

Mr S Hearse
Chief Executive
Torrige District Council
Riverbank House
Bideford
Devon
EX39 2QG



Tel : Bideford (01237) 428700

Date: 23 January 2026
Quorum: 6

MEETING OF PLANS COMMITTEE

Caddsdwn Business Support Centre - Caddsdwn Bideford
EX39 3BE

Thursday 5 February 2026 at 9.30 am

NOTICE OF MEETING

The meeting will be able to watch through the Council's YouTube Channel
<https://tinyurl.com/TorrigeYouTube>

To: Councillor R Lock (Chair)
Councillor C Leather (Vice-Chair)
Councillors: D Bushby, P Hames, N Kenneally, K O'Rourke, P Pennington,
D Smith and J Whittaker

Members are requested to turn off their mobile phones for the duration of the Meeting

AGENDA

1.	Apologies For Absence
	To receive apologies of absence from the meeting.
2.	Minutes (Pages 5 - 13)
	To receive the Minutes from the meeting held on the 4 th December 2025.

3.	Declaration of Interest
	<p>Members with interests to declare should refer to the Agenda item and describe the nature of their interest when the item is being considered.</p> <p>Elected Members of Devon County Council and Town/Parish Councils who have considered a planning application by virtue of their membership of that Council hold a personal interest and are deemed to have considered the application separately and the expressed views of that Council do not bind the Members concerned who consider the application afresh.</p>
4.	Agreement of Agenda between Parts I and II
	That the Agenda as circulated be agreed.
5.	Urgent Matters
	Information to be brought forward with the permission of the Chair.
6.	Public Participation
	The Chair to advise the Committee of any prior requests to speak made by members of the public and to advise of the details of the Council's public participation scheme.
7.	Planning Applications
	The information, recommendations and advice contained in the reports are correct as at the date of preparation which is more than ten days in advance of the Committee meeting. Due to these time constraints any changes or necessary updates to the reports will be provided in writing or orally at the Committee meeting.
(a)	Application No.1/0557/2025/FUL (Pages 14 - 31)
	<p>Creation of 9 bedroom House of Multiple Occupancy (Sui Generis) in lieu of permission 1/0144/2025/FUL. Ground floor and basement retained in part as commercial use.</p> <p>18 South Street, Torrington, Devon</p>
(b)	Application No.1/0763/2025/FUL (Pages 32 - 46)
	<p>Erection of building for flexible use under use classes B2 and B8</p> <p>Land At Halfpenny Yard, Dolton, Devon</p>
(c)	Application No.1/0837/2025/FUL (Pages 47 - 57)
	<p>Erection of two-storey side extension and decking with associated alterations</p> <p>The Mount, Lakenham Hill, Northam</p>

8.	Appeal Decisions Summary (Pages 58 - 68)
	<p>Appeal Decision Summary and Reports of Planning Inspectorate</p> <p>Summary</p> <p>Appeal Decision –</p> <ul style="list-style-type: none"> - 1/0621/2024/CPE - 1/0938/2024/FUL - 1/1052/2024/FUL
9.	Costs on Appeals
	There were no costs on appeals.
10.	Delegated Decisions - AGMB Applications (Page 69)
	The Committee noted the Delegated Decisions for the period 26 th November 2025 to 27 th January 2026.
11.	Planning Decisions (Pages 70 - 81)
	List of Delegated Planning Decisions, Consultee Abbreviations and Application Types enclosed 26 November 2025 to 27 January 2026.
12.	Exclusion of Public
	<p>The Chair to move:-</p> <p>That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information by virtue of Part 1 Schedule 12A of the Local Government Act 1972.</p>
13.	Part II - Closed Session
	There are no Part II items.
<p>The background papers are considered to comprise the following documents:</p> <ul style="list-style-type: none"> - The individual planning application file (reference number quoted in each case) - North Devon and Torridge Local Plan 2011-2031 (Adopted October 2018) - Current Government guidance contained in Circulars, the National Planning Policy Framework, Planning Policy for Traveller Sites and Ministerial Statements - Any other documents specifically referred to in the report. <p>All background papers referred to are available for examination during normal office hours.</p>	

NOTE TO MEMBERS

All letters of representations are readily available for inspection on the files or through the website and public access. If any Member requires assistance in using this facility, please contact the Development Enabling Manager directly.

Members of the Committee only will receive hard copies of representations received.

Meeting Organiser: Democratic Services

For those wishing to speak at Plans Committee please contact:

Planning Support - Tel: 01237 428778 or 428711
 Email: speak.planning@torridge.gov.uk
 Website: www.torridge.gov.uk/speakplanning

191. URGENT MATTERS

None received.

192. PUBLIC PARTICIPATION

The Chair advised the Committee and members of the public of the details in respect of the Council's public participation scheme.

193. PLANNING APPLICATIONS194. APPLICATION NO. 1/0567/2025/LA

The Councillors who attended site visit were: Councillor Bushby, Councillor Leather, Councillor Lock, Councillor O'Rourke, Councillor Pennington, Councillor Smith

A recording of the site visit was sent to: Councillor Hames, Councillor Kenneally, Councillor Whittaker

Application No. 1/0567/2025/LA - Change of use of library (Use Class F1) to create a multi-functional sport and fitness facility (Use Class E) and associated alterations, including the installation of 3no. air source heat pumps and roof mounted solar panels. Torridge District Council, Town Hall, Bridge Street, Bideford, Devon, EX39 2HS

Interests: None

Recommendation: Grant

Discussion

The Principal Planning Officer presented the application, noting it was deferred from the November committee for further consideration in relation to the impact of renewable energy provisions on residential amenity and heritage assets. Members were advised the application remained unamended.

Following the public speakers, the Chair opened discussion to Members.

Members voiced their disappointment that the application had returned to Committee unamended and that solar panel alternatives had not been explored. There was also concern that if there was an issue with noise following the installation of heat pumps they would not be removed.

Councillor Bushby recommended refusal of the application recommendation to grant.

Members went on to highlight the building and its historic setting should be prioritised, and other locations for climate measures explored in the local area.

There was then Member discussion regarding the importance of measures like these to address climate change and there was support for the officers' work, noting the reason for the Conservation Officer's recommendation for solar, work to offset the potential noise of heat pumps, and the Environmental Protection Officer's assessment.

Councillor Hames proposed the application recommendation to grant and this was seconded by Councillor Kenneally.

Members went on to support the recommendation of Councillor Bushby, noting their disappointment the application had not changed. There was discussion on integrated solar panels and concerns were raised regarding heat pumps noise, the noise assessment report was referenced. It was asked why electric boilers were not considered. The impact of installing heat pumps was also noted.

Councillor Leather seconded Councillor Bushby's recommendation of refusal. The Principal Planning Officer was unaware if electric boilers had been explored, but noted heat pumps are generally considered more efficient and carbon-reducing.

Members continued to raise their concerns regarding the noise generated by the heat pumps once installed and their concern regarding the impact of installing solar panels. There was clarification from the Principal Planning Officer on the times of use and scale of use of heat pumps.

Members reflected on the reasons for the application being deferred at the last Plans Committee, it was suggested that the recommendation to grant the application could be strengthened by adding to Condition 16, specifying a decibel figure and requiring an independent assessment of any complaint (not Torridge District Council - TDC) to ensure objectivity and resident confidence.

The Planning Manager confirmed this could be added and wording agreed by the Chair / Vice Chair in consultation with the Environmental Protection Team. However, concerns were raised around requiring an independent assessment, due to potential delays and costs. Members were advised of the requirements and professional codes within which the Environmental Protection Officer at TDC must act meaning any investigation should be carried out objectively.

Members in support of the application asked if an amendment for integrated solar panels would be possible, noting the current proposal was for surface-mounted. The Conservation Officer advised she had recommended approval for surface-mounted panels, noting integrated panels would be more harmful to the building fabric and more costly long-term. Members also raised concerns about integrated solar panels leaving holes in the roof if removed, it was felt more important to prioritise watertightness and heritage value.

Following further member discussion it was stated by some Members they would be minded to approve the application if Condition 16 were strengthened with specific decibel levels and the requirement for independent assessment. Though there was still some concern regarding the effectiveness of measures for mitigation once heat pumps were installed.

It was proposed by Councillor Hames, seconded by Councillor Kenneally and Resolved:

That the application be approved, with the amendment to Condition 16.

A recorded vote was taken

COUNCILLOR	For	Against	Abstain
Cllr D Bushby		X	
Cllr P Hames	X		
Cllr N Kenneally	X		
Cllr C Leather		X	
Cllr R Lock	X		
Cllr K O'Rourke			X
Cllr P Pennington		X	
Cllr D Smith		X	
Cllr J Whittaker		X	

(Vote: 3 For, 5 Against, 1 Abstention)

Resolved – Motion to approve lost.

Speakers: Mark Simmons – Local Resident (Against), Paul Metcalf – Local Resident (Against), Adrian Redwood – TDC Officer (For), Councillor Tinsley (Ward Member)

195. APPLICATION NO. 1/0568/2025/LBC

The Councillors who attended site visit were: Councillor Bushby, Councillor Leather, Councillor Lock, Councillor O'Rourke, Councillor Pennington, Councillor Smith

A recording of the site visit was sent to: Councillor Hames, Councillor Kenneally, Councillor Whittaker

Application No. 1/0568/2025/LBC - Change of use of library (Use Class F1) to create a multi-functional sport and fitness facility (Use Class E) and associated alterations, including the installation of 3no. air source heat pumps and roof mounted solar panels. Torridge District Council, Town Hall, Bridge Street, Bideford, Devon, EX39 2HS

Interests None

Recommendation Grant

Discussion:

The Principal Planning Officer briefly presented the listed building consent application, noting its association with the previous planning application and covering internal and external works.

Chair noted that public speakers were no longer present at the meeting and opened discussion up to Members.

Members noted positive change regarding the internal doors (purpose-made, fire-rated). Questioned the listed building consent noting the previous application, arguing it should not be granted due to the impact on the listed building.

The Planning Manager confirmed the application covered all internal and external works to the listed building, the material considerations being the impact on the listed building including internal works.

It was proposed by Councillor Leather, seconded by Councillor Bushby and

Resolved:

That the application be refused due to harm to the listed building in conflict with Local Plan policies ST15 and DM07, and Section 16 of the NPPF

A recorded vote was taken

COUNCILLOR	For	Against	Abstain
Cllr D Bushby	X		
Cllr P Hames		X	
Cllr N Kenneally		X	
Cllr C Leather	X		
Cllr R Lock		X	
Cllr K O'Rourke			X
Cllr P Pennington	X		
Cllr D Smith	X		
Cllr J Whittaker	X		

(Vote: 5 for, 3 against, 1 abstention)

Resolved – Refusal citing damage to the listed building by the proposed alterations, conflicting with policies ST15, DM07, NPPF Section 16, and the statutory duty to preserve the listed building.

Speakers None present.

196. APPLICATION NO. 1/0064/2025/FUL

The Councillors who attended site visit were: Councillor Bushby, Councillor Leather, Councillor Lock, Councillor O'Rourke, Councillor Pennington, Councillor Smith

A recording of the site visit was sent to: Councillor Hames, Councillor Kenneally, Councillor Whittaker

Application No. 1/0064/2025/FUL - New children's day nursery and associated external works. Land at Grid Reference 242796 122694, Buckland Brewer, Devon

Interests: Councillor Pennington advised he was Ward Member and called in the application, stating he had come to Committee with an open mind.

Recommendation: Refuse

Discussion

The Planning Officer first advised of a further consultation response received yesterday from Historic England in relation to the site of the nursery, members were advised this had been uploaded to the Planning Portal and a slide providing further detail was shared. The Planning Officer went on to provide a detailed presentation on the application and the reasons for recommending refusal.

After hearing from the public speakers Chair opened up the discussion to Members.

During discussion members noted the following:

- Members noted the open countryside site, and raised concern about use of cars. It was asked if the provision designed to cater for village or wider area. It was confirmed car travel would be necessary, the scope of the provision was felt to be the Nursery decision.
- The Planning Manager advised that officers had been pragmatic in applying the principle of development under DM15 (farm diversification), despite not complying with ST22 (community facilities in settlements) – the work on this was referenced in the report.
- There was acknowledgment of the heritage concerns but members questioned the extent of curtilage in this case. The complexities of curtilage / setting and their definitions were highlighted by the Planning Manager who explained the decision-making stages members needed to go through.
- The Conservation Officer explained the legal and policy tests in detail for members, the distinction between curtilage and setting was clarified and the statutory duty to protect heritage. She detailed the test for curtilage (an object or structure within the curtilage / part of land at 1948).

- The existing changes to Orleigh Court and the Lodges were also noted. This was addressed by officers during the meeting. Orleigh Court's Grade I listed status (one of eight Grade I buildings in Torrington) and early listing (1952) was also noted, along with the role of the Lodges as a clearly identify gateway to an important estate.
- In terms of setting this was explained as wider than curtilage and dependent on public perception – the officer referred to the presentation slides.
- It was asked if there was a need to add a condition to restrict use to nursery provision and what could happen to the building if the nursery ceased operation. The Planning Manager advised on policy and why a condition may be advisable if members were minded to approve together with consideration of requiring the building to be removed if the nursery use ceases.
- During discussion members noted their support for the design and location of the site, noting the experience of the applicants in terms of their farmland and their work on the application to date.
- In terms of location Members shared their satisfaction that the applicant had considered alternative locations – noting this was a working farm, and the surrounding flood zones.
- In support of the application members felt the application fitted the farm diversification scheme and ST 22 and DM15 were noted.
- Members referenced NPPF 214 – The Planning Manager advised of the policy tests required for the application and noted NPPF 212 and 213, explaining the reasoning.
- Following a query it was confirmed by the Planning Manager that, if approved, a legal agreement would be needed to tie the nursery to the farm business (as per DM15 justification) and to secure off-site highway works.
- In terms of harm the Conservation Officer advised it would be considered "less than substantial" but at a "higher level of less than substantial" due to the Grade I listed building and the permanence of harm to its setting. Further detail was provided in terms of the grading of harm from Historic England.
- Members recognised the concern around the setting throughout their discussion, but referenced the tilted balance and balancing the local need for this type of provision and the benefits for the community.

Councillor Leather moved to approve the application and this was seconded by Councillor Bushby.

During discussions the Planning Manager sought clarification on the reasons for approval and advised of the legal and policy tests required to lawfully approve the application. The decision-making process was emphasised for members – it was explained members would need to determine if the site was in the setting/curtilage, and if so, justify the proposed location, then assess the level of harm, and then balance on the public benefit. Relevant NPPF policy was referenced for members information – NPPF 212 and 213.

Following a member query regarding timescales for the application the Planning Officer clarified the application restarted due to red line changes (highways visibility) at the applicant's request, the requirement for a heritage impact assessment, and biodiversity net gain issues.

Members thanked the public speakers for their contributions.

It was proposed by Councillor Leather, seconded by Councillor Bushby and –

Resolved:

That the application be approved with the legal agreement tying to the farm and off-road highway works and conditions to be agreed with Chair and Vice Chair.

A recorded vote was taken

COUNCILLOR	For	Against	Abstain
Cllr D Bushby	X		
Cllr P Hames			X
Cllr N Kenneally	X		
Cllr C Leather	X		
Cllr R Lock	X		
Cllr K O'Rourke	X		
Cllr P Pennington	X		
Cllr D Smith	X		
Cllr J Whittaker			X

(Vote: 7 For, 2 Abstentions)

Resolved – Approved, citing policies DM15, DM01, ST22, ST11(3), DM07(2), and NPPF 215, with a legal agreement to tie the nursery to the farm business and secure off-site highway works and conditions to be agreed with Chair and Vice Chair.

Speakers

Councillor Staveley (Parish), Councillor Hicks (Ward), Rosemarie Beer, and Rebecca Fernley all spoke in support of the application.

197. APPEAL DECISIONS SUMMARY

The Committee noted the Appeal Decisions. Councillor Kenneally declared a pecuniary interest, as one applicant was his Landlord.

198. COSTS ON APPEALS

There were no costs on appeals.

199. DELEGATED DECISIONS - AGMB APPLICATIONS

The Committee noted the Delegated Decisions.

200. PLANNING DECISIONS

Chair reviewed page by page with member and the following was raised:

1/0703/2025/FUL – Following a query on the planning in principle decision the Planning Manager provided reasoning.

The Planning Manager advised members on ‘deemed permission’ and ‘non-permitted development’ following a request for clarification from members.

RESOLVED

That the Planning decisions for the period 22/11/2025 and 26/11/2025 be noted.

The meeting commenced at 9.30 am and closed at 12.05 pm

Chair:

Date:

Agenda Item 7a

Committee Report – 05.02.26

Application Number:	1/0557/2025/FUL
Registration date:	14 July 2025
Expiry date:	8 September 2025
Applicant:	Mr. Ben Yip
Agent:	Co Create Architects
Case Officer:	Debbie Fuller
Site Address:	18 South Street Torrington Devon EX38 8AA
Proposal:	Creation of 9-bedroom House of Multiple Occupancy (Sui Generis) in lieu of permission 1/0144/2025/FUL. Ground floor and basement retained in part as commercial use.
Recommendation:	Grant



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Reason for referral:

This application has been called in to Plans Committee for determination by Councillor Doug Smith (Ward: Great Torrington), for the following reasons: -
'Local safety concerns. Potential overdevelopment, contrary to Policies DM01 & DM04.'

Relevant History:

Application No.	Description	Status	Closed
1/0914/2013/COU	Change of use from Public House to Indian restaurant and take-away	PER	11.12.2013
1/0144/2025/FUL	Change of use to class C4 (6-bedroom House of Multiple Occupancy)	PER	24.04.2025

Site Description & Proposal

Site Description

The property ('18 South Street') is located within the centre of Great Torrington, and within the Conservation Area and the Primary Shopping Area. However, the building is not a listed building. It was evident from the officer site visit that the top floors have in the past been used for residential purposes. There is no planning history for the floors above, although at one stage it was likely to be rooms rented for the public house.

Proposed Development

The planning application seeks full planning permission for the conversion of the existing first and second floor residential space to a nine bed HMO with additional shared kitchen and living room at ground floor and basement store. The commercial unit at ground floor is proposed to be retained and renovated.

The external changes are shown on the proposed elevations, and include render to be '*retained and reviewed, windows upgraded to double glazed UPVC, existing rooflights reconditioned or replaced and existing door to double glazed UPVC.*' An existing bridge between the application building and the adjacent is proposed to be removed (east elevation), and the commercial kitchen extractor removed (rear). The timber windows on the front of the application building are to be retained and have secondary glazing added. An additional rooflight is to be added, (shown on 'Proposed Roof Plan').

A six bed HMO has already been approved, (planning reference 1/0144/2025/FUL), and the proposal now is for three more bedrooms - these are Bed 08 and Bed 09 shown on the Proposed Ground Floor, and Bed 07 shown on the Proposed Second Floor.

The site will require an HMO license. The accommodation has a shared area (living room) so in terms of the gain in housing, it is counted as one.

Through the process of this application Building Control and the Housing Renewal Team have been consulted. The agent has been encouraged to discuss with the Housing Renewal team and Building Control to ensure the layout meets their standards.

The latest plans on the file, (received 19th December 2025) amend the schedule of accommodation to 9 beds not 6 as this was an error carried through from the previous approved plans, (planning reference 1/0144/2025/FUL). The reason there are several iterations of revised plans on the file are due to errors on the plans picked up by the Local Planning Authority through the process.

Consultee representations:

Great Torrington Town Council: (first response, received 30th July 2025)

Members of Great Torrington Town Council's Planning Committee reviewed application 1/0557/2025/FUL at a meeting on 30th July 2025. Members had the following comments: The plans show one of the rooms in the basement as a bedroom, which would make it a 10 bedroom HMO, rather than a 9 bedroom HMO as described in the application. Based on the description of the application it seems that this is an error.

There are two new bedrooms on the ground floor which only have access to a bathroom on the first floor, shared by two further bedrooms. Members were therefore concerned that there are insufficient bathroom facilities for the number of additional bedrooms being proposed. Concerns were raised about whether the size of the kitchen would be suitable for the increased number of occupants, especially if laundry facilities were to be included in the kitchen area as well as cooking and food storage facilities.

Members recommended the fire service be consulted on fire escape plans and for them to undertake a formal fire risk assessment of the proposals.

Overall, Members had significant concerns about the increased number of bedrooms in this new application and the limited shared facilities available. As already pointed out by the Designing Out Crime Officer, Members were concerned about upkeep of the communal areas which could be a source of conflict amongst residents and suggested that with such a large number of occupants, an on-site manager might be considered to help oversee and manage the communal areas. Members requested that these comments be carefully considered by the Planning Officer.

Great Torrington Town Council: (second response, received 24th September 2025)

Members of Great Torrington Town Council's Planning Committee reviewed application 1/0557/2025/FUL at a Planning Committee meeting today, 24th September 2025.

