

## Decision Register

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/00173/MOUT	Land at NGR 287483 106365 (White Cross) Cheriton Fitzpaine Devon	Outline for the erection of up to 28 dwellings and up to 90 sq m of A1 retail floorspace, including incidental open space and car parking	PERCON	COMM	03/01/2018

### 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 for all the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 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 details required to be submitted by condition 1 shall include the following additional information: boundary treatments, existing and proposed site levels, finished floor levels, and sections through the site indicating the relationship of the proposed development with existing Primary School building adjacent to the application site to the west
- 5 No development shall begin until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority to include: (a) the timetable of the works; (b) daily hours of construction; (c) any road closure; (d) hours during which delivery and construction traffic arrive at and depart from the site; (e) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during construction; (f) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste (g) details of wheel washing facilities and road sweeping obligations together with dust suppression proposals. (h) hedgerow and tree protection measures: including an Arboricultural Method Statement and plans showing canopies and root protection areas for all trees on the site and on the site boundaries. (i) Details of the amount and location of construction worker parking Works shall take place only in accordance with the approved Construction Management Plan
- 6 The proposed estate road, cycleways, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
- 7 No part of the development in relation to the construction of the dwellings hereby approved shall be commenced until: A) The access roads into the site have been laid out, kerbed, drained and constructed up to base course level for the first 20.00 metres back from its junction with the public highway B) The ironwork has been set to base course level and the visibility splays required by this permission laid out C) The footway on the public highway frontage required by this permission has been constructed up to base course level D) A site compound and car park have been constructed in accordance with the approved details in the Construction Management Plan.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
8		The occupation of any dwelling shall not take place until the following works have been carried out in accordance with the approved details: A) The spine road and cul-de-sac carriageway including the vehicle turning head within that phase shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed; B) The spine road and cul-de-sac footways and footpaths which provide that dwelling with direct pedestrian routes to an existing highway maintainable at public expense have been constructed up to and including base course level; C) The cul-de-sac visibility splays have been laid out to their final level; D) The street lighting for the spine road and cul-de-sac and footpaths has been erected and is operational; E) The car parking and any other vehicular access facility required for the dwelling by this permission has/have been completed; F) The verge and service margin and vehicle crossing on the road frontage of the dwelling have been completed with the highway boundary properly defined; G) The street nameplates for the spine road and cul-de-sac have been provided and erected.			
9		No development shall take place until a surface water drainage management scheme has been submitted to and approved in writing by the Local Planning Authority. Unless it is demonstrated that it is unfeasible to do so, the scheme shall use appropriate Sustainable Urban Drainage Systems. The drainage scheme shall be designed so that: i) there is no increase in the rate of surface water runoff from the site resulting from the development and so that storm water flows are attenuated. ii) the surface water drainage shall be carried out in accordance with the approved scheme. iii) The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage system and those set out in the Flood Risk Assessment and Surface Water Drainage Strategy (Ref 0180 Rev B, dated April 2017).			
10		None of dwellings hereby approved shall be occupied until further details showing a scheme of off-site highway works for the provision of a footway link from the site to the adjoining school site inclusive of kerbing, drainage surfacing, lighting and tactile crossings have been submitted to and approved in writing by the local planning authority, constructed in accordance with the approved details and made available for use. Once provided, the footway link shall be so retained.			
11		No part of the development hereby permitted shall be commenced until a 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. 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. Works shall only take place in accordance with the submitted details during the construction period.			
12		No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority. Adoption and maintenance shall therefore be in accordance with the approved details.			
13		The development shall take place only in accordance with the mitigation measures as recommendation in the ESL Ecological Appraisal Report dated August 2016.			
14		A Phase 1 Contaminated Land investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The investigation and risk assessment shall be undertaken by competent persons and a written report of the findings must be produced. The contents of the scheme are subject to the approval in writing of the Local Planning Authority.			

