

Application No. 21/02113/FULL

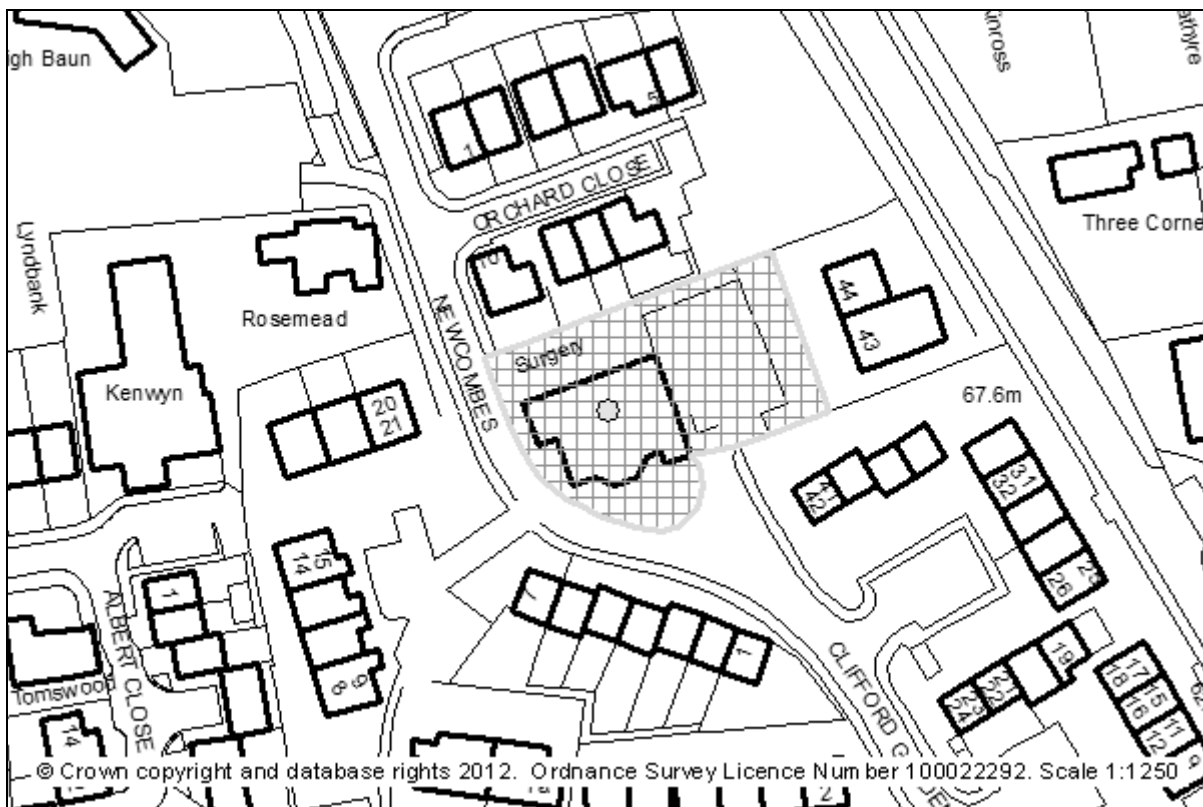
Grid Ref: 283524 : 100505

Applicant: Mr Jeff Jenner

Location: Newcombes Surgery  
Clifford Gardens  
CREDITON  
Devon

Proposal: Conversion of former doctors surgery to 4 new dwellings with associated landscaping and parking

Date Valid: 22nd October 2021



## **APPLICATION NO: 21/02113/FULL**

### **MEMBER CALL-IN**

This application has been called in by Cllr Wyer to consider the impact to the amenities of neighbouring occupiers.

A second application for the same site has been submitted concurrently and is also called in for consideration by committee (21/02115/FULL).

### **RECOMMENDATION**

Grant permission subject to conditions and subject to a legal agreement with DCC to secure the education contribution of £17,097 towards primary education infrastructure.

### **PROPOSED DEVELOPMENT**

Conversion of former doctors surgery to 4 new dwellings with associated landscaping and parking.