Members still have concerns about this application in terms of the increased number of bedrooms (9) compared to the application approved (6 bedrooms). They acknowledge that there is a need for this type of accommodation in Great Torrington, and are pleased that some commercial space will remain, however they feel strongly that it is important for housing such as this to be of good quality with adequate bathroom facilities. In their opinion, the current design is not acceptable as there are no toilet/bathroom facilities for residents on the ground floor. Members commented that the positioning of a bedroom on the ground floor was a good idea for accessibility reasons, however this would therefore require accessible bathroom facilities on the same level.

For the reasons outlined above, Members unanimously voted to object to this application.

Great Torrington Town Council: (third response, received 19th November 2025)

In accordance with the Town Council's Scheme of Delegation, a delegated decision was taken by the Town Clerk today in consultation with the Chair of Planning and another member of the Planning Committee.

It is appreciated that the developer has taken on board the comments submitted previously by the GTTC Planning Committee. The preference would still be for only 6 bedrooms rather than the 9 proposed, but with the addition of a bathroom on the ground floor, there are no further objections to this application.

Conservation Officer: (first response, received 28th August 2025)

The proposal does not indicate any changes to this non listed building within the town centre conservation area. This is also subject to an article 4 direction which requires planning permission for any changes to the street frontages of any building. There are no observations on the use of the property but the front elevation does not appear to be correct in terms of the shop frontage does not extend across the full width of the plot. This inaccuracy on the elevation does cause some concern to the accuracy of the floor plans provided.

Conservation Officer: (second response, received 9th December 2025)

Update to report-December 2025

This proposal retains the appearance of the building within the conservation area (and article 4 direction) designated for Torrington. The timber sliding sash windows are shown as retained and as such there are no adverse visual impacts on the views along South Street. The proposal is considered to accord with the guidance in paragraphs 219 and 220 of the NPPF and paragraph 72 of the Planning (Listed Buildings and Conservation areas) Act 1990.

Housing Delivery Lead (Planning Team): (received 28th August 2025)

- 1. This application follows on from an application allowed on 24 Apr 2025 (1/0144/2025/FUL) for change of use of 18 South Street Great Torrington to a 6 bedroom HMO (use class C4).*
- 2. The Torrridge HMO Register shows 11 licenced HMOs in the district 2 of which are in Great Torrington (1x 6 bed and 1x 8 bed).*

Housing for single people

3. The Devon Home Choice housing register (May 2025) shows the following housing need for people living in and with connections to Great Torrington and neighbouring Parishes. Of the 85 households who have a 1-bedroom need, three quarters (73%) of those are 1 person households.

- 4. For single people under 35 who receive housing benefit, or a housing element of Universal Credit, support is only available at a Shared Accommodation Rate – nominally HMOs. Around 40% of people on universal credit are in work, though primarily low-wage sectors or part-time contracts.*
- 5. There appears to be very limited availability of rental properties in Great Torrington. Rightmove lists just 1 1-bed flat available for rent, and Spareroom.com shows only 1 1-bed house share/lodger property advertised. A single person over 22 working full time on minimum wage would struggle to rent in Great Torrington based on currently advertised rents, and many renters pay more than half of their wages on rent leaving little for basic living costs. For lower-waged young people on part-time or seasonal employment the situation is even worse.*
- 6. At the 2021 Census, in Great Torrington there just under 800 single person households (31.5% of all households in Great Torrington). Of these, 56 single person households were young people aged 18-34.*

Proposal Plans

- 7. In relation to the plans approved in April, the addition of three more bedrooms is proposed through the following modifications:*
 - Basement: An 18m² storeroom becomes an 18m² bedroom*
 - Ground floor: a 17m² storeroom is converted to two bedrooms (9m² and 8m²) and the Bathroom is removed*
- 8. The two ground floor bedrooms are small, but within the minimum size for a single person HMO room. These smaller bedrooms are convenient to the communal lounge space and kitchen. However, removal of the GF bathroom would impose upon the proposed basement bedroom residents as they would be required to walk two flights of stairs and down a hallway to access a toilet (the two closest WCs to the stairwell being private ensuite shower rooms). I cannot comment on the adequacy of this in relation to building regulations or licencing.*

Summary

- 9. None of the large-scale developments underway in Great Torrington includes HMOs and there are very few 1 bed dwellings planned as part of ongoing development. This sector of the housing market mostly relies on conversions, many of which are not ideally suited for HMO living. Consequently, a new build HMO in a sustainable location, with all necessary facilities like bin storage and built to appropriate standards and licenced would be a positive contribution to the housing market.*

Designing Out Crime Officer - DC&D Police: (received 25th July 2025)

Having reviewed the relevant details, I have no objections in principle to the proposed change of use. However, as there is no mention within the Design & Access Statement of security or crime prevention measures per se, it is not known if these key matters have been considered for the scheme or where

and how it is proposed they be implemented. Therefore, with this in mind please find the following initial observations, advice and recommendations from a designing out crime and anti-social behaviour perspective.

Residents of multi occupancy premises, regardless of the number of rooms, are likely to only have interest and regard for their own private space, as such shared areas can become neglected or misused due to a lack of ownership and responsibility, but this can soon escalate into other problems and create conflict. As such the premises must be robustly managed and maintained on a regular basis. This will also help to identify any problem areas or issues which can be dealt with at an early stage. To ensure the smooth running and success of the premises and to create a safe and secure environment for tenants a Management and Maintenance Plan should be in place for both the premises and external areas.

The plan should provide the following:-

- Clear detailed information on the house rules and what is and what is not acceptable behaviour and/or activities, with roles and responsibilities clearly set out and should also include the ramifications if tenants breach the rules.
- The plan should include clear details regarding the management of refuse and recycling and a mandatory requirement that receptacles are returned to any storage area on the day of being emptied.
- Full contact details in the event of any issues arising must also be readily accessible to tenants. The overarching requirement from a designing out crime, fear of crime and ASB perspective is that property owners, landlords/managers and tenants all have a responsibility to ensure that the premises are robustly managed and looked after, and that the HMO, as with all HMO's, provide a safe and secure environment for tenants and its use as a HMO does not have a negative impact on the local amenity or neighbouring properties.

There should be no access from the retained commercial areas into the proposed private residential space. The communal entrance door should be to a recognised standard such as PAS24:2022 and must have an effective access control and door entry system to prevent casual intrusion to semi-private / private space and not allow visitors beyond the public realm without permission. There should be no "trades button" as they have been proven to be an enabler of anti-social behaviour and unlawful access to communal developments. Additionally, doors to the private bedrooms should also be to a recognised standard such as PAS24:2022 and compliant with fire safety regulations where applicable.

Mailboxes should be located within an 'airlock' access-controlled entrance hall / lobby, whereby access can be gained by a postal worker through the outer door only, thus negating casual intrusion. From the plans it appears that the design lends itself to such arrangement if not already in place.

As an alternative, 'through-the-wall' mail delivery into secure internal letterboxes or external letterboxes (certificated to TS009) should be used.

Environmental Protection Officer: (received 4th September 2025)

The following consultation response is provided by the Environmental Protection Team in relation to the above application.

Due to the presence and proximity of existing dwellings, there is the potential for residential amenity to be adversely affected on a temporary basis from the construction works if control measures are not in place. Should planning consent be granted, the Environmental Protection Team recommends the imposition of the following condition:

Construction works and site deliveries shall be carried out Monday to Friday 0700 to 1900 hours and Saturdays 0800 to 1300 hours only with no works permitted on Sundays and Bank Holidays

Reason: To protect neighbouring residential amenity.

TDC Housing Renewal Officer: (received 17th December 2025)

As discussed, please see below the response from Housing Renewal for application 1/0557/2025/FUL.

The Housing Renewal team of Torridge District Council are the enforcing authority for housing standards and the licensing of Houses in Multiple Occupation (HMO's) within the district.

The following comments are offered with regards to the plans submitted as part of the planning application, with no site visit having been carried out. Information contained within the plans suggest

that the residential use of the building as proposed will indeed require an appropriate license under the Housing Act 2004. Legislation relevant to the consultation for such use (from a private sector housing perspective only) are: -

- The Management of Houses in Multiple Occupation (England) Regulations 2006 - <https://www.legislation.gov.uk/ukxi/2006/372/contents/made>
 - The Regulatory Reform (Fire Safety) Order 2005 and the LACORS fire safety guidance - <https://www.dsfire.gov.uk/safety/businesses/landlords-letting-agents-and-propertymanagers?T1ID=36&T2ID=55&siteCategoryId=4> and <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>.
 - The Housing Health and Safety Rating System (HHSRS) – Housing Act 2004 will also be applicable to the building and curtilage therefore, as a whole - <https://www.gov.uk/government/publications/housing-health-and-safety-rating-systemguidance-for-landlords-and-property-related-professionals>.
- This list is not exhaustive should the application proceed as proposed.

Direct consultation with the Housing Renewal Team from the owner (and any other person relevant to the development and management of the building as proposed) is recommended to facilitate an informal site visit, and any ongoing involvement as required.

The following comments are made with regards to the 'Guidelines on requirements for all types of HMOs' as available on the Torridge District Council website https://www.torridge.gov.uk/media/19603/HMO-Guidelines2019/pdf/Torridge_HMO_Guidelines_2019.pdf?m=1570007607327.

The plans submitted confirm that the proposed layout out meets the guidelines for space and amenities standards. As such the bedroom sizes stated on the plans could allow up to 15 persons to reside in the 9 bed property. However, regardless of the floor area of a room there may be other factors, such as available amenities which do not allow every room to be used to its full capacity. These factors may reduce the allowable occupation significantly; due care should always be applied to prevent obligate sharing.

Guidance of space standards for a shared house such as this details a minimum size of 14m² for a living space; the plans show a living space of 14m², and therefore careful consideration should be given to ensure that area is not reduced or compromised in any way.

In the same manner the proposed kitchen area is above the minimum space requirement for the room sizes, however, careful consideration should be given to ensure that the layout of the kitchen allows the safe use of all (and ample) equipment, and safe transfer of hot food and liquids. Further details can be found within the document above.

The guidelines state that all bathrooms must have a form of ventilation which vents to outside air. The proposed layout of the properties suggests that this aspect will require careful consideration, but it is noted that the conversion of the property will be subject to the appropriate Building Control application also.

As well as the points highlighted above the guidelines document includes information regarding waste management, anti-social behaviour, general maintenance, space heating, carbon monoxide, security, furniture safety, electrical safety, gas safety, and water supply and drainage. As such this document must be adhered to fully.

Devon County Council Waste Planning: (received 11th September 2025)

Thank you for consulting the Waste Planning Authority on this application. Given the nature of the application, the Waste Planning Authority has no comments to make.

TDC Waste and Recycling: (first response, received 12th September 2025)

I think the main concern from our side would be the rather small section allocated for bins, that section in itself certainly wouldn't fit larger commercial size bins which some HMO's use, so we'd need a bit of information on what they plan to use and see if that's suitable. Currently I'd probably say it's a little lacking.

TDC Waste and Recycling: (second response, received 16th December 2025)

*(Following consultation on a drawing from the architect showing wheelie bins and recycling boxes).
'I don't have any further comments following their response.'*

TDC Building Control: (received 9th December 2025)

I have had a look at the file and there isn't enough detail to give a full comment as there are no fire provision details marked on the plan.

Whilst the Building Regulations don't specifically mention HMO's in their own right we would treat the HMO part of the building as a domestic setting.

The multiple storeys would require fire doors and protected route and also in some areas upgrade of fire resistance to floors and, as there is a commercial element to the ground floor this would need to have alarm system with detection tied into a building alarm. With a Commercial element at ground floor the building would also be controlled under the regulatory reform fire safety order 2005 so a full plans submission to building control would be required that is then sent to Devon and Somerset Fire and Rescue Service for consultation.

The license requirements for the HMO may require other elements over and above the requirements of the building regulations but this would be for the HMO licensing team to advise on.

South West Water: (received 23rd July 2025)

SWW have no observations.

Representations:

Number of neighbours consulted:	14	Number of letters of support:	1
Number of representations received:	11	Number of neutral representations:	0
Number of objection letters:	10		

10 objections have been received and one in support. The following concerns are raised: -

- Too many occupants (potentially up to 18 adults).
- Amenity - will there be sufficient facilities i.e. bathrooms, toilets and kitchen area for so many bedrooms?
- To 'cram' more people into the town centre detrimental to the town's character, infrastructure, and community wellbeing;
- Incompatibility with Town Centre Character;
- Loss of Heritage and Social Value: 'The West of England' was a longstanding social hub;
- Strain on Infrastructure: HMOs typically bring higher occupancy rates, which can place pressure on local services, including waste collection, water supply, and emergency response. The town centre is not designed to absorb this density;
- Parking and Traffic Issues;
- Risk of Transience and Neglect: short-term tenants/reduced investment in the property and surrounding area;
- Noise complaints, littering, and a decline in neighbourhood stability;
- Has anyone considered the noise impact of such a densely populated development?
- Anti social and violent behaviour / residents feeling unsafe;
- Waste management - entry is via a narrow alleyway which will presumably be used to store the rubbish generated by a minimum of 9 people and will without doubt attract vermin to the detriment of the nearby food outlets;

- *Regarding the alleyway: it is a public right of way and forms part of the property at 18 South Street- the bins currently stored in the alley are placed there with the owner's consent;*
- *Historically, the building has housed a public house, restaurant, café, and Indian restaurant-each of which would have generated far more refuse than the proposed residential use.*
- *Fire Safety;*
- *No planning notice in place to inform the public.*
- *Keep business local;*
- *The commercial space remains unchanged in this new application;*
- *It's encouraging to see someone with the vision and willingness to invest a significant amount of money into what I consider to be a derelict building. This proposal not only revitalizes the property but also helps address the local accommodation shortage for those in need.;*
- *This application presents an opportunity to bring a neglected building back into productive use while providing much-needed housing.*

Policy Context:

North Devon and Torridge Local Plan 2011-2031:

ST01 (Principles of Sustainable Development); ST04 (Improving the Quality of Development); ST06 (Spatial Development Strategy for Northern Devon's Strategic and Main Centres); ST12 (Town and District Centres); ST14 (Enhancing Environmental Assets); ST15 (Conserving Heritage Assets); GTT (Great Torrington Spatial Vision and Development Strategy); DM01 (Amenity Considerations); DM02 (Environmental Protection); DM04 (Design Principles); DM07 (Historic Environment); DM08 (Biodiversity and Geodiversity) and DM19 (Town and District Centres).

Great Torrington Neighbourhood Plan (GTNP) 2018-2031

H3 (Design and Layout); ENV2 (Wildlife Enhancement); T11 (Car Parking); H1 (Housing Types).

Government Guidance:

NPPF (National Planning Policy Framework); NPPG (National Planning Practice Guidance); NERC (Natural Environment & Rural Communities) and WACA (Wildlife & Countryside Act 1981).

Planning Considerations

Main planning considerations

1. Principle of development
 - Primary Shopping Area/Primary Shopping Frontage
 - Housing Mix
2. Character and appearance
 - Heritage (Conservation Area)
3. Residential amenity
4. Traffic and parking
5. Ecology
 - Biodiversity Net Gain

1. Principle of development

Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF must be considered in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

The application is in a Main Centre, and therefore Policy ST06: 'Spatial Development Strategy for Northern Devon's Sub-regional, Strategic and Main Centres' is relevant. Main Centres support levels of growth, and the change of use to an HMO has previously been supported.

The project is also in broad alignment with The Spatial Vision: - '*Great Torrington will develop as a self-sufficient local service centre with a vibrant, independent retail and employment offering. Great*

Torrington will be enhanced and promoted through tourism and leisure utilising its unique cultural heritage as well as the natural environment of the Commons. Its future will be supported through small to medium scale employment and housing development and the successful regeneration of key sites and buildings both within the historic town centre and urban fringe. A creative and dynamic community will be fostered through improved access to arts, culture and leisure facilities.'

It is evident that the top floors have in the past been used for residential purposes. There is no planning history for the floors above, although at one stage it was likely to be rooms rented for the public house.

The application building has already had an approval for six beds, (planning reference 1/0144/2025/FUL), which is a material consideration. The principle of an HMO is supported and in accordance with the spatial strategies for the area.

- Primary Shopping Area

The property is within the 'Primary Shopping Area,' and therefore Policies ST12 and DM19: 'Town and District Centres,' of the North Devon and Torridge Local Plan (NDTLP) apply. It is proposed to retain the ground floor commercial unit, which is in accordance with the above policies.

The Great Torrington Neighbourhood Plan (GTNP) 2018-2031, has weight in decision making. The GTNP states, '*Great Torrington has a wealth of local independent shops that have come together with the aim of improving the Great Torrington experience,*' (paragraph 1.4), and '*The predominance of independent shops together with the architectural character of the Town Centre is an asset which attracts visitors and inspires loyalty amongst residents,*' (paragraph 8.53).

This proposal is deemed to comply with the principles of the GTNP, including policy H3 (design and layout). Retaining the commercial unit is in accordance with the GTNP aim to ensure that 'the vitality of Great Torrington's town centre is protected,' as it does not reduce commercial activity in the Town Centre.

The commercial use on the ground floor is to remain, and is considered to fall under planning use class:- 'Class E - Commercial, Business and Service,' so the premises could in the future be used, for example, as a shop/retail, a cafe, sale of food and drink for consumption (mostly) on the premises (not purely a takeaway), or medical or health services, creche, or administrative offices.

In terms of some of the objections, the premises is not considered to be a public house or known as a 'community hub.' There has been an application approved for a 'Change of use from Public House to Indian restaurant and take-away,' (planning reference 1/0914/2013/COU), and this appears to have been implemented. A Public House is in a separate use class to Class E.

- Housing Mix

In addition, the provision of smaller rental accommodation would accord with Policy ST17: 'A balanced Local Housing Market,' of the NDTLP, in providing a scale and mix of accommodation that will not harm the site character and would be a suitable location close to facilities.

Policy ST17: 'A Balanced Local Housing Market,' of the NDTLP states: -
'Housing Scale and Mix

(1) The scale and mix of dwellings, in terms of dwelling numbers, type, size and tenure provided through development proposals should reflect identified local housing needs, subject to consideration of:

- (a) site character and context; and*
- (b) development viability.*

Specialist Housing Accommodation

(2) Within development boundaries, or the principal built form of defined settlements without settlement boundaries, proposals for specialist housing accommodation will be supported where they:

- (a) meet an identified local need;*
- (b) are proportionate in scale to the locality;*
- (c) are located so they are accessible to local facilities; and*

(d) provide necessary ancillary facilities as part of the development, that complement locally available amenities and, where possible, be made available to the wider community.'

Paragraph 7.11 of the NDTLP states, '*Policy ST17: A Balanced Local Housing Market, seeks to ensure that residential development proposals delivering this housing do so in a way that contributes to the rebalancing of the housing stock to help it better reflect the identified needs and demands for housing of existing and future communities of northern Devon, whilst helping foster sustainable, inclusive and mixed communities that are attractive places to live.'*

Paragraphs 61-63 of the NPPF states, '*To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community...Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.'*

Two of the Strategic Aims and Objectives of the NDTLP are: -

'Aim 3: A Balanced Local Housing Market - where a choice of decent housing of all types is available and new development meets community needs. Objectives: (a) a choice of decent, well-designed housing for the range of needs of our existing and future communities.'

'Aim 4: Mixed Communities - where there is a strong community spirit and the opportunity for an excellent quality of life, in particular (d) vulnerable and disadvantaged groups are fully supported by buoyant community and voluntary sectors.'

The Great Torrington Neighbourhood Plan (GTNP) 2018-2031, states, '*There is a significant need for affordable housing despite average property prices being less than the county average, that such is consequent of high affordability rates locally resulting from relatively low household incomes...The above issues were raised through the consultation process where it was concluded that a main aim of the Plan should be to allow for good quality affordable housing for those who work in the town.'*

The Housing Team have stated that '*There are already limited opportunities for couples and single people on a low income to secure suitable housing local (both social and private rented). Increased demand will lead to tougher conditions for these cohorts and by virtue the local authority. Depending on what financial incentives may be offered to landlords and the legislative landscape (i.e. how easy it is for landlords to end tenancies), there could be an increase in those presenting as homeless or threatened with homelessness and, possibly, rough sleeping.'*

The Housing Delivery Lead (Planning Team), states, '*None of the large-scale developments underway in Great Torrington includes HMOs and there are very few 1 bed dwellings planned as part of ongoing development. This sector of the housing market mostly relies on conversions, many of which are not ideally suited for HMO living. Consequently, a new build HMO in a sustainable location, with all necessary facilities like bin storage and built to appropriate standards and licenced would be a positive contribution to the housing market.'*

Consequently, an HMO in a sustainable location, built to modern standards and with all necessary facilities like bin storage, is considered to be a positive contribution to the housing market.

The proposed development is therefore considered to accord with the Local Plan and The Great Torrington Neighbourhood Plan (GTNP) 2018-2031, and the NPPF.

