impact of the development particularly on the occupiers of the neighbouring properties in accordance with policy DM2 of the adopted Mid Devon Local Plan Part 3 (Development Management Policies).
- 5 To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the conservation area in accordance with Mid Devon Core Strategy (Local Plan 1) COR2 Local Plan Part 3: (Development Management Policies) DM2.
- 6 To safeguard the character and appearance of the conservation area in accordance with Policy DM27 of the Local Plan Part 3: (Development Management Policies)
- 7 To ensure that adequate facilities are available for the traffic attracted to the site.
- 8 In the interest of highway safety and to ensure that existing parking provisions remain unaffected by the development.
- 9 To protect the privacy and amenities of neighbouring occupiers accordance with policies DM2 and DM14 of the Local Plan 3 (Development Management Policies).
- 10 To ensure the provision of adequate facilities during the construction period and in the interests of highway safety.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
11		To ensure, in accordance with paragraph 141 of the National Planning Policy Framework (2012) and the supporting text in paragraph 5.3 of the Mid Devon Local Plan Part 3: Development Management Policy DM27 (2013), that an appropriate record is made of archaeological evidence that may be affected by the development.			
12		To ensure protection of the Cob wall and in accordance policy DM27 of the Mid Devon Local Plan Part 3: Development Management Policy (2013).			

Reasons

This application seeks outline planning permission for the siting of two dwellings on an existing plot which currently accommodate a single dwelling, and is considered to be supportable in policy terms as the site is within the defined settlement limit of Crediton, where infill development is acceptable. It is concluded that a two dwellings could be accommodated on the site at a density compatible with its surroundings and thus ensure that the proposal will reasonably complement the appearance of the street scene and not result in detriment to the residential amenities of any neighbouring occupiers. Reasonable controls can be imposed to safeguard the character and appearance of the conservation area. On-site parking and access to the site from the highway is considered to be achievable. The applicant has made appropriate contributions in accordance with policies AL/IN/3 and AL/CRE/8. On this basis the proposal is therefore in accordance with policies COR1 and COR15 of the Mid Devon Core Strategy 2007, policy AL/IN/3 and Policy AL/CRE/8 of the AIDPD and policies DM1, DM2 (in part), DM8 and DM27 of local plan 3, and guidance in the National Planning Policy Framework.

Reasons

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

17/01455/FULL	42 Blundells Road Tiverton Devon EX16 4BZ	Change of use of former car showroom (Sui Generis) to a gym (Class D2) and associated external alterations, including the installation of 4 compressors	PERMIT	DEL	01/11/2017
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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 The premises of 42 Blundells Road within the application site shall be used for a gym and for no other purpose (including any purpose in Class D2 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 In order to control alternative uses to allow for an assessment on the vitality and viability of the Town Centre, in accordance with Policy DM17 of the Local Plan part 3 (Development Management Policies) and allow scope for the unit to revert back to its previous sui-generis use or another industrial use when the unit is no longer required by the applicants in the aim to support employment within the Town.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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Reasons

This application for a change of use is supported in policy terms. Whilst the proposal will result in a loss of a former car showroom (sui-generis use), the proposed use and scale of development is considered to respect the character of the neighbouring and wider area with no concerns associated with flood risk. The scope of the external alterations to the existing building is minimal and therefore considered acceptable. In summary the LPA is satisfied that the proposed scheme will not result in any harmful impacts on highway safety or the amenity of occupiers of any nearby properties. Overall the proposal is considered to be acceptable in accordance with policies COR1, COR4, COR6, COR7, COR9, COR11, COR12, COR13 of the Mid Devon Core Strategy (Local Plan part 1), DM1, DM8, DM17, DM21, DM24 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.

