

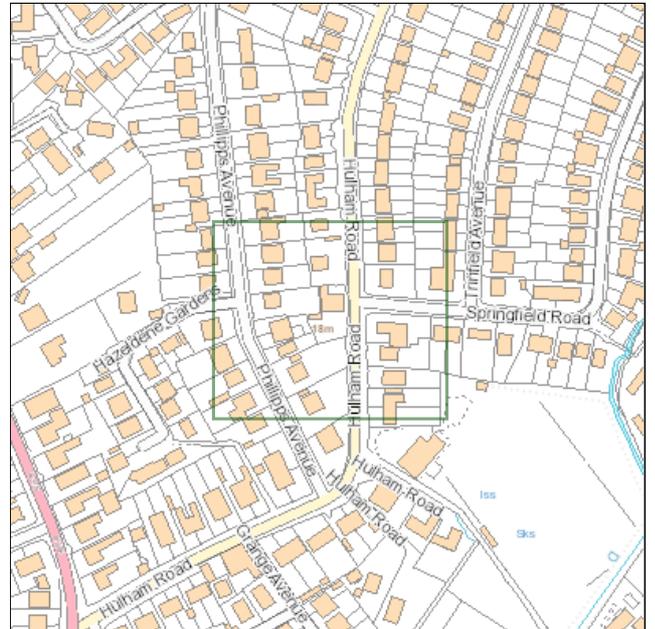
Ward Exmouth Halsdon

Reference 21/0587/FUL

Applicant Mrs Demelza Tucker (Skinner Construction Limited)

Location 21 Hulham Road Exmouth EX8 3JZ

Proposal Construction of replacement dwelling and garage.



RECOMMENDATION: Approval with conditions



		Committee Date: 4 August 2021	
Exmouth Halsdon (Exmouth)	21/0587/FUL	Target	Date:
		19.05.2021	
Applicant:	Mrs Demelza Tucker (Skinner Construction Limited)		
Location:	21 Hulham Road Exmouth		
Proposal:	Construction of replacement dwelling and garage.		

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Members because the Officer recommendation is contrary to that of the Ward Members.

Planning permission is sought for the replacement of a single dwelling in Hulham Road. The site is located within the Built-up Area Boundary of Exmouth and surrounded by residential development.

A four bedroom two storey property is proposed, together with a detached garage and associated garden. The design scale and form is somewhat suburban in form but not exceptional or unreasonable within this mixed residential area.

A number of concerns have been raised regarding the scale and relationship of the proposed dwelling leading to a loss of privacy, visual intrusion and loss of sunlight to the neighbouring properties to the west of the site.

Whilst the outlook from these dwellings may be altered, and a limited loss of sunlight/overshadowing of gardens at certain times of the day and year will occur, the level of harm is considered to be relatively minor, and not such that a refusal of planning permission could be justified.

Further concerns regarding highway safety arising from the proposed alterations to the driveway are also appreciated, however there would not be any increase in the number of dwellings, and improvements in the sight lines at the entrance of the driveway are considered to represent a modest increase in highway safety.

Overall the proposal is considered to be acceptable and the application is recommended for approval.

CONSULTATIONS

Local Consultations

Exmouth Halsdon - Cllr Megan Armstrong

As Ward Councillor I am writing to object to application 21/0587/FUL for the following reasons:

1. This is the third application in the last two years for this site, the previous two having been withdrawn following rejection by the Town Council Planning Committee and the County Highways Authority.

2. I fully support all the nearby Philipps Avenue residents' concerns including the loss of privacy, loss of light and aspect, overshadowing, height of the building, road safety, vehicle access, ecology and biodiversity, plus the more detailed comments about the sunlight path analysis made by one of the objectors.

3. I am also concerned about this application regarding the lack of documentation and certain details, such as

- there is no Highways Access Statement which was previously included in earlier applications;

- the Ecological Preliminary Appraisal of 2019 expires on 16th June this year but the then 'recently cleared ground' has now re-grown, therefore new species could currently inhabit that site, therefore I would recommend that this Appraisal be reviewed.

4. I am sure I do not need to remind anyone who lives locally of the road safety and speeding issues along Hulham Road and specifically traffic travelling north from this lower end and immediately following a sharp left bend. There is a history of road traffic accidents along Hulham Road (with one of them being only last week), and including this particular stretch.

