

**TOWN AND COUNTRY PLANNING ACT 1990**

**GRANT OF CONDITIONAL PLANNING PERMISSION**

<b>Applicant:</b>	Mr Keith Hoskin	<b>Application No:</b>	21/0651/FUL
<b>Address:</b>	Haymans Farm Broadclyst EX5 3HZ	<b>Date of Registration:</b>	5 March 2021
<b>Agent:</b>	XL Planning Ltd Naomi Jackson	<b>Date of Decision:</b>	22 April 2021
<b>Address:</b>	1A Fore Street Cullompton EX15 1JW		
<b>Proposal:</b>	Proposed erection of two replacement dwellings following the demolition of the existing agricultural buildings, using Class Q permitted development (ref 20/1791/PDQ) as the fallback position		
<b>Location:</b>	Rutton Barns Rull Lane Whimble Exeter EX5 2NX		

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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 hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.  
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.  
(Reason - For the avoidance of doubt.)
3. No development above foundation level shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority.  
Development shall be carried out in accordance with the approved details.  
(Reason - To ensure that the materials are considered at an early stage and are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

4. No development above foundation level shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless any alternative phasing of the landscaping is agreed in writing by the Local Planning Authority and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.  
(Reason - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)
  
5. The development hereby permitted shall be carried out in accordance with sections 5.2 (Recommendations and Mitigation) of the Preliminary Visual Assessment for bats and breeding birds dated January 2021 undertaken by Western Ecology.  
(Reason - To ensure that the development is carried out in accordance with the recommendations of the wildlife report in accordance with Policy EN5 (Wildlife habitats and Features) of the East Devon Local Plan 2013-2031).
  
6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no works within the Schedule 2 Part 1 Classes A, B, C, D, E, F, G or H for the enlargement, improvement or other alterations and structures within the curtilage to the dwellings hereby permitted, other than works that do not materially affect the external appearance of the buildings, shall be undertaken.  
(Reason - The proposal is justified as a fall back from Part 3 Class Q of the Town and Country Planning (General Permitted Development) Order which does not permit any changes without the need for planning permission as it may cause detriment to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

The plans relating to this application are listed below:

SLP/ISED/2021	Location Plan	18.03.21
PRELIMINARY VISUAL ASSESSMENT FOR BATS	Protected Species Report	05.03.21

BP/ISEDf/2021	Proposed Block Plan	05.03.21
	Proposed Elevation	05.03.21
PEB1/ISEDf/202 1 : building 1		
PEB2/ISEDf/202 1 : building 2	Proposed Elevation	05.03.21
PB2/ISEDf/2021 : building 2	Proposed Floor Plans	05.03.21
PB1/ISEDf/2021 : building 1	Proposed Floor Plans	05.03.21



***Service Lead - Planning Strategy & Development Management***

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.

*Your attention is drawn to the Council's adopted Code of Practice for the Control of Construction Site Nuisance which is available on the EDDC website. The Code of Practice details the measures that the Council expects all works on construction sites to comply with to avoid excessive nuisance to residents. You should therefore ensure that all contractors on site are provided with a copy of this document and told to comply with it. Failure to comply with the code may lead to action under the Environmental Protection Act 1990 or the Control of Pollution Act 1974.*

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