17/01457/OUT	17 Patches Road Tiverton Devon EX16 5AH	Outline for the erection of a dwelling and formation of new access	PERCON	DEL	02/11/2017
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Conditions

- 1 No development shall begin until detailed drawings to an appropriate scale of the layout, scale and appearance of the building, and the landscaping of the site (hereinafter called the Reserved Matters) have been submitted to and approved in writing by the Local Planning Authority.
- 2 Application(s) for approval of all the Reserved Matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the Reserved Matters which have been approved, whichever is the later.
- 4 The detailed drawings required to be submitted by Condition 1 shall include the following additional information: boundary treatments, hard and soft landscaping, existing site levels, finished floor levels, external lighting, materials, and surface water drainage.
- 5 Prior to their use on site, details or samples of the materials to be used for all the external surfaces of the building shall first have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved materials shall be so retained.
- 6 As part of the landscaping reserved matters, detailed drawings shall show which existing trees and hedgerows are to be retained on the site as part of the development.
- 7 No development shall begin until an Arboricultural Method Statement and Tree Protection Plan to protect the trees to be retained on the site has been submitted to, and approved in writing by, the Local Planning Authority. The approved Arboricultural Method Statement and Tree Protection Plan shall be strictly adhered to before and during construction.
- 8 No part of the development hereby approved shall be brought into its intended use until the access driveway, turning areas and parking spaces have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority and retained for that purpose at all times.
- 9 No development shall begin until a Method of Construction Statement to include details of: (a) parking for vehicles of site personnel, operatives and visitors (b) loading and unloading of plant and materials (c) storage of plant and materials have been submitted to, and agreed in writing by, the Local Planning Authority. The development shall be constructed in accordance with the approved method of consultation statement details.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
10		The surface water drainage of the site shall be designed as to prevent the discharge of surface water onto any highway.			
11		Construction works shall not take places outside 07.30 hours to 19.00 hours Mondays to Fridays and 07.30 to 13.00 hours on Saturdays and at no time on Sundays, Bank Holidays and Christmas Day.			
12		Before the development hereby approved is commenced, a site investigation and risk assessment shall be carried out to determine the nature and extent of land contamination that may be present and the likely impact on all receptors that may result. A full report of the investigation and risk assessment shall be forwarded to the Local Planning Authority for approval. No work shall proceed on site until either the Local Planning Authority grants written consent for the development to commence or the requirements of point (1) below are met. 1) Where actual or probable significant pollutant linkages are found following the investigation and risk assessment required by this condition as outlined above, the applicant shall submit a remediation statement together with a timescale for completion of the required works for approval in writing by the Local Planning Authority. 2) Following completion of any works required by point (1) above, a remediation validation report shall be submitted to the Local Planning Authority for approval in writing. Occupation on the site, or parts of the site affected by land contamination, shall not take place until approval of the validation report has been granted.			
13		Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) 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 and E of Part 1 of Schedule 2 relating to extensions, alterations to the dwelling and outbuildings shall be undertaken within the application site without the Local Planning Authority first granting planning permission.			
14		Notwithstanding the details as submitted, the access for the new dwelling to be constructed from the public highway shall use a Terram Geocell solution tree root protection load platform as confirmed in writing by the applicant's agent, Mr Garside, on the 23rd October 2017, being installed as a no-dig solution.			

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 In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 Planning and Compulsory Purchase Act 2004.
- 3 In accordance with the provisions of Section 92(2) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 4 To enable the Local Planning Authority to consider the impact of the development particularly on the occupiers of the neighbouring properties and the adjacent Conservation Area, in accordance with Policies DM2 and DM14 of the adopted Mid Devon Local Plan Part 3 (Development Management Policies).
- 5 To ensure the use of materials appropriate to the development in order to safeguard the visual amenities of the area in accordance with Mid Devon Core Strategy (Local Plan Part 1) COR2 and Local Plan Part 3: (Development Management Policies) DM2 and DM14.
- 6 In the interest of the visual amenity of the area in accordance with Policy DM2 of the Local Plan Part 3: (Development Management Policies)
- 7 To ensure the development makes a positive contribution to the character and appearance of the area by protecting the existing trees during development in accordance with Policy COR2 Mid Devon Core Strategy (Local Plan Part 1) and Policy DM2 of the Local Plan Part 3: (Development Management Policies).
- 8 To ensure that adequate facilities are available for the traffic attracted to the site.
- 9 To ensure the provision of adequate facilities during the construction period and in the interests of highway safety and protection of trees on site.
- 10 To prevent damage and to restrict the surface water running onto the highway in the interests of highway safety.
- 11 To ensure that the proposed development does not prejudice the amenities of neighbouring occupiers in accordance with Policies DM2 and DM14 of the Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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| 12 | | In the interests of public health and the protection of the environment in accordance with Policy DM7 of the Local Plan Part 3: (Development Management Policies). | | | |
| 13 | | To safeguard the visual amenities of the area and residential amenity of neighbouring residents in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Local Plan Part 3: (Development Management Policies) DM2, DM14 and DM15. | | | |
| 14 | | In order to protect the root protection zone of the existing mature tree to the front of the application site which adds to the visual amenity of the area in line with Arboricultural Practice Note 12: Driveways Close to Trees (APN12) produced by the Arboricultural Advisory and Information Service. | | | |