### Reasons

- 1 The application was submitted as an outline application in accordance with the provisions of Article 3 and 4 of the Town and County Planning (General Development Procedure) Order, 1995, as amended by Circular 1/06.
- 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, however the allowable timescale to comply with the terms of the condition have been shortened in order to seek to accelerate the delivery of the development.
- 3 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, however the allowable timescale to comply with the terms of the condition have been shortened in order to seek to accelerate the delivery of the development.
- 4 To enable the Local Planning Authority to consider whether adequate provision is being made for the matters referred to in the condition.
- 5 To ensure adequate facilities are available on site during the construction period in the interests of highway safety and to protect the amenities of existing residents, in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
6		To ensure that adequate information is available for the proper consideration of the detailed proposals.			
7		To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
8		To ensure the proper development of the site.			
9		To protect water quality and minimise flood risk in accordance with Flood Management act and to ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems in accordance with Policies COR11 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 of the Local Plan Part 3 (Development Management Policies).			
10		To minimise the impact of the development on the highway network in accordance with paragraph 32 of the National Planning Policy Framework.			
11		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 and in accordance with Policies COR11 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
12		To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development, and in accordance with Policies COR11 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
13		To ensure protected species are not harmed by the in accordance with Policies COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).			
14		To protect the occupiers of the houses from risk from contamination in accordance with Policy DM7 of Mid Devon Local Plan Part 3 (Development Management Policies).			

### Reasons

The principal of developing the site for a residential scheme, in conjunction with 90 square metres of A1 retail floorspace to provide a village shop, is considered to be in accordance with emerging policy CF1 (2013-2033) for the site and the general land-use principles promoted by policy COR1. Although the number of houses proposed exceeds the emerging policy target it remains at a density which is policy compliant and it has been demonstrated that 28 houses can be provided on the site with policy compliant car parking arrangements. Furthermore the means of access is considered acceptable in terms of highway safety and local area capacity concerns. Matters relating to architecture and design of all buildings, height, scale and massing of all buildings and site layout issues, including the design of all open space, landscaped areas, drainage infrastructure and parking provision are all reserved for future consideration. The applicant has agreed to enter into a section 106 agreement to cover matters relating to the level and nature of affordable housing to be provided on site, and contributions towards delivering education facilities off site and a public transport contribution. No issues are raised by statutory consultees in terms of drainage, flood risk and/or ground contamination or the impact on protected species/ecology that can not be satisfactorily mitigated against. On this basis the application scheme is considered to meet the requirements of Policies COR1, COR2, COR8, COR9 and COR11 of the Mid Devon Core Strategy (Local Plan Part 1), Policies AL/IN/3, AL/DE/3 and AL/IN/5 of the Mid Devon Allocations and Infrastructure Development Plan Document (Local Plan Part 2) and Policies DM1 and DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies). Given the proposals respond positively to the emerging policy allocation for the site, little weight in the application assessment has been given to existing policies COR17 and COR18. Further given the proposed community benefits in terms of securing on site affordable housing and off-site contributions to assist with the delivery of the public transport services that serve the proposals are considered to be in accordance with the National Planning Policy Framework, both paragraph 14 and the guidance as taken as whole.

### 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 completion of assessment and issuing of decision notice in a timescale agreed with the applicant. 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
17/00541/LBC	Eastchurch Farm Hittisleigh Exeter EX6 6LD	Listed Building Consent structural repairs to remedy failed beam	PERCON	DEL	05/01/2018

#### Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
- 2 Details of the works of making good and/or to the floors and the boxing in of the steelwork and any other associated repairs such details shall be submitted to and approved by the Local Planning Authority before the commencement of such works and shall be carried out fully in accordance with such details unless otherwise agreed in writing by the Local Planning Authority.

#### Reasons

- 1 In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 In the interests of the conservation of the character and appearance of the listed building.

#### Reasons

The works are considered to be necessary and appropriate structural repairs that ensure the continued structural stability of the Grade 2\* listed building. The works cause the minimum of disturbance and loss of fabric to the listed building and are supportable in policy terms as the works are not considered to significantly harm the character, appearance and setting of the listed building. Overall the proposal is considered to be acceptable in accordance with Policy DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies) and Government advice in the National Planning Policy Framework.