- Five Year Supply

Notwithstanding the above, as a result of the revised 2024 NPPF, the Council have undertaken a review into their Five-Year Housing Land Supply position. In October 2025, the Council published a Five-Year Housing Supply Statement in which there is an acceptance that the Torridge and North Devon cannot currently demonstrate a five-year supply of deliverable housing sites (5YHLS).

The Council concludes that the deliverable supply of housing falls below the minimum requirement for the next five years. The assessment demonstrates a five-year housing land supply equivalent to 4.61 years, which represents 92% of the five-year requirement. On the basis that the Councils are unable to demonstrate a sufficient housing supply, decisions on planning applications involving the provision of housing should be taken in accordance with paragraph 11(d) of the National Planning Policy Framework, applying the 'presumption in favour' of sustainable development.

Paragraph 11 (d) notes:

'Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, Local Planning Authorities should grant planning permission unless:

(i) the application of policies in this Framework that protect areas or assets of particular importance (National Parks, AONB, SSSI, Heritage Assets, Habitat Sites) provides a strong reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.'

The policies of the NDTLP are not considered to be automatically out-of-date by virtue of not being able to demonstrate a 5YHLS. Whether a policy of the development plan is out-of-date is a matter for the decision taker, in light of their substance and considering their conformity with the NPPF. Torridge District Council are of the view that the NDTLP is not out-of-date for the application of the Presumption.

Therefore, the planning considerations are to be weighed up within the planning balance with the NPPF's requirement to grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits as a material consideration.

Footnote 9 of Paragraph 11(d)(ii) refers to policies within the following paragraphs of the NPPF, and the consideration thereafter:

(a) Paragraph 66 [Major Development Housing Mix] - The proposed development is not considered to be a 'major development', by virtue of the amount of housing and scale of the application site.

Paragraph 66 is not relevant in this assessment.

(b) Paragraph 84 [Isolated Homes in the Countryside] - The proposed development would not result in an isolated home in the countryside.

(c) Paragraph 91 [Town Centre Vitality] - The proposed development relates to the provision of residential development and not a retail/commercial use within a designated main town centre, although there will be benefits from increased foot traffic and activity at different times of the day.

(d) Paragraph 110 [Sustainable Transport] - An assessment of sustainable transport is below.

(e) Paragraph 115 [Highways] - Consideration is within Section 4 [Traffic and Parking] of this report.

(f) Paragraph 129 [Appropriate Densities] - The proposed development is for an HMO in an existing building. Increased densities, and efficient use of land is encouraged in urban areas.

(g) Paragraph 135 [Well-Designed Places] - consideration is carried out within Section 2 [Impact on the Character and Appearance of the area] of this report, below.

(h) Paragraph 139 [Well-Designed Places] - consideration is carried out within Section 2 [Impact on the Character and Appearance of the area].

The benefit of the proposal is that it provides specialist residential accommodation to meet an identified need. The location is within the settlement boundary of a Main Centre and is a sustainable location, close to, and with access to community facilities and main public transport routes with frequent buses.

The other material planning considerations are set out below.

2. Character and appearance

The Local Plan has policies which are relevant - Policy DM04: Design Principles and Policy ST04: 'Improving the Quality of Development' aims to achieve high quality inclusive and sustainable design.

Policy DM04 seeks to guide overall scale, density, massing, height, landscape, layout, materials access and appearance of development. The policy requires development to be appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood. Policy ST04 states 'design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in DM04.'

The NPPF, (specifically Part 12), attaches great importance to the design of the built environment and states that developments are sympathetic to local character, including the surrounding built environment, and permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The site is within a designated Conservation Area. The NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Policy ST15: 'Conserving Heritage Assets,' of the Local Plan aims to preserve and enhance northern Devon's historic environment, and Policy DM07 supports proposals which conserve and enhance heritage assets and their settings.

The Local Authority's Conservation Officer has been consulted and states:-

'This proposal retains the appearance of the building within the conservation area (and article 4 direction) designated for Torrington. The timber sliding sash windows are shown as retained and as such there are no adverse visual impacts on the views along South street. The proposal is considered to accord with the guidance in paragraphs 219 and 220 of the NPPF and paragraph 72 of the Planning, (Listed Buildings and Conservation areas) Act 1990.'

The removal of the adjoining bridge and commercial extractor on the flat roof at the rear is considered to be an improvement to the building. Also, the windows and render are to be repaired, which is considered to improve the appearance of the building and the have a positive impact on the area.

In terms of waste/recycling provision, it is expected as part of 'good design' in planning. Policy DM02: 'Environmental Protection' of the Local Plan is concerned with smell, noise etc.

However, there is no specific policy in the Local Plan, which requires the provision and/or waste management in dwellings, and the 'Waste Plan' by Devon County Council is concerned with major developments, (over 10 dwellings), (an HMO counts as one dwelling). Therefore, without a specific policy requirement, the Local Planning Authority have limited control over ensuring specific areas are provided on the minor scheme for bin storage. Furthermore, the HMO will need a licence, which will need to include details of adequate waste provision.

However, on request, the agent has put bin storage on the plans, ('Proposed Ground Floor Plan'), as *'4 wheelie bins and 8 recycling boxes'* in the alleyway, adjacent to the kitchen, and Torridge District Council Waste and Recycling Team have been consulted on this plan and *have no further comments* to make. There is sufficient space for these, and if the bins are used correctly there will be no impact on neighbouring amenity, and or pedestrian access. If they are not used correctly then Housing Renewal/Environmental Protection will enforce.

However, if concerns remain, a planning condition could be added, and the applicant has agreed to the following wording: -

'Prior to residential occupation of the HMO a 'Waste and Refuse Scheme,' shall be submitted to the LPA for approval, with details of the provision for the storage of household waste and recycling, including a floor plan and an elevation plan (as appropriate) showing the location, and measurements of the storage space. The approved waste and refuse scheme shall be implemented prior to the use

commencing and retained thereafter. Reason: To ensure good design and amenity in accordance with policies DM01: 'Amenity Considerations,' DM02: 'Environmental Protection,' and DM04: 'Design Principles,' of the North Devon and Torrridge Local Plan.'

It is considered therefore that the proposed change of use is appropriate and or sympathetic to the setting in terms of scale, density, massing, height, layout, appearance and relationship to buildings in the local neighbourhood, and/or the Conservation Area. It is considered that the proposed works are in accordance with Policies DM02, DM04, ST04, DM07, ST15 of the Local Plan.

3. Residential Amenity

Policy DM01 of the Local Plan confirms that development will be supported where it would not significantly harm the amenities of neighbouring occupiers or uses or result in harm to the future occupiers of the development from existing or allocated uses. Policy DM04: 'Design Principles' aims to ensure the amenities of existing and future neighbouring occupiers are safeguarded. Policy DM02: 'Environmental Protection' is concerned with smell, noise etc. The Great Torrington Neighbourhood Plan (GTNP) 2018-2031, has a relevant Policy H3: Design and Layout.

Ideally private garden space would be provided, however following a site visit it is evident that there is no outside space. However, being a town centre location there is access to public space, and Torrington Commons are a short walk away. This is a material consideration.

The existing rooms do not allow overlooking into the adjoining properties over and above the current levels of overlooking experienced in a town centre environment. There is no change to the level of residential amenity experienced within this area.

There are no uses adjacent which would impact on a residential use and, in any event, the HMO use has already been established.

The HMO will need a licence. The Housing Renewal team are responsible for issuing the licence and future management issues. The Local Authority has guidance on HMOs on their website.

There is guidance on room sizes for HMOs. The room sizes meet this standard, and Housing Renewal have stated: - *'The plans submitted confirm that the proposed layout out meets the guidelines for space and amenities standards. As such the bedroom sizes stated on the plans could allow up to 15 persons to reside in the 9 bed property. However, regardless of the floor area of a room there may be other factors, such as available amenities which do not allow every room to be used to its full capacity. These factors may reduce the allowable occupation significantly; due care should always be applied to prevent obligate sharing.'*

It is considered that there would be adequate daylight into each of the flats.

If approved, a planning condition could be added to any permission, restricting the HMO to nine persons only, for example, for amenity reasons: - *'The HMO hereby permitted shall have no more than nine (9) residents living at the address at one time.'*

It is also recommended to ensure the amenities of occupiers are protected that a planning condition be added that *'The rooms described as 'kitchen' and 'living room' as detailed on the 'Proposed Ground Floor Plan,' shall be retained as communal amenity space at all times and shall not be used as one or more bedrooms.'*

Tenant behaviour is not a material planning consideration and cannot be controlled by the planning system. The HMO will be registered with the Council's Housing Department, allowing the Local Authority to monitor the management and impact of its use. 'Housing Renewal' is the team of the authority who are responsible for enforcing Housing Standards and HMO Licensing within the District. There is a benefit to the amenity of occupiers and neighbours, and to the Local Authority, of this type of management rather than other private flats in the area that are independent and cannot be monitored under this regime.

However, a planning condition could be added, which the applicant's agent has agreed to: -

'Prior to residential occupation of the House in Multiple Occupation (HMO) a detailed 'Management Plan' shall be submitted to the Local Planning Authority (LPA) for approval, and should include arrangements for cleaning, internal and external maintenance, and security, (including where a mailbox is located, where access can only be gained by a postal worker through the outer door only). The development shall be operated in accordance with the agreed Management Plan. Reason: To ensure an appropriate level of control and amenity at the property.'

It is considered that the application is compliant with Policies DM01 and DM02 of the NDTLP.

4. Traffic and parking

Paragraph 116 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, considering all reasonable future scenarios.

Policy DM05 in the Local Plan requires development to have safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians, and all development shall protect and enhance existing public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.

Policy DM06 of the Local Plan states that proposals will be expected to provide an appropriate scale and range of parking provision to meet anticipated needs. Policy DM04: 'Design Principles' has a criterion related to 'safe and appropriate highway access.'

The Great Torrington Neighbourhood Plan (GTNP) 2018-2031 has Policy T1: Parking.

The proposal offers no parking, but as the property has no parking for the commercial unit at present and the location of the site is close to public transport and public car parking the situation is not considered to alter from the existing. The development does not generate a need for parking as it is in a sustainable location. For those on low incomes, the location is beneficial as sustainable transport options are available.

One of the Strategic Aims and Objectives of the NDTLP is:- *'Aim 4: Mixed Communities - where there is a strong community spirit and the opportunity for an excellent quality of life, in particular (b) sustainable and accessible transport links are available where needed - there are improved opportunities to access the full range of services and facilities.'*

There are no objections from Devon Highways, and the proposal is considered acceptable.

5. Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). Policies ST14 and DM08 of the Local Plan require that development ensures the protection and enhancement of biodiversity.

The Great Torrington Neighbourhood Plan (GTNP) 2018-2031 has Policy ENV2: Wildlife Enhancement.

The proposed development does not trigger the need for a wildlife survey or statement.

Biodiversity Net Gain (BNG): - As there are no existing habitats/protected species, the proposal is exempt from BNG. It is a type of development that is too small to be meaningful or taken into consideration (known as 'de minimis'). This exemption is designed to ensure that BNG does not apply to either very small-scale development or development which does not impact habitat, through loss or degradation within the red line boundary.

Planning Balance and Conclusion

Paragraph 2 of the NPPF states that planning law (namely Section 38(6) of the Planning & Compulsory Purchase Act 2004 and Section 70(2) of the Town & Country Planning Act 1990) requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

As discussed above, the Local Planning Authority cannot currently demonstrate a five-year supply of deliverable housing land to meet the identified need within the district. It is therefore necessary to consider whether the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits ('the tilted balance').

In this instance, the proposal would provide a contribution of one (enlarged) dwelling in multiple accommodation towards the local housing supply which would be a benefit. It would also provide a benefit to the local economy, improve the viability of facilities and services, provide suitable housing options for people on low wages, whilst retaining the retail element in the Primary Shopping Area and an active frontage in the street. The proposed development retains the commercial unit at ground floor, so the viability of the High Street is not undermined.

The proposal also meets with the aim to provide more of a mix of housing, the availability of housing for some members of society and by being in a town centre location with conveniences, open space and public transport options could help reduce social isolation.

All these elements are in accordance with the three core strands of the NPPF in respect of economic, social and environmental benefits.

The application would be neutral in terms of wildlife and ecology, the potential impact on amenity; and it is considered that the proposed development would not have a significant impact on the character and appearance of the area. There would be improvements to the appearance of the building in terms of new windows, doors, and removal of adjoining elements and mechanical extractors.

The floors above have previously been used as residential, so the change is not significant, and the HMO will be licenced and managed by another team in the Local Authority and covered by separate legislation. There are adequate daylight and space, and no adjacent uses which would create amenity concerns. Conditions could be added to restrict the number of occupants and for management of recycling/waste etc, to be submitted for approval, although this is considered also under the HMO licence.

When considering the tilted balance of the proposed scheme and the fact that it would supply a dwelling when there is currently a lack of 5HYLS, it is concluded that after assessing the benefits against the conflicts that the conflicts do not significantly or demonstrably outweigh the benefits and therefore it is recommended for approval.

Human rights

Consideration has been given to the Human Rights Act 1998.

Conclusion

It is therefore considered that subject to the compliance with the attached conditions and considering all other material planning considerations, including the development plan the proposal would be acceptable.

Recommendation

GRANT subject to the following conditions: -

- 1 The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the time requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

Reason: To ensure the development is carried out in accordance with the approved plans.
- 3 The 'Commercial Unit' as shown on the Proposed Ground Floor Plan, (drawing numbered 23210-CCA-00-00-DR-A-XXXX-10101 P10) shall be retained unless otherwise approved by the Local Planning Authority.

Reason: To ensure no loss of a unit on the primary shopping area, which would seriously undermine its vitality and viability.
- 4 Construction works and site deliveries shall be carried out Monday to Friday 0700 to 1900 hours and Saturdays 0800 to 1300 hours only with no works permitted on Sundays and Bank Holidays.

Reason: To protect neighbouring residential amenity.

Plans Schedule

Reference	Received
23210-CCA-00-03-DR-A-XXXX-09002 P01 SITE PLAN	11.07.2025
23210-CCA-00-XX-DR-A-XXXX-20101 P08 E/W ELEVATIONS	10.12.2025
23210-CCA-00-02-DR-A-XXXX-10103 P10 SECOND FLOOR	19.12.2025
23210-CCA-00-01-DR-A-XXXX-10101 P10 GROUND FLOOR	19.12.2025
23210-CCA-00-01-DR-A-XXXX-10102 P10 FIRST FLOOR	19.12.2025
23210-CCA-00-B1-DR-A-XXXX-10100 P10 BASEMENT	19.12.2025
23210-CCA-00-03-DR-A-XXXX-10104 P05 ROOF	09.09.2025
23210-CCA-00-XX-DR-A-XXXX-20100 P06 FRONT & REAR ELEVATIONS	26.09.2025
LOCATION PLAN	07.07.2025

Informatives

01. As an advisory note, it is recommended that the Authority's Housing Renewal Team is contacted to discuss licensing and management requirements in relation to the operation of a house in multiple occupancy.
02. Biodiversity Net Gain Condition
Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

Under Regulation 4 of the Biodiversity Gain Requirements (Exemptions) Regulations 2024 the statutory biodiversity gain condition required by Schedule 7A to the Town and Country Planning Act 1990 (as amended) does not apply in relation to planning permission for development which:

- i. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii. impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (a hedgerow habitat or watercourse habitat identified for the purposes of the biodiversity metric).

Based on the information submitted in the planning application documents, the Planning Authority considers that this permission is exempt from biodiversity net gain, and as such does not require approval of a biodiversity gain plan before development is begun.

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where -

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
 - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

- the earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

Statement of Engagement

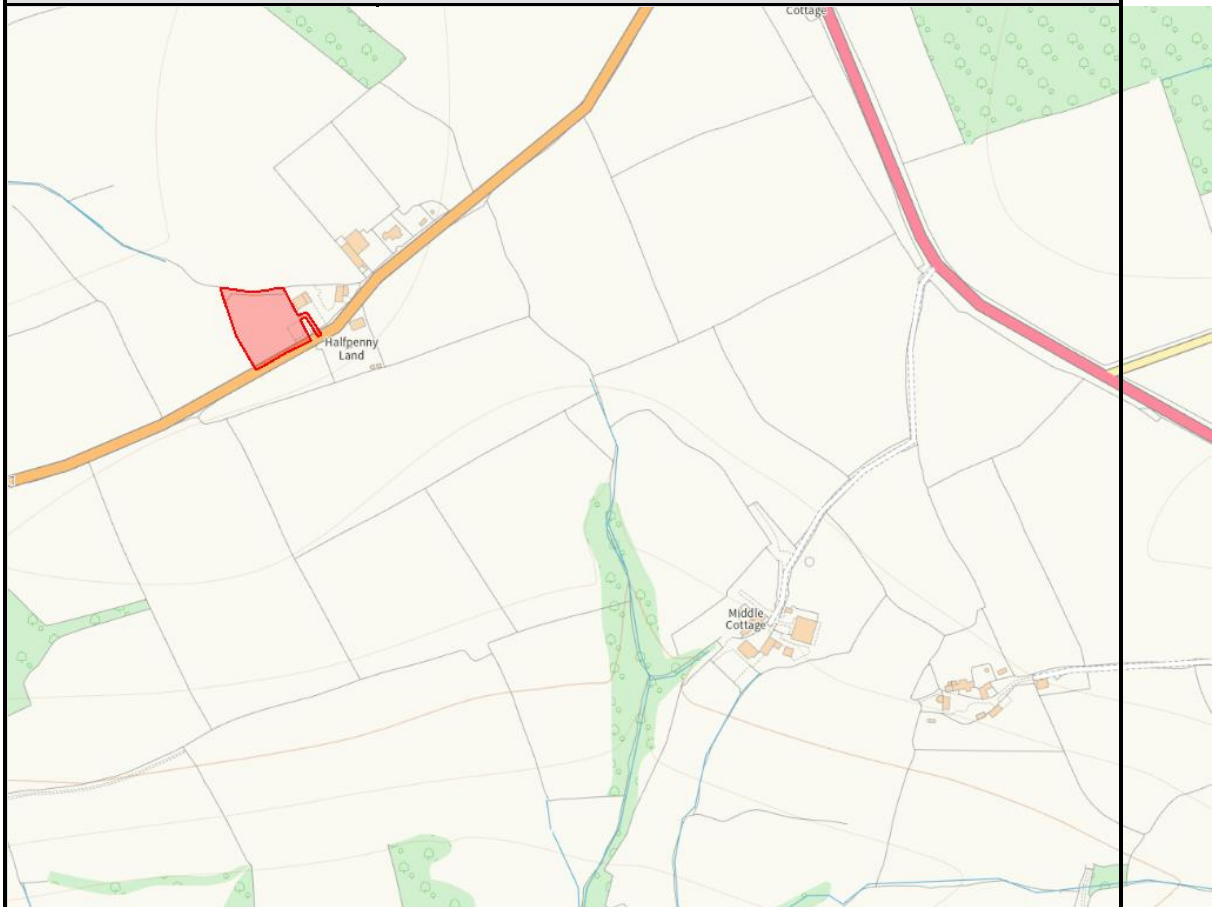
In accordance with paragraph 39 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative way. In this instance there was a need for further engagement as to the internal layout, and whether the proposed met room standards and fire standards. A visit was also made by Building Control officer separately. Several revised plans have been submitted over the course of the application, due to errors, (principal elevation incorrect, basement showing a bedroom and the schedule of accommodation showing 6 beds not 9), and a request for bin storage to be shown on the plans. The architect has submitted drawings on request and agreed to proposed conditions as drafted and extensions of time.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

Agenda Item 7b

Committee Report – 05.02.26

Application Number:	1/0763/2025/FUL
Registration date:	2 December 2025
Expiry date:	27 January 2026
Applicant:	Mr Harrison & Mr Robson Jennings
Agent:	Collaborative Planning
Case Officer:	Mr Peter Stapley
Site Address:	Land at Halfpenny Yard, Dolton, Devon,
Proposal:	Erection of building for flexible use under use classes B2 and B8
Recommendation:	Refuse



Reason for referral:

The application has been called-in to be heard at Plans Committee by Councillor Lock, siting that the proposed development accords with Policies ST07, ST11, DM14 of the North Devon and Torridge Local Plan and Paragraphs 88 and 89 of the National Planning Policy Framework.

Relevant History:

Application No.	Description	Status	Closed
1/0340/2000	PROPOSED 2 THREE BEDROOM DORMER STYLE BUNGALOWS	REF	18.04.2000
1/0519/1992	ESTABLISHED USE CERTIFICATE STORAGE AND REPAIR OF VEHICLES AND AGRICULTURAL MACHINERY AND EQUIPMENT	WDN	30.06.1992
1/0866/1997	CHANGE OF USE OF LAND FOR THE PARKING OF PRIVATE MOTOR VEHICLES	PER	11.08.1997
1/0579/2004/OUT	Detached 5-bedroom house with attached double garage and workshop/storage building	REF	17.05.2004
1/0916/2020/FUL	Erection of forestry building with new access and closure of two existing accesses	PER	11.01.2021
1/1223/2023/FUL	Erection of forestry building	INVAL	14.12.2023
1/0091/2024/FUL	Erection of commercial building for storage and distribution	PER	27.03.2024

Site Description & Proposal

Site Description

The application site measures approximately 0.44 hectares and is located within the Countryside, approximately 1.12 km (as the crow flies) to the northeast of Dolton, which is designated as a 'Local Centre' in the adopted North Devon and Torridge Local Plan (NDTLP). The site does not fall within any allocated land designation and there are no designated heritage assets within close proximity.