Reasons

The proposal is acceptable in principle as the site is within the defined settlement limit of Tiverton. The proposed development will be at a density compatible with its surroundings with the ability to provide adequate on-site parking and vehicle manoeuvring facilities with access to both the host dwelling and that of the proposed dwelling. There is sufficient distance and intervening topography and landscaping between the application site and the neighbouring properties not to adversely affect the living conditions of the occupiers of those dwellings. The applicant has made the appropriate contributions in accordance with Policy AL/IN/3. There are no flood risk or drainage issues resulting from the scheme. The proposal is therefore in accordance with Policies COR1, COR2, COR3, COR8, COR9, COR12 and COR17 of the Mid Devon Core Strategy 2007 (Local Plan Part 1), together with Policies DM1, DM2, DM8, DM14 and DM27 Local Plan Part 3 (Development Management Policies).

Reasons

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

17/01459/PNCOU	Land and Buildings at NGR 272175 96440 (Swallow Tree Farm) Hittisleigh Devon	Prior notification for the change of use of agricultural building to dwelling under Class Q	PDA	DEL	02/11/2017
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Conditions

- The agricultural building adjacent to the application building on the southern boundary, as identified on the site plan, shall have been demolished prior to occupation of the unit proposed.

Reasons

- The proposed change of use of the building into a single dwelling as shown on the approved plans accords with the requirements of Class Q (a) & (b) of the Town and Country Planning (General Permitted Development) Order 2015. Prior approval is not required subject to the following condition as well as the standard conditions set out in the GPDO:

Reasons

- To ensure the living conditions of the occupants of the proposed dwellings are satisfactory, and are not prejudiced to the extent that the proposed conversion would be impractical or undesirable.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01465/FULL	12 Martins Lane Tiverton Devon EX16 6QX	Erection of a dwelling	REFUSE	DEL	01/11/2017

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 increased use of the access onto the Public Highway, resulting from the proposed development would, by reason of the limited visibility from and of vehicles and pedestrians using the access, is likely to result in additional dangers to all users of the road contrary to COR 9 of the Mid Devon Core Strategy (Access) and paragraph 32 of the National Planning Policy Framework. In addition, the inadequate width of the access is likely to cause congestion, with consequent risk of additional danger to all users of the road contrary to COR 9 of the Mid Devon Core Strategy (Access) and paragraph 32 of the National Planning Policy Framework.
- 2 In the opinion of the Local Planning Authority, the proposed two storey dwellinghouse will result in an unacceptable adverse effect on the amenity of the neighbouring properties in terms of loss of light and overshadowing, due to the siting, scale, massing and orientation of the proposed dwelling, contrary to DM2 (High Quality Design) of the Local Plan Part 3 (Development Management Policies).
- 3 In the opinion of the Local Planning Authority, the design of the proposed dwellinghouse, in terms of its shallow pitched roof and the timber clad walls, is not considered to respect the character or appearance of the surrounding area and does not result in a positive contribution to local character and the Tiverton Conservation Area, contrary to policies DM2 (High Quality Design) and DM27 (Development affecting Heritage Assets) of the Local Plan Part 3 (Development Management Policies).
- 4 In the opinion of the Local Planning Authority the proposed development will bring about demand for public open space facilities. Due to the size of the scheme, onsite provision is considered undesirable due to the maintenance requirements. The application proposals do not include a contribution to the provision of open space. The development is therefore contrary to policy AL/IN/3 of the Allocations and Infrastructure Development Plan Document and the adopted Supplemental Planning Document: The provision and funding of open space through development (May 2008).