17/00932/FULL	Mare & Foal The Village Yeoford Crediton Devon EX17 5JD	Change of use of public house to dwelling	REFUSE	DEL	02/01/2018
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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 allowing the applicant additional time to make further submissions before completion of the assessment process. 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 view of the Local Planning Authority, it is considered that the proposal to allow the change of use of the pub (and associated curtilage) to a dwelling would result in the loss of an important community facility within this rural area to the detriment of the sustainability and viability of the local community and the rural economy. Furthermore it is not considered that sufficient justification has been provided to demonstrate that the use of the site as a public house is no longer economically viable. Overall the proposal is deemed to be contrary to Policies COR2 and COR17 of the Mid Devon Core Strategy (Local Plan Part 1), Policies DM1 and DM25 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01110/TPO	4 The Gables Willand Cullompton Devon EX15 2FE	Application to reduce crown of 1 Horse Chestnut tree by 2m protected by Tree Preservation Order 08/00004/TPO	PERMIT	DEL	05/01/2018

#### 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) Crown reduction by up to two metres.

#### Reasons

- 1 To ensure the works carried out remain appropriate to the condition of the tree(s) and in the interests of visual amenity and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.
- 2 To ensure the works are carried out in accordance with best Arboricultural practice.
- 3 To preserve the continued contribution of the tree 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.

#### Reasons

The proposed crown reduction works will ensure the maintenance of the tree and have little effect on the health or amenity value of the tree.

17/01531/TPO	Land at NGR 286952 106264 (Wreylands) Cheriton Fitzpaine Devon	Application to pollard by approximately 5m 1 Weeping Willow protected by Tree Preservation Order 75/00002/TPO	PERMIT	DEL	05/01/2018
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#### Conditions

- 1 The works hereby permitted shall be carried out within two years of the date of this consent.
- 2 All works shall be carried out in accordance with BS3998:2010 Tree Work Recommendations and/or European Pruning Guide (AA guidance Note No. 5) by an appropriately experienced and qualified tree surgeon.
- 3 The works hereby permitted shall consist solely of the following: a) Pollarding of up to and not exceeding 5 metres.

#### Reasons

- 1 To ensure the works carried out remain appropriate to the condition of the tree(s) and in the interests of visual amenity and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
		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.			

**Reasons**

The proposed pollarding works to the tree will ensure the maintenance of the tree and have little effect on the health or amenity value of the tree.

<b>17/01533/HOUSE</b>	Haynemoor Cottage Shillingford Tiverton Devon EX16 9DQ	Erection of two storey extension	PERCON	DEL	05/01/2018
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**Conditions**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 No development shall begin until details including samples of the materials to be used for all the external surfaces of the extension have been submitted to and approved in writing by the Local Planning Authority. Such approved materials 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 To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the building in accordance with: Local Plan Part 3 (Development Management Policies) DM2 and DM13.

**Reasons**

This proposal is considered to be supportable in policy terms. The extension and alterations are considered to respect the character, scale, setting and design of the existing dwelling and are not considered to result in overdevelopment of the dwelling curtilage. The proposal is not considered to result in any significantly adverse amenity impacts on any neighbouring residential properties. The development is considered to be in accordance with the following policies: COR2 and COR18 of the Mid Devon Core Strategy (Local Plan part 1), DM1, DM2, DM8 and DM13 of the Local Plan Part 3 (Development Management Policies) and government advice in the National Planning Policy Framework.

**Reasons**

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included negotiation and amended plans. 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
17/01583/TPO	Netherton Church Path Halberton Tiverton Devon EX16 7AT	Application to reduce 3-4 lateral limbs of 1 Copper Beech by 2-3m and crown reduce remainder of tree protected by Tree Preservation Order 92/00001/TPO	PERMIT	DEL	05/01/2018

#### 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) Lateral limb reduction of 2-3 metres; b) Crown reduction of the tree on the Church Path side to match the opposite side.

#### Reasons

- 1 To ensure the works carried out remain appropriate to the condition of the tree(s) and in the interests of visual amenity and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.
- 2 To ensure the works are carried out in accordance with best Arboricultural practice.
- 3 To preserve the continued contribution of the tree 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.

#### Reasons

The proposed crown reduction works and reduction to lateral limbs of the tree will ensure the maintenance of the tree and have little effect on the health or amenity value of the tree.

17/01679/TPO	13 Blundells Avenue Tiverton Devon EX16 4DL	Application to reduce the crown of 1 Horse Chestnut tree by up to 3m to include removal of dead wood protected by Tree Preservation Order 02/00013/TPO	PERMIT	DEL	05/01/2018
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#### Conditions

- 1 The works hereby permitted shall be carried out within two years of the date of this consent.
- 2 All works shall be carried out in accordance with BS3998:2010 Tree Work Recommendations and/or European Pruning Guide (AA guidance Note No. 5) by an appropriately experienced and qualified tree surgeon.
- 3 The works hereby permitted shall consist solely of the following: a) Crown reduction by up to three metres. b) Removing dead wood and split branches from the crown.