This site is the former Newcombes Health Centre, located within Crediton. The building is a two storey with a car park to the side. The surrounding area is predominantly residential, including a retirement living complex at Clifford Gardens. The application seeks permission to convert the surgery to 4 residential dwellings. The proposal includes physical alterations to the single storey element at the rear to raise the roof height to provide accommodation within the roof space. The material palette comprises a natural slate roof, brickwork and stained timber windows. The building would be subdivided to provide 4, 2 storey dwellings of which one would be 3 bedroom and the rest 4 bedrooms. Each dwelling would have separate external access at the front of the building and a private garden area at the rear. The existing car park to the side would be mainly retained with 14 parking spaces proposed as well as an area for cycle storage and recycling.

To the east of the site there is a bungalow building which formerly served the health centre as a pharmacy/ office building. This is connected to the main surgery building by a covered walkway which is proposed to be demolished. The 'bungalow' benefits from planning permission for change of use to a residential childrens home (C2 use) and a separate permission for change of use to a dwelling.

### **APPLICANT'S SUPPORTING INFORMATION**

Application form  
Design and access statement  
Bat and nesting bird survey report  
Existing and proposed floor plans

### **RELEVANT PLANNING HISTORY**

88/01263/FULL - PERMIT date 10th February 1989 Erection of Doctors surgery and car park  
92/00832/FULL - PERMIT date 18th June 1992 Conversion of roof space to ancillary office accommodation, including the installation of roof lights  
00/01458/FULL - PERMIT date 10th October 2000 Installation of five rooflights  
06/00145/FULL - PERMIT date 21st March 2006 Erection of a single storey extension to doctors' surgery  
06/01515/FULL - PERMIT date 16th August 2006 Erection of single storey extension (Revised Scheme)

15/01885/FULL - PERMIT date 8th February 2016 Conversion of existing building (D1 Use) to form new Pharmacy (A1 Use) and Nurse Consulting Rooms (D1 Use), and erection of covered walkway

21/02113/FULL - PCO date Conversion of former doctors surgery to 4 new dwellings with associated landscaping and parking

21/02115/FULL - PCO date Conversion of former doctors surgery to 4 childrens home dwellings (C2) with associated landscaping and parking

## **DEVELOPMENT PLAN POLICIES**

### **Mid Devon Local Plan 2013 – 2033**

S1- Sustainable development priorities

S2- Amount and distribution of development

S3- Meeting housing needs

S5- Public open space

S8- Infrastructure

S12- Crediton

DM1- High quality design

DM3- Transport and air quality

DM5- Parking

DM19- Protection of employment land

DM23- Community facilities

## **CONSULTATIONS**

**HIGHWAY AUTHORITY-** 15<sup>th</sup> November-

The site is accessed off an unclassified County Route which is restricted to 30 MPH. I would like to respond to this application in conjunction with the other Planning Application submitted 21/02115/FULL. These application show the same building to be converted with two different proposals. I would like this to be clarified to ensure the correct amount of parking is being proposed to ensure no parking will be on road parking.

9<sup>th</sup> December- The Highway Authority has no objections to this application, now the above has been clarified.

Recommendation:

**THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT**

Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:

(a) the timetable of the works;

(b) daily hours of construction;

(c) any road closure;

(d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.;

- 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;
- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
  - (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
  - (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
  - (h) hours during which no construction traffic will be present at the site;
  - (i) the means of enclosure of the site during construction works; and
  - (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
  - (k) details of wheel washing facilities and obligations
  - (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
  - (m) Details of the amount and location of construction worker parking.
  - (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;

**NATURAL ENGLAND-** 19<sup>th</sup> November- no comments.

**PUBLIC HEALTH-** 19<sup>th</sup> November

Contaminated Land - No concerns - 16.11.21

Air Quality - No concerns - 16.11.21

Environmental Permitting - Not applicable - 16.11.21

Drainage - No concerns - 16.11.21

Noise & other nuisances - No concerns anticipated - 16.11.21

Housing Standards - No comments -03.11.21

Licensing

Food Hygiene - Not applicable - 03.11.21

Private Water Supplies - Not applicable -03.11.21

Health and Safety - Advisory note: Prior to any demolition, a work plan and risk assessment of all potentially hazardous materials should be completed. This activity is enforced by The Health & Safety Executive.