Traffic and road safety issues were prominent features of concern in the previous two applications and although this current proposal would like us to believe that the new driveway, the slightly lower boundary wall and on-site turning 'would significantly improve highways safety for no's 21 & 23', (which in itself is questionable) I would suggest (contrary to comments by supporters of this application) that these proposals do absolutely nothing to improve the safety of all other road users. In fact in my view and that of other residents, this new access, in such a dangerous place (opposite a junction) and still with limited visibility in a southerly direction, would increase the likelihood of further serious accidents and is totally unacceptable.

5. It is disingenuous for the applicant to say that there would be no increase in traffic to and from the public highway, as the current property has been vacant for approximately four years, therefore without any vehicles, whereas a new four bedroomed property would incur at least a 100% increase in vehicle movements and likely to be much more.

6. Without (a) an updated Highways Access Statement and (b) comments from the County Highways Authority, I would suggest that no informed decision can yet be made on this application regarding road safety.

Finally I confirm my objection and recommend that this application is refused.

Further comments:

As Ward Councillor I am writing to object to the amended application 21/0587/FUL.

I recognise that the applicant has now made some slight adjustments to the height and apparently to the footprint of the proposed dwelling, with hipped gables to the roof, and these are appreciated.

However I am also aware that some of the close neighbours in Phillipps Avenue still have some concerns with which I agree and are as follows:

1. The overshadowing and loss of light to the rear of some of these properties, especially the complete loss of the sunrise, early morning light and aspect for number 12 thereby resulting in a loss of amenity.
2. I am not sure whether the residents' concerns about the sunlight path analysis have been sufficiently addressed by the architect, but I am certainly unclear as to whether these have been calculated correctly in this instance and it seems that there is severe overshadowing for at least two or three properties in Phillipps Avenue from early to mid-morning.
3. Two trees have been recently planted adjacent to the site (Amerlanchier Ballerina and Betulis Utils Var. Jaquemonti Moonbeam) by the residents of no. 12 Phillipps Avenue which should also be included in the recent Tree Constraints Plan and prior to any works on site in order to protect them both now and in future.
4. Neighbours are concerned about the health and safety issues during any demolition and build and especially relating to asbestos removal from the current dwelling and the need for a full and detailed asbestos removal plan. We assume that a Construction Environmental Management Plan or similar would be provided by the developer to mitigate against any damage to the environment, wildlife, close neighbours and the general public? This should also include limited times of activity on the site to avoid undue disturbance to neighbours.
5. Neighbours have expressed concern that all the ecological considerations for the safety and habitat of wildlife, as described in the 2019 Ecological Appraisal should be adhered to, especially for nesting birds, hedgehogs and bats.

My own reservations still remain about the effect of this proposal on Hulham Road traffic and other road users, but I now have to accept the professional advice given by the County Highways Authority, which has no objection to the proposed development.

I would disagree with the comment in the latest Design and Access Statement that there is similar shadow casting compared to the existing house because the proposed is further south than the current dwelling, therefore completely blocks the eastern aspect for no.12 Phillipps Avenue, which the existing dwelling does not.

If this proposal is recommended for approval I would request the following conditions:

- The removal of Permitted Development Rights, as proposed by Mr Marchant which would prevent any future additions such as rear overlooking windows or an increase in height. This would help give nearby residents confidence that there could be no further risk to their amenity.
- I would also support the proposed minor hip on the north elevation.
- 1st floor frosted/obscured westward facing ensuite window.
- The two new trees on the boundary with number 12 be included in the Tree Constraints Plan and any other scheme for protection of trees adjacent to the site.
- All the recommendations from the EDDC Tree Officer are complied with.
- The provision of an asbestos removal plan.
- The provision of a CEMP or similar.

Further comments:

I have now read the draft report for 21/0587/FUL and have the following comments.

1. I note that some of the latest comments made by consultees have been omitted in the report and would like them to be included. ie. myself dated 9 July and Cllr Millar dated 2 July.

2. It is unclear whether 5 of the 6 supporters are even neighbours, let alone close neighbours, therefore would not be directly affected by the devt. so it is difficult to understand how their comments are given the same weight as those of close neighbours who would be affected.