17/01467/FULL	Land and Buildings at NGR 278360 101658 (Fordhayes Farm) Knowle Devon	Erection of fodder store	PERMIT	DEL	31/10/2017
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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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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Reasons

The application for the erection of an extension to an agricultural building on Fordhayes farm measuring approximately 230sqm is considered to be supportable in policy terms. The building will provide fit for purpose fodder store and is considered to be reasonably necessary to support the agricultural activity on the holding. The building will assimilate well with the surrounding agricultural buildings. It is of a typical agricultural design and is considered to respect the character or the rural area. Given the topography and separation distance between neighbouring dwellings, it is not considered that the proposal would result in any adverse impacts on the amenity of nearby properties. The development is not considered to have an adverse impact on the environment or the local road network. Given this assessment the development is considered to comply with the following policies: COR2 and COR18 of the Mid Devon Core Strategy, DM1, DM2 and DM22 of the Local Plan part 3 (Development Management Policies) and the National Planning Policy Framework.

Reasons

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

17/01476/FULL	Venbridge Farm Cheriton Bishop Exeter EX6 6HD	Removal of condition (g) of planning permission 87/00530/OUT relating to agricultural tie	REFUSE	DEL	02/11/2017
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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.

Reasons

- 1 In the opinion of the Local Planning Authority, the granting of a Certificate alone is insufficient in providing clear evidence that there is no need for the condition to remain in place. The Applicant has not undertaken any marketing or an assessment for the dwelling with a restriction limiting it's occupation to an agricultural worker as stated by the original planning permission, contrary to the guidance in Policy DM10. Removing this condition would be contrary to Policy DM10 of the Local Plan Part 3 (Development Management Policies) as clear evidence has not been provided to demonstrate there is no need for the condition to remain. Furthermore it is noted that the dwelling has the benefit of 15 acres of agricultural land. The impact of lifting the condition would result in an open market dwelling in the countryside contrary to Policy COR18 of the Mid Devon Core Strategy (Local Plan Part 1).

17/01483/HOUSE	7 Smallacombe Road Tiverton Devon EX16 5BA	Conversion of garage with addition of pitched roof to form additional living accommodation	PERMIT	DEL	01/11/2017
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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.

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 conversion of garage with the addition of pitched roof to form additional living accommodation has demonstrated a sound understanding of the characteristics of the site and its situation within the surrounding area. As mentioned above it is not considered that the proposal will have an adversely negative effect on the privacy and amenity of neighbouring properties. Nor is it considered that the proposal will result in an overdevelopment of the dwelling curtilage. The application and supporting information has shown clear regard for COR2 and COR13 of the Mid Devon Core Strategy (Local Plan Part 1) and DM1, DM2 and DM13 of the Mid Devon Development Management Policies (Local Plan Part 3). Therefore the application is considered supportable and should be approved subject to conditions.

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.

17/01490/FULL	Bramblehaies Surgery College Road Cullompton Devon EX15 1TZ	Alterations and extension to provide additional consulting rooms, meeting room, and circulation area, together with relocation of visitor's car park and alterations to access paths	PERMIT	DEL	03/11/2017
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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 The parking spaces shown on drawing number BSC-17-05 shall be laid out and capable of use prior to the first use of the proposed extension, and thereafter retained.

Reasons

- 1 In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure that adequate parking facilities are provided for vehicles attracted to the site in accordance with policy DM8.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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Reasons

This application seeks planning permission for alterations and extension to provide additional consulting rooms, meeting room, and circulation area together with relocation of visitor's car park and alterations to access paths at Bramblehaies Surgery, Cullompton. The proposal has shown a clear understanding of the sites character and constraints, it is considered that the proposal will contribute well to the surrounding context. The proposal's design and setting has demonstrated an efficient and effective use of the site. The proposal's design, siting and layout are considered to be well utilised and thought-out. The proposed materials are considered to be ideal for the contemporary design. The proposed extension is considered to contribute positively to the local character of the area and will continue to consolidate the area as a key service quarter. The proposal has created safe and accessible means to access the site through the provision of a pavement and by maintaining the level of cycle and car parking. The provision of parking remains acceptable for the use of the surgery and the overall proposal is considered to be an improvement of community facilities in Cullompton. On this basis the application is considered to be in accordance with policies DM1, DM2, DM8 DM25 and DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies); and COR2, COR6, COR9 and COR14 of the Mid Devon Local Plan Part 1 (Core Strategy). The application should be granted approval.

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.

17/01506/HOUSE	Millbank Bow Mill Lane Bow Crediton Devon EX17 6HY	Erection of single storey rear extension	PERMIT	DEL	31/10/2017
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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 The external materials of the extension hereby approved shall be consistent with those of the existing dwelling.