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

- 1 To ensure the works carried out remain appropriate to the condition of the tree(s) and in the interests of visual amenity and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.
- 2 To ensure the works are carried out in accordance with best Arboricultural practice.
- 3 To preserve the continued contribution of the tree[s] to the local character and amenity whilst enabling such works as are required to manage the tree[s] and having regard to the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

**Reasons**

Grant permission. The proposed crown reduction works and dead wood removal will ensure the maintenance of the tree and have little effect on the health or amenity value or the tree.

17/01700/FULL	Common Room (Ground Floor of Flat 41) Broad Lane Tiverton Devon	Change of use of ground floor common room to a one bedroom flat	PERCON	COMM	04/01/2018
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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 development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 09 October 2017 and the Flood Prevention Measures detailed within the FRA, to include raising electrical circuitry. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be 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 To reduce the risk of flooding to the proposed development and future occupants.

**Reasons**

Having regard to all material considerations, it is concluded that the application does accord with adopted policy within the Development Plan and the presumption in favour of sustainable development. When tested against Paragraph 14 of the Framework the Local Planning Authority consider that any adverse impacts of the proposed development would not significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole, as well as being in accordance with Policy COR1 and COR13 of the Mid Devon Core Strategy [Local Plan Part 1] and Policy DM1 of the Mid Devon Local Plan Part 3 [Development Management Policies]. The application has therefore been recommended for approval.



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**Reasons**

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

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17/01721/HOUSE	1 Murley Close Crediton Devon EX17 2DU	Erection of ground floor extensions, raise and extend pitched roof to include dormer windows	PERCON	DEL	05/01/2018
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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 its installation details of the colour, texture and specification of the shiplap boarding to be applied to the external elevations of the development hereby approved shall be submitted to and agreed writing by the Local Planning Authority. The development shall then be completed in accordance with the agreed details.

**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 DM13.

**Reasons**

The extension and alterations proposed are considered acceptable in policy terms and are considered to respect the character of the existing dwelling and the streetscene. 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 COR15 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.

**Reasons**

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

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Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01764/FULL	Land at NGR 293140 120242 (Valley View Farm) Stoodleigh Devon	Erection of a poultry unit (866 sq.m) (regularisation approved under planning permission 09/01185/OUT)	PERCON	DEL	05/01/2018

### 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 All planting, seeding, turfing or earthworks comprised in the approved details of landscaping as shown on the submitted plans, shall be carried out within 9 months of the substantial completion of the development, and any trees or plants which, within a period of five years from the implementation of the scheme die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species.
- 4 The visibility splays that have been provided either side of the site access shall be maintained at a height of no more than 1.05 metres above the adjacent carriageway level.
- 5 No part of the development hereby approved shall be brought into its intended use until the access road and turning area have been provided and maintained in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority. The site access road shall be hardened, surfaced and drained for a distance of not less than 10 metres back from its junction with the public highway. The access and turning area shall be retained for that purpose at all times.
- 6 The building hereby approved, shall be used only for agricultural purposes. On its 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.

### 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 Core Strategy and policy DM2 Local Plan Part 3 (Development Plan Policies).
- 4 To provide a satisfactory access to the site and provide adequate visibility from and of emerging vehicles in accordance with policy DM2 Local Plan Part 3 (Development Plan Policies).
- 5 To ensure that adequate facilities are available for the traffic attracted to the site and prevent mud and other debris being carried onto the public highway.
- 6 To safeguard the rural character of the area in accordance with policies DM2 and DM22 Local Plan Part 3 (Development Plan Policies).

### Reasons

The proposed development is acceptable as it meets the requirements of local plan policies. The siting and existing topography will minimise the visual impact on the visual amenity of the surrounding landscape and it is not considered that the building will result in any significant adverse impacts on the residents in the area. The site access and visibility splays have previously been provided; these are adequate to serve the development and are subject to a condition requiring their maintenance. The proposal is considered to be in accordance with policies COR1, COR2, COR18 Mid Devon Core Strategy (Local Plan Part 1) and policies DM1, DM2 and DM22 Local Plan Part 3 (Development Management Policies).