3. The visibility splay may be slightly improved but I would suggest that there is no improvement in sight lines as this is the distance from the drive to the southern bend in Hulham Road. So could I suggest that the term 'sight lines' is either omitted or changed to 'visibility splay'?

4. There are 3 references to the 'existing entrance being proposed to be widened' which is incorrect as there would be a NEW entrance next to the current entrance, not a widening. Could these statements please be amended?

5. It is correct to say that there would be 'shading in the very early morning' which would adversely affect the amenity of existing residents, and which is one of the main objections from close neighbours. I would suggest that this is against the provisions of D1 of the Local Plan.

6. Re. the ecological impact, can the LPA insist that ALL construction works are undertaken from September to February to mitigate any harmful impact on nesting birds? (I remember that this applicant undertook tree felling of most of the trees in the garden which was done in the middle of the nesting period, just a few months before the first application, with apparently no heed taken of this risk to birds and other wildlife and I would be most disappointed if this was repeated).

7. Re. Trees - as I proposed in my latest comments, and before any work starts, the two new trees which have been planted by number 12 Phillipp's Avenue on the

boundary with the application site to be included in the tree protection plan, along with all other adjacent trees.

8. Re. my other proposed 'conditions' I am glad that permitted development rights have been removed, but could you confirm that this also includes no dormer windows or similar at first floor (and above) level?

Could you also please confirm that the following conditions will be included?

- the minor hip on the north elevation?
- obscure glazed first floor westward facing en-suite window?
- the provision of an approved asbestos removal plan?
- the provision of a CEMP or similar to include limited times of activity on the site to avoid undue disturbance to neighbours?

Finally I wonder whether the issue of the demolition of the garage has been addressed and any negative impacts on the neighbours at 14 Phillipps Avenue, as the garage wall forms part of their garden boundary?

Exmouth Halsdon - Cllr Paul Millar

I object to this application along the same lines as local residents.

Specifically, more information is required regarding:

- 1) Tree Constraints Plan
- 2) Road safety (a key issue of concern in Hulham Road)
- 3) Loss of light for the properties in Phillipps Avenue, following information provided by Edward Gregson-Williams.

Further comments:

I remain concerned about the impact on overshadowing and privacy to the residents of Phillipps Avenue and Hulham Road as eloquently set out by my constituents Ed Gregson-Williams and Charlotte Howes. I am disappointed that the agent refuses to engage with either the Ward Members and local residents showing a lack of openness and transparency with regard to the sunlight pathway analysis. Without further information, I retain my objection to this proposal. I note the improvements to the application, but am confused as to why Devon Highways haven't commented on the creation of an additional entrance point opposite Springfield Road. This will surely have safety implications and it is disappointing to not see these assessed.

Further comments:

I support the principle of a replacement single dwelling with improved access (as road safety on Hulham Road remains a very concerning issue for residents).

However, while welcoming the condition on removal of permitted development rights, I maintain my objection to the application in line with various residents in Phillipps Avenue due to concerns over a lack of information regarding sunlight path analysis and the potential for overshadowing that the development could cause to the residents in Phillipps Avenue. I would wish to be assured that the development does not cause

overshadowing during the daytime to support this application through an independent analysis.

Parish/Town Council
Meeting 12.04.21

Objection on the grounds of over shadowing and the loss of light. Members concurred with the concerns raised by the residents of the Phillips Avenue. The junctions of Hulham Road and Springfield Road was renowned for being a dangerous junction. This revised application did not include a transport assessment unlike previous applications. The findings from the Ecological appraisal dated June 2019 would soon lapse. Members felt that updated report should be submitted.

Further comments:

Objection sustained; the amended plans did not fully address previous concerns raised. It was felt the relocated replacement dwelling would overshadow of properties in Phillips Avenue.

Technical Consultations

Devon County Highway Authority

The site has been the subject of a few planning applications in recent years, however this planning application is a replacement dwelling planning application. Therefore the trip generation can be stated to be of a similar value to that of what the site already has permission for.

The access will be the benefit of improved visibility due to the front wall being lowered to 600mm in height, in addition to the proposed layout giving sufficient space for the turning of vehicles off-carriageway and re-entering the carriageway in a forward facing motion, which is our current requirement for all A, B and C roadside developments.

