

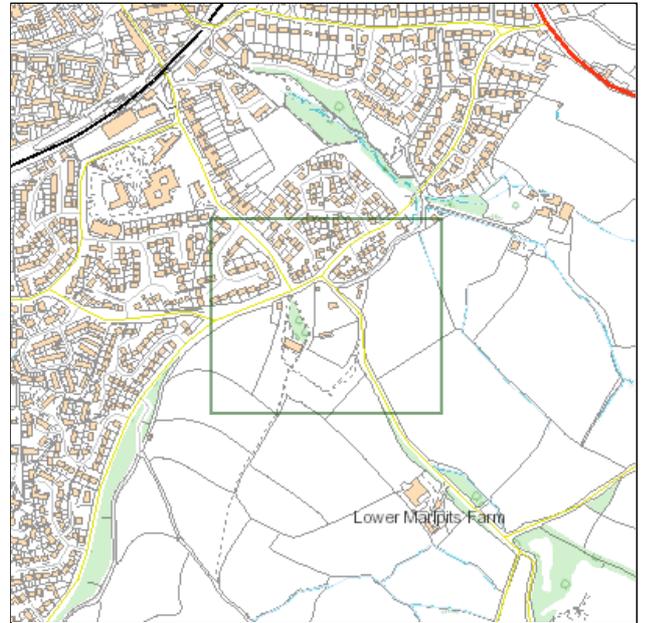
**Ward** Honiton St Michaels

**Reference** 21/2641/FUL

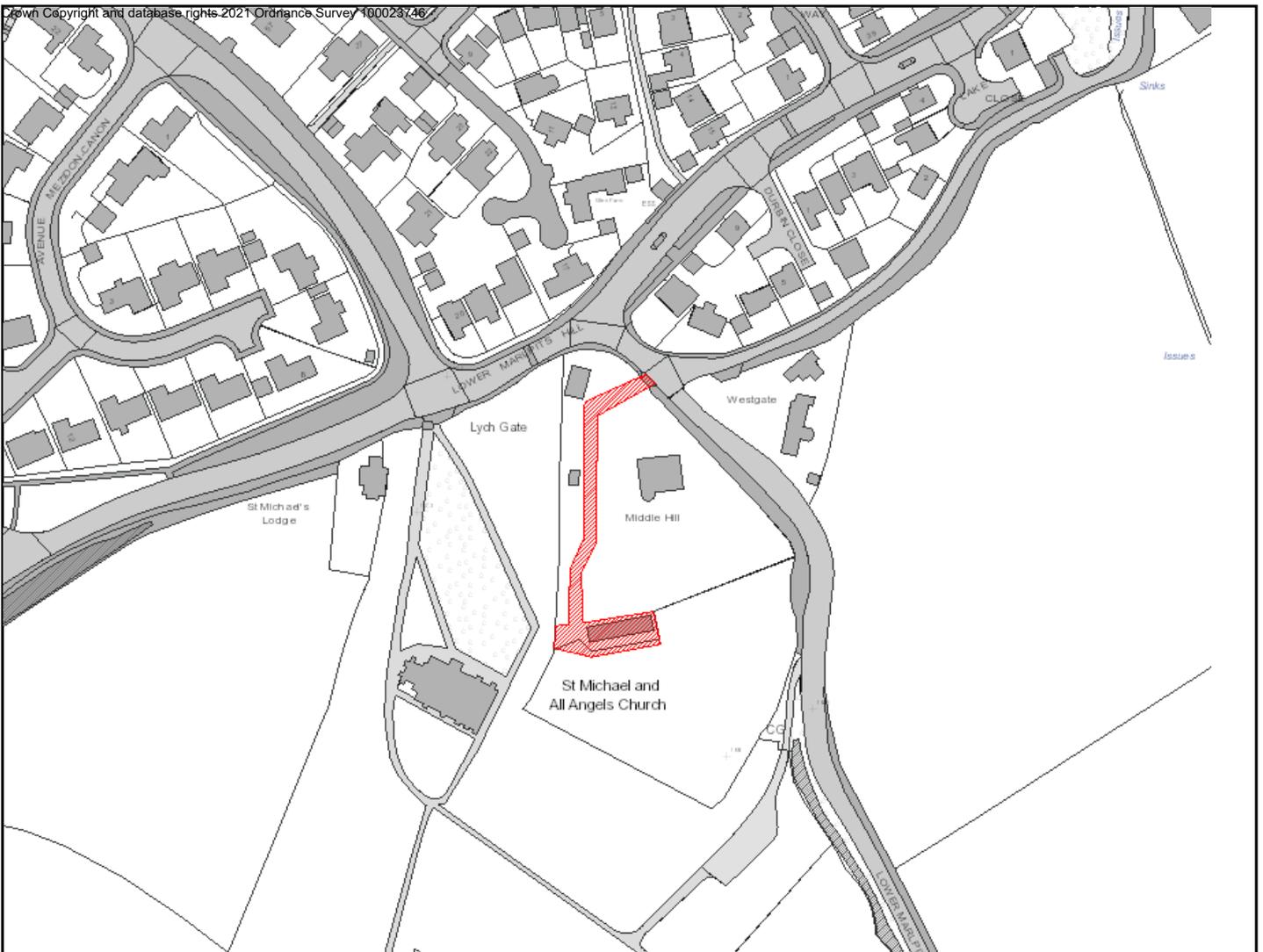
**Applicant** Richard Hooper

**Location** Middle Hill House Church Hill Honiton EX14 9TE

**Proposal** Proposed demolition of existing barn and construction of new dwelling (replacement to dwelling approved under 20/2256/FUL) and associated works.



**RECOMMENDATION: Approval with conditions**



		<b>Committee Date: 19<sup>th</sup> January 2022</b>
<b>Honiton St Michaels (Honiton)</b>	<b>21/2641/FUL</b>	<b>Target Date: 02.12.2021</b>
<b>Applicant:</b>	<b>Richard Hooper</b>	
<b>Location:</b>	<b>Middle Hill House Church Hill</b>	
<b>Proposal:</b>	<b>Proposed demolition of existing barn and construction of new dwelling (replacement to dwelling approved under 20/2256/FUL) and associated works.</b>	

**RECOMMENDATION: Approval with conditions**

#### **EXECUTIVE SUMMARY**

The application is before committee as the proposal represents a departure from the development plan and is recommended for approval contrary to the view of a Ward Member.

The site is located to the south side of Honiton outside of the built-up area boundary and therefore Strategy 7 of the Local Plan applies. This policy seeks to strictly control development in the countryside unless explicitly supported by another policy of the Local, or where relevant, Neighbourhood Plan. In this instance there are no other policies that would explicitly support the development, however there is an existing permission in place to convert the timber barn on the site to a dwellinghouse (20/2256/FUL). That permission, granted approximately a year ago and capable of implementation, represents a fallback position which is material to the determination of the application and in terms of the principle is considered to be sufficient to allow consideration of an alternative scheme, subject to other considerations being satisfied.

The proposed design reflects that of the existing building it seeks to replace in terms of form, layout and footprint and through the proposed use of timber cladding to the external elevations. The width of the building is increased slightly and this and a steeper pitched roof, to allow use of natural slates, also results in an increase in height. Nonetheless the overall scale of the building remains similar and in terms of impact on the character and appearance of the area, the setting of the adjacent grade II\* listed church and the wider Area of Outstanding Natural Beauty it is not considered any additional harm would arise.

