

Ward Exmouth Littleham

Reference 21/0103/FUL

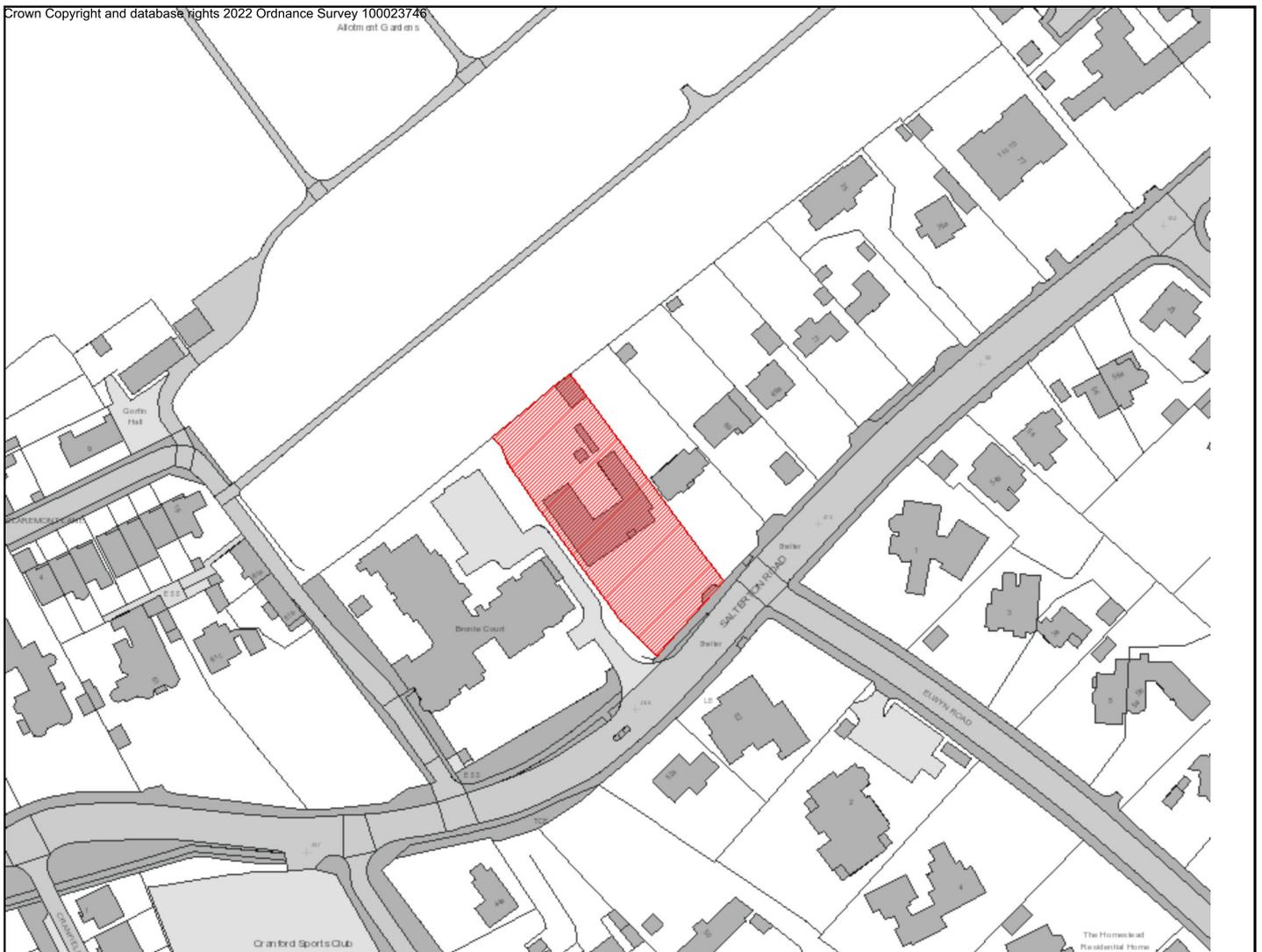
Applicant Mr D Crocker

Location Chestnuts 65 Salterton Road Exmouth EX8 2EJ

Proposal Demolition of existing buildings and construction of 9 no. apartments with associated parking, cycle and bin stores and creation of new vehicular access onto Salterton Road.



