

TOWN AND COUNTRY PLANNING ACT, 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015
GRANT OF CONDITIONAL PLANNING PERMISSION

Applicant: Mr C Lamont
Greenacres
Belvedere Park
Dunchideock
Devon
EX2 9TY

Agent:

Location: DUNCHIDEOCK - Greenacres, Belvedere Park

Proposal: Change of roof materials from concrete tiles to natural slate and extend existing front dormer with Juliet balcony

Teignbridge District Council hereby grants planning permission to carry out the development described in the application validated on 19 July 2019 subject to the following conditions:

1. The development hereby permitted shall begin before the expiry of three years from the date of this permission.

REASON: In accordance 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 application form and the following approved plans/documents:

Received on 29 March 2019

Site Location Plan
Block Plan

Received on 23 April 2019

Drawing No.LAM.P.015 Rev B – Proposed Elevations

Received on 19 July 2019

Drawing No.1928/110 P1 – Roof Plan

Bat Emergence Surveys by Western Ecology dated May/June 2019

REASON: In order to ensure compliance with the approved drawings.

3. No works shall be undertaken prior to Natural England granting of a European Protected Species Licence. All works shall be undertaken in strict accordance with the EPS licence including all mitigation and compensation measures included therein.

To inform Discharge of this Condition the applicant shall submit: a copy of the European Protected Species Licence application including working method statement; a copy of the European Protected Species Licence and the results of the bat monitoring required by the EPS Licence within 1 week of receiving the granted licence from Natural England.

REASON: For the protection of bats and a bat maternity roost

IN CORRESPONDENCE PLEASE QUOTE
APPLICATION REF NO: 19/00668/FUL

4. The recommendations and safeguarding measures given in the Bat emergence survey report prepared by Western Ecology dated May/June 2019 shall be followed. This includes precautions to prevent threat of harm during construction works; the obtaining a licence from Natural England as set out in Condition 3, for the works; timings of works; provision of alternative temporary roosting provision, provision of new roosting provision within the finished development, works being undertaken under an Ecological Watching Brief and post development monitoring, as described in the Bat emergence survey report.

On completion of works, the bat consultant shall provide written confirmation to TDC that the measures have been put in place and are acceptable.

REASON: to safeguard legally protected species, and to ensure no biodiversity loss

INFORMATIVE:

In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has granted planning permission.

Further details relating to this planning application, including the approved plans and the Officer's Report can be viewed at www.teignbridge.gov.uk/planningonline

Dated: 28 August 2019

Ros Eastman
Business Manager – Strategic Place

TEIGNBRIDGE DISTRICT COUNCIL

Notes to accompany Decision Notices

Building Regulations - This decision is not a decision under the Building Regulations and the applicant should ensure that all necessary approvals for the same proposal and same plans are obtained before commencing any work on the site. See www.devonbuildingcontrol.gov.uk for further information.

Discharge of Conditions - Any pre-commencement conditions must be discharged before work starts. The fee to discharge conditions is per request, not per condition, and it is therefore more cost effective to discharge all conditions at once. Listed Building Consents are exempt from fees. See www.teignbridge.gov.uk/planningapply and follow the links to 'Planning Application Forms' then 'Existing Permissions'

Amending your permission (only applies to planning permissions) – If it is a very small change you can apply for a Non Material Amendment. Larger changes will need a Variation of Condition application to amend the plans condition or a new Planning Application. See www.teignbridge.gov.uk/planningapply and follow the links to 'Planning Application Forms' then 'Existing Permissions'

Adherence to approved plans/conditions - Failure to adhere to the details of the approved plans or to comply with the conditions contravenes the Town and Country Planning Act 1990 and enforcement action may be taken.

Right of Appeal

If you are aggrieved by a decision to refuse permission or to grant it subject to conditions you can appeal to the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk/>. Appeals must be made on the correct form relating to the type of application you submitted. Information provided as part of the appeal process will be published online. In some circumstances the Planning Inspectorate may refuse to consider an appeal.

Planning Appeals (Section 78 Town and Country Planning Act 1990).

- Householder appeals must be made within 12 weeks of the date of this notice
- Minor Commercial Appeals (minor development, solely at ground floor level, of a building currently in Use Classes A1 – 5, not including change of use or change of number of units or increase in floor area) must be made within 12 weeks of the date of this notice
- All other planning appeals must be made within 6 months of the date of this notice.

Certificate of Lawfulness Appeals (Section 195 Town and Country Planning Act 1990)

- There is no time limit for submission of an appeal.

Listed Building Consent (and Listed Building Lawful Development) Appeals (Section 20 Planning (Listed Building and Conservation Areas) Act 1990).

- Appeals must be made within six months of the date of this notice.

Advertisement Consent Appeals (Regulation 17 Town and Country Planning (Control of Advertisements) Regulations 2007).

- Appeals must be made within 8 weeks of the date of this notice.

Concurrent Enforcement Notices/appeals

If the land/development is already subject to an enforcement notice you must appeal within 28 days of this decision notice. If the enforcement notice is issued subsequently, you must appeal within 28 days of service of the enforcement notice unless this extends the normal planning appeal period.

Third Party right of challenge

There is no right of appeal for third parties although the validity of a decision can be challenged through the courts. You should first write to the Council detailing your reasons for dispute and your intention to seek a Judicial Review to try to avoid litigation. If this does not resolve the issue, an application for permission to apply for Judicial Review must be served on the Council and any other interested party and lodged at the Administrative Court Office for the High Court within 6 weeks of the date of decision. You are advised to seek legal advice.

Purchase Notices

If the Local Planning Authority 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 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 requiring them to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Disabled Persons

Where any planning permission granted relates to buildings or premises to which the public are to be admitted (whether on payment or otherwise) or to premises in which persons are employed to work, your attention is drawn to Sections 4, 7 and 8a of the Chronically Sick and Disabled Persons Act, 1970 and to the British Standards Institutions Code of Practice for Access for the Disabled to Buildings.