

In correspondence please quote: { APPLICATION NO. 4/12/73/1246
NOTICE NO.

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

To Mr. H. L. Heard,
of Court Place, HERITON FITZPAINE, Crediton, Devon.
Agent for
of

The TIVINGTON DISTRICT

Council hereby grant permission to carry out the development described in the application dated 23rd August, 1976 and the plans and drawings attached thereto numbered 4/12/73/1246 brief particulars of which are as follows:- Outline application for the erection of an agricultural bungalow, Court Place, Heriton Fitzpaine

subject to the following conditions:-

- (a) In the case of any matter reserved by this permission, application for approval of any reserved matter must be made not later than the expiration of three years beginning with the date of grant of outline planning permission.
- (b) The development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - (i) the expiration of five years from the date of the grant of outline planning permission; or
 - (ii) the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- (c) The development hereby authorised shall be carried out only in accordance with detailed drawings which shall previously have been submitted to, and approved by, the District Planning Authority. Such detailed drawings shall show the design and external appearance of all proposed buildings, their siting, the materials of which they are to be constructed, the arrangements for the disposal of foul and surface water, the means of access from public highways, areas for vehicles parking and all other works including walls, fences and other means of enclosure and screening. The drawings shall indicate the location and species of all trees existing on the site.
- (d) A garage or hardstanding and parking space for motor vehicles shall be provided and sited in accordance with details which previously shall have been submitted to, and approved by, the District Planning Authority and the dwelling shall not be occupied until these facilities and vehicular access thereto have been provided. These facilities shall be kept permanently available for the parking of motor vehicles.
- (e) The dwelling hereby permitted shall be occupied only by persons employed, or last employed, full-time locally in agricultural or forestry work, as defined by Section 290 of the Town and Country Planning Act, 1971, and the dependants of such persons as aforesaid.
- (f) Provision shall be made for a 50ft. x 8ft. waiting bay and a standing turning area within the site.
- (g) The hedge on the southern side of the access onto the County Road shall be lowered to within one metre above the level of the highway for a distance of 110ft.

REASONS FOR CONDITIONS.

- (a) and (b) To comply with Section 42 of the Town and Country Planning Act, 1971.
- (c) To ensure that adequate information is available for the proper consideration of the detailed proposals.
- (d) To ensure that adequate off-street car parking facilities are provided.
- (e) To ensure that the dwelling is occupied by persons connected with agriculture or forestry, as the site is located in open country where residential development would not normally be permitted.
- (f), (g) In the interests of road safety.

This decision is not a decision under Building Regulations.

Dated this 23 DEC 1976 day


R Colin Greensmith
Chief Executive Officer

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 35(7) of the Town and Country Planning Act, 1971, namely, Sections 29 (2), 30 (1), 67 and 74 of the Act.