I would recommend that the bin storage location is re-located to ensure inter-visibility remains for vehicles exiting from 21 and 23 at the same time. Overall, however the County Highway Authority has no objection to this planning application.

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

EDDC Trees

Clarification is needed regarding the Tree Constraints Plan as there appears to be two trees plotted as T1.

I have no objection to the proposal however I recommend the following condition is put in place to ensure the long term health and retention of the trees on the neighbouring property, particularly the yew, T2 that has the potential to develop into a good specimen.

(a) Prior to the commencement of any works on site (including demolition and site clearance or tree works), a scheme for the protection of the retained trees, hedges and shrubs shall be produced in accordance with the principles embodied in BS5837 :2012, which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, [including trees which are the subject of a Tree Preservation Order currently in force], shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

Reason: To ensure the continued well being of the trees in the interests of the amenity of the locality.

Other Representations

Representations have been made by 10 interested parties, four raising objections and 6 in support. These are summarised below

Objections

- Loss of sunlight/overshadowing
- Overbearing impact of orientation of the building
- Loss of privacy
- Increase in height
- Loss of outlook
- Detrimental to highway safety
- Increase in traffic
- Conflict with traffic and opposite junction
- Inadequate visibility splays
- Removal of garage resulting in overlooking
- Potential instability created by removal of garage
- Potential health risk arising from demolition of existing property
- Nuisance during construction works
- Potential ecological damage

- Inappropriate design and materials

Support

- Proposal will bring an unused and untidy site back into use
- Existing house has upstairs windows overlooking neighbouring properties
- Shadows caused by new house would not block light into homes
- Design appropriate to mixed character of area
- Existing house of sub-standard construction
- No loss of privacy or overlooking
- Proposed alterations to entrance will improve access to highway for both 21 and 23 Hulham Road
- Turning facility will avoid vehicles reversing onto busy highway

PLANNING HISTORY

Reference	Description	Decision	Date
20/1986/FUL	Demolition of dwelling and construction of 2 new dwellings; formation of new vehicular access onto Hulham Road.	Withdrawn	03.09.2019
19/1442/FUL	Demolition of dwelling and construction of 2 new dwellings; formation of new vehicular access onto Hulham Road	Withdrawn	23.11.2020

POLICIES

Government Planning Documents

NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 22 (Development at Exmouth)

D1 (Design and Local Distinctiveness)

D3 (Trees and Development Sites)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Exmouth Neighbourhood Plan (Made)

Policy EB2

Site Location and Description

The application site comprises an irregularly shaped area of land housing an existing dwelling, with garage and garden located on the western side of Hulham Road, one of the main arterial roads into Exmouth from the north.

The site slopes gently to the south, with the ground level of the site being slightly raised above that of the adjacent road. It is located within a residential area of mixed character with two storey dwellings to the west and east of the site with bungalows to the north and the rear gardens of properties located in Phillips Road to the south.

Proposed Development

Planning permission is sought for the demolition of the existing bungalow and garage on the site and to construct a new replacement two storey dwelling to the south of the existing. A new detached double garage is proposed on part of the footprint of the existing dwelling. In addition the existing entrance onto Hulham Road is proposed to be widened/extended and the boundary wall to the road frontage reduced in height to provide better visibility in a southerly direction.

During the course of the application the design of the dwelling has been amended by the reduction in the depth of the southern gable by 1m and also the western gable by a metre, which has resulted in a consequent reduction in the roof ridge height of 0.5m so that the proposed dwelling now has the same overall ridge height as the existing bungalow.

Consideration and Assessment

The site is located within the built-up area boundary of Exmouth where the principle of a replacement dwelling is considered to be acceptable. The main issues to consider in determining this application therefore relate to the impact of the replacement dwelling on the character and appearance of the area, the residential amenities of the occupiers of surrounding properties, highway safety, ecology and trees.

Character and Appearance

The site is located within a mixed residential area of Exmouth where there is a wide variety of styles and form of dwellings, with bungalows, chalets and two storey dwellings, both detached and semi-detached in form. Within this context the design, of proposed dwelling with a pitched roof, similar materials and traditional form would not appear to be unduly incongruous or at odds with the prevailing character the dwellings within the vicinity of the site.

