

Reference No: 19/01808/MARM
Parish: Cullompton 21

TOWN AND COUNTRY PLANNING ACT 1990

**APPROVAL OF MATTERS RESERVED FOLLOWING
GRANT OF OUTLINE PLANNING PERMISSION**

Name and Address of Applicant:

Mr Spencer Popham, GPG Developments Ltd
C/o Agent

Name and Address of Agent:

Mr Mike Taylor
Angus Meek Architects
Cedar Yard
290A Gloucester Road
Bishopston
Briston
BS7 8PD

Date Registered: 21st October 2019

Date of Permission : 28th February 2020

Proposal: Reserved Matters for the erection of mixed use business units (Classes B1, B2 & B8), and managers office (1.9ha) with associated highway and drainage works following Outline approval 18/00299/MOUT

Location: Quad World Bradninch Exeter EX5 4LB

Site Vicinity Grid Ref: 299987/102415

**MID DEVON DISTRICT COUNCIL HEREBY GRANTS APPROVAL OF MATTERS RESERVED
FOLLOWING GRANT OF OUTLINE PLANNING PERMISSION**

Subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
2. The arrangements for protecting the existing trees and hedgerows on site as submitted (plan number 981-01 2nd DRAFT) are to be carried out in full with the protection measures shown shall be maintained during the whole period of site excavation and construction. The area surrounding each tree/hedge within the approved protective fencing shall remain undisturbed during the course of the works, and in particular in these areas:
 - i. There shall be no changes in ground levels
 - ii. No materials or plant shall be stored
 - iii. No buildings or temporary buildings shall be erected or stationed
 - iv. No materials or waste shall be burnt; and
 - v. No drain runs or other trenches shall be dug or otherwise created without the prior written consent of the Local Planning Authority.
3. Off-Site Highway Works for the provision of the right turn lane are to be constructed and made available for use prior to occupation of any unit on site, The provision set out in the revised Construction Management Plan under section D) dated February 2020 will be fully

implemented within any construction phase until such time as either the first occupation/part occupation of any unit in any phase is undertaken, and the new right turn lane has been provided in accordance with the approved drawing, with such right turn facilities to be so retained.

4. Notwithstanding the details on the approved plans relating to materials, prior to their use on site samples/details including either RAL/BS numbers for the colour of the materials to be used for all the external surfaces of the buildings shall be submitted to and approved in writing by the Local Planning Authority. Such approved materials shall be so used and retained.
5. The soft landscaping works across the site, including all new planting, seeding, turfing, as set out on approved plans (plan number 981-01 2nd DRAFT) shall be carried out within 9 months of the substantial completion of the development, or the next planting season, whichever is the sooner; and any trees or plants which within a period of ten years from the implementation of the scheme, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Once provided, the landscaping scheme shall be so retained.
6. The proposed materials for the commercial estate road, footways, footpaths, visibility splays, car parking and street furniture shall be provided, constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before the final finished surface is first laid and prior to occupation of any unit on site, For this purpose, plans and sections indicating, as appropriate, materials and method of construction shall be submitted to the Local Planning Authority, and be so retained.

REASONS FOR CONDITIONS:

1. For the avoidance of doubt and in the interests of proper planning.
2. In order to ensure that damage does not occur to the trees and/or hedgerows during building operations in accordance with Policy DM2 of the Mid Devon Local Plan Part 3 (Development Management Policies).
3. To minimise the impact of the development on the highway network in accordance with the National Planning Policy Framework.
4. To ensure the use of materials are appropriate to the development/works in order to safeguard the visual amenities of the area and in accordance with Mid Devon Core Strategy (Local Plan Part 1) Policy COR2 and the Mid Devon Local Plan Part 3 (Development Management Policies) DM2, DM14 and DM27.
5. To safeguard the character and amenities of the area in accordance with Policies DM2 and DM14 of the Mid Devon Local Plan Part 3 (Development Management Policies).
6. To ensure that adequate information is available for the proper consideration of the detailed proposals.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The proposal is considered to be acceptable in that although relatively large, the buildings are of an appropriate scale and, provided materials are controlled, the scheme should be reasonably well screened as appropriate landscaping is proposed to help screen the buildings in the landscape and a SUDS scheme is proposed to cater for surface water and reduce potential flood risk. Parking is to be well-related to the buildings and will include electric vehicle charging and secure cycle parking. The reserved matters are considered to be in accordance with policies COR4,

COR9 and COR11 of the Mid Devon Core Strategy (Local Plan Part1) and DM2, DM3, DM7, DM8 and DM28 of the Mid Devon Local Plan Part 3 (Development Management Policies).

Statement of Positive Working

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, in determining this application the Local Planning Authority has worked proactively and positively with the applicant to ensure that all relevant planning considerations have been properly resolved. This has included determining the application in a timely manner.

In accordance with the National Planning Policy Framework, the Local Planning Authority has also involved the community in the consideration of this application.

DEVELOPMENT PLAN POLICIES:

Mid Devon Core Strategy (Local Plan Part 1)

COR4 - Meeting Employment Needs

COR9 - Access

COR11 - Flooding

Mid Devon Local Plan Part 3 (Development Management Policies)

DM2 - High quality design

DM7 - Pollution

DM8 - Parking

DM28 - Green infrastructure in major development

Relevant Plans

The plans listed below are those approved. No substitution shall be made.

Plan Type	Reference	Title/Version	Date Received
Site Location Plan	P001		18/10/2019
Proposed	401 Rev D	Block A -Sections	18/10/2019
Proposed	402 Rev D	Block B/D/F - Sections	18/10/2019
Proposed	403 Rev B	Block C - Sections	18/10/2019
Proposed	404 Rev B	Block E - Sections	18/10/2019
Proposed	981-01 2nd Draft	Landscape & TPP	18/10/2019
Proposed	201 Rev C	Block A Plans	18/10/2019
Proposed	202 Rev C	Block B/D/F - Plans	18/10/2019
Proposed	203 Rev A	Block C - Plans	18/10/2019
Proposed	204 Rev A	Block E - Plans	18/10/2019
Proposed	301 Rev D	Block A - Elevations	18/10/2019
Proposed	302 Rev D	Block B - Elevations	18/10/2019
Proposed	304 Rev B	Block D - Elevations	18/10/2019
Proposed	306 Rev C	Elevations - Block F	06/01/2020

Proposed	305 Rev C	Elevations - Block E	06/01/2020
Proposed	303 Rev C	Elevations - Block C	06/01/2020
Proposed	003 Rev C	Site Elevations	06/01/2020
Proposed	002 Rev F	Masterplan	06/01/2020

A copy of the approved plans will be available on Mid Devon's online planning facility.

Website: <http://www.middevon.gov.uk/planning>

Signed:

Mrs Jenny Clifford
Head of Planning and Regeneration

Date: 28th February 2020

**THIS DECISION IS NOT A DECISION UNDER BUILDING REGULATIONS AND SEPARATE
CONSENT MAY BE REQUIRED. PLEASE CONTACT OUR BUILDING CONTROL
DEPARTMENT FOR MORE INFORMATION.**

Please refer to notes attached

NOTE – Failure to adhere to the details of the approved plans or to comply with the above conditions constitutes a contravention of the Town and Country Planning Act, 1990 in respect of which enforcement action may be taken.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If you want to appeal against the Local Planning Authority's decision then you must do so within 6 months of the date of this notice.
- If this is a decision for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notices

- If either the Local Planning Authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
- In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable is set out in Section 114 of the Town and Country Planning Act 1990.