Asbestos:

Prior to demolition commencing, a work plan and risk assessment shall be submitted for approval to the Local Planning Authority. This plan and assessment should identify and risk-asses any potential hazardous material in above or below ground structures that will be removed or disturbed during demolition and measures to deal with these safely. All potentially hazardous materials should be assessed.- 03.11.21

**CREDITON TOWN COUNCIL-** 14<sup>th</sup> December- It was resolved to recommend refusal on the grounds of inadequate detail in the planning application, such as lack of private outdoor space for each dwelling, covered bin storage, secure cycle storage, limited amenity space for drying clothes; very limited outdoor space for the number of occupants; lack of proposed planting to contribute to biodiversity net gain; lack of information on boundary treatment and lack of proposals for boundary planting to contribute to biodiversity net gain; lack of proposals for facilities for alternative energy generation and use, such as solar panels and other considerations towards climate change

**DCC EDUCATION-** 23<sup>rd</sup> December- Regarding the above planning application, Devon County Council has identified that the proposed increase of 4 family type dwellings will generate an additional 1.00 primary pupils and 0.6 secondary pupils which would have a direct impact on the primary schools in Crediton and Queen Elizabeth's School, Crediton.

In order to make the development acceptable in planning terms, an education contribution to mitigate its impact will be requested. This is set out below:

Devon County Council has forward funded a scheme at Hayward's Primary School to expand the school to 420 places to provide capacity for future development and increasing demographics within the town. Therefore, Devon County Council will seek a contribution directly towards additional education infrastructure at Hayward's Primary School which serves the address of the proposed development. The contribution sought is £17,097 (based on the DfE extension rate of £17,097 per pupil) This will relate directly to providing education facilities for those living in the development.

We have forecasted that the nearest secondary school has currently got capacity for the number of pupils likely to be generated by the proposed development. Therefore, Devon County Council will not seek a contribution towards secondary education infrastructure.

It should be noted that in accordance with the County Council's Education Infrastructure Plan, education contributions are required from all family type dwellings, including both market and affordable dwellings. Affordable housing generates a need for education facilities and therefore any affordable units to be provided as part of this development should not be discounted from the request for education contributions set out above. Such an approach would be contrary to the County Council's policy and result in unmitigated development impacts.

All contributions will be subject to indexation using BCIS.

The amount requested is based on established educational formulae (which related to the number of primary and secondary age children that are likely to be living in this type of accommodation). It is considered that this is an appropriate methodology to ensure that the contribution is fairly and reasonably related in scale to the development proposed which complies with CIL Regulation 122.

In addition to the contribution figures quoted above, the County Council would wish to recover legal costs incurred as a result of the preparation and completion of the Agreement. Legal costs are not expected to exceed £500.00 where the agreement relates solely to the education contribution. However, if the agreement involves other issues or if the matter becomes protracted, the legal costs are likely to be in excess of this sum.

## **REPRESENTATIONS**

At the time of writing this report 4 representations have been received (3 objections, 1 neutral), the key concerns are summarised below;

1. The location is unsuitable for these applications
2. The proposal seems to be overdevelopment of the property
3. The parking allocation will not be enough, there is already a shortage of parking in the area
4. The plans lack detail with regards to landscaping, impact on neighbours, use of outdoor space, size of gardens, refuse storage, storage, parking or fencing.
5. The plans do not outline sustainability measures or measures to fight climate change

6. Although new housing is needed a new children's home would be of a greater service to the community

Other comments are also made in respect of the concurrent application 21/02115/FULL and these are considered in the assessment of that application.

## **MATERIAL CONSIDERATIONS AND OBSERVATIONS**

The main issues in the determination of this application are:

1. **Policy and principle of development**
2. **Design, amenity, impact to the character and appearance of the area**
3. **Impact to the amenities of neighbouring occupiers**
4. **Highway and parking**
5. **Ecology**
6. **Other issues**

### **1. Policy and principle of development**

Policy S1 sets a number of strategic priorities to support the creation of sustainable communities. In relation to residential development this sets a development focus at Tiverton, Cullompton and Crediton with a limited level of development in identified villages. Policy S3 states that the diverse housing needs of Mid Devon will be met through the provision of a minimum of 7860 dwellings over the plan period. Policy S12 states that Crediton will continue to develop its role as a small and vibrant market town with a strategy to improve access to housing, expand employment opportunities and improve the quantity and quality of existing retail provision.