In addition to this, the Landscape Character Type for the application site is 1F (Farmed Lowland, Moorland and Culm Grassland) and 32 (High Culm Ridges); and falls within a Zone 1 Flood Risk and therefore it has less than 1 in 1,000 annual probability of river flooding and is considered a low probability of flooding.

The adjacent site, measures approximately 0.22 hectares, is under the same ownership and consists of a timber storing and process business. The adjacent site was granted planning permission in January 2021 (reference: 1/0916/2020/FUL) for the erection of a building for the storage of timber and

machinery and equipment used in association with the business. The building measures approximately 10 metres in width by 10 metres in length, with an eaves height of 4.7 metres and a ridge height of 6.2 metres.

The site benefits from an extant permission for the erection of a storage and distribution building, to be used in relation to the existing business use of the wider site. The existing business consists of the processing and storage of timber to create dried firewood and the distribution to customers off site. The total footprint of building measured approximately 649 square metres.

The application site is accessed from the Classified (Class B), public highway that forms the southern boundary of the site. The site is neighboured by agricultural land to the north and west; and the closest residential dwelling is located approximately 41 metres to the east of the site.

Proposed Development

The application seeks full planning permission for the erection of a building for flexible commercial use under Use Class B2 (General Industrial) and Use Class B8 (Storage and Distribution). The proposed building will measure approximately 31 metres in width by 20.3 in depth, with a ridge height of 6.8 metres and an eaves height of 5 metres. The total footprint of building will measure approximately 629 square metres. The building will be constructed with the following materials: dark blue steel sheeting elevations; dark blue steel roof sheeting; dark blue steel doors.

The proposed development includes the provision of a hardstanding area to the south of the building measuring approximately 775 square metres.

Consultee representations:

Dolton Parish Council:

No representation received.

Devon County Council (Highways):

Standing advice.

South West Water:

Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets)
2. Discharge into the ground (infiltration); or where not reasonably practicable,
3. Discharge to a surface waterbody; or where not reasonably practicable,
4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

Environmental Protection Officer:

First Representation (received: 08th December 2025)

The following consultation response is provided by the Environmental Protection Team in relation to the above application.

The application site is located in close proximity to neighbouring third party dwellings, in particular Halfpenny Land Cottage to the south east. Having regard for the scale of the proposed building and

the absence of information on the subsequent use, operations and associated plant and equipment, the Environmental Protection Team raises concerns in relation to the potential harm to amenity, contrary to Policy DM01. Subsequently, the Environmental Protection Team is unable to support the application at this time. Should further information be provided that addresses amenity concerns, the Environmental Protection Team will review accordingly.

Second Representation (received: 07th January 2026)

Further to the previous consultation response dated 8 December, the Environmental Protection Team acknowledges the additional information provided by the applicant.

The additional information provided indicates that the proposed development will involve vehicle maintenance and repairs, predominantly undertaken inside the proposed building during the operating hours of Monday to Friday 0700-1900 hours and Saturdays 0800-1300 hours only with no operations during Sunday or Bank Holidays. Given this additional information, the Environmental Protection Team has no objections in principle, however, recommends conditions stipulating both the B2/B8 use as vehicle maintenance only and the operating hours as mentioned above.

Representations:

Number of neighbours consulted:	1	Number of letters of support:	0
Number of representations received:	1	Number of neutral representations:	0
Number of objection letters:	1		

The public representation received are summarised below:

Objection Comment

- Errors in the applicant's statement.
- Impact on highway safety.
- Unrestricted B2 Use and potential impact on amenity.

Policy Context:

North Devon and Torridge Local Plan 2011-2031:

ST01 (Principles of Sustainable Development); ST03 (Adapting to Climate Change and Strengthening Resilience); ST04 (Improving the Quality of Development); ST07 (Spatial Development Strategy for Northern Devon's Rural Area); ST10 (Transport Strategy); ST11 (Delivering Employment and Economic Development); ST14 (Enhancing Environmental Assets); DM01 (Amenity Considerations); DM02 (Environmental Protection); DM04 (Design Principles); DM05 (Highways); DM06 (Parking Provision); DM08A (Landscape and Seascape Character); DM08 (Biodiversity and Geodiversity).

Government Guidance:

NPPF (National Planning Policy Framework); NPPG (National Planning Practice Guidance); NERC (Natural Environment & Rural Communities); WACA (Wildlife & Countryside Act 1981).

Planning Considerations

The material planning considerations, which are relevant in the determination of this application are:

1. Principle of Development;
2. Design and Impact on Character and Appearance;
3. Impact on Amenity;
4. Access, Parking and Highways;
5. Flood Risk and Drainage;
6. Impact on Wildlife and Ecology;
 - a. Ecological Impact;
 - b. Biodiversity Net Gain; and
7. Conclusion.

1. Principle of Development

Section 38 (6) of the Planning and Compulsory Act 2004 states that key consideration in the determination of a planning application is the development plan. Applications should be determined in accordance with the development plan unless material planning considerations indicate otherwise. For the purpose of the development plan the statutory development plan is comprised of the North Devon & Torridge Local Plan 2011-2031 (NDTLP).

In accordance with the definition provided in the Glossary to the NDTLP, the site subject to the application is considered to hold a Countryside location, with Part (4) of Policy ST07: Spatial Development Strategy for Northern Devon's Rural Area providing the starting point for considering development proposals in such locations.

Policy ST07(4) sets out that in the Countryside, beyond Local Centres, Villages and Rural Settlements, development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a Countryside location.

In doing so, the NDTLP seeks to control dispersed development in the Countryside, guarding against development in unsustainable locations and requiring the character of the countryside to be conserved and enhanced. In this instance, the relevant consideration is whether the development is enabled to meet local economic and social needs and whether it is a use that is restricted to a Countryside location.

Policy ST11(7) of the NDTLP supports economic growth to improve job opportunities throughout north Devon and more specifically proposals for economic development and diversification of the rural economy will be supported where they do not conflict with other Local Plan policies.

The applicant considers that the proposed development meets with the requirement of Policy DM14 of the NDTLP. Policy DM14 supports the rural economy, through the broad acceptance of new small scale economic development at Rural Settlements and in the Countryside, provided they either involve:

- (a) change of use or conversion of a permanent and soundly constructed building; or
- (b) sites or buildings adjoining or well related to a defined settlement or a Rural Settlement; or
- (c) the proposed employment use has a strong functional link to local agriculture, forestry or other existing rural activity.

The North Devon and Torridge Local Plan defines small-scale economic development as: *“Development for employment or commercial purposes of a scale not exceeding 250 square metres gross external floor area or a site area of 0.1 hectares.”*

The proposed development is for the erection of a building for flexible use under Use Class B2 (General Industrial) and Use Class B8 (Storage and Distribution), measuring approximately 629 square metres within a wider site measuring 0.44 hectares. On this basis, the site and building would not meet the requirements of ‘small-scale economic development’ and it would not have a strong functional link to local agriculture, forestry or other existing rural activity, by virtue of its flexible use within Use Class B2 and B8.

Consequently, Policy DM14 of the NDTLP is not relevant and is not a material consideration in the determining of this application. The Local Plan does not have any policies which relate to large scale economic development in the countryside, and therefore the NPPF is relevant (in particular paragraphs 88 and 89).

Paragraph 88 of the NPPF states that *planning decisions should enable:*

- (a) *the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;*
- (b) *the development and diversification of agricultural and other land-based rural businesses;*
- (c) *sustainable rural tourism and leisure developments which respect the character of the countryside; and*

- (d) *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

Paragraph 89 of the NPPF states that *planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*

The proposed development is for the erection of a new, relatively 'large-scale' building for flexible B2 (General Industrial) and B8 (Storage and Distribution) within the Countryside. The development would not be considered a realistic diversification scheme, given that the applicant has recently been permitted to expand the operations, siting a requirement for additional space to carry out the business operations of the timber business. There is no evidence provided to suggest that the scale of the operations has significantly changed since granting of the previous application and no financial records have been put forward setting out the need to diversify away from the rural activity. In any case, the proposed diversification scheme (B2 Use – General Industrial) is not considered to be an acceptable rural activity that would be appropriate or suitable for its open countryside location.

In addition to the above, the scheme would not be considered to be the sustainable growth and expansion of the existing business, given that it intends an entirely new business and reduces the overall floor area (existing and permitted) for the existing business.

The site is not physically well-related to the settlement of Dolton. There are no opportunities for the site to be accessed by sustainable modes of transport, and the business would be solely reliant on the use of private vehicles for customers and employees. No evidence has been presented to the Council that there is a shortage of employment spaces within the vicinity.

Taking account of the location of the site (Countryside), the scale of development (large-scale employment), and the nature of the development (non-rural activity) and the lack of evidence demonstrating a need to shift away from the rural enterprise present/permitted (forestry business), the proposed development is considered to be an unsustainable location for economic development and in the opinion of your officers the proposal conflicts with Policies ST07 and ST11 of the North Devon and Torridge Local Plan and the National Planning Policy Framework. Furthermore, the proposal does not constitute small-scale economic development and does therefore not afford consideration against Policy DM14.

2. Design and Impact on Character and Appearance

The Local Plan policies on design are relevant - Policy ST04 (Improving the Quality of Development) and Policy DM04 (Design Principles), which both aim to achieve high quality, inclusive and sustainable design.

Policy ST04 of the NDTLP supports development proposal that achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in Policy DM04.

Policy DM04 of the NDTLP supports developments with good design and the policy seeks to guide overall scale, density, massing, height, landscape, layout, materials, access and appearance of new developments. It seeks not just to manage land use but support the creation of successful places and respond to the challenges of climate change. The policy lists 13 design principles that proposals must meet in order to be supported by the policy.

Policy DM08A seeks to protect the landscape and seascape character stating ‘developments should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and undesignated landscapes and seascapes; it should avoid adverse landscape and seascape impacts and seek to enhance the landscape and seascape assets wherever possible. Development must take into account and respect the sensitivity and capacity of the landscape/seascape asset, considering the cumulative impact and the objective to maintain dark skies and tranquillity in areas that are relatively undisturbed.’

The site is located within the Landscape Character 1F (Lowland Moorland and Culm Grassland) as set out within the Joint Landscape Character Assessment for North Devon and Torridge Districts (JLCA) and High Culm Ridge (32) as set out within Devon Character Area. The special qualities and characteristics of landscape type 1F and 32, include, a gently undulating landform with open long views afforded at elevation over the landscape of contrasting green fields of surrounding farmland. The landscape character has a sense of remoteness with high levels of tranquillity and dark skies, particularly in the southern part of the area. Some of the forces for change within these landscape character types are:

- Urban fringe influences on the landscape in some areas, e.g. golf clubs, fisheries and pony paddocks as well as occasional fly-tipping near settlements;
- Renewable energy developments becoming more common in the landscape; and
- Tourism pressure in some parts of the landscape resulting in seasonally high levels of traffic on rural lanes.

Paragraph 88 of the NPPF states that *planning decisions should enable “the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings.”*

The NPPF also strongly emphasis the need for well-designed places, in which Part 12 of the Framework is solely dedicated to the achieving well-designed places. Paragraph 131 of the NPPF notes ‘the creation of high-quality buildings and places is fundamental to what the planning and development proves should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.’ Part 12 of the framework lists 6 key design principles that are required to be met in order to demonstrate the design is of high quality.

Paragraph 139 of the NPPF states that permission should be refused for the development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposal is for the erection of a building for flexible commercial use under Use Class B2 (General Industrial) and Use Class B8 (Storage and Distribution). The proposed building will measure approximately 31 metres in width by 20.3 in depth, with a ridge height of 6.8 metres and an eaves height of 5 metres. The total footprint of building will measure approximately 629 square metres. The building will be constructed with the following materials: dark blue steel sheeting elevations; dark blue steel roof sheeting; dark blue steel doors.

The wider site consists of an existing business involving the processing and storage of timber to create dried firewood and the distribution to customers off site. The application form confirms that the gross new internal floor space proposed for Use Class B8 is 309.5 square metres and the gross new internal floor space proposed for Use Class B2 is 309.5 square metres.

The site currently consists of an area of hardstanding which has been recently constructed through the implementation of the planning permission, reference: 1/0091/2024/FUL. The site consists of several parked vehicles, earth mounds, and uncovered timber storage which is relatively untidy. The proposed building would likely reduce the clutter of the site and improve the overall character.

The application site is not located within any special land designations. The site is closely located to the existing small-scale building, albeit there would be some isolation and separation from the established boundary hedge.

The proposed building is of a simple and functional design, and whilst it cannot be reasonably described as 'beautiful' it is functional for its intended purpose. There are limited views of the site from the wider landscape and in any case the proposed building would be seen in the context of the surrounding built form. The site plan demonstrates the retention of the boundary hedge along the southern boundary and the tree line along the eastern boundary.

Taking account of the above, despite the scale of the proposed building, it is likely to cause a neutral impact on the character of the wider area and would not result in any significant harm to character of its countryside location. The proposed development is considered to raise no objections when assessed against Policies ST04, DM04 and DM08A of the NDTLP and the NPPF.

3. Impact on Amenity

Policy DM01 of the NDTLP relates to amenity considerations and notes, development will be supported where:

- (a) *It would not significantly harm the amenities of any neighbouring occupiers or uses; and*
- (b) *The intended occupants of the proposed development would not be harmed as a result of the existing or allocated uses.*

Policy DM02 of the NDTLP, states that development will only be supported where it does not result in unacceptable impacts to:

- (a) Atmospheric pollution by gas or particulates, including smell, fumes, dust, grit, smoke and soot;
- (b) Pollution of surface or ground water including rivers, canals, other watercourses, water bodies, wetlands, water gathering grounds including catchment areas, aquifers, groundwater protection areas, harbours, estuaries or the sea;
- (c) Noise or vibration; and
- (d) Light pollution where light overflows on to areas not intended to be lit.

Policy DM04 of the NDTLP also aims to ensure the amenities of existing and future neighbouring occupiers are safeguarded.

One of the core principles of the NPPF is to secure high-quality design and a good standard of amenity of all existing and future occupants of land and buildings. In particular, Paragraph 135 (f) states that development should *"create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."*

Paragraph 198 of the NPPF, states that *"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development."*

Part H1 of the National Design Guide states that *'good design promotes quality of life for the occupant and users of buildings. This includes function [...] comfort, safety, security, amenity, privacy, accessibility and adaptability.'*

The closest third-party dwelling is located approximately 40 metres from the boundary of the site and 95 metres from the proposed building, to the southeast. A public representation was received during the consultation of the application which objected to the proposed development. Specifically, concerns were raised with the unrestricted B2 use of the building and the impact on amenities.

The Council's Environmental Protection Officer has been consulted on the proposed development and originally raised concerns with regards to the close proximity of the proposed building to third party residential dwellings. Further information was provided by the applicant stating that *"The new shed will be constructed using insulated cladding, which is specifically designed to prevent noise escaping from within the structure."*

The type of work proposed within the building, maintenance and mechanical work on taxis/vehicles, will take place entirely inside, and with the doors kept closed as much as practicable. As such, any noise generated from this internal activity will be very low-level and will not be audible outside the building, nor at neighbouring properties including Halfpenny Land Cottage.

In other words, work on vehicles will be effectively contained by the building fabric itself. [...]

It is important to note that the site already benefits from planning permission for chainsawing and firewood processing, both of which are significantly louder operations than the mechanical work proposed inside the new shed. 3 These noise-producing activities are lawful on both plots that make up Halfpenny Yard, and they occur in the open air, under the already-approved hours:

- *07:00–19:00 Monday–Friday*
- *08:00–13:00 Saturday*
- *No working on Sundays or Bank Holidays*

Given that chainsawing and log processing are substantially noisier than the kind of work proposed inside the new building and these activities already take place closer to the neighbour's property than the new structure, there is no scenario in which the internal vehicle work could create a greater noise impact than what is already permitted on the site."

In response to the additional information, the Environmental Protection Officer commented "The additional information provided indicates that the proposed development will involve vehicle maintenance and repairs, predominantly undertaken inside the proposed building during the operating hours of Monday to Friday 0700-1900 hours and Saturdays 0800-1300 hours only with no operations during Sunday or Bank Holidays. Given this additional information, the Environmental Protection Team has no objections in principle however, recommends conditions stipulating both the B2/B8 use as vehicle maintenance only and the operating hours as mentioned above."

The wider business consists of forestry works and storage. There are no restrictions on the use of the adjacent site for the use of machinery, and it is acknowledged that there are noise generating activities carried out on the wider site (chainsawing of timber) which are located in closer proximity to the noise sensitive receptors.

Your officer concurs with the Environmental Protection Officer that subject to the conditions restricting the B2 use to vehicle maintenance and repairs that there would unlikely be significant harm to the amenities of neighbouring properties. Additionally, any harm arising would be limited to the operation hours of the business.

It is noted that no external plant or mechanical ventilation systems are shown on the plans and therefore your officer would recommend a further condition, restricting the installation and operation of any external plant, machinery or mechanical ventilation without the submission of the detailed specification, and approval in writing, by the Local Planning Authority.

Taking account of the above, the proposed development would be in accordance with Policies DM01, DM02 and DM04 of the NDTLP and the NPPF.

It is noted that the applicant has agreed to conditions restricting the operating hours and restricting the installation of external mechanical ventilation and plant without further approval. No confirmation has been received with regards to restricting the B2 use to vehicle maintenance and repair, in the event that Members do not consider this condition necessary, they must be satisfied that a flexible B2 Use Class is acceptable in this context.

4. Access, Parking and Highways

Paragraph 116 of the NPPF advises that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe.

In addition, Paragraph 117 notes that development proposals should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards; address the needs of people with disabilities and reduced mobility in relation to all modes of transport; be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations; allow for the efficient delivery of goods, and access by service and emergency vehicles; and give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas.

Policy ST10 of the NDTLP, sets out the transport strategy for Northern Devon. It aims to reduce the environmental and social impact of transport by ensuring that access to new developments is safe and appropriate.

Policy DM05 of the NDTLP relates to highways and states:

- (1) All development must ensure the safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.
- (2) All development shall protect and enhance public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.

In addition to this, Policy DM06 of the NDTLP relates to parking provision and states:

- (1) Development proposals will be expected to provide an appropriate scale and range of parking provision to meet anticipated needs, having regard to:
 - (a) Accessibility and sustainability of the site;
 - (b) Availability of public transport;
 - (c) Provisions of safe walking and cycle routes; and
 - (d) Specific sale, type and mix of development.
- (2) Proposals must encourage the use of sustainable modes of transport through careful design, layout and integration of the existing built form.

Devon County Council Highways, as the Local Highway Authority, was consulted on the proposed development and had no objections, subject to the Councils Standing Advice being met. The proposed development will utilise the existing access, which was approved within the previous planning permission. The access will emerge onto the public, classified (Class B), highway and provides a minimum of 150 metres visibility splay in both directions, as confirmed by previous planning applications (reference: 1/0091/2024/FUL).

Taking account of the above, the proposed development is in accordance with Policies ST10, DM05 and DM06 of the NDTLP and the NPPF.

5. Flood Risk and Drainage

Policy ST03(f) (Adapting to Climate Change and Strengthening Resilience) states that future development should be designed and constructed to take account of the impacts of climate change and minimise the risk to and vulnerability of people, land and property by adopting effective water management including Sustainable Drainage Systems, water quality improvements, water efficiency measures and use of rainwater.

The supporting text of Policy ST03 states that 'all developments will seek to minimise flood risk through the use of Sustainable Drainage Systems and appropriate integration with green infrastructure. Controls to manage surface water runoff should be located as close as possible to where the rainwater drains, providing varying degrees of treatment for surface water through natural processes of sedimentation, filtration and biological degradation.

Policy DM02 of the NDTLP requires that development must not result in unacceptable impacts in relation to the pollution of surface or ground water, whilst Policy DM04 of the NDTLP establishes that water management must be addressed by development.

The site falls within a Zone 1 Flood Risk and therefore it has less than 1 in 1,000 annual probability of river flooding and is considered a low probability of flooding. South West Water were consulted on the proposed development and concluded *“Having reviewed the applicant’s current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.”*

Given the nature of the proposed development and the proposed Floor Plan, it is clear that there is no requirement for foul drainage. The site plan illustrates that the surface water is to be dealt with via a soakaway. Given the extent of landownership, it would be reasonable to expect that this would be an acceptable solution.

Taking account of the above, the proposed development is considered to be in accordance with Policies ST03, DM02 and DM04 of the NDTLP and the NPPF.

