

Document 1 – Decision Notice 76/0502

In correspondence please quote

APPLICATION NO 7/23/76/0502/5.  
NOTICE NO . . . . .

COUNTY OF DEVON  
TOWN AND COUNTRY PLANNING ACT, 1971  
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1973  
GRANT OF CONDITIONAL PLANNING PERMISSION

To Mr. R.L. Datson,  
of 2, Model Cottages, Poltimore, Exeter, Devon.  
Agent for A.M. Richards Esq.  
of 14 Fox Road, Exeter, Devon.

The EAST DEVON DISTRICT

Council hereby grant permission to  
carry out the development described in the application dated 6th July 1976  
and the plans and drawings attached thereto numbered 7/23/76/0502/5.  
brief particulars of which are as follows - **HUXHAM:** Bungalow and garage at Part O.S.  
1708.

subject to the following conditions -

- (a) The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted
- (b) That the roofing tiles be dark brown in colour; details of these and the hanging tiles on the cheeks of the dormer windows shall be submitted to and approved by the Local Planning Authority before any work is commenced.
- (c) That the walls of the dwelling and garage be rendered.
- (d) That the recessed and splayed waiting bay shall be constructed level with the adjacent County Road.
- (e) That the visibility splay shown on the submitted plan shall be lowered to and maintained at a height not exceeding 1 ft. above road level.
- (f) That adequate provision shall be made for the disposal of surface water within the site so that none shall drain onto the County Road.
- (g) The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, locally in agriculture as defined in Section 290 of the Town & Country Planning Act, 1971, or in forestry or a dependant of such person residing with him (but including a widower of such person).

THIS PERMISSION IS ALSO  
SUBJECT TO A CONDITION  
ON 92 / PO 904.

REASONS FOR CONDITIONS.

- (a) To comply with Section 41 of the Town and Country Planning Act, 1971
- (b) and (c) In the interests of architectural uniformity.
- (d) (e) and (f) In the interests of road safety.
- (g) The site lies in an area where permission for development unrelated to the essential needs of agriculture and/or forestry would not normally be granted.

This decision is not a decision under Building Regulations

Dated this 14th day of October 19 76.

*A.S. Dixon*

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, 1971, in respect of which enforcement action may be taken.

(1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State, Department of the Environment, in accordance with Section 36 of the Town and Country Planning Act, 1971, within six months of receipt of this notice (Appeals must be made on a form which is obtainable from the Secretary of State, Dept of the Environment, Caxton House, Tothill St, London, SW1 H9LZ. The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements\* to the provisions of the development order and to any directions given under the order.

(2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of a county district in which the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1971.

(3) 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 are set out in section 169 of the Town and Country Planning Act, 1971.

\* The statutory requirements are those set out in Section 36 (7) of the Town and Country Planning Act, 1971, namely, Sections 29 (2), 30 (1), 67 and 74 of the Act.

Document 2 – Decision Notice 92/P0904

**EAST DEVON DISTRICT COUNCIL**  
TOWN AND COUNTRY PLANNING ACT 1990

GRANT OF CONDITIONAL PLANNING PERMISSION

ms  
19/10

**Applicant:** MR. A. RICHARDS  
HILLCOT  
**Address:** STOKE HILL  
EXETER EX4 9JN

**Application No:** 7/23/92/P0904/00005  
**Date of receipt:** 03.06.92  
**Date of decision:** 18.10.93

**Agent:**  
**Address:**

**Proposal:** AGRICULTURAL DWELLING & GARAGE  
SUBSTITUTE FOR 76/P0502

**Location:** HUXHAM BRAKE  
(PART.O.S.0006)  
POLTIMORE

The Council hereby grants permission to carry out the development described in the application and the plans attached thereto subject to the following conditions:

The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.  
(Reason - To comply with Section 91 of the Town and Country Planning Act 1990.)

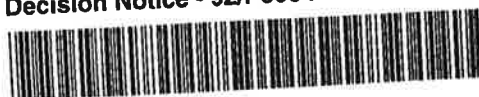
The proposed development shall be carried out only as an alternative to the development approved under app.no. 76/P0502. No dwelling shall be constructed on the cross hatched area on the attached plan, if a dwelling is constructed on the area edged red on the attached plan. No dwelling shall be constructed on the area edged red on the plan if a dwelling is constructed on the cross hatched area on the attached plan.  
(Reason - To ensure that only one dwelling is constructed and to emphasise that the present permission is granted as an alternative to the development granted under App. No. 76/P0502).

The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in section 336(1) of the Town and Country Planning Act 1990, or in forestry, (including any dependants of such a person residing with him) or a widow or widower of such a person.  
(Reason - The site lies in an area where permission for development unrelated to the essential needs of agriculture and/or forestry would not normally be granted.)