Policy DM19 relates to protection of employment land and seeks to ensure that sites that are currently being used to provide jobs are protected. Policy DM23 seeks to guard against the loss of community facilities including those for health or wellbeing. The building is the former Newcombes Surgery building (operating as New Valley practise) which has now relocated to the new Crediton medical hub/ Redland Primary Care at Joseph Locke Way. The new purpose built medical hub at that site is intended to be a strategic and integrated Primary Care Facility facilitating the co-location of the Chiddenbrook and New Valley GP surgeries within a purpose built building. On this basis, as the relocation of the community facility and associated employment has been secured, the change of use of the existing site is considered to be acceptable in principle.

The site is located within a residential area of Crediton. It is considered that the site location offers good access to facilities within the town and public transport services. The site is considered to provide a sustainable location for the provision of a residential use with good proximity to services within the town and on this basis is considered to accord with the aims of policies S1 and S12.

### **2. Design, amenity, impact to the character and appearance of the area**

Policy DM1 requires designs of new development must be of high quality, based upon and demonstrating the following principles:

- a) *Clear understanding of the characteristics of the site, its wider context and the surrounding area;*
- b) *Efficient and effective use of the site, having regard to criterion (a);*
- c) *Positive contribution to local character including any heritage or biodiversity assets and the*

*setting of heritage assets;*

*d) Creation of safe and accessible places that also encourage and enable sustainable modes of travel such as walking and cycling;*

*e) Visually attractive places that are well integrated with surrounding buildings, streets and landscapes, and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses, taking account of:*

*i) Architecture*

*ii) Siting, layout, scale and massing*

*iii) Orientation and fenestration*

*iv) Materials, landscaping and green infrastructure*

*f) Appropriate drainage including sustainable drainage systems (SUDS), including arrangements for future maintenance, and connection of foul drainage to a mains sewer where available;*

*g) Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;*

*h) Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard with external spaces for recycling, refuse and cycle storage; and*

*i) On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'.*

The existing building has an unusual appearance with a central octagonal tower feature at the front, the larger footprint area adjoining this comprising a variety of roof forms at a lower level. The alterations to the building are considered to be in keeping with the character and appearance of the building, the new raised ridge line would match the adjacent roof line to which it would run parallel and would still remain subservient to the tower feature. The physical alterations proposed are not considered to be harmful to the character, appearance or general amenity of the area.

Each dwelling has a floor space ranging between 116-134 sqm which is in excess of the requirements of the Nationally Described Space Standard. The dwelling at the eastern side of the building would benefit from a larger garden area given the additional space given over between the side of the building and the car park. However the other units would have a limited garden area. Whilst the private gardens are limited in size, it is proposed that a level terrace area would be formed that would provide useable space for the occupiers. Furthermore it is noted that occupiers would have good access to public open space facilities in the local area including the park at Newcombes Play area approximately 100m south of the site. Overall it is considered that the dwellings would achieve an acceptable level of amenity for future occupiers. Having regard to the constraints of the site and the limited curtilage areas it is considered reasonable and necessary to restrict permitted development rights for the dwellings.

It is proposed that a communal recycling/refuse facility is provided within the car park. It is considered that the refuse and recycling facilities could potentially be accommodated within the curtilage of the dwellings at either end of the building which is the preferred approach set out within the Council's SPD *Refuse storage for new residential properties*. At this stage it is considered that further information is required in respect of the proposed refuse arrangements, a condition is proposed for this purpose.

### **3. Impact to the amenities of neighbouring occupiers**

Policy DM1 requires that development is of a high quality and does not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses.

