

Reference No: 20/00701/ARM  
Parish: Holcombe Rogus 29



**TOWN AND COUNTRY PLANNING ACT 1990**

**APPROVAL OF MATTERS RESERVED FOLLOWING  
GRANT OF OUTLINE PLANNING PERMISSION**

**Name and Address of Applicant:**

Mr Andrew Perry  
Perry Brothers Limited  
48 Twitchen  
Holcombe Rogus  
Devon  
TA21 0PS

**Name and Address of Agent:**

Mr Jim Bletcher  
Alban Building Consultancy  
44 Mount Street  
Bishops Lydeard  
Taunton  
TA4 3LH

---

Date Registered: 12th May 2020

Date of Permission : 9th September 2020

**Proposal:** Reserved Matters for the erection of dwelling and formation of a vehicular access following Outline approval 19/01507/OUT

**Location:** 48 Twitchen Holcombe Rogus Devon TA21 0PS

**Site Vicinity Grid Ref:** 305642/118543

**MID DEVON DISTRICT COUNCIL HEREBY GRANTS APPROVAL OF MATTERS RESERVED  
FOLLOWING GRANT OF OUTLINE PLANNING PERMISSION**

**Subject to the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
2. Materials, landscaping, ground levels and boundary treatments shall be as described within the submitted Design and Access Statement and shown on Drawing No 370/P4A.
3. Finished floor levels shall be as shown on the approved plan 370/P2A.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 2015, Article 3, Schedule 2, Part 1, Classes A to E, no enlargements, improvements or other alteration shall take place to the proposed dwelling, and no outbuildings or other means of enclosures shall be erected within the garden area of this dwelling house, unless permission under the provisions of the Town and Country Planning Act 1990 has first been sought and obtained in writing from the Local Planning Authority.
5. Prior to its installation specific written details are to be provided as to the proposed location siting and appearance of the air source heat pump. Such proposed location and enclosure shall be agreed in writing and so retained.

## REASONS FOR CONDITIONS:

1. For the avoidance of doubt in the interests of proper planning.
2. To ensure the development makes a positive contribution to the character of the area.
3. To ensure the development has an acceptable impact on the outlook from neighbouring properties.
4. To prevent and overdevelopment of the plot in future and harm to neighbouring occupiers and the character of the area, in accordance with Policy DM1 of the Mid Devon Local Plan 2013-2033.
5. To ensure the proposed heat pump is located away from neighbouring properties to protect their amenity.

## REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The principle of development is already established by the granting of outline planning permission. Subject to the use of conditions, it is considered that the proposal would not result in unacceptable harm to the character of the area, the amenities of neighbours, highway safety, ecology, or heritage assets. The proposal is therefore in accordance with Policies S9, S13, DM1, DM2, DM5, DM12, and DM25 of the Mid Devon Local Plan Review 2013-2033.

## 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.

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 Local Plan Review 2013 – 2033

S1 - Sustainable development priorities

S9 - Environment

S13 - Villages

DM1 - High quality design

DM2 - Renewable and low carbon energy

DM5 - Parking

DM12 - Housing Standards

## Relevant Plans

| Plan Type          | Reference | Title/Version         | Date Received |
|--------------------|-----------|-----------------------|---------------|
| Site Location Plan |           |                       | 12/05/2020    |
| Proposed           | 370/P3    | Watercourse/Bin Store | 07/05/2020    |
| Proposed           | 370-P1A   | Site Layout & Plans   | 29/06/2020    |
| Proposed           | 370-P2A   | Elevations            | 29/06/2020    |
| Proposed           | 370-P4A   | Street Scene          | 29/06/2020    |

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: 9th September 2020**

**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 6 months 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.