As with the previous scheme, the site would be served by an existing vehicular access serving Middle Hill and its converted garage (a separate dwelling), although visibility at the site access appears to be below standard, given the

**relatively low traffic speeds and volume it is not considered that refusal would be warranted on these grounds.**

**In terms of access to services and whilst outside the built-up area boundary of the town, the train station and town centre are within relatively easy walking/cycling distance as are local bus stops. As such the site is considered to be sustainable in terms of its accessibility by a variety of modes of transport.**

**In all other respects the proposal is considered to be acceptable or can be made so through the imposition of conditions and the application is therefore recommended for approval.**

## **CONSULTATIONS**

### **Local Consultations**

#### **Town Council**

Honiton Town Council OBJECTS to the application for the following reasons:

- o The applicant was given planning permission under ref 20/2256/FUL to convert and re-use a redundant rural building under Policy D8 of the Local Plan.
- o The applicant now seeks to use this grant of planning to construct a new dwelling outside the build-up area boundary for Honiton and within the Blackdowns Area of Outstanding Natural Beauty. Such development is contrary to planning policy Strategy 7 of the East Devon Local Plan.
- o Honiton Town Council re-iterates the objections raised under application 20/2256/FUL.

#### **Honiton St Michaels - Cllr Phil Twiss**

This application seeks to replace a building on the site using similar materials, footprint and external design, where permission already exists for approved application 20/2256/FUL where I hope more energy efficient materials would be used in the proposed replacement dwelling.

21/2641/FUL has no additional detrimental impact/s to 20/2256/FUL in terms of its relationship to the AONB or adjacent redundant Grade II \* listed church and is close to transport services, shops and other services in Honiton.

I support this application.

Further comments:

A balanced and reasoned report, with nothing to add from me thanks.

#### **Honiton St Michaels - Cllr Jake Bonetta**

Although I object to the renovation taking place altogether - due to its positioning within the Blackdown Hills AONB and outside of the Honiton BUAB boundaries - I am willing to support the application on the basis that prior approval was given in 2020 for similar plans.

#### **Honiton St Michaels - Cllr Mike Allen**

I object to this development since it is a departure from plan policy to stop development in the AONB. This is a distortion of the intent of the originally granted approval and should be resisted since it is the express intent of policy to stop such creeping development outside settlement boundaries.

### **Technical Consultations**

#### Historic England

Thank you for your letter of 13 October 2021 regarding the above application for planning permission. On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

#### EDDC Trees

The submitted arboricultural information demonstrates that by implementing the proposed tree protection measures, shown on the tree protection plan, and following the processes described in the associated arboricultural method statement, the proposed development can be carried out without significant impact on the retained trees.

I am satisfied on arboricultural grounds with a condition to be -

Prior to commencement of any works on site (including demolition), Tree Protection measures shall be carried out as detailed within the plans submitted within this application and shall adhere to the principles embodied in BS 5837:2012 and shall remain in place until all works are completed, no changes to be made without first gaining consent in writing from the Local Authority

In any event, the following restrictions shall be strictly observed:

(a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.

(b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.

(c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(d) No trees, shrubs or hedges within the site which are shown as being planted or retained on the approved plans shall be felled, uprooted, wilfully damaged or

destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

(Reason - To ensure retention and protection of trees on the site prior to and during construction 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 D3 - Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031).

The report does highlight the absence of any information regarding service routes to the new building. In order to avoid any chance of damage occurring to tree roots through the inappropriate location of service trenches I ask that the following condition be applied to any forthcoming decision:

Prior to the commencement of any works on site (including demolition and site clearance or tree works), a detailed Construction Specification and Method Statement for the layout and construction of service runs/trenches shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the trees and detail the means by which damage to any tree roots is to be avoided. Any unavoidable but necessary root severance and soil disturbance is to be minimised by providing a specification for root pruning in accordance with BS 3998: 2010. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

#### Blackdown Hills AONB Partnership

I write in response to the above application, which was erroneously sent to East Devon AONB. I apologise for this delayed response.