RECOMMENDATION: Approval with conditions



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| | | Committee Date: 16th February 2022 |
| Exmouth Littleham (Exmouth) | 21/0103/FUL | Target Date: 22.04.2021 |
| Applicant: | Mr D Crocker | |
| Location: | Chestnuts 65 Salterton Road | |
| Proposal: | Demolition of existing buildings and construction of 9 no. apartments with associated parking, cycle and bin stores and creation of new vehicular access onto Salterton Road | |

RECOMMENDATION: Approve with conditions

EXECUTIVE SUMMARY

This application is before Committee as the officer recommendation is contrary to the view of a Ward Member.

The application seeks planning permission for the demolition of the existing 14 bed House in Multiple Occupation and the construction of apartment block of 9 units.

This brownfield site occupies a sustainable location within the built-up area boundary of Exmouth where the principle of demolition of the existing property and the construction of apartments is acceptable. Whilst the existing building is attractive and makes a positive contribution to the character and appearance of the area, it is not listed and it is not considered that there are any sound planning reasons to object to the building's demolition and re-development subject to securing a replacement building with an appropriate design, size and scale.

The design and form of the apartment building is considered to be appropriate to its surroundings through its modern take on traditional local vernacular architecture incorporating feature gable ends and pitched roof dormer windows which are prevalent on a number of properties within the area. The building would remain set well back from the road, occupying a similar position and footprint to the existing building which would ensure that it does not appear unduly prominent or intrusive within the streetscene, significantly reducing its visual impact on the character and appearance of the area.

Whilst the proposed apartment block would have a degree of impact on the amenities of the occupiers of surrounding properties as a result of its increase in height, bulk and massing, it isn't considered that an objection could be sustained

on the grounds of being unduly over bearing, over dominant or through loss of privacy which has been designed out of the scheme through obscure glazing and high level windows on side elevations.

Whilst the proposal results in a large car park to its frontage to provide 18 spaces, there is already parking to the frontage and the arrangement is not uncharacteristic of this part of the road and will be screened to an extent by frontage planting.

In the absence of any significant harm to the character and appearance of the area, the residential amenities of the occupiers of surrounding properties, highway safety and ecology, it is considered that on balance, the proposed development is acceptable and would comply with both the strategic and development management policies contained within the East Devon Local Plan and the policies contained within the Exmouth Neighbourhood Plan.

Accordingly the application is recommended for approval.

CONSULTATIONS

Local Consultations

Exmouth Littleham - Cllr N Hookway

19.02.21- I object to this proposal due to the issues of neighbouring properties being overlooked and thereby suffering a loss of privacy. I reserve the right to amend /alter my views when I become aware of additional facts relating to this application

Further comments:

17.05.21- I object to this application on the grounds of loss of privacy to neighbouring properties which will be overlooked. I also have concerns over vehicular access and the proximity to a bus stop.

Further comments:

27.01.22

Thank you for sight of the Officers report. I wish to comment as follows;

Before I begin to discuss my views on this planning application, I wish to inform you that I have been lobbied by the architect involved with the project on two separate occasions, at the beginning of this year I received a phone call requesting that I reconsider my objection to this application and that I re-read the application which I said I would do. I then received a second phone call from the architect asking if I had reviewed the application and I said that I had. I will draw the attention of the planning committee to this lobbying.

In terms of the officers' report, I am disappointed to see that officers have recommended approval with conditions.

I have a number of issues with this application, the first being the design and form of the apartment building. To my eye this appears to be a very unattractive design. I note the comments regarding the traditional local vernacular architecture, but I do think that this is a very unattractive design that appears to go to extraordinary lengths to meet planning requirements. Are there no design standards which can be applied here? I do note that the building seems to follow a building line that other properties have followed, and I think that that is a significant disadvantage as it would appear to limit opportunities. For example, does the car park have to be near the road? If there no other way in which the site can be used for to meet the developers' requirement. Also, what about Carbon neutral requirements? How is this property to be heated?