Whilst larger than the existing dwelling, and consequently more prominent within the street scene, particularly in views heading north on Hulham Road where the site has been cleared, it would be seen as a new dwelling adjacent to the highway, which is neither unexpected or unusual within the wider residential context of the area. Heading south the dwelling would be largely screened by existing vegetation which

extends to the roadside of the property on the northern side of the site, until reaching the site entrance from where the side elevation will be visible.

It is proposed to set the new property lower within the site than the existing dwelling, cutting into the site on its western side, and whilst it would still be at a higher level than the adjacent road, and its size and scale would be increased over the more modest proportions of the existing dwelling, its overall scale, form and siting is not considered to be unacceptably incongruent or visually intrusive within its wider context such that it would be detrimental to the character and appearance of the area.

On balance, having regard to the above it is considered that the proposal complies with the provisions of Strategy 6 (Development within Built-Up Area Boundaries) and Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan which seeks to ensure that proposals respect the key characteristics and special qualities of the area in which the development is proposed and that the scale, massing, density, height, fenestration and materials of buildings relate well to their context. The proposal is also considered to comply with design policy EB2 of the made Exmouth Neighbourhood Plan.

Residential Amenity

The existing dwelling is modest and sits towards the northern side of the plot, with the garden extending to the south. The proposed siting of the dwelling would extend the footprint of the built form within the existing garden area to the south. In site coverage terms the proposed dwelling would have a smaller footprint than the existing dwelling, although given its two storey form and revised position it will have a greater mass and consequent visual impact than that existing. Having said this, the eaves of the dwelling are relatively low at 4.2m, with hipped roofs reducing the bulk of the building to a similar height to the existing. Whilst the amended siting means that it will be visible from properties to the west, the distances (in excess of 21m) and relationship with the properties in Phillips Avenue is considered to be such that the dwelling would not appear to be unreasonably overbearing or so visually intrusive than permission should be withheld on this basis.

The main orientation of the dwelling is to the south, particularly at first floor, with the main bedroom windows on the southern elevation and the layout indicating that there are no habitable room windows located on the first floor western elevation. The only window on this elevation at first floor serves an en-suite bathroom. As such there would be no loss of privacy arising from the occupation of the property in the submitted layout, although it is considered to be reasonable to require a condition restricting any further windows at a first floor level should the proposal be otherwise acceptable.

Subject to appropriate boundary planting/fencing the position of ground floor windows is considered to be acceptable and will not result in the detrimental loss of any amenity for the occupiers of neighbouring properties.

Concerns have been raised regarding the relationship between the proposed dwelling and the neighbouring properties particularly in respect of the loss of light and consequent loss of amenity for the occupiers of these properties. Whilst these concerns are appreciated, and the dwelling may result in some additional shading in

the very early morning, the orientation of the dwelling in relation to the properties in Phillips Avenue is such that it would be located to the east of the existing dwellings and at a distance that there would not be any substantive loss of sunlight, and no loss of daylight within the properties such that a refusal on this basis could be sustained.

On balance, whilst the increase in the height, bulk and massing would have a degree of additional impact on the occupiers of surrounding properties over that existing, it is not considered that this impact would be significantly harmful to residential amenity in terms of being over bearing or over dominant, loss of light or loss of privacy. The proposal is considered to comply with the provisions of D1 of the Local Plan which seeks to ensure that the amenities of existing residents are not adversely affected.

Having said this it is considered to be appropriate in this instance to ensure that the amenities of neighbouring residents are not compromised by the construction of inappropriate or disproportionate extensions or other outbuildings under permitted development rights following the occupation of the proposed dwelling, and in this instance it is considered to be appropriate to remove permitted development rights relating to extensions and outbuildings to ensure that any proposed future development can be appropriately considered.

Finally, it is appreciated that a wall forming part of the removal of one of the existing garages forms part of the neighbour's garden. If this wall is on the Party boundary, the Party Wall Act will come into force and the applicant will need to consult with the neighbour regarding any works to this wall.