6. Impact on Wildlife and Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced within NDTLP through Policies DM08 and ST14 which state that all developments must ensure that the importance of habitats and designated sites are taken into account.

The local planning authority also has a duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 to have regard to biodiversity in exercising its functions. This duty includes the requirement to have regard to protected species.

Development proposals should avoid adverse impacts on existing features as a first principle and enable net gains by designing biodiversity features and enhancements and opportunities for geological conservation alongside new developments, however where adverse impacts are unavoidable, they must be adequately and proportionately mitigated.

An EclA and Biodiversity Net Gain Assessment was prepared by Orbis Ecology, received 28th November 2025. The report confirms that the site is of little ecological value and importance and states that “there are no additional ecological impacts to be assessed” than beyond that already permitted.

The previous application to which the Ecologist refers to, was carried out by Penpont Ecology Services Ltd and was received as part of Planning Application (reference: 1/0091/2024/FUL, decided 27th March 2024)

The report detailed a series of recommendations to avoid any potential impacts on protected species, these include:

- Dismantle timber storage during the period March to October to avoid the reptile hibernation period. If this timeframe cannot be observed, remove timber under the watching brief of a qualified ecologist.
- Dismantle timber storage gradually in increments, by hand, to allow any reptiles that might be present time to move away from the disturbance of their own accord.
- Avoid removing section of easterly hedgerow during the bird nesting season which occurs between 1 March and 30 August. If this timeframe cannot be observed, remove hedge section under the watching brief of a qualified ecologist.
- Retain a buffer zone of 2m from the foot of the hedges and from the top of the bank of the ditch to the north.
- Follow usual working near water guidelines that include retaining a temporary 4m buffer zone from the top of the ditch bank. There shall be no storage of plant, machinery, chemicals, oils or diesels within this area.
- Use removed hedgerow material to infill the existing access point. This will ensure there is no net loss of hedgerow habitat.

- Avoid the use of exterior lighting. Should lighting be necessary, this shall occur only in the winter months of 1 November to 1 March. This is done to avoid disturbance of nocturnal species including nesting birds. And dormice and bats which will be in hibernation.

The report also detailed the following biodiversity net gain delivery measures:

- The remaining grassland will be managed as a hay meadow. Grass shall be mown once per year in late August. This will allow botanical species time to complete their fruiting cycle.
- Grass cuttings shall be removed from the site. This is done to reduce the nutrients in the soil thus allowing less aggressive wildflower species to establish.
- There shall be no blanket use of herbicides, organic or inorganic fertilisers. Injurious species (nettles, docks, creeping thistle) shall be spot-treated with a knapsack sprayer.
- The north and southerly hedges are in good to moderate condition, and these shall be retained. The easterly hedge is gappy and in poor condition. These shall be ecologically improved by:
 - Planting-up gaps with whips of native species, protected with plastic rabbit guards. Guards must be removed when whips are established.
 - Cut the east hedge once every three years. This is done to allow hedge species to complete their fruiting cycle and to promote a thicker, bushier growth pattern.

Your officer acknowledges that the application site is located approximately 1.34km to the south of Beaford Moor Site of Special Scientific Interest and 2.64km to the east of Halsdon Site of Special Scientific Interest and is located within the Impact Risk Zones for each sensitive receptor. As such, the Natural England guidance is that for industrial developments that could cause air pollution (including industrial processes) with a floorspace above 500 square metres, that Natural England should be consulted and an Air Quality Assessment undertaken.

The application form confirms that the proposed building will be separated with approximately 309.5 square metres for B2 uses and 309.5 square metres for B8 uses. It is acknowledged that B8 uses would not cause air pollution and therefore the development as a whole would fall below the threshold for consultation with Natural England. The applicant has agreed to a condition restricting the floor area for the uses to that stated within the application form. In the event that Members overturn the recommendation and do not consider the condition necessary, the application would be required to be deferred and Natural England consulted.

Taking account of the details submitted alongside the application and the previous ecological appraisal, the proposed development is likely to fulfil the above statutory duties and the provision of policies DM08 and ST14, the biodiversity objectives of the NPPF and the Council's statutory duties under the Wildlife and Countryside Act as well as the Natural Environment and Rural Communities Act.

b. Biodiversity Net Gain

As of the 12th of February 2024, it is mandatory under the Schedule 7a of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) that also development (unless exempt) must deliver a Biodiversity Net Gain of 10%.

The Planning Authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be Torridge District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Orbis Ecology provided a Statutory Biodiversity Net Gain Metric, which confirmed that the site consists of lowland acid grassland in poor condition, with species rich and native hedgerow boundaries. The Trading Summaries of the proposed development demonstrates that the total net (%) change is as follows:

- Habitat Units: 0.38 units 24.58%)
- Hedgerow Units: 0.20 (19.97%)

- Watercourse Units: 0.00%

It is acknowledged that the proposed development would result in an overall net loss of habitats; however, this is largely due to the fact that domestic garden areas having a lower habitat value. The Local Planning Authority acknowledges that given the scale of the site, the opportunities to provide onsite net gain are limited.

The applicant is aware of the requirements of the Schedule 7a of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and has agreed that off-site credits will be purchased to meet the 10% Net Gain.

This would accord with the hierarchy, given that onsite enhancement and provision cannot be achieved. The proposed development is considered to be acceptable, subject to the BNG condition being discharged, prior to the commencement of any development.

Taking account of the above, your officer accepts that the requirements of Schedule 7a of the Town and Country Planning Act 1990 are likely to be achieved and the Biodiversity Net Gain is achieved as high up the hierarchy as possible, subject to detailed consideration at the Discharge stage.

7. Conclusion

In conclusion, the application site is an unsustainable location for new large-scale economic (General Industrial (B2) and Storage and Distribution (B8)) development, which is not considered to be linked to an appropriate rural activity or practice, nor is the site well-served by sustainable modes of transport.

Furthermore, there is a lack of compelling evidence before the Local Planning Authority that demonstrates a need for a larger scale employment development, such as that proposed, and that demonstrates that a location on existing employment allocations or on employment within/adjacent urban boundaries or village envelopes is not more appropriate and / or available.

Taking account of the above, your officer considers that the proposed development conflicts with Policies ST01, ST07 and ST11 of the North Devon and Torridge Local Plan and the overarching sustainability principles of the National Planning Policy Framework. The recommendation is therefore one of refusal.

Human rights

Consideration has been given to the Human Rights Act 1998.

Recommendation

REFUSE, for the following reasons:

- 1 In the opinion of the Local Planning Authority, the proposed development conflicts with the Council's Spatial Strategy, which seeks to direct new large-scale economic development to sustainable locations. The proposed use is not restricted to a countryside location and there is no strong functional link to a rural based activity or operation. In addition to this, the site is not an appropriate diversification scheme of the adjacent timber business; the site is relatively isolated in that it is not well-served by sustainable modes of transport; and the applicant has failed to demonstrate that a more suitable location on existing employment allocations or on employment sites within/adjacent settlement boundaries is not possible. Accordingly, the proposed development is contrary to Policies ST01, ST07 and ST11 of the North Devon and Torridge Local Plan and the National Planning Policy Framework.

Plans Schedule

<u>Reference</u>	<u>Received</u>
0599-01 A	20.10.2025
0599-03 A	20.10.2025
0599-04 A	20.10.2025
0599-05 A	20.10.2025

Informatives

01. Biodiversity Net Gain Condition

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: Submit a biodiversity gain plan - GOV.UK (www.gov.uk)

Statutory exemptions and transitional arrangements

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found at Paragraph: 003 Reference ID: 74-003-20240214 of the Planning Practice Guidance, which can be found at <https://www.gov.uk/guidance/biodiversity-net-gain>.

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

Effect of Section 73(2D) of the 1990 Act

Under Section 73(2D) of the Town and Country Planning Act 1990 (as amended) where -

- (a) a biodiversity gain plan was approved in relation to the previous planning permission ("the earlier biodiversity gain plan"), and
- (b) the conditions subject to which the planning permission is granted:
 - (i) do not affect the post-development value of the onsite habitat as specified in the earlier biodiversity gain plan, and
 - (ii) in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat within the meaning of regulations made under paragraph 18 of Schedule 7A, do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier biodiversity gain plan.

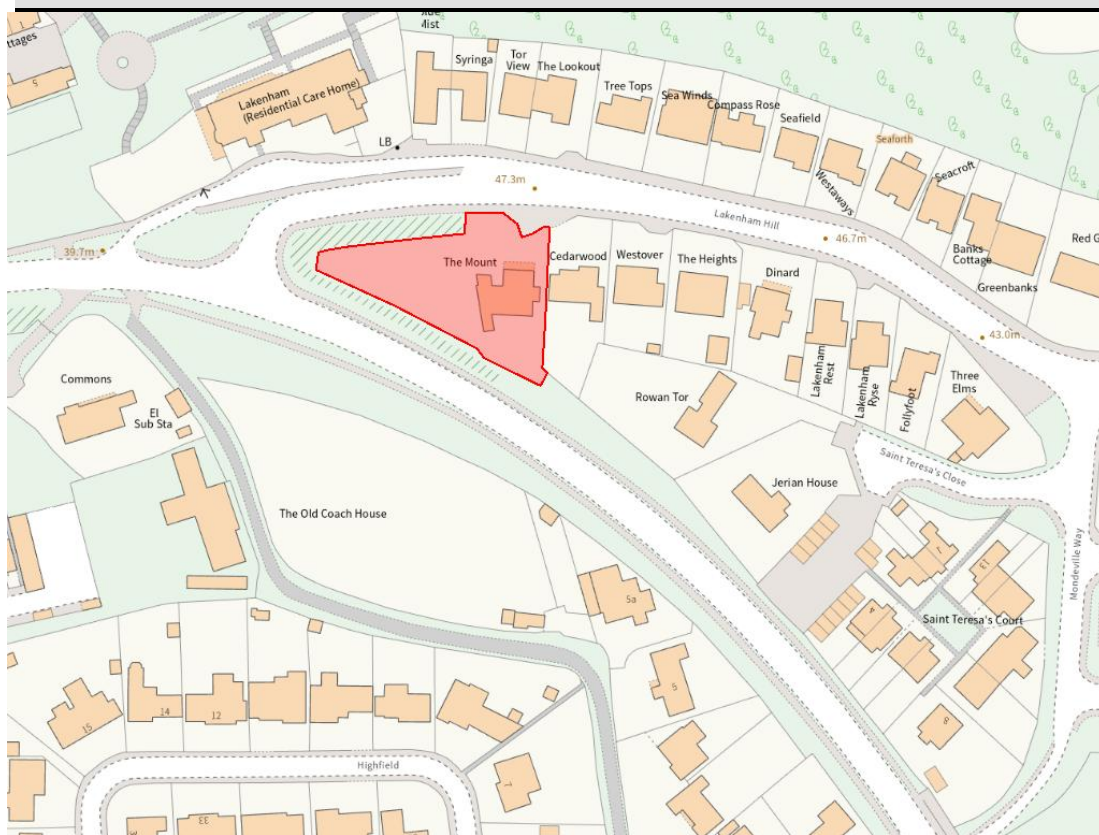
The earlier biodiversity gain plan is regarded as approved for the purposes of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended) in relation to the planning permission.

Statement of Engagement

In accordance with paragraph 39 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following and positive and proactive manner. We have made available detailed advice in the form of our statutory policies in the Development Plan, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In such ways the Council has demonstrated a positive and proactive manner in seeking solution to problems arising in relation to the planning application.

Committee Report – 05.02.26

Application Number:	1/0837/2025/FUL
Registration date:	31 October 2025
Expiry date:	26 December 2025
Applicant:	Mr. M. Leigh
Agent:	Philip Hinton
Case Officer:	Debbie Fuller
Site Address:	The Mount Lakenham Hill Northam Bideford Devon EX39 1JH
Proposal:	Erection of two-storey side extension and decking with associated alterations
Recommendation:	Refuse



Reason for referral:

This application has been called in to Plans Committee for determination by Councillor Chris Leather (Ward: Northam), for the following reasons: - *'Please bring this application to the Plans Committee if the case officer is minded to refuse. It would appear this application is an improvement on what has been approved.'*

Relevant History:

Application No.	Description	Status	Closed
1/0373/2024/FUL	Hip to gable loft conversion with side box dormer and integral balcony	PER	03.07.2024
1/0666/2024/FUL	Demolition of existing garage, construction/rebuild of new two storey structure including subterranean level for basement	REF	18.10.2024
1/0989/2024/FUH	Demolition of existing garage and conservatory and construction of single storey structure	PER	14.01.2025
1/0174/2025/FUL	Removal of approved loft conversion application number 1/0373/2024/FUL and construction of a new first-floor extension over approved single storey side extension	REF	25.04.2025

Site Description & Proposal

Site Description

The application property is a detached house in a predominantly residential area in an established urban area of Northam. The dwelling fronts the highway and is orientated in an approximate north south direction. It is set within a large plot, and the garden extends to the west. The site is not within the Conservation Area, and/or within 50 metres of any listed buildings.

Proposed Development

The planning application seeks full planning permission for the erection of a two-storey side extension and decking with associated alterations.

3D perspectives, and Proposed floor and Proposed elevations have been submitted.

The following is a timeline of planning decisions on this property in date order, from oldest first: -

On 3rd July 2024, a planning application was approved, for *'a hip to gable loft conversion with side box dormer and an integral balcony,'* (planning reference 1/0373/2024/FUL). This approved a hip to gable loft conversion with extension to provide a landing on the eastern elevation of the dwelling, with a side box dormer and an integral balcony on the western elevation.

On 18th October 2024, a planning application, (planning reference 1/0666/2024/FUL), for 'Demolition of existing garage, construction/rebuild of new two storey structure including subterranean level for

basement,' was refused. This proposed to create a second floor above the garage (removing the garage). There was no appeal.

On 14th January 2025, a planning application was approved for '*Demolition of existing garage and conservatory and construction of single storey structure,*' (planning reference 1/0989/2024/FUH). This approved the replacement of the existing single storey garage with a single storey extension, providing kitchen and dining and entrance hall. The single storey structure extends four metres from the rear of the existing dwelling and includes decking on the western side. The submitted plans were requested to be amended to include the works that were approved - the '*hip to gable loft conversion with extension to provide a landing on the eastern elevation of the dwelling, with a side box dormer and an integral balcony on the western elevation,*' (planning reference 1/0373/2024/FUL).

On 25th April 2025, a planning application, (planning reference 1/0174/2025/FUL), was refused, and on 29th July 2025 dismissed at appeal, (Appeal Ref: APP/W1145/D/25/3365873). The description for this, was, '*the removal of approved loft conversion application number 1/0373/2024/FUL and construction of a new first-floor extension over approved single storey side extension.*'

The appeal inspector stated that, '*The house stands in an elevated position, well above the level of the carriageway in Lakenham Hill, and that of the B3236, running to the rear of the property and which links Bideford and Westward Ho...In view of the prominence of the dwelling, the effect of the proposed extension would be accentuated. It would project well beyond the façade of the dwelling's southern elevation towards the B3236 and would be perceived as disproportionate in scale to that of the host property. It would also have a disjointed appearance with the extension becoming regarded, to my mind, as a disharmonious and poorly considered add-on to the dwelling, materially altering and harmfully affecting its traditional character and appearance.*'

The current planning application seeks to remove the hip to gable loft conversion, (approved under planning reference 1/0373/2024/FUL), and extend to a new first floor over the single storey element on the west elevation. The single storey has been approved, (planning reference 1/0989/2024/FUH).

The roof of the two-storey element is set down from the main roof. The proposed height is approximately 10 metres when measured from the front elevation, and approximately 8 metres when measured at the rear ground level. The proposed two storey extension extends 7.2 metres to the west. The proposed decking another 4.5 metres to the west. The two-storey element is to replace the existing planning consent for a hip to gable loft conversion, (planning reference 1/0373/2024/FUL).

There is also an extension of the main house to the rear, to join up with the extended four metre single storey structure, as previously approved, (as shown on approved '*Proposed Ground Floor Plan,*' drawing numbered D03 REV 09, planning reference 1/0989/2024/FUH).

The proposed materials are cream painted, rendered walls to match the existing dwelling, clay plain tiles for the roof to match the existing, dark grey EPDM flat roof, and dark grey pvcu/powder coated aluminium windows and doors. The proposed decking is to be oak smoked composite boards with glazed balustrade.

A pre-application response was sent by your officers on 23rd October 2025, (planning reference FPEH/0503/2025), which had a similar proposal to now, but without the rear extension to the main dwelling, and with a roof line as the main dwelling. The roof line of the proposed two storey extension has now been dropped slightly, and includes a rear extension (south), at four metres in depth.

The conclusions of the pre-application were: - '*The principle of an extension to a dwellinghouse is supported in principle, and the dwelling is of a size and with a garden which is large enough for an extension of some size to be acceptable. However, the proposed design of the extension is such that the proposed scale, mass, and height is not sympathetic to the main dwelling and inappropriate in the street scene, because it is out of scale, and is overly large and bulky in appearance. Although it is a better design than the previous schemes, it is considered that the proposed extension has an overly large appearance, which detracts from the character of the original dwellinghouse and the street scene.*'

It is acknowledged that there is a proposal to remove the dormer. However, this has been approved as it was considered a minor extension when viewed from the front of the property.'

The agent was made aware that the Local Planning Authority could not support the proposal, and the application was called in by a ward member to be decided by Plans Committee.

Consultee representations:

Northam Town Council:

No response received.

South West Water:

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Asset Protection

*Please find attached a plan showing the **approximate** location of a public sewer in the vicinity. South West Water will need to know about any building work over or within 3 metres of a public sewer or lateral drain.*

We will discuss with you whether your proposals will be affected by the presence of our apparatus and the best way of dealing with any issues as you will need permission from South West Water to proceed.

Further information regarding South West Water's build over of sewers process can be found on our website via the following link: www.southwestwater.co.uk/buildover

Should you require any further information, please contact our Asset Protection Team via email: DeveloperServicesAssetProtection@southwestwater.co.uk.

Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

- 1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets)*
- 2. Discharge into the ground (infiltration); or where not reasonably practicable,*
- 3. Discharge to a surface waterbody; or where not reasonably practicable,*
- 4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,*
- 5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)*

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

Representations:

Number of neighbours consulted:	8
Number of representations received:	1
Number of objection letters:	0

Number of letters of support:	1
Number of neutral representations:	0

One representation (support comment) has been received: -

'I would appreciate it if the existing first floor stair well window was changed to obscure glass as it very much overlooks my back garden, thereby affecting my privacy. I do not object to the single storey east elevation part of the proposed extension (including the gym and unnamed room closest to my property) on condition that it is not changed to a two storey in any future planning applications as this would have quite a significant impact on my property.'

Policy Context:

North Devon and Torridge Local Plan 2011-2031:

ST01 (Principles of Sustainable Development); ST03 (Adapting to Climate Change and Strengthening Resilience); ST04 (Improving the Quality of Development); ST06 (Spatial Development Strategy for Northern Devon's Strategic and Main Centres); ST09 (Coast and Estuary Strategy); ST14 (Enhancing Environmental Assets); NOR (Northam Spatial Vision and Development Strategy); DM01 (Amenity Considerations); DM04 (Design Principles); DM05 (Highways); DM06 (Parking Provision); DM08 (Biodiversity and Geodiversity); DM08A (Landscape and Seascape Character) and DM25 (Residential Extensions and Ancillary Development).

Northam Neighbourhood Plan 2024 – 2031:

DE1 (Quality of Design); HO1 (Size of Dwellings); HO3 (Residential Design and Amenity).

Government Guidance:

NPPF (National Planning Policy Framework); NPPG (National Planning Practice Guidance); NERC (Natural Environment & Rural Communities) and WACA (Wildlife & Countryside Act 1981).

Planning Considerations

Main planning considerations

1. Principle of development
2. Character and appearance
3. Residential amenity
4. Access and Parking
5. Flooding and drainage
6. Ecology

1. Principle of development

The site is located within the development boundary of Northam & Westward Ho! in the North Devon and Torridge Local Plan (NDTLP), and Northam is listed as a 'Main Centre' in Policy ST06, which is relevant.

Policy ST06: 'Spatial Development Strategy for Northern Devon's Sub-regional, Strategic and Main Centres,' states *'The Main Centres will support appropriate levels of growth that will increase the towns' capacities to increase self-containment, to meet their own needs and those of surrounding communities where such is sought through the local vision.'*

The spatial vision for Northam, states, *'Policy NOR: Northam Spatial Vision and Development Strategy, 'Northam will build upon its strengths taking advantage of its coastal location. Westward Ho! will be established as a thriving coastal resort and Appledore will develop further as a centre for maritime activities. The development of marine based industries and a quality tourism offer will contribute to re-balancing Northam's community and add economic value to the area.'*

The three centres will continue to provide a range of services and facilities to meet locally generated needs and to accommodate the expanded needs of visitors to the area. Across Appledore, Northam and Westward Ho! a range of housing appropriate to local needs will be provided. Development will be supported by necessary infrastructure that will be delivered in a manner to minimise deficiencies against service capacity. In meeting the future growth needs of the area, development will be delivered without prejudice to valued environment and historic assets having due regard to the importance of the areas setting and landscape quality.'