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**Reasons**

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

17/01766/LBC	Meadowside 6 Wood Lane Morchard Bishop Crediton Devon EX17 6PE	Listed Building Consent for the replacement of existing timber window frames with double glazed units	PERMIT	DEL	05/01/2018
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**Conditions**

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

**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 works are considered to be supportable in policy terms as the works are not considered to cause harm to the character, appearance and setting of the listed building. Overall the proposal is considered to be acceptable in accordance with the Mid Devon Local Plan Policy DM27 and Government advice in the National Planning Policy Framework.

17/01784/FULL	Land at NGR 313096 112069 (Agri-Parts Co.) Hemyock Devon	Retention of access and track	PERMIT	DEL	05/01/2018
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**Conditions**

- 1 The date of commencement of this development shall be taken as the 13th November 2017 when the application was registered by the Local Planning Authority.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

**Reasons**

- 1 In order to establish a legal commencement date for the development to enable the development to be monitored by the Local Planning Authority.
- 2 For the avoidance of doubt and in the interests of proper planning.

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**Reasons**

The retention of the access by virtue of its overall scale, design and location is not considered to harm the rural character and appearance of the area. As such the proposal is considered to comply with policies COR1 and COR18 of the Mid Devon Local Plan Part 1 (Core Strategy) and policies DM2 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 determining the application in a timely fashion. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

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17/01790/FULL	1, 2 & 3 The Retreat Gold Street Tiverton Devon EX16 6QE	Replacement of existing windows with timber double glazed windows	PERMIT	DEL	05/01/2018
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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 windows hereby approved shall have no trickle vents.

**Reasons**

- 1 In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 In order to create good design and an authentic appearance for the new windows that reflects the style and age of the listed building and retains its special interest.

**Reasons**

The proposed development is considered to be appropriately detailed and designed and respects the character, scale, setting and design of the block of flats, as well as the setting of the listed building. The development proposed does not cause any adverse impacts on neighbouring properties and will improve the living conditions of the residents of the building. The proposal is therefore in accordance with the Mid Devon Local Plan (Part 3 Development Management Policies) Policies DM2, DM13 and DM27 and the National Planning Policy Framework and should be granted consent.

**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 and negotiations. In accordance with paragraph 69 of the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

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Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01791/LBC	1, 2 & 3 The Retreat Gold Street Tiverton Devon EX16 6QE	Listed Building Consent for the replacement of existing windows with timber double glazed windows	PERMIT	DEL	05/01/2018

#### Conditions

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 The windows hereby approved shall have no trickle vents.

#### Reasons

- 1 In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 In order to create good design and an authentic appearance for the new windows that reflects the style and age of the listed building and retains its special interest.

#### Reasons

The proposed works will recreate a coherent and respectful fenestration pattern across the whole building, which, whilst not being identical to the original is more in keeping with the age and style of the property. Whilst this will involve the loss of two original windows those windows are beyond repair. Other works are justified and reasonable given the condition of the building and its significance. Therefore, the proposed works are not considered to cause unacceptable levels of harm to the main listed building or its setting and will therefore preserve its special architectural, historic and visual interest. The proposal is therefore in accordance with the Mid Devon Local Plan (Part 3) policies DM2 and DM27 and the National Planning Policy Framework and should be granted consent.

17/01792/LBC	Old Bartows Bartows Causeway Tiverton Devon EX16 6RH	Listed Building Consent to replace two windows with patio door on west elevation and creation of cupboard and shower room on first floor	PERMIT	COMM	04/01/2018
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#### Conditions

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

#### 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.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
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2 For the avoidance of doubt and in the interests of proper planning.

#### Reasons

The proposed works are considered to cause no additional harm to the listed building which has been extensively altered in the past. The remaining character and appearance is preserved and enhanced and therefore the alterations are acceptable. The proposal is therefore in accordance with the Mid Devon Local Plan (Part 3) policy DM27 and the National Planning Policy Framework and should be granted consent.