The AONB Partnership supports its local planning authorities in the application of national and local planning policy in order to ensure that any development in the AONB conserves and enhances the natural beauty of this nationally designated landscape. In support of this, the Blackdown Hills AONB Management Plan 2019-24 is the agreed policy framework for conserving and enhancing the AONB and seeks to ensure that all development affecting the AONB is of the highest quality. It contains the following policy of particular relevance to development proposals:

#### Planning and development PD2

All necessary development affecting the AONB will conserve and enhance natural beauty and special qualities by:

- Respecting landscape character, settlement patterns and local character of the built environment,
- Being sensitively sited and of appropriate scale,
- Reinforcing local distinctiveness, and
- Seeking to protect and enhance natural features and biodiversity

In respect of this application, it is not apparent in what way this larger new build would harmonise better with its surroundings than the approved conversion of the simple functional building and we would consider the application of relevant planning policy to be key here.

Other Representations

None received.

**PLANNING HISTORY**

Reference	Description	Decision	Date
16/0145/FUL	Alterations and extensions to existing garage to form dwelling house; construction of 5 no. detached dwelling houses; construction of detached outbuilding to provide garaging and ancillary accommodation to existing house, and associated access and landscaping works	Withdrawn	
20/2256/FUL	Proposed conversion of agricultural building to form residential dwelling and associated works	Approval with conditions	16.02.2021

**POLICIES**

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 3 (Sustainable Development)

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

EN9 (Development Affecting a Designated Heritage Asset)

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)

### **Site Location and Description**

Middle Hill House is a detached two storey property set within a generous broadly triangular shaped plot. The property is accessed via a private entrance onto Lower Marl pits Hill in the northeast corner of the site.

To the south of the formal garden area is a small paddock that is accessed through the residential garden. In the north-western corner of this paddock is the outbuilding the subject of the application. The barn is single storey, recti-linear in plan form and timber clad under a cement fibre sheet roof. The building is constructed on a level platform cut into the natural slope of the land which falls from south to north.

To the west of the site and separated from it by mature tree/hedge planting lies the churchyard and church of St. Michael and All Angels (grade II\* listed). A public footpath, Honiton Footpath No. 9, runs south through the churchyard before turning east to the south of the site and joining the highway. Beyond the church to the west and to the east and south lie open countryside with residential development on the opposite side of Weatherhill Road to the north. The site falls within the Blackdown Hills Area of Outstanding Natural Beauty.

### **Background**

The application site forms part of a larger site which includes all of the paddock and garden to the north and which was the subject of an earlier withdrawn application, as set out above, under application 16/0145/FUL.

More recently permission has been granted for the conversion of the agricultural building, now proposed for demolition and replacement, to form a residential dwelling under application 20/2256/FUL.

### **Proposed development**

The application proposes the demolition of the existing timber barn on site and the construction of a replacement building as a dwellinghouse.

The replacement building seeks to reflect the single storey and linear form of the building it would replace but is of increased width (by 1.9 metres) with the whole building extending the maximum width of the existing building and lean-to extension combined. As a result of the increased width, and to allow for a steeper roof pitch to accommodate the use of slate tiles, the overall height of the building has also increased (by 1.75 metres). The measurements now proposed are 22 metres x 7.8 metres with a ridge height of 4.85 metres.

The external materials proposed are horizontal timber cladding to the elevations under a natural slate roof.

## **ANALYSIS**

The application proposes the alteration and extension of the outbuilding to facilitate the change of use to a single dwelling. The main issues in the determination of the application are considered to be:

- Principle of development
- The design and impact on the character and appearance of the area
- Accessibility of the site
- Arboricultural Impact
- Ecological Impact
- Heritage Impact
- Access and Highway Safety
- Other considerations

### **Principle of development**

The site lies to the south of and outside the designated built up area boundary for Honiton. The built-up area boundary line being to the south side of Lower Marl pits Hill/Weatherhill Road, approximately 75m to the north of the application site. The site is therefore considered to fall within open countryside where development is strictly controlled, by Strategy 7 of the Local Plan, unless explicitly permitted by another policy of the Local (or where relevant) Neighbourhood Plan.

The whole of Honiton Parish has been designated as a Neighbourhood Area but to date no draft plan has been produced and there are therefore no policies, draft or otherwise, which might support the development. The Town council's website states that plans for a Neighbourhood Plan are temporarily on hold.

