

Reference No: 19/00865/HOUSE
Parish: Holcombe Rogus 29



TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL OF FULL PLANNING APPLICATION

Name and Address of Applicant:

Mr David Caton
Brookside
Holcombe Rogus
Devon
TA21 0PU

Name and Address of Agent:

Miss H Cameron
XL Planning Ltd
1A Fore Street
Cullompton
EX15 1JW

Date Registered : 30th May 2019

Date of Permission : 22nd July 2019

Proposal: Conversion of existing garage to an annexe to provide ancillary accommodation

Location: Brookside Holcombe Rogus Devon TA21 0PU

Site Vicinity Grid Ref: 305602/118272

MID DEVON DISTRICT COUNCIL HEREBY GRANTS FULL PLANNING PERMISSION FOR THE ABOVE DEVELOPMENT

Subject to the following 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 additional accommodation hereby approved shall be used ancillary to the existing dwelling on the site (currently known as Brookside), and no part shall be used, let or otherwise disposed of as a separate unit of accommodation or for commercial purposes.

REASONS FOR CONDITIONS:

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 proposal is for accommodation ancillary to the property; new permanent residential use would require formal planning permission with an assessment required over the acceptability in policy terms given the location of the site and relationship of the proposed dwelling and surrounding properties, in accordance with policies COR1 and COR18 of Mid Devon Core Strategy (Local Plan 1) and guidance in the National Planning Policy Framework.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The application scheme for the conversion of existing garage to an annexe to provide ancillary accommodation at Brookside, Holcombe Rogus is considered to be acceptable as a matter of principle. The overall scale and design of the proposal is considered to be acceptable. The proposed development would not result in the over-development of the dwelling curtilage and would have no adverse impacts on the amenity of occupants of neighbouring residential properties. As such the proposal is considered to comply with policies COR18 of the Mid Devon Local Plan part 1 (Core Strategy), DM2, DM8 and DM13 of the Mid Devon Local Plan part 3 (Development Management Policies) and the National Planning Policy Framework.

Statement of Positive Working

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

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

DEVELOPMENT PLAN POLICIES:

Mid Devon Core Strategy (Local Plan Part 1)

COR18 - Countryside

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design

DM8 - Parking

DM13 - Residential extensions and ancillary development

Relevant Plans

The plans listed below are those approved. No substitution shall be made.

Plan Type	Reference	Title/Version	Date Received
Proposed Various	PP02 REV C		20/05/2019
Proposed Various	PP01 REV E	Inc Site Location Plan	29/05/2019

A copy of the approved plans will be available on Mid Devon's online planning facility.

Website: <http://www.middevon.gov.uk/planning>

Signed:

Mrs Jenny Clifford
Head of Planning and Regeneration

Date: 22nd July 2019

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS AND SEPARATE CONSENT MAY BE REQUIRED. PLEASE CONTACT OUR BUILDING CONTROL DEPARTMENT FOR MORE INFORMATION.

Please refer to notes attached

NOTE – Failure to adhere to the details of the approved plans or to comply with the above conditions constitutes a contravention of the Town and Country Planning Act, 1990 in respect of which enforcement action may be taken.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If you want to appeal against the Local Planning Authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable is set out in Section 114 of the Town and Country Planning Act 1990.