My most important objection to this application concerns Bronte court. Having looked at both sites from the road recently I am struck by the fact that Bronte court is at present **not** overlooked from number 65, the reason for this is that part of number 65 adjacent Bronte court is lower than Bronte Court itself. As drawing number 8020-111L clearly shows.

Therefore, this application a seeking permission to build a property that will be significantly higher and be greater in mass and I feel certain that this will have a **significant impact** upon the residents of Bronte court.

I'm going to highlight three key paragraphs from the Officers' report under the heading of Bronte Court

"The proposal would introduce a three storey building close to the boundary with Bronte Court and therefore the introduction of a building of increased height, bulk, massing and scale requires careful assessment in terms of its relationship with and impact upon the amenities of the apartments which face towards the site." I agree.

"The building would significantly increase in height over the existing single storey element of the building and would introduce a three storey building where the two stories would reach the height of the eaves of Bronte Court with a pitched roof form sloping away from Bronte Court." I agree.

"Whilst the apartment building would have an increased physical impact on the occupiers of this side of Bronte Court, having regard for the fact that the building has been re-positioned away from the boundary, retention of the existing vegetation, the fact that the site is separated by an existing driveway, **it isn't considered that the impact on the amenities of the occupiers of these properties would be so harmful in terms of being overbearing or over dominant or through loss of light to sustain an objection.**" Sorry, I do not agree with that assessment as, in my view, it contradicts the two paragraphs above.

I understand the officers have taken considerable time and trouble to mitigate against the loss of privacy and the unwelcome sense of being overlooked that the residents of Bronte court will experience.

This has been a very long running and complex site which I'm sure has left Officers feeling frustrated, but I feel that it is important that the wellbeing of the residents of Bronte court is given a higher priority. Let's face it most of us will end up in a place like

Bronte Court one day. At present Bronte Court looks a reasonable place, from the outside and I think that we should do all that we can to protect it.

In my view any resident of Bronte Court is a vulnerable person whose needs should not be overlooked by the planning system.

Therefore, I will be asking the planning committee to reject this application.

I reserve the right to change my views if new information and or facts becomes available.

Exmouth Littleham - Cllr B De Saram

Thanks for this report. I have read it and wish to comment as follows:

I recommend refusal of this application on the following grounds namely that firstly it goes against Policy EB21 of the Exmouth Neighbourhood Plan "**Policy EB2: New development should be mindful of surrounding building styles and ensure a high level of design as exemplified in the Avenues Design Statement (2005)28.**

Secondly I also believe that as the report indicates "**the proposed apartment block would have a degree of impact on the amenities of the occupiers of surrounding properties as a result of its increase in height, bulk and massing**" in particular I am concerned about the impact to the residents of the nearby Bronte Court as some residents still feel that "**The re-positioning the building further from our boundary by a few feet hardly changes a thing**" (May 2021).

I acknowledge that yes as the report says changes have been made to the original proposal which I also objected to at the time and so having seen this report I would like the application to go before the Planning Committee to determine if members feel the same way in regard to the increase in **height, bulk and massing** or not as the case may be.

I will keep an open mind on it and will be impartial and if relevant new information comes to light then I will be willing to re-consider my position.

Parish/Town Council

Objection: members were concerned about highway safety and the introduction of additional access onto Salterton Road. Concern was also raised at the number of windows that would overlook Bronte Court.

Further comments:
Meeting 12.04.21

Objection sustain, the amended plans did not mitigate previous concerns raised. It was felt that the proposal to include the construction of the one dwelling house was over development of the site. It had been noted that skips were sited on the highway, members questioned if it was possible to condition against this as this was a main tourist route and blocked access to the pavement.

Further comments:
Meeting 07.12.21

No objection though concerned that the CEMP isn't robust enough to prevent construction staff parking on Elwyn Road and Salterton Road.

Further comments:
Meeting 01.02.21

No objection subject to the application complied with Exmouth Neighbourhood Plan Policy EN6 regarding surface water management and any approval was subject to a CEMP. It was recommended that a banksman was used to control the traffic as the site was located near a bend in the road.