In terms of the Local Plan, whilst there is policy support, subject to meeting listed criteria, for conversion of redundant rural buildings to alternative uses, including in certain circumstances residential use, there is no support for new build residential development, unless required to meet an essential rural worker or affordable housing need. The proposal therefore falls to be considered as a departure from the development plan.

It is though necessary to consider if there are any other material considerations that would weigh in favour of the proposal and which indicate that a departure from the policies of the development plan should be considered. The applicant's supporting statement draws attention to a Court of Appeal decision, *Mansell v Tonbridge And Malling Borough Council [2017] EWCA Civ 1314*, where consideration was given to when a 'fallback' development may be a material consideration in relation to the determination of alternative proposals for the development of a site. Whilst the reference case law applied to a Class Q barn conversion development it is argued that it is equally applicable in this instance. The relevance in the current case is that permission has been granted for the conversion of the existing building on site to a

dwellinghouse (20/2256/FUL), that permission is still extant and could be implemented and would equally result in the creation of a dwellinghouse in the same location, albeit through conversion as opposed to new build. It is also worth noting that policy H6 of the Local Plan permits the replacement of existing dwellings in the countryside subject to a number of listed criteria being met. Although this policy would not apply at present as there is no existing dwelling on site, were the conversion scheme to be implemented the applicant could then apply to replace the dwelling as now proposed and where the other criteria of policy H6 would appear to be met. This being the case it is considered that the principle of residential development in this location, as an alternative to the approved conversion scheme is acceptable as a departure from the Local Plan but the acceptability in other regards remains to be determined.

### **The design and impact on the character and appearance of the area**

Policy D1 of the Local Plan seeks to ensure that new development respects the key characteristics and special qualities of the area in which the development is located and that the scale, massing, density, height, fenestration and building materials relate well to their context.

In this instance the proposal seeks to replicate the overall form and appearance of the existing building it seeks to replace. The simple recti-linear form is retained and whilst the increased width and roof pitch have resulted in a taller building it would remain single storey. The increased roof pitch would allow the use of a natural slate roof covering in lieu of the approved standing seam metal roof. The elevation treatment again seeks to reflect the materials used on the existing building with horizontal timber cladding. The fenestration proposed is slightly simplified.

The proposal would result in a building of a very similar external appearance to that approved for the conversion of the existing building on site. The principal change is the increased height and massing. However, outside of the site these changes are considered to result in very little if any discernible impact.

The site is set back the highways to the north and east of the site and screened from these directions and from public footpaths to the south and west by mature tree/hedge planting around the wider site. In the wider context any public views would see the proposal in association with Middle Hill House and the adjoining St. Michael and All Angels church, it would not encroach onto the undeveloped area to the south of the site or propose any change of use to that land and as such the natural beauty of the surrounding Area of Outstanding Natural Beauty would be conserved.

### **Accessibility of the site**

The site is located in countryside to the south of Honiton but is only just outside the built-up area boundary (less than 100 metres). The pedestrian route to the town centre is, from just opposite the site entrance, served by a dedicated and lit footway. The distance to the train station is approximately 500 metres and to the edge of the town centre area approximately 650 metres. Although the walking/cycling route involves a relatively steep hill it clearly offers a viable alternative to private car transport for some journeys. There are also regular bus services to Exeter, Seaton and Axminster with stops relatively close to the site.

In consideration of the previous application for the conversion the site was determined to be located close to a range of accessible services and facilities to meet the everyday needs of residents and where these can be accessed by a variety of modes of transport, this remains the case.

### **Arboricultural Impact**

The application is accompanied by an arboricultural report, tree protection statement and arboricultural method statement. The report assesses the condition and quality of trees on site, or adjoining and which are likely to be affected by the proposed development. Subject to conditioning that development proceeds in accordance with the recommendations of the report and that additional details of services runs are provide to take account of root protection areas, the proposal would avoid harm to trees of amenity value on or adjoining the site and accord with policies D1 and D3 of the Local Plan.