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 For the avoidance of doubt and to protect the character and amenity of this location in accordance with policy COR17.

Reasons

The application for the single storey rear extension is considered to be supportable in policy terms. The extension is considered to respect the character, scale, setting and design of the existing dwelling. It is not considered that the proposal would result in overdevelopment of the dwelling curtilage, nor would it have significant adverse impacts on the living conditions of occupants of the neighbouring properties. Overall the proposal is considered to be in accordance with the following policies COR1 COR2 and COR17 of the Mid Devon Core Strategy (Local Plan part 1), DM1, DM2 and DM13 of the Local Plan part 3 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 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.

17/01541/PNHH	Bluebell House 18 Court Barton Close Thorverton Exeter Devon EX5 5BQ	Prior Notification for the erection of an extension, extending to 4m to the rear, maximum height of 3.70m, eaves height of 2.70m	PDA	DEL	31/10/2017
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Reasons

The proposed extension meets with the requirements of Class A, part 1, Schedule 2, Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

17/01545/PNHH	4 Cleaves Close Thorverton Exeter EX5 5NN	Prior Notification for the erection of an extension, extending to 4.5m to the rear, maximum height of 3.5m, eaves height of 2.5m	APA	DEL	31/10/2017
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Reasons

The proposed extension meets with the requirements of Class A, part 1, Schedule 2, Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

17/01555/HRN	Land at NGR 269553 112763 (South of Little Moortown) Chawleigh Devon	Hedgerow Removal Notice for the removal of approximately 270m of hedgerow	REFUSE	DEL	31/10/2017
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Reasons

- 1 The hedgerow is considered to be important under the definition in the Regulations as it has existed for at least 30 years and is of historic importance and integral (and adjacent) to a significant medieval strip-field/enclosure archaeological site recorded on the County HER (MDV58561) prior to the due date. The 270m section of hedgerow represent two whole medieval origin hedge banks and the eastern end of another hedge. The southern N-S hedge is a surviving feature of the former strip field system as identified on the County HER. Aerial photography suggests that part of the hedge bank proposed for removal represents the eastern end of at least three former strip fields. For these reasons it is considered that the hedgerow qualifies as "important" under the Hedgerow Regulations 1997 and it is not considered that the circumstances outlined by the applicant justify its removal. On this basis the hedgerow removal notice is refused.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01602/FULL	10 Market Walk Bampton Street Tiverton Devon EX16 6BL	Change of use from Use Class A1 (Retail) to Use Classes A3 (Restaurants and Cafes) and A5 (Hot Food Takeaways)	PERCON	COMM	02/11/2017

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 works to install kitchen extraction equipment, flues or other means of fume extraction shall be undertaken within the application site before details of such equipment have been submitted to and approved in writing by the Local Planning Authority.

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 enable the Local Planning Authority to consider details of the development not already supplied.

Reasons

The proposed change of use is considered to have minimal impact on the primary retail area of Tiverton given its size, the current vacancy rate of the precinct and the nature of the use proposed. The development is therefore considered to be acceptable and in accordance with the COR13 of the Mid Devon Core Strategy, Mid Devon Local Plan [Part 3] policy DM16, National Planning Policy Framework. The works relating to the proposed shop front have previously been approved having been considered to be in accordance with policies COR2 of the Mid Devon Core Strategy, DM2, DM18 and DM27 of the LP3 DMP. Therefore the proposal should be granted permission.

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.

17/01607/FULL	37 Bampton Street Tiverton Devon EX16 6AH	Change of use of ground floor and basement from Use Class D1 (Healthcare) to Use Class A1 (Retail)	PERMIT	COMM	02/11/2017
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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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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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 of an existing D1 unit to A1 retail is considered acceptable in policy terms. The proposal will help to enhance the vitality, viability and consumer choice available in the town centre, and is an appropriate use for its location. The proposed shop will be accessible via sustainable modes of transport, walking and cycling, with adequate parking facilities nearby. In addition, the reuse of the original wooden fascia is considered to have a positive impact on the character and appearance of the listed building and the conservation area within which it is located. Overall the proposal is considered to be in accordance with policies DM2, DM8, DM16 and DM27 of the Mid Devon Local Plan Part 3, policies COR1, COR2, COR6 and COR13 of the Mid Devon Core Strategy and the National Planning Policy Framework. The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.

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.
