

Reference No: 26/00390/FULL
Parish: Templeton 49



TOWN AND COUNTRY PLANNING ACT 1990

APPROVAL OF FULL PLANNING APPLICATION

Name and Address of Applicant

Mr Robert Faulkner
Broomclose Barn
Templeton
Tiverton
Devon
EX16 8BP

Name and Address of Agent

Mr Guy Wilson
Stags
5 Hammet Street
Taunton
Somerset
TA1 1RZ

Date Registered : 18th March 2026

Date of Permission : 13th May 2026

Proposal: Erection of a self-build dwelling following demolition of an agricultural building utilising the Class Q fallback position (25/01096/PNCOU), to include change of use of agricultural land to domestic garden

Location: Land and Building at NGR 286984 114478 Mount Pleasant Farm Templeton Devon

Site Vicinity Grid Ref: 286984/114478

MID DEVON DISTRICT COUNCIL HEREBY GRANTS FULL PLANNING PERMISSION FOR THE ABOVE DEVELOPMENT

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. The development shall be implemented in accordance with the recommendations and mitigations as set out in the submitted Ecological Appraisal report by Dr David Fee (dated 17th July 2025 and received by the Local Planning Authority on 13th March 2026). This shall include the recommendations set out in the attached Mitigation Method Statements relating to nesting birds and reptiles and amphibians.
4. Prior to first occupation of the dwelling hereby approved, details of the proposed biodiversity enhancement measures (section 6.3 of the Stags Professional Services, Planning, Design & Access Statement dated 13th March 2026) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity enhancement measures shall be installed in accordance with the approved details within 3 months of the first occupation of the dwelling hereby approved and retained thereafter.

5. Prior to first occupation of the dwelling hereby approved, there shall be submitted to, and approved in writing by the Local Planning Authority, a landscaping scheme, including details of any changes proposed in existing ground levels, details of hard surfacing materials and retention of existing boundary hedgerows. All planting, seeding, turfing or earth reprofiling comprised in the approved details of landscaping shall be carried out within 9 months of the substantial completion of the development, (or phase thereof), and any trees or plants which, within a period of five years from the completion of the development 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. Prior to any development above base course level, full details of the proposed surface water and foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The strategy must demonstrate that surface water will discharge as high up the drainage hierarchy as possible. The development shall be carried out in accordance with the approved strategy and retained thereafter.
7. Prior to their use on site, details of the materials to be used for all the external surfaces of the buildings shall have been submitted to and approved in writing by the Local Planning Authority. Only such approved materials shall be so used and retained.
8. Prior to their installation, working details of the new external doors/door frames and windows including sections, mouldings and profiles, finishes and glazing have been submitted to, and approved in writing by, the Local Planning Authority. Installation of the doors/doorframes and windows shall be in accordance with these approved details, and be so retained.
9. Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no development of the types referred to in Classes A, AA, B, C, D, E of Part 1 relating the extension and alteration of the dwelling, extensions or alterations to its roof, the insertion of windows and/or rooflights, and the provision of outbuildings shall be undertaken within the dwelling curtilage without the Local Planning Authority first granting planning permission.
10. The dwelling hereby permitted shall be planned, built and first occupied in accordance with the definition of "self-build and custom housebuilding" as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

REASONS FOR CONDITIONS:

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To ensure the protection of any ecological interests at the site and to ensure biodiversity enhancements in accordance with Policies S14 and DM1 of the Mid Devon Local Plan 2013-2033.
4. To secure the proposed enhancements to biodiversity in accordance with Policies S1, S14 and DM1 of the Mid Devon Local Plan 2013- 2033.
5. To ensure the development makes a positive contribution to the character and amenity of the area in accordance with Policies DM1 and S14 of the Mid Devon Local Plan 2013- 2033.

6. To ensure that appropriate provision is made for sustainable drainage in accordance with Policy DM1 of the Mid Devon Local Plan 2013- 2033.
7. To ensure the materials used are of a high quality and appropriate to the rural context and achieve the betterment as set out in the application in accordance with Policy DM1 of the Mid Devon Local Plan 2013 - 2033.
8. To ensure the use of materials and detailing of high quality and appropriate to the rural context in accordance with Policy DM1 of the Mid Devon Local Plan 2013- 2033.
9. To safeguard the visual amenities of the area in accordance with Policy DM1 of the Mid Devon Local Plan 2013 - 2033.
10. In the interest of the dwellinghouse being occupied as self-build development and as a statutory exemption development in respect of the biodiversity net gain condition under paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 and paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

INFORMATIVE NOTE:

1. This permission does not carry any approval or consent which may be required under any enactment, byelaw, order or regulation (e.g. in relation to Building Regulations or the Diversion of Footpaths etc) other than Section 57 of the Town and Country Planning Act 1990.

REASON FOR APPROVAL OF PERMISSION/GRANT OF CONSENT

The application for erection of a self-build dwelling following demolition of an agricultural building utilising the Class Q fallback position (25/01096/PNCOU), to include change of use of agricultural land to domestic garden is considered to be acceptable in this instance. The fall-back position is considered to be realistic and is a material consideration in the planning balance. The scheme proposes a more comprehensive approach to development of the site to improve the overall character, appearance and biodiversity of the site. The proposed dwelling is considered to be of a more appropriate mass and form and results in increased architectural and aesthetic appeal that can be offered weight in the planning balance. Subject to conditions, appropriate high quality materials can be secured which provide betterment to the fall back scheme. Enhancements to landscaping and biodiversity can also be secured. The proposal is not likely to result in any adverse highway impacts or harm to the amenities of neighbouring occupiers. On this basis it is considered that in this instance the proposed development results in a betterment to the class Q development that could be achieved, as such the fall-back position can be given significant weight and on this basis the proposal is supportable in accordance with Policies S9, DM1, DM2, DM3 and DM5 of the Mid Devon Local Plan 2013- 2033 and the National Planning Policy Framework.

BIODIVERSITY NET GAIN

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:

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

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 Mid Devon District Council.

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

Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

- 4.3 Self and Custom Build Development, meaning development which:
- i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares; and
 - iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Statement of Positive Working

In accordance with paragraph 39 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

DEVELOPMENT PLAN POLICIES:

Mid Devon Local Plan 2013 –2033

S1 - Sustainable development priorities

S9 - Environment

S14 - Countryside

DM1 - High quality design

DM2 - Renewable and low carbon energy

DM3 - Transport and air quality

DM5 - Parking

Relevant Plans

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

Plan Type	Reference	Title/Version	Date Received
Block Plan	0003/003A	Proposed Block Plan	13/03/2026
Proposed	0003/040	Ground Floor Plan	13/03/2026
Proposed	0003/041A	First Floor Plan	13/03/2026
Proposed	0003/050A	Elevations	13/03/2026
Proposed	0003/060	Section A	13/03/2026

Signed:



**Mr John Hammond
Development Management Manager**

Date: 13th May 2026

**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 information can be obtained from the gov.uk website <https://www.gov.uk/appeal-planning-decision>
- 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.