<b>17/01811/HOUSE</b>	Middle Leigh Farm Morchard Bishop Crediton Devon EX17 6RH	Erection of two storey extension	PERCON	DEL	05/01/2018
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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 their use on site, samples of the materials to be used for all the external surfaces of the building should be submitted to and approved in writing by the Local Planning Authority.
- 4 The timber windows hereby approved shall be recessed into the walls by no less than 100mm unless otherwise agreed in writing by the Local Planning Authority.
- 5 All rainwater goods shall be of cast iron, or other metal, the final finish of which shall be agreed in writing by the Local Planning Authority before installation, 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 use of materials and detailing appropriate to the development, in order to safeguard the character and appearance of the building in accordance with Policies DM2, DM14 and DM27 of the Local Plan Part 3: (Development Management Policies).
- 4 To ensure the use of materials and detailing appropriate to the development, in order to safeguard the character and appearance of the building in accordance with Policies DM2, DM14 and DM27 of the Local Plan Part 3: (Development Management Policies).
- 5 To ensure use of materials appropriate and to safeguard the visual amenities of the area and the character and appearance of the building and in order to comply with Policies DM2, DM14 and DM27 of the Mid Devon Local Plan Part 3 (Development Management Policies).

#### Reasons

The application for the erection of a two storey extension is supportable in policy terms. The alterations are 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 site curtilage, nor would it have adverse impacts on the residential amenities of any neighbouring occupiers. The alterations proposed will not result in any detriment to the character or appearance of the listed building. Overall the proposal is considered to be in accordance with the following Policies COR1, COR2 and COR18 of the Mid Devon Core Strategy (Local Plan Part 1), DM1, DM2, DM13 and DM27 of the Local Plan Part 3 (Development Management Policies) and government advice in the National Planning Policy Framework.

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

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

17/01812/LBC	Middle Leigh Farm Morchard Bishop Crediton Devon EX17 6RH	Listed Building Consent for installation of replacement windows, a replacement thatched roof, internal alterations, part demolition of a single storey lean-to and erection of a two storey extension	PERCON	DEL	05/01/2018
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**Conditions**

- 1 The works hereby permitted shall be begun before the expiration of three years from the date of this consent.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 No thatching works shall begin until details of the style of thatching and the materials to be used to cover the roofs of the development have been submitted to, and approved in writing by the Local Planning Authority. The thatching shall be carried out in accordance with these approved details.

**Reasons**

- 1 In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the use of materials and detailing appropriate to the development, in order to safeguard character and appearance of the building in accordance with Policy DM27 of the Local Plan Part 3: (Development Management Policies).

**Reasons**

The proposals are for the installation of replacement windows (timber casement windows), various internal alterations, rethatching of the main building, part demolition of a single storey lean to and erection of a two storey extension. The scope of the works, including the rethatching works, are not considered to result in the loss of any valuable historic fabric and are considered to preserve the overall character, appearance and setting of the listed building. On this basis the works are considered to be in accordance with the provisions of Policy DM27 of the Local Plan Part 3 (Development Management Policies) and guidance in the National Planning Policy Framework.

Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
17/01813/PNCOU	Building at NGR 297288 107636 (Pound Farm) Butterleigh Devon	Prior notification for the change of use of agricultural building to hotel (Use Class C1) under Class R	PNP	DEL	02/01/2018

#### Reasons

Permitted development under Class R for a building with a cumulative area below 150 square metres only relates to the use of a building and its curtilage and does not allow any building works which may be required to facilitate the change of use. Such building works would need to be subject of a separate application for planning permission and in the opinion of the Local Planning Authority would need to demonstrate that the building operations required represented a conversion of the building and not a rebuilding of it.

17/01837/FULL	Glenmere Cheriton Fitzpaine Crediton Devon EX17 4JE	Application to remove condition (e - agricultural occupancy) from planning permission 85/02023/FULL	REFUSE	DEL	02/01/2018
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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 The site is located within the open countryside where it is the policy of the Local Planning Authority to resist housing development unless it is demonstrated that the proposal serves a genuine agricultural or other appropriate need. In the opinion of the Local Planning Authority it is considered that insufficient evidence has been put forward to show that there will be no long term need for the dwelling to be occupied by an agricultural worker, retired agricultural worker, a widow or widower of such a person or a persons solely or mainly employed or last employed in the locality in agriculture. The proposal is therefore contrary the provisions of Policy COR18 of the Mid Devon Core Strategy (Local Plan Part 1) and Policy DM10 of the Local Plan Part 3 (Development Management Policies).

17/01846/FULL	Land and Buildings at NGR 288551 118209 (West Of Whitnole Beeches) Stoodleigh Devon	Conversion of agricultural barn to dwelling	PERCON	DEL	04/01/2018
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#### Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
- 3 No development shall begin until a schedule of works has been submitted to and approved in writing by the Local Planning Authority. The schedule of works shall include: (a) details of any demolition or removal of any building fabric and any rebuilding or repairing works required to convert the buildings; (b) details of all measures required to support any wall, floor, roof or other vertical or horizontal surface (c) details of measures required to provide protection for the building against the weather during the conversion works. The agreed schedule shall be strictly adhered to.