### **Ecological Impact**

The application building is not of a design considered likely to house protected species and the type of roofing materials proposed and lack of roof void further decreases probability. The development site is restricted to a small area around the building and again the likelihood of this being used by protected species is considered to be limited. As such there is no reason to consider the proposal would result in harm to protected species. However in the event of an approval an informative could be added to any decision notice recommending a precautionary approach to avoid harm or disturbance to any wildlife that may be using the site. A condition on the previous permission for conversion required, amongst other things, the planting of a native hedge to the south side of the parking area/building. If the current application were otherwise found to be acceptable a similarly worded condition could be imposed. Such a condition would assist in providing biodiversity enhancement and habitat creation and would ensure that the requirements of policy EN5 of the Local Plan are met.

### **Heritage Impact**

The application site lies adjacent to the church and churchyard of St. Michael and All Angels which is a grade II\* listed building. The development proposed therefore has the potential to impact on the setting of this designated heritage asset and the town council has objected on this ground.

At present the church is not in use but the churchyard is in continuing use with the newer area being to the south of the site. In terms of potential impacts these would be as a result of any physical changes to the site and from any change in the character of the site resulting from the proposed use.

Most of the shared boundary between Middle Hill and the churchyard is formed by, a mature hedge boundary which restricts inter-visibility between the sites, this is proposed to be retained. The proposal does propose an increase in the width and height of the building over that presently on site and which would have a resultant increase in its massing, however the form and external appearance would be similar.

External works would, as previously approved, be limited to some upgrading works to the current access track and to create a parking area, these would be low key and not publicly visible. As was the case with the previous permission, permitted development rights which might allow other works of extension or the erection of subsequent outbuildings could be removed to enable control over any such development to be retained.

Policy EN9 of the Local Plan together with paras. 201 and 202 of the NPPF require consideration to be given to the impact of development on the significance of designated heritage assets and where appropriate to weigh any harm against the public benefits. In this case there would be no direct impact on the heritage asset with any impact restricted to impact on its setting. Historic England have advised that they do not wish to comment on the application and whilst EDDC's conservation team have not commented on the current application they raised no concerns with the previous scheme. Although the proposal has the potential to have a slightly greater impact on the setting of the adjoining designated heritage asset, largely due the increased height and mass it would remain subservient in scale and low key in terms of its form and appearance reflecting that of the existing building. The hedgerow separating the site from the churchyard would be retained and subject to this it is not considered that the proposal would result in harm to the setting of the designated heritage asset.

### **Access and Highway Safety**

In terms of highway safety the existing access which serves Middles Hill and the separate property know as Middle Hill Annexe has restricted visibility in both directions. However, the proximity to the road junction to the north means vehicles passing the site are likely to be travelling at lower speeds and this section of road also appears to be relatively lightly trafficked. Whilst the visibility at the site access has not been demonstrated and is considered to be less than standard it is not considered that the increased use of this existing access to serve an additional property would result in an unacceptable impact on highway safety that being the test set out at para. 109 of the NPPF. On this basis and taking into account the provision of a policy compliant level of on-site parking provision the proposal is considered to meet the requirements of policies TC7 and TC9 of the Local Plan.

### **Other considerations**

As with the previous application a new sewage treatment plant to serve the dwelling, is proposed, the nearest public sewer connection being over 100 metres from the site.

The location of the site in relation to the nearest unrelated residential property is such that the proposal would not give rise to any concerns of impacts on amenity of existing residents. The proposal would be served by limited but adequate amenity space to serve future residents.

The upgrading of the internal access track to serve the site has the potential to have an impact on both any below ground architectural deposits that may be present and on the root protection area of trees/hedges on or adjacent to the site. In order to avoid any such impact it is recommended that the access track and parking area are formed

through a no-dig construction method, subject to this and compliance with the submitted tree protection measures the potential for such harm could be avoided.