The Northam Neighbourhood Plan, 2024 – 2031 also has policies which are relevant, although Northam Town Council have not responded to the consultation on this planning application. They did support the previous scheme, which was refused and dismissed at appeal, (planning reference 1/0174/2025/FUL).

Policy H01: 'Size of dwellings,' (although relevant to new dwellings), emphasises that dwellings should be accessible and adaptable and to cater for the changing needs of occupants over their lifetime.

Policy: H03 'Residential Design and Amenity,' states *'overlooking of neighbouring properties and gardens detrimental to residential amenity is avoided, and an increase in height over any replaced building is consistent with the height and form of neighbouring properties, fits unobtrusively with the character of the street scene and safeguards the amenity of residents of adjacent buildings.'* Policy 'DE1 Quality of Design' also has a criterion with regards to *'visually attractive as the result of good architecture, layout and appropriate effective landscaping,' with the background text emphasising, 'new development should reflect local character and context and create a strong sense of place.'*

The applicants have explained, at a site meeting, (1st October 2024), that they need additional living accommodation for their family, and that the existing garage is at a lower level to the house and not easily accessible from the main dwelling. The affordability of housing for younger people in the area and shortage of one bed properties, (as explained in the 'Northam Neighbourhood Plan' - Policy H01: 'Size of dwellings'), is noted.

The existing dwelling has five bedrooms, (one of them being on the ground floor of the main dwelling and four on the first floor of the main dwelling). The proposed works would provide five bedrooms, (all on the first floor), with two new bedrooms on the first floor of the two-storey element, (both with en-suite bathrooms), and a kitchen/living area on the ground floor of the two-storey extension. The master bedroom in the main house has a previous bedroom to an en-suite bathroom.

It should be noted however, in terms of the need for additional living accommodation, that the previous approvals provided a six bed dwelling, (with bedrooms five and six in the roof, both with en-suite bathrooms), (planning reference 1/0373/2024/FUL - *'Hip to gable loft conversion with side box dormer and integral balcony'*), and the single storey element, (planning reference 1/0989/2024/FUH), has approved a kitchen/dining and snug, at a level with the main dwelling, with decking into the garden and a new entrance to the property. The proposal now includes a gym at ground floor. The proposed rear extension does not have a label to show the use on the plans but is accessed from an existing bedroom.

Alterations to an existing dwelling are a type of development that is supported, and the proposal will need to meet Policy DM25 of the Local Plan.

Policy DM25: 'Residential Extensions and Ancillary Development,' states

(1) The extension of a residential dwelling and other ancillary development, beyond that enabled through permitted development, will be supported subject to:

- (a) the form, scale, setting and design of the proposal respecting existing development, its context, setting and surroundings;*
- (b) adequate residential amenity space and parking provision being maintained; and*
- (c) there being no significant adverse impact on the amenity of the occupants of neighbouring properties.*

The policy requires proposed development to be of a form and scale that respects existing development, its context, setting and surroundings. The surroundings and existing development are the other residential properties in the street. Perspectives were requested so that the Local Planning Authority could assess the relationship with the proposed against the adjacent dwellings, and this was provided.

The appeal inspector has confirmed your officer's opinion that the property is prominent in the street, (APP/W1145/D/25/3365873): - *'In certain viewpoints from Lakenham Hill and the B3236, the dwelling as it stands breaks the skyline because of its elevated position. It can therefore be appropriately described as being prominent when viewed from those points.'*

The appeal inspector also confirmed the case officer's concerns about the view of the west elevation: - *'The principal effect of the proposals, in particular the changes to the west facing elevation, would be to substantially increase the perceived width and mass of the dwelling when viewed from just outside the site in Lakenham Hill and on the final approach to the dwelling when travelling uphill from Westward Ho.'*

It is considered that the proposed extension projects to the west in such a way that substantially increases the width and mass of the dwelling. The other properties in this street are not as large in width as the proposed scheme. It is already larger than the dwelling immediately to the east, which is a detached dormer bungalow. 'Westover' two doors down, is a larger property than the bungalow, but the proposed development is much larger than this dwelling. It is considered therefore that the proposed scheme will appear overly large in the street scene.

The proposed design does not overcome the comments made by the appeal inspector, (APP/W1145/D/25/3365873).

The replacement of the dormer with a two-storey element does not overcome the concerns about the width of the property when viewed from Lakeham Hill.

Your officer considers that the proposed extension is too large in scale, massing and height.

The area is also covered by Policy ST09: 'Coast and Estuary Strategy.' The location is in the developed coast which is defined in the Glossary of the NDTLP:- *'Developed Coast - Areas within the Coastal and Estuarine Zone with a predominantly developed character, which are the areas within development boundaries as identified on the Policies Map; the principal built form and sites allocated for development in defined Settlements without development boundaries; Rural Settlements; Defence Estate sites; and large previously developed sites or those parts of sites with a substantial level of permanent structures such as sewage treatment works and the developed part of static caravan sites.'*

The application property is within a predominantly developed character, which are the areas within development boundaries as identified on the Policies Map. The other material considerations are covered below.

2. The impact upon the character of the area

The Local Plan has policies which are relevant - Policy DM04: Design Principles and Policy ST04: 'Improving the Quality of Development' aims to achieve high quality inclusive and sustainable design.

Policy ST04 supports development proposal that achieve high quality inclusive and sustainable design to support the creation of successful, vibrant places. Design will be based on a clear process that analyses and responds to the characteristics of the site, its wider context and the surrounding area taking full account of the principles of design found in Policy DM04.

Policy DM04 supports developments with good design, and the policy seeks to guide overall scale, density, massing, height, landscape, layout, materials, access, and appearance of new development. Policy DM04 requires new development to be well related to existing buildings and their surroundings in terms of design, scale, and materials, and to be sympathetic to the character and appearance of the local area.

The policy states: - 'Policy DM04: Design Principles

(1) Good design seeks to guide overall scale, density, massing, height, landscape, layout, materials, access and appearance of new development. It seeks not just to manage land use but support the creation of successful places and respond to the challenges of climate change.

Development proposals need to have regard to the following design principles:

(a) are appropriate and sympathetic to setting in terms of scale, density, massing, height, layout appearance, fenestration, materials and relationship to buildings and landscape features in the local neighbourhood.'

Policy DM25: 'Residential Extensions,' seeks to support residential extensions where the form, scale and design of the proposal respects existing development, its context, setting and surroundings and that the alterations allow for the maintenance of adequate residential amenity space and parking provision and that it creates no significant adverse impact on the amenity of the occupants of neighbouring properties.

The National Planning Policy Framework (NPPF), (specifically Part 12), attaches great importance to the design of the built environment and states that developments are sympathetic to local character, including the surrounding built environment, and permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The proposed must be of a form and scale that respects the main house, with materials that are sympathetic to the setting and buildings in the local neighbourhood. It will be important for the form, scale, and design to respect the existing development, its context, setting and surroundings.

The four-metre proposed rear extension will not be seen from public views due to it being single storey and the bank with vegetation to the rear garden boundary and adjacent to the B3236. However, a proposed rear extension at four metres for a detached dwelling, and no more than four metres in height, is 'permitted development' and could be constructed without the submission of a planning application, if it meets the criteria in the General Permitted Development (England) Order 2015 (as amended).

It is considered however, that the proposed two storey extension projects to the west in such a way that substantially increases the width and mass of the dwelling, especially when viewed from 'Lakenham Hill.' The other properties in this street are not as large in width as the proposed scheme.

The existing dwelling is already larger than the dwelling immediately to the east, which is a detached dormer bungalow. 'Westover' which is two doors down, is a larger property than the bungalow, but the proposed development is much larger than this dwelling. It is considered therefore that the proposed scheme will appear overly large in the street scene.

The proposed design does not overcome the comments made by the appeal inspector, (APP/W1145/D/25/3365873). The Local Planning Authority consider that the proposed works are for an extension which is too large in scale, massing and height. It can be seen from viewpoints on 'Lakenham Hill' because of its elevated position.

The existing structures on this side, (west), (and accounting for the approval, planning reference 1/0989/2024/FUH), are low profile and have been designed to be subservient to the main dwellinghouse. The main dwellinghouse has character and part of the style of the house is the box-like design, with the pillars at the front.

Although it is a betterment in terms of materials and form than the previous schemes, it is considered that the proposed extension has an overly large appearance. The proposed is not sympathetic due to its scale, mass, and height.

The proposal does not meet the NPPF, (specifically Paragraphs 135 criteria a, b and c and Paragraph 139) because the scale, mass and height create a building which stands out, is at odds with others in the street, and consequently is not visually attractive, and not sympathetic to the local character, including the surrounding built environment.

The proposed development would harm the character of the area and the character and appearance of the host property, and is contrary to policies ST04, DM04 and DM25 of the North Devon and Torridge Local Plan, and Section 12 of the NPPF, which requires good design.

3. Residential Amenity

Policy DM01 of the Local Plan confirms that development will be supported where it would not significantly harm the amenities of neighbouring occupiers or uses or result in harm to the future occupiers of the development from existing or allocated uses. Policy DM04: 'Design Principles'

aims to ensure the amenities of existing and future neighbouring occupiers are safeguarded.

Policy DM25 aims to ensure there is no significant adverse impact on the amenity of the occupiers of neighbouring properties.

The proposed works are on a side facing the garden where there are no other residential properties. The proposed decking and will not allow overlooking.

There are adequate amenity space and parking remaining, and the proposal accords with Policy DM25 of the Local Plan.

In terms of the comment from the neighbour about the side window, this window already exists and does not form part of the proposed works. It is also a stairwell and not a main habitable room.

On the approval for the loft conversion, (planning reference 1/0373/2024/FUL), the officer's delegated report states, *'The proposed works does not see the projection go further east towards this property. The 'projection,' which is a stair case, adds into the loft, but it is considered that this will not have a significant impact over and above that of the existing situation, and is therefore in compliance with policy. There are no existing windows on the side of adjacent residential property, 'Cedarwood,' which might create overlooking in between the properties and/or overshadowing. There is also a path between the two properties, which provides a gap between, and a lean-to garage, and it is considered that there is adequate distance between the two properties to not have significant harm.'*

The proposed rear extension at four metres for a detached dwelling, and no more than four metres in height, is 'permitted development' and could be constructed without the submission of a planning application, if it meets the criteria in the General Permitted Development (England) Order 2015 (as amended). A condition could be added to an approval to control further extensions, (including rear two storey extensions), if this was a concern.

In summary, it is considered that the proposed works would not significantly harm the amenities of any neighbouring occupiers, and/or occupiers of the host dwelling, and the proposal therefore accords with Policies DM01, DM04 (i) and DM25 of the Local Plan.

4. Access and Parking

Policy DM05 in the Local Plan requires development to have safe and well-designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians, and all development shall protect and enhance existing public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.

Policy DM06 of the Local Plan states that proposals will be expected to provide an appropriate scale and range of parking provision to meet anticipated needs. Policy DM04: 'Design Principles' has a criterion related to *'safe and appropriate highway access.'*

Vehicular access and parking can be still achieved.

5. Flooding and drainage

Policy ST03 states that development should 'adopt effective water management including Sustainable Drainage Systems, water quality improvements, water efficiency measures and the use of rainwater'. In addition, policy DM04 states development should provide effective water management including Sustainable Drainage Systems, water efficiency measures and the reuse of rainwater.

The site is within Flood Zone 1, and not within a Critical Drainage Area (CDA).

A below ground rainwater infiltration chamber (soakaway) is shown on the submitted Block Plan.

South West Water (SWW) have been consulted and state, *'Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method*

proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.'

The proposal therefore accords with the relevant Local Plan policies.

6. Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, The Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced within NDTLP through Policies DM08 and ST14 which state that all developments must ensure that the importance of habitats and designated sites are considered.

The local planning authority also has a duty under Section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 to have regard to biodiversity in exercising its functions. This duty includes the requirement to have regard to protected species.

Development proposals should avoid adverse impacts on existing features as a first principle and enable net gains by designing biodiversity features and enhancements and opportunities for geological conservation alongside new developments, however where adverse impacts are unavoidable, they must be adequately and proportionately mitigated.

A Wildlife Trigger List was submitted as part of the application, which did trigger the need for additional surveys due to works to the roof. However, the information submitted justified that there are unlikely to be impacts to protected species:- *'The existing roofs are well sealed, and the main roof is coated with spray-foam insulation. The glazed part to be removed is clearly unsuitable, and the flat roofed parts are both in constant use and sealed all round. Therefore, there is nowhere that wildlife could enter or use the roof in any way.'* This is agreed by the LPA. An informative could be added to provide advice if bats are found.

There are opportunities for a net gain, and a condition could be added, like that on previous approval, (planning reference 1/0373/2024/FUL): - *'Prior to the first occupation of the accommodation hereby permitted, one swift box, shall be installed on the building, and retained as such thereafter. Reason: To provide a net gain in biodiversity in accordance with Policy ST14 of the adopted North Devon and Torridge Local Plan 2011-2031.'*

The proposal is for alterations to an existing householder property and do not fall within the requirements of Biodiversity Net Gains (BNGs).

Conclusion

An extension to a dwellinghouse is supported in principle, and the dwelling is of a size and with a garden which is large enough for an extension of some size to be acceptable. However, the proposed design of the extension is such that the proposed scale, mass, and height is not sympathetic to the main dwelling and inappropriate in the street scene, because it is out of scale, and is overly large and bulky in appearance.

Although it is a better design than the previous schemes, in terms of it not being 'disjointed,' it is considered that the proposed extension has an overly large appearance, which detracts from the character of the original dwellinghouse and the street scene. It is acknowledged that there is a proposal to remove the dormer. However, this has been approved as it was considered a minor extension when viewed from the front of the property.

The proposal accords with Policies ST01, ST06, NOR, ST09, DM01, ST14, DM08, DM08A, of the Local Plan, but is unsympathetic in terms of form, scale, massing, height, and appearance, and contrary to Policies ST04, DM04, and DM25 of the Local Plan, Policies H03 and DE1 of the 'Northam Neighbourhood Plan' and the NPPF. The recommendation is therefore to refuse the planning application.

Human rights

Consideration has been given to the Human Rights Act 1998.

Recommendation

REFUSE for the following reason: -

The proposed design of the two-storey extension is such that the proposed scale, mass, and height is not sympathetic to the main dwelling and inappropriate in the street scene. The proposed extension detracts from the character of the original dwellinghouse and the street scene because it is out of scale, overly large and bulky in appearance. The proposal is contrary to Policies ST04, DM04, and DM25 of the Local Plan, Policies H03 and DE1 of the 'Northam Neighbourhood Plan' and Paragraphs 135 (b, c and d) and 139 of the NPPF.

Plans Schedule

Reference	Received
05	29.10.2025
06	29.10.2025
03	16.12.2025
04	16.12.2025

Statement of Engagement

In accordance with paragraph 39 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative way. In this instance there was further engagement as the LPA had expressed concerns about the scale as previously highlighted in a pre-application enquiry. However, the architect disagreed with the LPA and requested the planning application be called in by the Ward Councillor. In such ways the planning officer has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

Appeal Decision

by **John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 December 2025

Appeal Ref: APP/W1145/X/24/3352946

Bowood Farm, Roborough, Winkleigh, Devon EX19 8TE

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Mark Bowen against the decision of Torridge District Council.
 - The application ref 1/0621/2024/CPE, dated 9 July 2024, was refused by notice dated 29 August 2024.
 - The application was made under section 191(1)(a) of the Town and Country Planning Act 1990 (as amended).
 - The use for which an LDC is sought is the siting and occupation of a mobile home for in excess of 10 years in breach of condition 1 of planning permission 1/0437/2013/FUL.
-

Decision

1. The appeal is allowed and attached to this decision is an LDC describing the existing use which is found to be lawful.

Preliminary Matters

2. Determination of the appeal requires an assessment of documentary evidence and of the existing use against the provisions of The Town and Country Planning (General Permitted Development)(England) Order 2015 (the GPDO). In these circumstances a site visit is unnecessary and has not been undertaken.

Reasons

3. The mobile home was brought onto Bowood Farm pursuant to the grant of planning permission 1/0437/2013/FUL on 15 July 2013 for 'Variation of condition 1 of planning permission 1/0361/2010/FUL'. Condition 1 states that "This permission shall be limited to a period expiring on the 30th April 2014. At or before the expiration of this period the mobile home shall be permanently removed from the site and the residential use shall be discontinued and the land restored to its former condition". Planning permission 1/0361/2010/FUL was for 'Siting of a mobile home as a temporary workers agricultural dwelling'. The Applicants were the Appellant and his then wife.
4. The Appellant and his then wife occupied the mobile home whilst they sought to establish an agricultural business based on a free-range egg unit. On 14 November 2014 planning permission 1/0930/2014/FUL was granted for 'Agricultural workers dwelling' on land adjoining the site of the mobile home. The Council does not dispute that the Appellant occupied the mobile home from before the grant of planning permission 1/0437/2013/FUL up until 1 August 2022 when Mr Grinter took up occupancy. On that date the Appellant took up occupation of the agricultural workers dwelling; the completion of which had been delayed for personal and financial reasons.
5. After 30 April 2014 occupation of the mobile home was in breach of condition 1 of planning permission 1/0437/2013/FUL. The Appellant maintains that this breach of

condition and occupation of the mobile home continued for more than the ten year period prior to the date of the application. The Council maintains that from 14 November 2014, when permission was granted for the agricultural workers dwelling, up until 1 August 2022, when Mr Grinter commenced occupation, the mobile home was development permitted under Class A of Part 4 of Schedule 2 of the GPDO. Class A of Part 4 provides for the provision on land of buildings, in this case the mobile home, required temporarily in connection with and for the duration of operations being carried out on land adjoining that land. Occupation of the mobile home for that reason is permitted under Class A of Part 5 of Schedule 2 of the GPDO.

6. The Appellant occupied the mobile home whilst he was involved full-time with the agricultural business and whilst the dwelling was under construction. Whilst he was involved full-time with the agricultural business there is no reason to doubt his claim, which is corroborated by his builder, that he was not involved with the construction of the dwelling. Nevertheless, the Council claim that "...when developing a self-build dwelling, applicants are very likely to have...input into the scheme". They mention, in this regard, input into the design and layout beyond first fix, quality control, the appointment of contractors and an Architect, and day to day management of the build.

7. The circumstances mentioned in Class A of Part 5 of Schedule 2 of the GPDO are those specified in paragraphs 2 to 10 of Schedule 1 to the Caravan Sites and Control of Development Act 1960 (1960 Act). Paragraph 9 states that a site licence shall not be required for the use as a caravan site of land which forms part of, or adjoins, land on which building operations are being carried out if that use is for the accommodation of a person employed in connection with the said operations. In this case the building operations were the construction of the agricultural workers dwelling, the person was the Appellant, and the land used as a caravan site is the site of the mobile home.

8. The critical word is 'employed'. The Appellant was not employed by his builder to assist with the construction of the dwelling and the inputs mentioned by the Council would not have been activities, if the Appellant was so involved, that were associated with being employed. The appointment of a main contractor and an Architect are singular acts and are not associated with actual building works, the Appellant will not have been involved in the day to day management of the build, he was and is involved with the day to day management of the egg unit, and showing an interest in quality and minor elements of design can be expected from any client of a house builder.

9. The Appellant has submitted sufficient precise and unambiguous evidence to justify a conclusion, on the balance of probability, that he occupied the mobile home in breach of condition 1 of planning permission 1/0437/2013/FUL and not as accommodation by a person employed in connection with building operations. The Council could therefore have taken enforcement action against the breach of condition at any time during the ten year period prior to the date of the Application. The siting and occupation of the mobile home is thus lawful.

10. For the reasons given above, and on all the evidence now available, the Council's refusal to grant an LDC for the siting and occupation of a mobile home at Bowood Farm, Roborough, Winkleigh, Devon was not well-founded and the appeal succeeds. The powers transferred under section 195(2) of the 1990 Act as amended have been exercised accordingly.

John Braithwaite

Inspector

Lawful Development Certificate

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by Section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND)
ORDER 2015: ARTICLE 39

IT IS HEREBY CERTIFIED that on 9 July 2024 the use described in the First Schedule hereto in respect of the land specified in the Second Schedule hereto and edged and cross-hatched in black on the plan attached to this certificate, was lawful within the meaning of section 191(2) of the Town and Country Planning Act 1990 (as amended), for the following reason:

The use has subsisted for in excess of ten years in breach of condition 1 to planning permission 1/0437/2013/FUL

Signed

John Braithwaite

Inspector

Date: 03 December 2025

Reference: APP/W1145/X/24/3352946

First Schedule

The siting and occupation of a mobile home

Second Schedule

Land at Bowood Farm, Roborough, Winkleigh, Devon EX19 8TE

IMPORTANT NOTES

This certificate is issued solely for the purpose of Section 191 of the Town and Country Planning Act 1990 (as amended).