Highway Safety

The application is for the replacement of an existing dwelling on the site. As such, in terms of vehicle movements and use of the access there is no change in the activity levels above that which would arise if the existing dwelling is occupied. Whilst it is appreciated that the dwelling is currently vacant, it remains a dwelling, and it is reasonable from a highway safety perspective to assess the proposal on this basis given that the building could be refurbished and occupied without the need for any further planning permission. At the present time the existing access serves both 21 and 23 Hulham Road, and this situation will not change by alterations to the access.

The application seeks to widen the existing entrance and to provide a visibility splay to the southern side of the access by lowering the boundary wall to 600mm. This will result in improved visibility to the south. In addition a turning area is proposed which will enable vehicles to enter and leave the site in a forward gear, and avoid the need to reverse onto Hulham Road which is what currently happens.

Whilst the concerns which have been raised in terms of highway safety are appreciated, it remains the fact that the access serving 21 and 23 Hulham Road exists and is sub-standard. As such it is considered that any improvement in the access, such as widening the entrance and providing some additional visibility has got to be an improvement in highway safety terms.

Sufficient parking is provided within the submitted layout to serve the dwelling and no objections have been raised by DCC County Highways, and as such the proposal is

considered comply with the provisions of Policies TC7 (Adequacy of Road Network and Site Access) and TC9 (Parking Provision in New Development) of the East Devon Local Plan 2013-2031 and to be acceptable from a highway safety perspective.

Ecological Impact

The application is accompanied by a Preliminary Ecological Appraisal which identifies the potential for nesting birds and hedgehogs to be present and which recommends appropriate mitigation and survey work to be undertaken if site construction works are likely to impact on the nesting birds during the period of March to August. Should this be the case, appropriate mitigation should be undertaken in accordance with the submitted appraisal.

Trees

No trees are proposed to be removed as part of the development and the application has been accompanied by a tree report and protection plan to ensure that the trees on site are retained and appropriately protected, both during construction and following occupation of the dwelling.

RECOMMENDATION

APPROVE 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 and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. (a) Prior to the commencement of any works on site (including demolition and site clearance or tree works), a scheme for the protection of the retained trees, hedges and shrubs shall be produced in accordance with the principles embodied in BS5837 :2012, which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, [including trees which are the subject of a Tree Preservation Order currently in force], shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.

(b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

(c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

(d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

(Reason: A pre-commencement condition is required to ensure retention and protection of trees on site during and after construction. The condition is required in the interests of the amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 (Design and Local Distinctiveness) and D3 (Trees and Development Sites) of the East Devon Local Plan 2013-2031)

4. Before development above foundation level is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

5. No development above foundation level shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to include the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless any alternative phasing of the landscaping is agreed in writing by the Local Planning Authority and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

6. The development shall be undertaken in accordance with the conclusions and mitigation measures contained in the Preliminary Ecological Appraisal undertaken by Western Ecology and dated June 2019.

(Reason: In the interests of ecology and biodiversity in accordance with policy EN5 (Wildlife Habitats and features) of the East Devon Local Plan 2013-2031).

7. The development shall be undertaken in accordance with the conclusions and mitigation measures contained in the Preliminary Ecological Appraisal undertaken by Western Ecology and dated June 2019.
(Reason: In the interests of ecology and biodiversity in accordance with policy EN5 (Wildlife Habitats and features) of the East Devon Local Plan 2013-2031).

8. Notwithstanding the provisions 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 works shall be undertaken within the Schedule 2 Part 1 Classes A, B, or E for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the buildings, or for the provision within the curtilage of any building or enclosure, swimming or other pool, [other than any enclosure approved as part of the landscape management scheme]
(Reason - The space available would not permit such additions without detriment to the character and appearance of the area or to the amenities of adjoining occupiers in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

9. Notwithstanding the provisions 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 windows, doors, rooflights, dormer or other openings other than those shown on the plans hereby permitted shall be formed in the western elevation of the building.
(Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

18008_PL801A	Proposed Block Plan	02.06.21
18008_PL802A	Proposed Floor Plans	02.06.21
18008_PL803A	Proposed roof plans	02.06.21
18008_PL804A	Proposed Elevation	02.06.21
18008_PL901A	Other Plans	02.06.21
combined highways		

18008_PL903 : Combined Plans 01.03.21
garage
elevations

18008_PL700 Location Plan 01.03.21

List of Background Papers

Application file, consultations and policy documents referred to in the report.