Ref Number	Address	Proposal	Decision	Decision Type	Decision Date
4		The development shall be carried out in accordance with the recommendations in the submitted Ecological Scoping Assessment & Bat Emergence Survey report by EcoLogic dated October 2017 and the ecology enhancement measures outlined shall be incorporated into the development and shall be in place before the dwelling hereby permitted is first occupied and shall be permanently so retained. Prior to commencement of development, details (including positions on a site plan) relating to the temporary bat roosting provisions in the form of tree mounted bat boxes and permanent bat roosting provision within or on the converted barn or on an alternative permanent structure shall be submitted to and approved in writing by the Local Planning Authority with the development implemented in accordance with these approved details.			
5		Before their use, samples/details of the materials to be used for all external surfaces of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Only such approved materials shall be used and shall be so retained.			
6		Before their installation, working details of the new external doors and windows shall be submitted to and approved in writing by the Local Planning Authority. Installation of the doors and windows shall be in accordance with these approved details and be so retained.			
7		The dwelling hereby permitted shall not be occupied until the parking and turning areas have been provided in accordance with the approved drawings. Once provided such facilities shall be permanently so retained.			
8		Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes A, B, C, D and E of Part 1 relating to enlargement or alteration of the dwelling or its roof or the provision of outbuildings or Class A of Part 2 of Schedule 2, relating to gates, fences and walls, shall be undertaken within the application site/dwelling curtilage without the Local Planning Authority first granting planning permission.			
9		All planting, seeding, turfing or earthworks comprised in the approved details of landscaping as shown on the submitted plan drawing no. 16/724/06B, shall be carried out within 9 months of the substantial completion of the development, (or phase thereof), whichever is the sooner; and any trees or plants which within a period of five years from the implementation of the scheme (or phase thereof) , die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Once provided, the landscaping scheme shall be so retained.			

### 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 character of the building of retained during and after the conversion works and to ensure that adequate arrangements are in place to protect the building during conversion works in accordance with Policies COR2 of the Mid Devon Core Strategy (Local Plan Part 1) and DM2 and DM11 of the Local Plan Part 3 (Development Management Policies).
- 4 To protect and enhance habitats for protected species in accordance with Policies DM2 and DM11 of the Local Plan Part 3 (Development Management Policies).
- 5 To ensure the use of materials appropriate to the development/works in order to safeguard the character and appearance of the building and the rural area in accordance with: Mid Devon Core Strategy (Local Plan Part 1) COR2 Local Plan Part 3 (Development Management Policies) DM2 and DM11.
- 6 To ensure the use of materials appropriate to the development/works in order to safeguard the character and appearance of the building and the rural area in accordance with: Mid Devon Core Strategy (Local Plan Part 1) COR2 Local Plan Part 3 (Development Management Policies) DM2 and DM11.
- 7 In the interests of highway safety and to ensure appropriate facilities are provided to cater for traffic attracted to the site in accordance with Policies DM2 and DM8 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.
- 8 To ensure the use of materials appropriate to the development/works in order to safeguard the character and appearance of the building and the rural area in accordance with: Mid Devon Core Strategy (Local Plan Part 1) COR2 Local Plan Part 3 (Development Management Policies) DM2 and DM11.
- 9 To ensure that the development makes a positive contribution to the character and amenity of the area in accordance with Policy DM2 of the Local Plan Part 3: (Development Management Policies).

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

The current proposal is acceptable in that the barns are considered to make a positive contribution to the rural character of the area. Some minor rebuilding work and repointing is required. Existing openings are to be utilised for windows and doors. Adequate parking and amenity space are to be provided and roosting opportunities for bats can be incorporated into or onto the building or other permanent structures. Subject to conditions, it is not considered that the proposal would have an unacceptable impact on the environment or on protected species. The proposal is considered to be suitably designed and to comply with the requirements of relevant Policies: COR2 of the Mid Devon Core Strategy (Local Plan Part 1), DM2, DM8, DM11, DM14 and DM15 of the Local Plan Part 3 (Development Management Policies) and the National Planning Policy Framework.

**Reasons**

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

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