

SOUTH HAMS 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 – If your application has been approved with conditions then 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 and Conservation Area Consents are exempt from fees.

Amending your permission (only applies to planning permissions) – If you want to change some details of your planning permission and it is a very small change you can apply for a Non Material Amendment. Larger changes may need a Variation of Condition application to amend the plans condition or a new Planning Application.

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 - further *information about appealing can be found at*

http://www.planningportal.gov.uk/uploads/pins/procedural_guide_planning_appeals.pdf

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 or online at www.planningportal.gov.uk/planning/appeals/ 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 of the Town and Country Planning Act 1990).

- Householder appeals must be made within **12 weeks** of the date of this notice.
- Minor Commercial Appeals must be made **within 12 weeks** of the date of this notice.
- Other planning appeals must be made within **6 months** of the date of this notice.
- **Certificate of Lawfulness Appeals** (Section 195 of the Town and Country Planning Act 1990) - There is no time limit for submission of an appeal.
- **Listed Building Consent or Conservation Area Consent Appeals** (Section 20 of the 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 of the Town and Country Planning (Control of Advertisements) Regulations 2007).

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

High Court Challenge/Judicial Review

As there is no third party right of appeal the only route available for an objector to challenge a decision is through the courts. Legal advice should be sought before considering this option.

Purchase Notices

If the Local Planning Authority or the Planning Inspectorate 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.

Dated this 15 June 2023

(Application Ref: 0633/23/HHO)

Patrick Whymer

**Head of Development Management Practice
for and on behalf of the Council**



In any correspondence please quote application number: **0633/23/HHO**

HOUSEHOLDER REFUSED

Town and Country Planning Act, 1990
Town and Country Planning (Development Management Procedure)
(England) Order, 2015

Application No.: 0633/23/HHO

Date Received: 21 February 2023

Proposal: Householder application for minor amendments to design, layout, materials & the introduction of ancillary accommodation in detached garage building approved under planning consent 1412/19/HHO (Retrospective)

Location: Higher Manor, Ringmore, TQ7 4HJ

Agent:

Mr David Glassock
David Glassock Architecture
38 New Meadow
Ivybridge
PL21 9PT

Applicant:

Mr & Mrs Keith & Mary Bedborough
Higher Manor Bungalow
Ringmore
TQ7 4HJ

The South Hams District Council hereby **REFUSE** permission to carry out the development described above **for the following reason(s):**

- 1)** The proposal seeks to create a unit capable of independent habitation within the curtilage of Higher Manor Bungalow, reinforced by the increase in ridge height and installation of dormer windows which give the appearance of a domestic dwelling, along with the proposed installation of bathroom, kitchen, living space and bedroom. As such the proposal is against the provisions of SPT2 and DEV10 (4) and paragraphs.4.128 – 4.130 of the JLP Supplementary Planning Document.
- 2)** The scheme creates an overbearing structure which is not appropriate in terms of scale or design in the context of the host dwelling or the wider landscape and is considered against the provisions of SPT1 (3v), SPT2 (10, 12), TTV29 (5), DEV20 (1, 2, 3, 4, 5), DEV23 (1, 2, 3, 4), DEV24 (3, 5) and DEV25 (8) of the Joint Local Plan; RNP2 (1, 5) and RNP5 (1, 4) of the Ringmore Neighbourhood Plan, and guidance contained within the JLP SPD (including, but not limited to, paragraphs 13.6, 13.37, 13.39, 13.75).
- 3)** The use of red/brown clay tiles in the construction creates an incongruous and visually prominent building within this protected landscape and against the provisions of DEV20 (1, 2, 3, 4, 5), DEV23 (1, 2, 3, 4) and DEV25 (8) of the JLP
- 4)** No satisfactory foul drainage solution has been proposed and the application is subsequently against the requirements of DEV35 (4, 8) of the JLP.

Dated this 15 June 2023

(Application Ref: 0633/23/HHO)

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INFORMATIVES

1. This Decision Notice refers to drawing nos:

- P 11 Proposed Garage Elevations
- P 10 Proposed First Floor Plan
- P 09 Proposed Ground Floor Plan
- P 08 Proposed Roof Plan
- P 07 Proposed Site Plan
- P 01 Site Location Plan

As received on 23 March 2023

2. This authority has a pro-active approach to the delivery of development. Early pre-application engagement is always encouraged. In accordance with Article 35(2) of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended) in determining this application, the Local Planning Authority has endeavoured to work proactively and positively with the applicant, in line with National Planning Policy Framework, to ensure that all relevant planning considerations have been appropriately addressed.

THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS

Dated this 15 June 2023

(Application Ref: 0633/23/HHO)

Patrick Whymer

**Head of Development Management Practice
for and on behalf of the Council**