It certifies that the use described in the First Schedule taking place on the land specified in the Second Schedule was lawful, on the certified date and, thus, was not liable to enforcement action, under section 172 of the 1990 Act, on that date.

This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described, or which relates to any other land, may result in a breach of planning control which is liable to enforcement action by the local planning authority.

Plan

This is the plan referred to in the Lawful Development Certificate dated: 03 December 2025

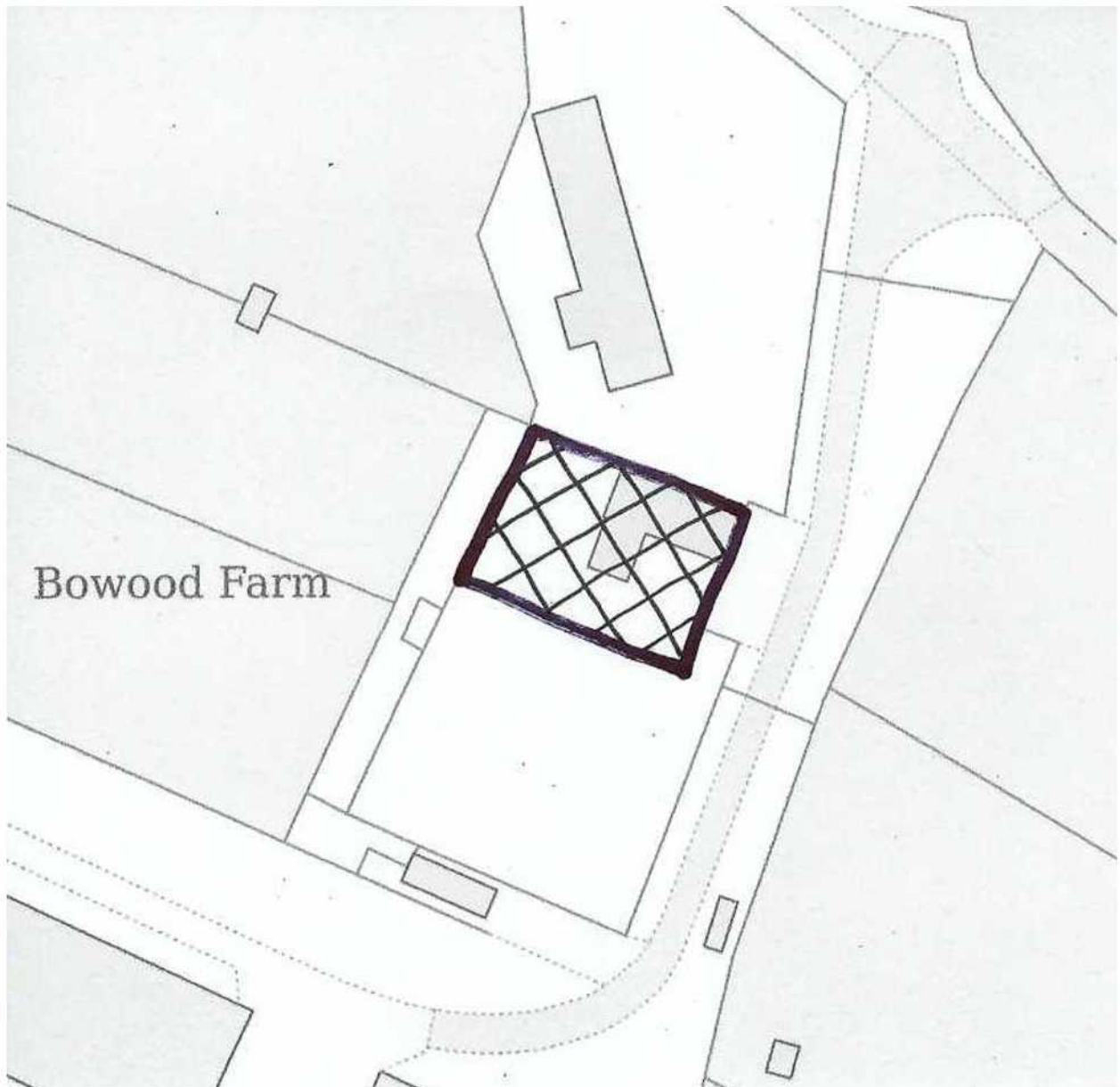
by **John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI**

Land at Bowood Farm, Roborough, Winkleigh, Devon EX19 8TE

Reference: APP/W1145/X/24/3352946

Scale: Not to Scale

Mobile Home, Bowood Farm, Road from Natty Cross to Parkyns Cross, Roborough





Appeal Decision

Site visit made on 2 December 2025

by **J Hills MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 December 2025.

Appeal Ref: 6000831

Lufflands Caravan Park, Sutcombe, Holsworthy EX22 7PJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Bryant against the decision of Torridge District Council.
 - The application Ref is 1/0938/2024/FUL.
 - The development proposed is described in the application as “retrospective permission for change of use to allow siting of 8 touring caravans”.
-

Decision

1. The appeal is allowed and planning permission is granted for change of use to allow siting of 8 touring caravans at Lufflands Caravan Park, Sutcombe, Holsworthy EX22 7PJ in accordance with the terms of the application, Ref 1/0938/2024/FUL, subject to the following conditions.
 - 1) The development hereby permitted shall be carried out in accordance with the location plan received by the Council on 30th January 2025.
 - 2) The caravan pitches hereby approved shall be for holiday accommodation and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Preliminary Matters

2. The application form states that work began in January 2022 and at the time of my visit I saw that the proposed touring pitches were in place and mostly occupied. The application has been dealt with retrospectively, and I have treated it in the same way.
3. The description of development provided within the application form includes wording that is not an act or description of development. I have used a different description in the decision which removes the superfluous.

Main Issue

4. The main issue is the effect of the development on highway safety.

Reasons

5. The appeal site has a long-established history as a caravan park. Within the wider site, a lawful caravan storage use was confirmed in 2002, with an undisputed claim it could accommodate up to 80 caravans. Caravan storage may not necessarily generate persistent transport movements, and it is noted that part of this area has

a recent permission for 18 touring pitches. However, given its scale and nature, the lawful storage use is likely to result in a good amount of toing and froing. This would include unrestricted movements of towed caravans entering and exiting the park.

6. The statement by Bellamy Transport Consultancy shows that overall occupancy levels at the wider caravan park are less than 40% of its capacity. Only 2 of the 8 proposed pitches subject to this appeal were occupied at the time of a 2-day survey, though this is merely a snapshot in time, rather than a robust analysis of actual annual occupancy. Therefore, while carried out over a summer bank holiday weekend where one might expect a proportionally high level of occupancy, it remains conceivable that more of these pitches could be occupied for good periods of the year.
7. Even so, based on year-round full capacity or overall average occupancy levels, the proposal would still only generate a proportionally small number of movements a day when compared with the wider site. Furthermore, whilst it is possible that the proposed pitches could generate movements involving towed caravans, those caravans sited at the time of my visit appeared well bedded-in amongst decking and BBQ areas. Based on my observations and the available evidence, I find it more likely that occupiers would use their smaller private vehicles for trips rather than constantly towing very large caravans.
8. There is no dispute between the parties that when exiting the appeal site in a vehicle, visibility in both directions falls short of the recommended distances set out in the Design Manual for Roads and Bridges and Manual for Streets 2 (MfS). The Highway Authority is particularly concerned with the southern direction measurements which it describes as severely substandard.
9. However, unlike the appeal examples offered by them¹ that are in different locations and of different scales, the appellant has conducted a speed and traffic survey. This shows the average speeds along this stretch of road are below the national limit of 60mph, at around 44mph. The emergency stopping sight distance for the average recorded speed is 44m. With 45m of visibility available to the south, collisions could potentially be avoided. In that context, although a collision may have been recorded in the local area, the evidence indicates there have been none recorded at the appeal site entrance over the last 25 years. This includes over 2 years during which the proposed pitches have already been in place.
10. In that context, when approaching the appeal site from a southerly direction, the winding rural road alignments forced me to drive well below the speed limit. Furthermore, at some distance before the access, my attention was drawn to numerous caravans in the landscape. As such, although I intended to turn off, drivers of vehicles, particularly those familiar with the local area, would be likely to be alert to the possibility of towed caravans or smaller vehicles entering and exiting the road network in this vicinity. The large sign at the site entrance assists in this respect.
11. After standing at the site entrance for several minutes, I observed that the surrounding area was notably quiet, with any approaching vehicles clearly audible from a considerable distance. When exiting the appeal site to the right in my vehicle, I was able to achieve adequate visibility in both directions without

¹ Appeal refs: APP/W1145/W/22/3308069 and APP/W1145/W/19/3239892

encroaching onto the highway. This allowed for a calm and deliberate manoeuvre. Although no fast-moving vehicles approached from the south or beyond the crest to the north during my manoeuvre, the available sightlines did not appear unduly restricted, and neither did the overall experience feel unsafe.

12. Taking all of these factors into account, including the lawful storage use, while TMS research from MfS may not apply to this scheme, the overall effect on the volume of transport movements is likely to be negligible. The access could be better, but in the absence of any compelling evidence to the contrary, and for the reasons given, the scheme has not been shown to be unsafe, unsuitable, or generate unacceptable impacts on highways safety. This accords with paragraphs 115 and 116 of the National Planning Policy Framework.
13. I therefore conclude that the development is not likely to pose a risk to highway safety. As such, there is no conflict with Policy DM05 of the North Devon and Torridge Local Plan which, amongst other things, promotes safe and well-designed vehicular access and egress.

Other Matters

14. I have had regard to the concerns from a neighbour in respect of the main issue above, but also in terms of their comments about the visual effect of the development. I agree that caravans are visible, though the pitches proposed are set within the context of an existing caravan site, where their effect on the wider landscape is somewhat contained. Furthermore, the Council has raised no objection in this regard.
15. The Council recommends an informative be placed on any permission highlighting its own requirement for a varied site license. While noted, this issue is covered under separate legislation and will be a matter for the parties. Furthermore, informatives do not carry any legal weight and for the reasons given, I have not included one.
16. I have considered the appeal decision at Menherion. However, based on the evidence before me, the differences in location, context, and road characteristics are such that no meaningful comparison can be drawn. In any event, I have determined this proposal on its own merits.

Conditions

17. I have made some amendments to the Council's suggested conditions in the interests of clarity and to ensure compliance with the Framework.
18. In the interest of certainty, I have included a plans condition. To support the rural tourism industry, it is necessary to include a condition restricting the pitches to holiday accommodation.
19. A condition restricting movements would not be likely to pass the tests of enforceability and would not be necessary in this instance.

Conclusion

20. For the reasons given I conclude that the appeal should succeed.

J Hills
INSPECTOR



Appeal Decision

Site visit made on 16 December 2025

by **O Marigold BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025.

Appeal Ref: 6001044

Tetcott Garage, Bone Street, Tetcott, Holsworthy, Devon EX22 6RA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs Rooke against the decision of Torridge District Council.
 - The application Ref is 1/1052/2024/FUL.
 - The development proposed is conversion of redundant commercial building to dwelling.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the address of the site from the Council's Decision Notice, which better reflects the location than that used in the application form. The appellants have used the same address in the appeal form and so I am satisfied that no party would be prejudiced as a result.

Main Issues

3. The main issues are:
 - whether the proposal would have a positive impact on the immediate setting of the building, and
 - whether it has been demonstrated that there is no realistic prospect of employment or mixed use of the appeal site.

Reasons

Character and Appearance

4. The site consists of a former commercial garage and an associated dwelling, located in countryside. The proposal seeks to convert the garage building into a dwelling. Policy DM27 of the North Devon and Torridge Local Plan (the Local Plan), adopted October 2018, supports the conversion of existing buildings where amongst other things it would have a positive impact on the immediate setting of the building.
5. The existing building has no particular historic or architectural merit. The proposal would include a new hedge bank within part of the entrance apron to the site. However, such a change would be tokenistic and neutral in effect, rather than representing a positive benefit. Few other changes are proposed to the building

itself. As such, I am not convinced that the proposal would have a particularly advantageous effect on the building or its setting.

6. For the reasons given above, the proposal would not have a positive impact on the immediate setting of the building. Accordingly, it would conflict with Local Plan policy DM27.

Employment Use

7. Local Plan policy DM13 seeks to maintain a range of suitable sites for employment purposes. As a result, non-employment uses will not be permitted, other than in specific circumstances. Although in a rural area, I have little substantive evidence to show that the quality and quantity of employment sites available in the locality is adequate. As a result, Local Plan policy DM13(a) is not satisfied.
8. Alternatively, policy DM13(b) permits non-employment uses where appropriate marketing has demonstrated that the site no longer provides a realistic prospect for employment purposes. Policy DM13(d) makes clear that in all cases redevelopment of such sites should adopt a sequential approach, considering employment and mixed uses in preference to non-employment uses.
9. The property was marketed by an estate agent between March 2022 and April 2023, for both the dwelling and the business, as a going concern. This exercise resulted in only two enquiries, neither of which were for commercial uses of the building. The owner and operator of the garage has now retired, and the use has now ceased, with the equipment in the process of being sold or scrapped.
10. The existence of a large pit and vehicle lift at the site may limit options for re-use. Occupation of the adjacent dwelling was restricted by a condition of its planning permission¹ to a person employed in the locality, in connection with the adjoining garage premises. This restriction would limit the number of people who could occupy the dwelling, and therefore the attractiveness of the site as a whole. Nevertheless, this does not mean that the potential for business occupiers of the premises, who might also comply with the condition, can be discounted.
11. The supporting text to Policy DM13 requires the submission of the marketing exercise prior to each stage of its sequential approach. However, the site was marketed only for the existing B2 business use and dwelling, and I have little to show that other employment or mixed uses were considered as required by Policy DM13(d). Furthermore, given the length of time since the marketing exercise was undertaken, and that it pre-dated the closing of the previous business, I cannot be confident that it still accurately reflects current market conditions. I see little reason to believe that a commercial or mixed use of the premises would necessarily be incompatible with the adjacent dwelling.
12. Consequently, I cannot rule out the possibility of an employment or mixed use of the garage building, in accordance with Policy DM13. Paragraph 84 of the National Planning Policy Framework (the Framework) permits new houses in isolated locations where the development would re-use redundant or disused buildings and enhance its immediate setting. Even if this paragraph is engaged, I have already found that the proposal would not result in an enhancement. In addition, Framework paragraph 88 seeks to encourage the sustainable growth and

¹ LPA reference 1/0722/1988/55/0004

expansion of all types of businesses in rural areas. As a result, the Framework does not indicate a decision otherwise than in accordance with the Development Plan.

13. For the reasons given above, it has not been demonstrated that there is no realistic prospect of employment or mixed use of the appeal site. As such, the proposal would conflict with Local Plan policy DM13.

Other Matters

14. The proposal would help to meet rural housing needs. However, I have little evidence as to the extent of any such needs, and it would contribute only one additional dwelling to housing supply. The vacant building causes additional costs, and the appellants do not wish to leave the dwelling, given their close family nearby. Although understandable, these reasons are not sufficient to justify the permanent loss of the site as a potential employment use.
15. Other garage sites have deteriorated when not in use, but the appeal site has not done so, despite a period of non-use, and so this does not provide a good reason for allowing full residential use. Permitted development rights allow for the conversion of buildings to dwellings in certain circumstances. That said, in this case, the application and appeal are for full planning permission.

Conclusion

16. For the reasons given, I have found conflict with the Development Plan as a whole. The material considerations in this case do not indicate a decision other than in accordance with the Development Plan. This leads me to conclude that the appeal should be dismissed.

O Marigold

INSPECTOR

AGMB DECISIONS 26/11/2025-27/01/2026

Application Number	Proposal/ Address	Decision
1/0749/2025/AGMB	Prior notification for the change of use of agricultural building to 2no. dwellings and associated building operations under Class Q - Agricultural Barn At Grid Reference 240156 91795, Broadwoodwidge, Devon.	Permitted
1/0695/2025/AGMB	Demolition of agricultural barns and the construction of 1 no. dwelling with associated works in lieu of 1/0010/2025/AGMB - Agricultural Building At Grid Reference 263359 108381, Winkleigh, Devon.	Refused

Agenda Item 11

Torridge District Council

Planning Decisions

Between 26/11/2025 and 27/01/2026

List of Applications

Application No:	Officer	Proposal and Address	Applicant	Decision/Date
PERMITTED				
1/0116/2024/ FUL	Mrs Nicola McGill	Erection of a local needs dwelling - Land At Grid Reference 232320 101244, Pyworthy, Devon.	Mr Jago & Miss Vincent	PER 01.12.2025
1/0924/2024/ REMM	James Clements	Reserved matters application for landscaping for 45no. dwellings pursuant to application 1/0075/2020/OUTM - Land At Grid Reference 234298 103477, Underlane, Holsworthy.	Hawksmeadow Properties (Holsworthy) Ltd	PER 06.01.2026
1/0256/2025/ FUL	Angelo Massos	Erection of agricultural machinery shed, track and access (amended plans) - Land At Grid Reference 255192 115510, Beaford, Devon.	Mr Chris Rogers	PER 28.11.2025
1/0473/2025/ FUL	Angelo Massos	Demolition of barn and erection of 1no. dwelling - Barn At Grid Reference 246179 119314, Frithelstock, Devon.	Ms Ham	PER 10.12.2025
1/0494/2025/ FUL	Mrs Nicola McGill	Retrospective use of annexe as self contained dwelling - Annexe Meadowville, Bucks Cross, Devon.	Mr & Mrs Sivill	PER 22.01.2026
1/0625/2025/ SEC106	Angelo Massos	Deed of Variation of S106 pursuant to planning permission 1/0535/2022/OUT - Warehouse At Grid Reference 245976 126155, Clifton Street, Bideford.	Andy Spencer	PER 19.12.2025

1/0660/2025/ OUT	Angelo Massos	Outline application for the demolition of existing building and erection of 3 no. residential dwellings with some matters reserved (landscaping) (Amended description and plans) 1/0535/2022/OUT - Variation of condition 3 (Plans) - Warehouse At Grid Reference 245976 126155, Clifton Street, Bideford.	Mr Andy Spencer - Q Homes (Clifton Street) Ltd	PER 19.12.2025
1/0661/2025/ FUL	Mary- Ellen Whalley	Siting of mobile home (Variation of condition 2 of planning approval 1/2036/1979) for use as annexe/holiday let (Amended description) - Lower Wrangworthy, Buckland Brewer, Bideford.	Mr Colin Mayo	PER 14.01.2026
1/0680/2025/ FUL	Mr Peter Stapley	Erection of 2no. dwellings - Land At Grid Reference 238927 121586, Parkham, Devon.	Mrs S Pickering	PER 08.01.2026
1/0683/2025/ FUL	Miss Beth Hobbs	Construction of additional storey, single storey rear extension and conversion of outbuilding to ancillary accommodation - Coach House, Shebbear, Beaworthy.	Mr Steven Darling	PER 02.12.2025
1/0693/2025/ FUL	Mr Peter Stapley	Erection of 2no dwellings - Land At Grid Reference 262739 108000, Hatherleigh Road, Winkleigh.	Open Book Construction & Developments Ltd	PER 20.01.2026
1/0699/2025/ FUL	Mr Peter Stapley	Part-Retrospective change of use of agricultural barn to ancillary accommodation (Use Class C3) and associated works. - The Village, Back Lane, High Bickington.	Mr Jack Warwick	PER 15.12.2025
1/0715/2025/ FUL	Ryan Stoppel	Part retrospective application for the widening of an access, hard standing and a building to store equipment associated with cattle trimming and agriculture (Sui Generis) - Land At Grid Reference 231806 114694, Bradworthy, Devon.	Mr David Rowe	PER 23.12.2025
1/0730/2025/ FUL	Mr Peter Stapley	Part retrospective application for the retention of agricultural storage building with office and proposed erection of deer larder - Building At Grid Reference 252063 110639, Petrockstowe, Devon.	Clinton Devon Estates	PER 22.12.2025