No work shall be commenced until satisfactory details as to the colour and texture of the facing and roofing materials to be used in the construction of the proposed development have been submitted to and approved in writing by the Local Planning

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**Decision Notice - 92/P0904**



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**EAST DEVON DISTRICT COUNCIL**  
TOWN AND COUNTRY PLANNING ACT 1990

GRANT OF CONDITIONAL PLANNING PERMISSION

<b>Applicant:</b> MR. A. RICHARDS HILLCOT	<b>Application No:</b> 7/23/92/P0904/00005
<b>Address:</b> STOKE HILL EXETER EX4 9JN	<b>Date of receipt:</b> 03.06.92
<b>Agent:</b>	<b>Date of decision:</b> 18.10.93
<b>Address:</b>	
<b>Proposal:</b> AGRICULTURAL DWELLING & GARAGE SUBSTITUTE FOR 76/P0502	
<b>Location:</b> HUXHAM BRAKE (PART.O.S.0006) POLTIMORE	

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Authority.

(Reason - To enable the Local Planning Authority to consider the details of the materials to be used for the development).

The recessed and splayed waiting bay as shown on the submitted drawing shall be constructed level with the adjacent County road.  
(Reason - In the interests of road safety).

The access and turning space shall be provided as shown on the submitted drawing.  
(Reason - In the interests of road safety).

The gradient of the driveway shall be constructed not steeper than 1 : 10.  
(Reason - In the interests of road safety).

Adequate provision shall be made for the disposal of surface water so that none shall drain onto the adjoining County road.  
(Reason - In the interests of road safety).

The visibility splay to the east of the access shall be provided as shown on the plan and a visibility splay measuring 2.4m by 33m shall be provided to the west of the access. Nothing within the visibility splay areas shall be constructed or allowed to grow to a height exceeding 750mm above road level.  
(Reason - In the interests of road safety).

Foul drainage shall be discharged to a septic tank and 150 metres of 100mm land drainage piping must be provided to dispose of effluent from the tank.  
(Reason - To avoid risk of pollution).

  
Chief Engineer & Planning Officer

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS AND THE APPLICANT SHOULD ENSURE THAT ALL NECESSARY APPROVALS FOR THE SAME PROPOSAL AND THE SAME PLANS ARE OBTAINED BEFORE COMMENCING ANY WORK ON THE SITE.

Please refer to the accompanying notes which form part of

Document 3 – Decision Notice 95/P0099

GRANT OF CONDITIONAL PLANNING PERMISSION

Applicant: MR A RICHARDS  
HILLCOT

Address: STOKE HILL  
EXETER

Agent: GRAHAM HEMBURY  
ELMGROVE HOUSE

Address: SEAWAY LANE  
TIPTON ST JOHN  
EX10 0AL

Proposal: AGRICULTURAL DWELLING

Location: HUXHAM BRAKE  
[ PART OS 1708 ]  
POLTIMORE

Application No: 7/23/95/P0099/00005

Date of receipt: 23 JAN 1995

Date of decision: 08 FEB 1996

**Decision Notice - 95/P0099**



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The Council hereby grants permission to carry out the development described in the application and the plans attached thereto subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted.

(Reason - To comply with Section 91 of the Town and Country Planning Act 1990.)

2. The development hereby permitted shall be alternative to that development permitted by Notice of Decision No.7/23/92/P0904/00005. If at any time after any works or operations are started or carried out under or by virtue of that permission (in whole or in part) then the permission hereby granted shall thenceforth be void and of no effect and no works or operations of any kind may thereafter be started or carried out under or by virtue of the permission hereby granted.

(Reason - To ensure that only one permission is implemented).

3. A recessed and splayed waiting bay in accordance with plans to be submitted to and approved in writing by the Local Planning Authority shall be constructed level with the adjacent County road before the bungalow is first occupied.

(Reason - In the interests of highway safety).

4. The drive and turning head shall be constructed and hard-surfaced before the bungalow is first occupied. The drive gradient shall not exceed 1 in 10.

(Reason - In the interests of highway safety).

5. Adequate provision shall be made for the disposal of surface water so that none drains onto the adjoining County road.

(Reason - In the interests of highway safety).

6. Visibility splays shall be provided each side of the access in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority. Nothing within the visibility splay areas shall be constructed or allowed to grow to a height exceeding 75cm above road level.

(Reason - In the interests of highway safety).



**EAST DEVON DISTRICT COUNCIL**  
TOWN AND COUNTRY PLANNING ACT 1990

GRANT OF CONDITIONAL PLANNING PERMISSION

Applicant: MR A RICHARDS  
HILLCOT

Address: STOKE HILL  
EXETER

Agent: GRAHAM HEMBURY  
ELMGROVE HOUSE

Address: SEAWAY LANE  
TIPTON ST JOHN  
EX10 0AL

Proposal: AGRICULTURAL DWELLING

Application No: 7/23/95/P0099/00005

Date of receipt: 23 JAN 1995

Date of decision: 08 FEB 1996

Location: HUXHAM BRAKE  
[ PART OS 1708 ]  
POLTIMORE

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*J. Oliver*  
.....  
Chief Engineer & Planning Officer

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS AND THE APPLICANT SHOULD ENSURE THAT ALL NECESSARY APPROVALS FOR THE SAME PROPOSAL AND THE SAME PLANS ARE OBTAINED BEFORE COMMENCING ANY WORK ON THE SITE.

Please refer to the accompanying notes which form part of this decision notice.