The applicant has been asked to demonstrate how the replacement of the existing building would represent a more sustainable form of development than the conversion of the existing building, Strategy 39 of the Local Plan seeking, amongst other things, to encourage new development to utilise sustainable methods of construction and use of renewable energy technology. In response, it has been suggested that, the conversion of the building requires retention of the existing structure and that this places restrictions on how the building can be converted and retrofitted to achieve the necessary thermal and energy performance requirements under Building Regulations. Whereas the approved conversion would be capable of exceeding these requirements and providing a much higher standard of envelopment. It is also indicated that the proposal would include an air source heat pump, although there appears to be no reason why such could not also be used on the conversion scheme it would certainly be likely to operate more efficiently in a more air tight building which in turn would be easier to achieve in a new build.

## **CONCLUSION**

The application proposes the construction of a new dwelling house on the site of an existing timber barn which has an extant planning permission for conversion to a dwelling. Whilst the site lies outside the built-up area boundary of the town it is located close to a range of services and facilities and the 'fallback' position of the conversion scheme is material to the determination of the application. In terms of environmental impact of the development the embodied energy in the existing building would be lost but improvements are likely to be achieved in the energy efficiency of the new building over its lifetime. Whilst it may be preferable to see the conversion of the existing building (as already approved), as opposed to its replacement with something similar, policies of the Local Plan allow for replacement of existing dwellings. In this case where the other impacts of the proposal, in particular visual and character and social and economic, are very similar it is not considered that the principle of replacement could be reasonably resisted. The application is therefore recommended for approval subject to the conditions set out below.

## **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. Prior to commencement of any works on site (including demolition), Tree Protection measures shall be carried out as detailed within the plans submitted within this application and shall adhere to the principles embodied in BS 5837:2012 and shall remain in place until all works are completed, no changes to be made without first gaining consent in writing from the Local Authority

In any event, the following restrictions shall be strictly observed:

(a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.

(b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.

(c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(d) No trees, shrubs or hedges within the site which are shown as being planted or retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

(Reason - To ensure retention and protection of trees on the site prior to and during construction 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 D3 - Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031).

4. Prior to the commencement of any works on site (including demolition and site clearance or tree works), a detailed Construction Specification and Method Statement for the layout and construction of service runs/trenches shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the trees and detail the means by which damage to any tree roots is to be avoided. Any unavoidable but necessary root severance and soil disturbance is to be minimised by providing a specification for root pruning in accordance with BS 3998: 2010. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.

(Reason - A pre-commencement condition is required to ensure retention and protection of trees on the site during and after construction 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 D3 - Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031).

5. Prior to their installation, as part of the development, details (and where so required samples) of materials to be used for the external cladding of the roof and elevations of the building shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be built in the materials approved.

(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 and Stgy 46 - Landscape Conservation and Enhancement and AONBs of the Adopted East Devon Local Plan 2013-2031.)

6. 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 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 required landscaping scheme]

(Reason - The space available would not permit such additions with detriment to the character and appearance of the area and to protect the setting of the building within the designated Area of Outstanding Natural Beauty and the setting of the adjoining designated heritage asset in accordance with Stgy 46 - Landscape Conservation and Enhancement and AONBs & Policies D1 - Design and Local Distinctiveness and EN9 - Development Affecting a Designated Heritage Asset of the Adopted East Devon Local Plan 2013-2031.)

7. Prior to the initial occupation of the dwelling house a landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority; such a scheme to include:

- Details of the planting of a native hedge to the west, south and east boundaries of the site (with such details to include plant size and numbers, layout and species mix).
- Details of the final finished surfacing of all areas of hardsurfacing, including the parking/turning area and access drive.
- Details of any other walls, fences or other boundary treatments

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.)

#### 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 works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

##### Plans relating to this application:

HOOPERPRO Rev 1.2	Proposed Elevation	06.10.21
HOOPERPRO2 Rev 1.2	Proposed Plans	06.10.21
	Location Plan	06.10.21
SP500 Rev 1.1	Proposed Site Plan	06.10.21
	Arboriculturist Report	06.10.21

##### List of Background Papers

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