

FORM P.L. 5.

NOTICE No. 4/36/90/1198R

**COUNTY OF DEVON
MID DEVON DISTRICT COUNCIL
TOWN AND COUNTRY PLANNING ACT, 1971
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1977**

GRANT OF CONDITIONAL PLANNING PERMISSION

To: Woolway Bungalows Ltd
Claydon Industrial Park
Gipping Road, C. Blakenham, Ipswich, Suffolk.

Agent for:
Mr & Mrs F H Baker
Loyton Bungalow
Morebath, Sampston, Tiverton.

The Mid Devon District Council hereby grant permission to carry out the development described in the application dated 16 January 1990 and the plans and drawings attached thereto numbered 4/36/90/1198R brief particulars of which are as follows:-

Erection of an agricultural bungalow - pt plot 1044 Blackbridge, Morebath. (O.R. 9710 2446).

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) Unless agreed otherwise in writing by the District Planning Authority, the proposed development must be completed in all respects strictly in accordance with the drawings numbered 4/36/90A and ST 175/3 dated 16 January 1990.
- (c) A visibility splay of 2.4 metres x 33 metres shall be provided in a southerly direction from the proposed access together with a suitably hardened waiting bay in accordance with the attached diagram.
- (d) The existing mature oak trees shown on the northern boundary of the site shall not be lopped, felled or otherwise interfered with (unless dead, dying or dangerous) without the agreement in writing of the District Planning Authority.
- (e) A landscaping scheme shall be submitted to and approved by the District Planning Authority and shall be implemented to the satisfaction of the District Planning Authority within one year of the commencement of the development or such extension of time as may be agreed in writing by the District Planning Authority.
- (f) 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 290(1) of the Town and Country Planning Act 1971 (including any dependents of such a person residing with him or her) or a widow or widower of such a person.

continued over

REASONS FOR CONDITIONS

- (a) To comply with Section 41 of the Town and Country Planning Act, 1971.
- (b) To ensure that the development is completed in a satisfactory manner.
- (c) In the interests of highway safety.
- (d) & (e) In the interests of visual amenity.
- (f) To ensure that the dwelling is reserved for persons connected with agriculture or forestry, as the site is located in open country where residential development would not normally otherwise be permitted.

Date 15 JUN 1990

R.L. DIGHTAM, B.A., DIP.T.P., D.M.S., F.R.T.P.I., M.B.I.M.,
DISTRICT PLANNING OFFICER

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS.

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, Tollgate House, Houlton St., Bristol, BS2 9DJ.) 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 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.