In terms of the physical alterations to the building, having regard to the design, scale and siting of the development it is considered unlikely that it would result in any significant adverse impacts in terms of being overbearing or resulting in a loss of light. The site is located at a lower level than the residential properties to the north, therefore it is not considered that the proposed roof lights within the new roof pitch, would result an unacceptable overlooking or loss of privacy to neighbouring properties.

The proposed residential use will change the character of the site and result in a more active use outside of normal working hours than would be likely to arise from the previous use of the site. However the surrounding area is predominantly residential and it is considered that the residential use can be accommodated without resulting in harmful impacts to the amenities of neighbouring occupiers. In this regard the proposal is considered to comply with policy DM1.

#### **4. Highway and parking**

Policy DM3 requires that development must ensure safe access to the transport network. The proposal would utilise the existing access to the health centre with no alterations proposed. The access has good visibility and it is considered suitable to serve the proposed use. The Highway Authority have raised no objections to the scheme.

Policy DM5 requires that development must provide an appropriate level of parking, taking into account the accessibility of the site, including the availability of public transport; and the type, mix and use of development. The minimum standard set by DM5 is 1.7 spaces per dwelling which in this case would equate to a requirement for 7 spaces. The development would retain 14 spaces which significantly exceeds the minimum standards established by DM5. A condition is proposed to ensure that two spaces are allocated per dwelling in accordance with DM5 and the remainder as visitor spaces. The existing covered walkway between the main surgery building and the 'bungalow' to the east of the site, is proposed to be removed. As set out above, the 'bungalow' already benefits from planning permission as a single dwelling or a children's home. That property benefits from its own parking provision within its curtilage and therefore it is not considered that the proposed uses would be likely to conflict in terms of the levels of parking provision.

An area is proposed within the car park for cycle storage. This is supported in principle and it is considered that an appropriate cycle store can be accommodated without undue impact to the character, appearance and amenities of the area however given the lack of detail further details are required by condition to ensure it is of an appropriate design, scale and appearance.

#### **5. Ecology**

Policy S1 requires development to minimise impacts on biodiversity and provide a net gain in biodiversity.

The application is supported by a bat and nesting bird survey report which considers the potential impacts to protected species arising from the alterations to the existing roof. The survey work found no evidence of bats or nesting birds. The building is well maintained with no obvious potential roosting features. The ecologist's findings are that it is unlikely that the proposed development works will impact upon bats or their roosts. On this basis it is considered unlikely that an offence would be committed in respect of protected species and no further survey work is recommended. General precautionary recommendations are set out in the report and should be followed during the construction works, this is secured by condition 4.



In terms of biodiversity enhancements, through the landscaping scheme it is proposed that part of the existing car park would be replaced by a garden area which would be enclosed by approximately 28m of new hedgerow planting. Further details of the hedgerow planting mix can be secured by condition.

## **6. Other issues- education, PSED**

Education: DCC have requested a contribution towards education infrastructure at Haywards Primary school on the basis that the proposed development is likely to generate an additional demand on these facilities. The contribution of £17,097 has been agreed in principal by the applicant. The officer recommendation for approval is on the basis that the contribution is secured through a legal agreement with Devon County Council. If committee are minded to recommend approval subject to this being secured, it would be necessary to agree an extension of time to enable the necessary legal agreement to be arranged with DCC.

The representations suggested that the proposals do not provide details for sustainability/ climate change measures. Whilst it is acknowledged that the application scheme as proposed does not detail any energy efficiency measures the sustainability credentials of the scheme include the reuse of an existing building in a sustainable location with good access to services and facilities which is likely to reduce reliance on private car travel. On this basis and having regard to the assessment set out in this report, it is considered that the proposal accords with the development plan and is therefore supported.

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between different people when carrying out their activities. This is called the Public Sector Equality Duty or "PSED". No persons that could be affected by the development have been identified as sharing any protected characteristic.

## **CONDITIONS**

1. The development hereby permitted shall commence 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. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:
  - (a) the timetable of the works;
  - (b) daily hours of construction;
  - (c) any road closure;
  - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;

- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and
- (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) Details of the amount and location of construction worker parking.
- (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;

The development shall be carried out in accordance with the approved CMP unless otherwise agreed in writing by the Local Planning Authority.

4. Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the recommendations as set out in the Lee Ecology Daytime Bat & Nesting Bird Survey Report (dated October 2021).
5. Prior to first occupation of any of the dwellings hereby approved there shall be submitted to, and approved in writing by, the Local Planning Authority, a landscaping scheme for the site. The landscaping scheme shall include details of the proposed hedgerow planting and details of the proposed boundary treatments (including a plan indicating the height, positions, design and materials and a timescale for its implementation). 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. The proposed boundary treatments shall be provided in accordance with the approved details and shall be so retained.
6. Prior to first occupation of any of the dwellings hereby approved there shall be submitted to, and approved in writing by, the Local Planning Authority, details of the proposed cycle store as shown on drawing number NV SK23 B. The cycle store shall be provided in accordance with the approved details and made available for use by residents prior to first occupation of the dwellings hereby approved and retained as such thereafter.
7. Prior to first occupation of any of the dwellings hereby approved there shall be submitted to, and approved in writing by, the Local Planning Authority, details of the proposed refuse and recycling arrangements for the proposed dwellings. The approved arrangements shall be provided prior to first occupation of the dwellings hereby approved and retained as such thereafter.

8. Prior to first occupation of the use hereby approved, parking will be laid out in accordance with a parking plan that will first be submitted and approved in writing by the Local Planning Authority. Parking will include 2 spaces per unit with 7 number of visitor spaces. Once approved the parking will be laid out and maintained in accordance with the approved plan for the lifetime of the development.
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 and E, of Part 1 relating the extension and alteration of the dwelling, extensions or alterations to its roof and the provision of outbuildings or Class A of Part 2 relating to enclosures, shall be undertaken within the dwelling curtilage without the Local Planning Authority first granting planning permission.

## **REASONS FOR CONDITIONS**

1. In accordance with provisions of Section 51 of the Planning and Compulsory Purchase Act 2004
2. For the avoidance of doubt in the interests of proper planning.
3. In the interests of highway safety and the amenities of neighbouring occupiers.
4. To ensure the protection of endangered species, under the European Habitats Directive and the Conservation of Natural Habitats and of Wild Fauna and Flora [Council Directive 92/43/EEC] which is implemented in the UK by the Conservation [Natural Habitats & Conservation] Regulations 1994 [Statutory Instrument No 2716] amended in 2007 and in accordance with Policy DM1 of the Mid Devon Local Plan 2013- 2033.
5. In the interests of the character, appearance and biodiversity of the site in accordance with Policies S1 and DM1 of the Mid Devon Local Plan 2013- 2033.
6. In the interests of the character and appearance of the site and to ensure appropriate provision is made for cycle storage for future occupiers in accordance with Policies S1, DM1 and DM5 of the Mid Devon Local Plan 2013- 2033.
7. To ensure appropriate facilities are providing for occupiers in accordance with Policy DM1 of the Mid Devon Local Plan 2013- 2033.
8. To ensure appropriate parking provision is provided for each unit in accordance with Policy DM5 of the Mid Devon Local Plan 2013- 2033.
9. To safeguard the character and appearance of the area and the amenities of neighbouring occupiers in accordance with Policy DM1 of the Mid Devon Local Plan 2013- 2033.

## **INFORMATIVE NOTE (FOR DECISION NOTICE)**

Prior to any demolition, a work plan and risk assessment of all potentially hazardous materials should be completed. This activity is enforced by The Health & Safety Executive

## **REASON FOR APPROVAL**

The application for conversion of former doctors surgery to 4 new dwellings with associated landscaping and parking is considered to be supportable in policy terms. The site is located in a sustainable location with good access to services and facilities within the town such that a residential use of the site is considered to be supportable in principle. It is considered that the proposal would provide a suitable level of amenity for future occupiers and is not likely to result in any significant adverse impacts to the amenities of neighbouring occupiers. Furthermore it is not considered that the proposal is likely to result in any unacceptable impacts in terms of transport, drainage or ecology. Overall it is considered that the proposal is supportable in accordance with Policies S1, S3, S9, S12, DM1 and DM5 of the Mid Devon Local Plan 2013- 2033 and government advice in the National Planning Policy Framework.

The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.