

Reference No: 22/00242/HOUSE  
Parish: Holcombe Rogus 29



**TOWN AND COUNTRY PLANNING ACT 1990**

**APPROVAL OF FULL PLANNING APPLICATION**

**Name and Address of Applicant:**

Mr & Mrs S Lyons  
45 Twitchen  
Holcombe Rogus  
Wellington  
Devon  
TA21 0PT

**Name and Address of Agent:**

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

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Date Registered : 26th January 2022

Date of Permission : 29th April 2022

**Proposal:** Erection of garden building for use as home office and store

**Location:** 45 Twitchen Holcombe Rogus Wellington Devon

**Site Vicinity Grid Ref:** 305665/118583

**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 garden building shall not be occupied at any time other than for purposes ancillary to the residential use of the host dwelling '45 Twitchen' and shall not be used, let, leased or otherwise disposed of as a separate unit of accommodation or for any other purpose.
4. The finished floor level of the garden building shall be no greater than the finished floor level of the existing dwelling '45 Twitchen'

**REASONS FOR CONDITIONS:**

1. In accordance with provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt in the interests of proper planning.
3. In the interests of residential and local amenity
4. In the interests of visual and residential amenity

## REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposal is considered acceptable for the reasons set out in the officer report and subject to the recommended conditions in accordance with policies S1, S9, S14, DM1 and DM11 of the Mid Devon Local Plan.

### Statement of Positive Working

In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.

### DEVELOPMENT PLAN POLICIES: Mid Devon Local Plan 2013 – 2033

S1 - Sustainable development priorities

S9 - Environment

S14 - Countryside

DM1 - High quality design

DM11 - 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
Site Location Plan	402/L1		26/01/2022
Block Plan	402/L2		26/01/2022
Proposed	402/G1		26/01/2022

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

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

Signed:



**Angharad Williams**  
Development Management Manager

**Date: 29th April 2022**

**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.