

Reference No: 19/01058/FULL
Parish: Holcombe Rogus 29



TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL OF FULL PLANNING APPLICATION

Name and Address of Applicant:

Mr & Mrs Dorpman
Steels
Ashbrittle
TA21 0HQ

Name and Address of Agent:

Greenslade Taylor Hunt
Winchester House
Deane Gate Avenue
Taunton
TA1 2UH

Date Registered : 22nd June 2019

Date of Permission : 20th September 2019

Proposal: Demolition of agricultural buildings, widening of access, conversion and extension of rural building to dwelling (Revised scheme)

Location: Four Elms Holcombe Rogus Devon

Site Vicinity Grid Ref: 306164/119057

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

NOTE: THIS DECISION NOTICE IS SUBJECT TO A UNILATERAL UNDERTAKING/SECTION 106 AGREEMENT, A COPY OF WHICH IS AVAILABLE TO VIEW ON PUBLIC ACCESS.

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 roof covering of the works hereby permitted shall be of natural slate a sample and or details of the type and size of natural slate shall be submitted to, and be approved in writing by the Local Planning Authority prior to its use on the building(s). Such approved slate shall be so used and retained.
4. No works to the barn to be converted shall begin until a schedule of works required securing the safety and stability of the building during the conversion period has been submitted to and approved in writing by the Local Planning Authority. Such works shall include measures to support any wall or vertical surface, to support any floor, roof or horizontal surface, and to provide protection for the building against the weather during the progress of the works. The agreed schedule shall be strictly adhered to during the conversion of the works.
5. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) Order 2015 as amended by the Town and Country Planning (General Permitted Development) Amendment (No.2) Order 2016 (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, E, F, G, H of Part 1, or Classes A, B, C, D, E, F of Part 2 of Schedule 2, relating to all proposed development within these classes, shall be undertaken within the application site without the Local Planning Authority first granting planning permission.

6. No hardsurfacing/landscaping works in the areas shown on the approved plan(s) shall begin until details or samples (with clear identification) of the surfacing materials to be used in those areas have been submitted to, and approved in writing by, the Local Planning Authority. Such approved works shall then be carried out before the development hereby permitted is first brought into its permitted use, and shall be so retained.
7. Prior to the first occupation of any unit of the development there shall have been submitted to, and been approved in writing by, the Local Planning Authority a plan indicating the height, positions, design, materials species of plant number spacing and type of boundary treatment to be erected on the site and a timescale for its implementation. All planting, seeding, turfing or earth re-profiling comprised in the approved details of the boundary treatment shall be carried out within 9 months of the substantial completion of the development, (or phase thereof), and any trees or plants which, within a period of five years from the completion of the development 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 boundary scheme shall be so retained.
8. Prior to the first occupation of any unit of the development the access and parking set out in the approved block plan 2521-PL-13 Rev D is to be fully implemented and made available for use.
9. Prior to the first occupation of any unit of the development there shall have been submitted to, and been approved in writing by, the Local Planning Authority a plan indicating the height, positions, design, materials and type of boundary treatment to be erected on the site and a timescale for its implementation. The boundary treatment so approved shall be completed in accordance with the approved details and shall be so retained.

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 the use of materials appropriate to the development in order to safeguard the character and appearance of the conservation area in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Adopted Mid Devon Local Plan Part 3 (Development Management Policies) DM2 and DM27.
4. To ensure the safety and stability of the building during conversion, as this permission relates to a conversion and not a reconstruction of the building in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Adopted Mid Devon Local Plan Part 3 (Development Management Policies) DM1, DM2 and DM29.
5. To ensure the development respects the sensitive nature of the Area of Outstanding Natural Beauty and maintains the character of the building and site within the protected landscape.
6. To ensure the use of materials appropriate to the development in order to safeguard the character and appearance of the building and the Area of Outstanding Natural Beauty.

7. To ensure the use of materials and plants appropriate to the development in order to safeguard the character and appearance of the building and the Area of Outstanding Natural Beauty.
8. To ensure provision is made for parking prior to occupation of the building, for highway safety reasons in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Adopted Mid Devon Local Plan Part 3 (Development Management Policies) DM2.
9. To safeguard the character and amenities of the area in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and Adopted Mid Devon Local Plan Part 3 (Development Management Policies) DM2.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The National Planning Policy Framework establishes the principle that the reuse of redundant or disused buildings in the open countryside as dwellings, could be considered acceptable, and Policy DM11 of the Local Plan Part 3 (Development Management Policies) reflects this guidance.

To be converted to a dwelling, Policy DM11 only applies if the existing building positively contributes to the area's rural character. It is considered that the proposed does positively contribute to the rural character of the area. The works (including a small extension) to the building are considered to respect the character of the building and the surrounding rural environment, and will not adversely affect the amenities and living conditions of any neighbouring properties or the adjacent historic building or this part of the Conservation Area. The proposed access arrangements are considered acceptable. The proposal is not considered to cause harm to nature conservation interests in the local area. Contributions towards public open space are to be provided. The proposal is therefore considered to comply with Policies COR2 and COR18 of Mid Devon Core Strategy (Local Plan Part 1); Policies DM2, DM8, DM11, DM15, and DM27 of Local Plan Part 3 (Development Management Policies) and Policy AL/IN/3 of Allocations and Infrastructure Development Plan Document (Local Plan Part 2).

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 Core Strategy (Local Plan Part 1)

COR1 - Sustainable Communities

COR2 - Local Distinctiveness

COR18 - Countryside

Mid Devon Allocations and Infrastructure Development Plan Document (Local Plan Part 2)

AL/IN/3 - Public Open Space

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design

DM8 - Parking

DM11 - Conversion of rural buildings

DM14 - Design of housing

DM27 - 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
Proposed	2521-PL-16 Rev E	Floor plans/front elevat	27/08/2019
Proposed	2521-PL-17 Rev C	Elevations	27/08/2019
Site Location Plan	2521-PL-11		21/06/2019
Proposed	2521-PL-12 Rev C	Site Plan	21/06/2019
Block Plan	2521-PL-13 Rev D		21/06/2019

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: 20th September 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 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.