

Reference No: 20/01508/MFUL
Parish: Holcombe Rogus 29



TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL OF FULL PLANNING APPLICATION

Name and Address of Applicant:

Mr P Palfrey
Lower Whipcott Farm
Holcombe Rogus
Devon
TA21 0NA

Name and Address of Agent:

Mr S K Wild
44 Jarmyns
Bishops Hull
Taunton
TA1 5 HG

Date Registered : 8th October 2020

Date of Permission : 17th March 2021

Proposal: Erection of an agricultural silage storage building (1024.9 sq.m) and extension to existing calf rearing unit

Location: Land and Building at NGR 307234 118352 (Lower Whipcott Farm) Holcombe Rogus Devon

Site Vicinity Grid Ref: 307234/118352

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. No part of the development hereby permitted shall be commenced until a detailed surface water drainage management plan for the full period of the development's construction, has been submitted to, and approved in writing by, the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system shall then be constructed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority, with consultation with Devon County Council as the Lead Local Flood Authority, and shall thereafter be so maintained.
4. All external materials are to match those of the immediate surrounding farm buildings associated with the holding, in colour, forms and texture.

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. To ensure that surface water from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area in accordance with policy S9 of the Mid Devon Local Plan 2013-2033.
4. To ensure the appropriate materials are used for the building and to protect the appearance of the locality in accordance with policy DM1 of the Mid Devon Local Plan 2013-2033.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposed development is considered to be necessary for agricultural purposes and it would not harm the character and appearance of the landscape or the setting of the Grand Western Canal Conservation Area. The living conditions of nearby properties would not be harmed and highway safety would not be detrimentally affected. The proposal therefore accords with the aims and objectives of restricting development in the countryside whilst maintaining the presumption in favour of suitable agricultural works to aid the rural economy. The design is purely functional and has an agricultural appearance. On this basis the proposal complies with policies S9, S14, DM1, DM20 and DM25 of the Mid Devon Local Plan 2013-2033 and government policy as contained in the National Planning Policy Framework.

Statement of Positive Working

In accordance with Paragraph 38 of the National Planning Policy Framework, the Local Planning Authority has worked proactively and positively with the applicant.

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 2013 – 2033

S9 - Environment

S14 - Countryside

DM1 - High quality design

DM20 - Agricultural development

DM25 - Development affecting heritage assets

Relevant Plans

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

Plan Type	Reference	Title/Version	Date Received
Site Location Plan	HUG202035		07/09/2020
Block Plan	HUG202035		07/09/2020
Proposed	HUG202035	Extension to Calf Rearing Unit - Floor and Roof	07/09/2020
Proposed	HUG202035	Elevations – Calf Rearing Unit	07/09/2020
Proposed	HUG202035	Elevations-Silage Storage Building-North and East	07/09/2020
Proposed	HUG202035	Silage Storage Building - Roof Plan	07/09/2020

Proposed	HUG202035	Elevations-Silage Storage Building-South and West	07/09/2020
Proposed	HUG202035	Silage Storage Floor Plan	07/09/2020

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: 17th March 2021

**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 www.planningportal.gov.uk/pcs.
- 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.