1/0733/2025/ FUL	Mary- Ellen Whalley	Proposed dwelling and garage (Amendment of condition 4 of planning approval 1/0540/2018/FUL) - Land At Grid Reference 243418 128574, Buckleigh Road, Westward Ho!.	Mr Sebastian Cree	PER 19.12.2025
1/0739/2025/ FUL	Debbie Fuller	Proposed agricultural track and highway access (Affecting a public right of way) - Land At Grid Reference 254726 115791, Beaford, Devon.	Mr & Mr Lake	PER 13.01.2026
1/0738/2025/ FUL	Debbie Fuller	Part retrospective application for the change of use of garage to overspill residential accommodation ancillary to the main house - Cobblestone, Buckland Brewer, Bideford.	Mr John Davies	PER 02.12.2025
1/0743/2025/ FUL	Mrs Nicola McGill	Change of use of garage/gym to holiday let - Little Blagdon, Clawton, Beaworthy.	Mr & Mrs Hayden	PER 06.01.2026
1/0749/2025/ AGMB	Miss Jess Wellingt on	Prior notification for the change of use of agricultural building to 2no. dwellings and associated building operations under Class Q - Agricultural Barn At Grid Reference 240156 91795, Broadwoodwidger, Devon.	Mr Daryl Vickery	PER 05.12.2025
1/0770/2025/ FUL	Mrs Nicola McGill	Proposed agricultural workers dwelling - Land At Grid Reference 228089 122996, Hartland, Devon.	Mr Joe Heard	PER 16.01.2026
1/0776/2025/ FUL	Debbie Fuller	Alterations to front elevation and porch entrance - Waterfront Inn, Golf Links Road, Westward Ho!.	Mr Robert Braddick	PER 05.12.2025
1/0778/2025/ TRE	Miss Beth Hobbs	Crown reduction of 1no. Norway Maple, 1no. Copper Beech, 2no. Silver Birch covered by TPO/0004/2009 - 59 East Ridge View, Bideford, Devon.	Mrs Eileen Ackland	PER 02.12.2025
1/0779/2025/ FUL	Miss Jess Wellingt on	Loft conversion and alterations to include raising the roof - Paddon Gate, Sutcombe, Holsworthy.	Mr and Mrs Snow	PER 27.11.2025
1/0782/2025/ LBC	Sarah Chappel l	Division of first floor bedroom to create en-suite bathroom. - The Cavaliers , Barnstaple Street, Winkleigh.	Mr Matt Coppel	PER 27.11.2025

1/0785/2025/ FUL	Mary- Ellen Whalley	Installation of bus shelter on concrete base - Land At Grid Reference 263347 108101, Winkleigh, Devon.	Winkleigh Parish Council	PER 03.12.2025
1/0791/2025/ FUL	Mary- Ellen Whalley	Part retrospective application for the erection of one dwelling (self build) following permission 1/0833/2024/FUL - Waggadon Farm, Huntshaw, Torrington.	Dr And Mrs Bremner	PER 05.12.2025
1/0796/2025/ FUL	Mr Peter Stapley	Erection of indoor golf coaching facility - Royal North Devon Golf Club, Westward Ho!, Bideford.	Royal North Devon Golf Club	PER 08.12.2025
1/0797/2025/ FUL	Mary- Ellen Whalley	Part retrospective demolition of redundant barn & erection of 1no. dwelling pursuant to the 1/0053/2024/AGMB with associated works (Variation of condition 2 of planning consent 1/0928/2024/FUL) - Agricultural Building And Land At Grid Reference 249284 114685, Little Torrington, Devon.	Mr Heal	PER 03.12.2025
1/0801/2025/ FUL	Mrs Nicola McGill	Erection of side extension and internal alterations - Homeland, North Road, Bradworthy.	Mrs Hayley Prouse	PER 17.12.2025
1/0811/2025/ FUL	Mrs Nicola McGill	Part retrospective application for the erection of single garage (amended description) (Variation of condition 1 of planning approval 1/0171/2025/FUL) - Jasmine, Welcombe, Bideford.	Mr T Innes	PER 02.12.2025
1/0812/2025/ LBC	Sarah Chappel I	Proposed removal of ATM and signage for bank closure - Lloyds Bank, 5 High Street, Bideford.	Lloyds Banking Group C/o Mitie Plc	PER 23.12.2025
1/0815/2025/ CPE	Angelo Massos	Certificate of existing lawful use for breach of condition 4 of planning approval 1/1490/1978 - agricultural occupancy condition - West Meadows, Ashreigney, Chulmleigh.	Mr John Sillifant	PER 07.01.2026
1/0819/2025/ FUL	Debbie Fuller	Extensions and alterations to existing cottage, including repair/replacement of existing pitched roof (Variation of condition 2 of planning approval 1/0218/2024/FUL) - 58 Irsha Street, Appledore, Bideford.	Mr & Mrs Davie	PER 16.12.2025

1/0821/2025/ LBC	Sarah Chappel I	Replacement roof and rafters and other alterations - Peter Rabbit, Hartland, Bideford.	Mrs Tanya Gist	PER 15.12.2025
1/0829/2025/ FUL	Mr Peter Stapley	New car port and new cob/stone boundary wall - Yew Tree Cottage, Beaford, Winkleigh.	Mr John Wheller	PER 17.12.2025
1/0830/2025/ LBC	Mr Peter Stapley	Erection of new car port and cob/stone boundary wall - Yew Tree Cottage, Beaford, Winkleigh.	Mr John Wheller	PER 17.12.2025
1/0827/2025/ FUL	Miss Jess Wellingt on	Proposed detached carport and storage building - Stanbury Lodge, Holsworthy, Devon.	Mr Kevin Gilbert	PER 11.12.2025
1/0831/2025/ FUL	Debbie Fuller	Alterations to first floor and roof to create first floor accommodation - 101 Bay View Road, Northam, Bideford.	Mr John March	PER 17.12.2025
1/0832/2025/ ADV	Miss Jess Wellingt on	Town Council notice board - Northam Town Council, Council Offices, Windmill Lane.	Northam Town Council	PER 14.01.2026
1/0835/2025/ FUL	Mr Peter Stapley	Proposed first floor extension to existing garage for new home office/ancillary living accommodation - 59 Hanson Park, Northam, Bideford.	Mr Cripps & Mrs Andrassy	PER 17.12.2025
1/0838/2025/ FUL	Angelo Massos	Part retrospective change of use of land to residential garden, demolition of single storey extension to be replaced with two storey extension and accommodation to the first floor. Detached garage and alterations to access. - Five Acre, Woodtown, East The Water.	Mr Andrew Hutton	PER 22.01.2026
1/0840/2025/ FUL	Mary- Ellen Whalley	Demolition of existing building and construction of 1no. dwelling - Barn At Woodtown , Alverdiscott Road, Bideford.	CP Enterprises	PER 15.12.2025
1/0841/2025/ FUL	Miss Jess Wellingt on	Proposed rear extension - Casa Mia , 13 Park Close, Holsworthy.	Mr M Humphreys	PER 18.12.2025
1/0842/2025/ FUL	Mrs Nicola McGill	Detached garage/carport with store room - Staddon Villa, Staddon Road, Holsworthy.	Ms N Betambeau	PER 14.01.2026

1/0843/2025/ FUL	Mary- Ellen Whalley	Single storey rear extension with raised decking - 33 Windmill Lane, Northam, Bideford.	Mrs Balkwill	PER 15.12.2025
1/0844/2025/ CPE	Mary- Ellen Whalley	Certificate of existing lawful development for the siting of a mobile home in breach of condition 2 continuously for a period in excess of 10 years - Lower Wrangworthy Mobile Home, Buckland Brewer, Devon.	Colin Mayo	PER 22.12.2025
1/0846/2025/ FUL	Miss Beth Hobbs	Erection of a single storey extension - Hillmoor, Buckland Brewer, Bideford.	Mr Alan Hancock	PER 19.12.2025
1/0849/2025/ DEM	James Clements	Demolition of agricultural buildings - Agricultural Building At Grid Reference 243134 126423, Abbotsham Road, Bideford.	Bloor Homes	PER 03.12.2025
1/0850/2025/ FUH	Miss Beth Hobbs	First floor rear extension - 4 Windmill Lane, Northam, Bideford.	Mrs Veillet	PER 17.12.2025
1/0858/2025/ FUL	Laura Davies	Erection of 4 bungalows with new access and associated works (Variation of condition 2 of planning approval 1/0858/2020/FUL) - Land Off Elizabeth Lea Close & North Road, Bradworthy, Devon.	Mr & Mrs Ellicott	PER 13.01.2026
1/0859/2025/ FUL	Miss Jess Wellington	Erection of rear extension, loft conversion, front porch, detached garage and associated works (affecting public right of way) - Tree Tops, Durrant Lane, Northam.	Mr Nick Smith	PER 22.12.2025
1/0862/2025/ AGR	Mrs Nicola McGill	Creation of earth banked slurry lagoon - Cross Farm, Holsworthy Beacon, Holsworthy.	Mr C Down	PER 02.12.2025
1/0865/2025/ TRE	Miss Beth Hobbs	Pollarding of 1no. Ash tree and fell 1no. Pine tree covered by TPO/0006/1971 - Mallacleave, Upcott, Bideford.	Buchanan	PER 15.12.2025
1/0866/2025/ TCA	Mary- Ellen Whalley	Works to trees in a conservation area - Felling of 3no. trees - 142 Irsha Street, Appledore, Bideford.	Henry	PER 03.12.2025
1/0867/2025/ TCA	Mary- Ellen Whalley	Works to trees in a conservation area - Pollarding of 1no. Sycamore - 42 Irsha Street, Appledore, Bideford.	Janet	PER 03.12.2025

1/0868/2025/ TRE	Miss Beth Hobbs	Limb reduction of 1no. Oak tree covered by TPO/0064/2015 - 14 Broadlands, Bideford, Devon.	Karslake	PER 15.12.2025
1/0871/2025/ AGR	Miss Jess Wellington	Erection of general purpose agricultural building - Land At Grid Reference 229673 114078, Bradworthy, Devon.	Mr A Colwill	PER 05.12.2025
1/0876/2025/ TRE	Mary- Ellen Whalley	Deadwood removal on 4no. Sycamore trees covered by TPO/0049/2015 (G1) - Cherrywood, 5 Burrough House Gardens, Northam.	Mr Richard Allin	PER 02.12.2025
1/0873/2025/ FUL	Mrs Nicola McGill	Roof over existing dung store - Dung Store At Grid Reference 233013 096511, Tetcott, Devon.	M J & S R Dart	PER 13.01.2026
1/0875/2025/ ADV	Mary- Ellen Whalley	Replacement of existing fascia signage - Children's Hospice South West, 52 Mill Street, Bideford.	Children's Hospice South West	PER 16.01.2026
1/0880/2025/ FUL	Mrs Nicola McGill	Demolition of existing annexe outbuilding and construction of single storey rear and side extensions - Kit Hill House, Ashwater, Beaworthy.	Mr Ian Ellacott	PER 09.01.2026
1/0881/2025/ AGR	Miss Beth Hobbs	Roof over the existing silage clamp - Land At Grid Reference 257419 118587, Roborough, Devon.	DJ & ML Challacombe	PER 03.12.2025
1/0882/2025/ CPE	Ryan Stoppel	Certificate of existing lawful use or operation to confirm commencement of planning approval 1/1221/2021/FUL - Barn At Grid Reference 232778 121250, Woolsery, Devon.	Mr & Mrs Cloke	PER 23.01.2026
1/0886/2025/ FUL	Miss Jess Wellington	First floor extension and single storey rear extension - 12 Ashplants Close, Winkleigh, Devon.	Mr Mrs Smith	PER 09.01.2026
1/0887/2025/ FUL	Miss Jess Wellington	Rear and side extensions to dwelling (Affecting a public right of way) - West Stowford, Bradworthy, Holsworthy.	Mr & Mrs Bayley	PER 22.12.2025

1/0890/2025/ TRE	Mrs Nicola McGill	Crown reduction of 2m of 1no. Beech tree, 1no. Lime tree and 1no. Oak tree covered by TPO/0005/2009 - Lindfield, 18 Abbotsham Road, Bideford.	Mr James Brown	PER 02.12.2025
1/0892/2025/ FUL	Mary- Ellen Whalley	Demolition of barn and erection of new dwelling and associated works in lieu of Class Q permission 1/0449/2022/AGMB (Variation of condition 2 of planning approval 1/0565/2024/FUL)(Variation of condition 2 of planning approval 1/0237/2025/FUL) - Agricultural Building At Grid Reference 255532 120377, St Giles In The Wood, Devon.	Mr Paul Gammon	PER 23.01.2026
1/0898/2025/ FUL	Mary- Ellen Whalley	Erection of garage and porches - Canns Down Press, Beaford, Winkleigh.	Mr Mrs Leach	PER 13.01.2026
1/0900/2025/ AGR	Miss Jess Wellingt on	Erection of an agricultural storage building - Land At Grid Reference 238913 090906, Broadwoodwidge, Devon.	Mr D Gow	PER 15.12.2025
1/0901/2025/ FUL	Miss Beth Hobbs	Replacement of existing mono-pitch roof with pitched roof and construction of porch extension - The Barn, Pittford Cottages, Wembworthy.	Mr & Mrs Beardon	PER 16.01.2026
1/0904/2025/ FUL	Miss Beth Hobbs	Erection roof cover over existing yard for surface water management - Land At Grid Reference 244951 124017, Bideford, Devon.	Withecumbe & Son	PER 09.01.2026
1/0905/2025/ FUL	Debbie Fuller	Installation of ground mounted solar PV array - Land At Grid Reference 243174 114805, Stibb Cross, Devon.	Miss Bond	PER 26.01.2026
1/0912/2025/ AGR	Miss Jess Wellingt on	Extension to existing farm building (Extension A) and concrete renewal, rainwater tanks and the farm track - Land At Grid Reference 242364 118590, Buckland Brewer, Devon.	Messrs WJ & CC Bond	PER 18.12.2025
1/0914/2025/ AGR	Miss Jess Wellingt on	Extension to existing farm building (Extension B) - Craneham Farm, Buckland Brewer, Bideford.	Messrs WJ & CC Bond	PER 18.12.2025
1/0915/2025/ AGR	Miss Jess Wellingt on	Extension to existing farm building (Extension C) - Craneham Farm, Buckland Brewer, Bideford.	Messrs WJ & CC Bond	PER 18.12.2025

1/0919/2025/ FUH	Debbie Fuller	Conversion of existing garage into a utility room and storage room - 3 Ridgeway Green, High Bickington, Umberleigh.	Mr Sean Letheren	PER 22.12.2025
1/0923/2025/ AGR	James Clements	Erection of forestry sawmill shed - Land At Grid Reference 226765 117985, Hartland, Devon.	Mr William Smith	PER 09.01.2026
1/0926/2025/ FUL	Mary- Ellen Whalley	Rear extension for WC and store building, and flat roof replacing existing mono-pitched roof - St Marys Church Hall, Appledore, Bideford.	St Mary's PCC	PER 21.01.2026
1/0928/2025/ FUL	Miss Beth Hobbs	Loft conversion with rooflights - 35 Cross Street, Northam, Bideford.	Mr and Mrs Webster	PER 20.01.2026
1/0933/2025/ TRE5	Miss Beth Hobbs	Felling of 2no. beech trees covered by TPO/0007/2009 - Monkleigh House, Monkleigh, Bideford.	Mr David Fairbrother	PER 05.12.2025
1/0941/2025/ FUL	Miss Beth Hobbs	Replacement conservatory, porch extension and insertion of 1no. ground floor window - Glenrose Cottage, Glen Gardens, Bideford.	Mr & Mrs Robbins	PER 26.01.2026
1/0946/2025/ TRE5	Miss Jess Wellington	Felling of 1no. beech tree covered by TPO/0018/2015 - Land At Orchard Hill, Bideford, Devon.	Torrige Trees	PER 09.12.2025
1/0947/2025/ AGR	Miss Beth Hobbs	Roofing over existing open silage pit - Land At Grid Reference 243133 098030, Halwill, Devon.	D. F. & E. R. James	PER 17.12.2025
1/0952/2025/ TCA	Miss Beth Hobbs	Works to trees in a conservation area- Crown reduction of 1no. beech tree - 44 South Street, Torrington, Devon.	Dobedoe Tree Services	PER 16.01.2026
1/0956/2025/ FUL	Miss Jess Wellington	Erection of an extension - Court Farm, Pyworthy, Holsworthy.	Mr & Mrs J Bromell	PER 26.01.2026
1/0964/2025/ HPD	Miss Beth Hobbs	Single storey replacement conservatory with new slated roof and windows extending beyond the rear wall of the original dwellinghouse by 4.03m, maximum height of 3.23m and an eaves height of 2.42m - Flaxmans, 1 Glen Gardens, Bideford.	Mr D Ford	PER 16.01.2026

1/1004/2025/ AGR	Miss Beth Hobbs	Erection of livestock and storage building - Land At Grid Reference 251929 116021, Beaford, Devon.	Mr And Mrs McLachlan	PER 22.01.2026
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REFUSED

1/0315/2024/ LBC	Mr Peter Stapley	Removal of lean-to structure and replace with link to barn conversion for ancillary use - Upcott Barton, Broadwoodwidge, Lifton.	Mr Stephen Gibson	REF 09.01.2026
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1/0461/2024/ FUL	Mr Peter Stapley	Conversion of building for ancillary accommodation with new link structure to existing farmhouse, and new detached carport - Upcott Barton, Broadwoodwidge, Lifton.	Mr Stephen Gibson	REF 09.01.2026
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1/0568/2025/ LBC	Mr Peter Stapley	Change of use of library (Use Class F1) to create a multi-functional sport and fitness facility (Use Class E) and associated alterations, including the installation of 3no. air source heat pumps and roof mounted solar panels. - Torridge District Council, Town Hall, Bridge Street.	Torridge District Council	REF 05.12.2025
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1/0643/2025/ FUL	Miss Jess Wellington	Erection of agricultural storage shed, new access and associated works - Land At Grid Reference 242232 120350, Buckland Brewer, Devon.	Mr Hamileen Penfold	REF 02.12.2025
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1/0686/2025/ FUL	Mrs Nicola McGill	Conversion of disused agricultural barns to 2 units of holiday accommodation (removal of condition 1 of planning approval 1/1720/2002) - Moorview Cottage, Pyworthy, Holsworthy.	Mr R Faragher	REF 10.12.2025
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1/0695/2025/ AGMB	Debbie Fuller	Prior notification for the change of use of agricultural building to 4no. dwellinghouses and associated building operations under Class Q - Agricultural Building At Grid Reference 256656 117192, Roborough, Devon.	Alexander and Hookway	REF 01.12.2025
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1/0744/2025/ FUL	Miss Beth Hobbs	Demolition of agricultural barns and the construction of 1 no. dwelling with associated works in lieu of 1/0010/2025/AGMB - Agricultural Building At Grid Reference 263359 108381, Winkleigh, Devon.	Mr and Mrs Parsons	REF 26.11.2025
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1/0766/2025/ FUL	Ryan Steppel	Demolish stables and construct new dwelling and detached garage in lieu of 1/0368/2025/FUL (self build) - Stables At Nectar Haze, Bounds Cross, Pyworthy.	Mrs Claire Marsh	REF 28.11.2025
1/0769/2025/ FUL	Mrs Nicola McGill	New agricultural storage building. (Affecting a public right of way) - Land At Grid Reference 232732 120949, Woolsery, Devon.	Mr & Miss Dominic & Jesseca Halley & Wood	REF 03.12.2025
1/0777/2025/ FUL	Mary- Ellen Whalley	Conversion of redundant agricultural outbuilding to 2no. dwellings and associated building operations - Barn At Grid Reference 242817 128232, Westward Ho!, Devon.	Lubina Holdings Ltd.	REF 15.01.2026
1/0786/2025/ FUL	Ryan Steppel	Erection of 2no. dwellings and double garages - Land Adjacent Allwyn, Staddon Road, Holsworthy.	Mr Mark Warden	REF 23.01.2026
1/0800/2025/ OUT	Mrs Nicola McGill	Outline application with all matters reserved except for Access and Scale for 1no. dwelling - Land At Grid Reference 263430 111082, Hollocombe, Devon.	Ms Packham	REF 26.01.2026
1/0816/2025/ REM	Mr Peter Stapley	Reserved matters application for Access, Appearance, Landscaping, Layout and Scale for 2no. dwellings pursuant to application 1/1040/2022/OUT - Land At Chapel Street, Holsworthy, Devon.	Mr Duncan Creed	REF 15.12.2025
1/0878/2025/ PIP	Ryan Steppel	Permission in Principle for 2no. dwellings - Land At Holland Park Farm, Winterland Lane, Holsworthy.	Mr & Mrs Porter	REF 15.12.2025
1/0884/2025/ LBC	Sarah Chappel I	Replacement of doors with fire doors and installation of fireboarding and contrasting nosings - The Quay Dental Practice, Bank Chambers, The Quay.	Mulcahy	REF 18.12.2025
1/0917/2025/ TRE	Mr Peter Stapley	Works to 4no. Oak Trees and 1no. Beech tree covered by TPO/0004/1971 - 4 Shute Wood, Hollocombe, Chulmleigh.	James Balch Tree Services	REF 20.01.2026
1/0024/2026/ TRE5	Miss Jess Wellingt on	Felling of 1no. Yew Tree covered by TPO/0001/2008 - 101 Chanters Road, Bideford, Devon.	Mr Chris Price	REF 19.01.2026

DECLINE TO DETERMINE

1/0927/2025/
FUL

Miss
Beth
Hobbs

Retrospective change of use of an
agricultural building to a mixed
commercial and agricultural use -
Barn At Grid Reference 235504
087539, St Giles In The Heath,
Devon.

Mr Salvidge

DEC
16.01.2026