

TOWN AND COUNTRY PLANNING ACT 1990

REFUSAL OF PLANNING PERMISSION

Applicant:	Tim and Libby Read	Application No:	24/1278/FUL
Address:	Spilsby House Daisymount Ottery St Mary Devon EX11 1LE	Date of Registration:	21 June 2024
Agent:	Avalon Planning	Date of Decision:	22 November 2024
Address:	Jonathan Finch The Generator Kings Wharf Exeter EX2 4AN United Kingdom		
Proposal:	Construction of a new dwelling and associated landscaping		
Location:	Land Adjacent Upper Spilsby Exeter Road Ottery St Mary		

The Council hereby refuses permission to carry out the development described in the application and the plans attached thereto for the following reasons :

1. The proposed development would result in the creation of an isolated dwelling in the countryside without ready access to services and where occupiers would be reliant on use of the private car contrary to Strategies 1 (Spatial Strategy, for Development), 5B (Sustainable Transport) and 7 (Development in the Countryside) and Policy TC2 (Accessibility of New Development) of the East Devon Local Plan 2013 to 2031. The development does not meet any of the exception criteria set out in paragraph 84 of the National Planning Policy Framework, in particular the design is not truly outstanding, does not reflect the highest standards in architecture and would not help to raise standards of design more generally in rural areas. Furthermore, it would not significantly enhance its immediate setting, nor would it be sensitive to the defining characteristics of the local area. As such there are no exceptional circumstances that justify approving this unsustainable development in the countryside contrary to the Development Plan and the provisions of the National Planning Policy Framework, 2023, in particular paragraph 84.

2. It has not been demonstrated that the development would not attract wildlife to the area which could result in a health and safety hazard to users of Exeter Airport contrary to Policy TC12 (Aerodrome Safeguarded Areas and Public Safety Zones) of the East Devon Local Plan, 2015 to 2031

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council seeks to work positively with applicants to try and ensure that all relevant planning concerns have been appropriately resolved; however, in this case the development is considered to be fundamentally unacceptable such that the Council's concerns could not be overcome through negotiation.

The plans relating to this application are listed below:

A.01	Proposed Block Plan	21.06.24
A.02	Proposed Site Plan	21.06.24
A.04 : ground	Proposed Floor Plans	21.06.24
A.05 : first	Proposed Floor Plans	21.06.24
A.06	Proposed roof plans	21.06.24
A.07 : A-A	Sections	21.06.24
A.08 : B-B	Sections	21.06.24
A.09 : C-C	Sections	21.06.24
A.10 : D-D	Sections	21.06.24
A.11 : north	Proposed Elevation	21.06.24
A.12 : south	Proposed Elevation	21.06.24
A.13 : east	Proposed Elevation	21.06.24
A.15 : courtyard	Proposed Elevation	21.06.24
A.15 : west	Proposed Elevation	21.06.24
A.16 : NW	Proposed Elevation	21.06.24
A.17 : back lane (summer)	Proposed Elevation	21.06.24
A.18 : back lane (winter)	Proposed Elevation	21.06.24
A.19	Proposed Elevation	21.06.24

A.20	Proposed Elevation	21.06.24
A.21 : coloured	Proposed Elevation	21.06.24
A.22 coloured	Proposed Elevation	21.06.24
A.23 coloured	Proposed Elevation	21.06.24
A.24 : coloured	Proposed Elevation	21.06.24
A.25 : coloured NW	Proposed Elevation	21.06.24
A.26 : coloured back lane	Proposed Elevation	21.06.24
A.27 : proposed external view facing west	Perspective Drawing	21.06.24
SH23 S2 REV 1-7 11 2023 ILLUSTRATIVE SITE SECTION C- C	Other Plans	21.06.24
SH23 M1 REV 11-24 03 2024 LANDSCAPE STRATEGY MASTERPLAN	Landscaping	21.06.24
SH23 M2 REV 11-24 03 2024 HARD LANDSCAPE SURFACING LANDFORM + FURN	Landscaping	21.06.24
SH23 M3 REV 10-07 12 2023 SITE GROUNDWATER/GREY WATER TREATMENT	Other Plans	21.06.24
SH23 M4 REV 10-07 12 2023 TREE + SHRUB PLANTING MGT MASTERPLAN	Landscaping	21.06.24
SH23 M5 REV 11-24 03 2024 SEEDING + SWARD MGT MASTERPLAN	Other Plans	21.06.24
SH23 S1 REV 2 10-07 12 2023 DEVON HEDGEBANK SCREEN BUND/SWALE	Other Plans	21.06.24
T.02	Location Plan	21.06.24

Assistant Director – Planning Strategy and Development Management

Please refer to the accompanying notes which form part of this decision notice.