Technical Consultations

Devon County Highway Authority

The site is situated off the B3178, Salterton Road.

The existing access will facilitate vehicular access to the proposed detached dwellings, the speed camera adjacent to this entrance helps to reduce the speed of traffic upon the approach and exit of this access.

The secondary proposed access is close to the junction of the retirement properties. However I believe it reaches our minimum requirement of 10 -15 metres from junctions/accesses according to Manual for Streets.

Parking numbers is a policy for East Devon District Council to administer, however I have noted the cycle storage will help to reduce the local trip generation of vehicular traffic. However Exmouth has ample sustainable travel of the rail, bus and Exe estuary trail, together with a good array of facilities and services. As a result, I do not think this development will produce an unacceptable level of two-way vehicular trip generations.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

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.

Addendum 23/12/2021

The amended site plans bring me no concerns, only to raise that if the original access is no longer serving a dwelling, I would recommend sealing up the access to help avoid any confusing from interacting traffic both on Salterton Road and from the new access.

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- (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.

EDDC Trees

I do not support this application as it stands as there is no arboricultural survey that includes a Tree Protection Plan and Arboricultural Method Statement which is essential to assess the impact of trees on the site. This is particularly important in relation to a protected horse chestnut just outside the North West boundary of the site. However, there are mature trees to the front of the site that could also be affected.

I do not have an objection to the principle of the flats but, whilst the construction of the detached house could have minimal impact on the existing horse chestnut, it is likely to result in future pressure to prune or fell the protected tree to relieve fruit/leaf fall and shading.

Further comments:

I have reviewed the documents and in principle do not have any objections to the proposal. However, as previously commented there is likely to be future pressure to prune or fell the Horse Chestnut due to the proximity of dwelling directly to the east. The tree is currently only 12m in height and has potential to significantly increase in size.

At present there is no landscaping proposal showing details for replacement planting which is considered necessary to ensure long-term tree cover.

Further comments:

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 the 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 East Devon Local Plan).

Environmental Health

I have considered the application and I have the following environmental health concerns. There is potential for the works to impact on the local residents in the area and therefore a CEMP will be required. I therefore recommend that the following condition is attached to any approval:

A Construction and Environment Management Plan must be submitted and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters : Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.

Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution.

DCC Flood Risk Management Team

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013-2031). The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

The applicant has noted within the Flood Risk Assessment that the existing surface water drainage system will be utilised. However, where brownfield sites are being developed, peak flow control should still be based on the greenfield runoff rate. The applicant must therefore attempt to match this greenfield rate in the first instance, but if this is robustly demonstrated to be unfeasible, the applicant should work backwards to achieve a runoff rate as close to the greenfield conditions as possible. Importantly, the applicant will be required to provide evidence of the calculations undertaken to achieve the proposed runoff rate.

The applicant should note that in accordance with the SuDS Management Train, surface water should be managed at source in the first instance. The applicant will therefore be required to explore the use of a variety of above-ground source control components across the whole site to avoid managing all of the surface water from the proposed development at one concentrated point (e.g. a single attenuation pond).

Examples of these source control components could include permeable paving (which could be underdrained), formalised tree pits or other bioretention features such as rain gardens, as well as green roofs, swales and filter drains.

The applicant is advised to refer to Devon County Council's Sustainable Urban Drainage Guide, which can be found at:

<https://www.devon.gov.uk/floodriskmanagement/planning-and-development/suds-guidance/>

Further Comments:

At this stage, we object to the above planning application because the applicant has not submitted sufficient information in order to demonstrate that all aspects of the surface water drainage management plan have been considered. In order to overcome our objection, the applicant will be required to submit some additional information, as outlined below.

Observations:

The applicant has not addressed our comments dated 25th January 2021.

Further comments:

We understand that this is a brownfield site. However, the applicant could improve the management of surface water.

Other Representations

13 letters of objection have been received at the time of writing this report raising concerns which can be summarised as:

- Excessive number of units for the site
- Too close to boundary with Bronte Court
- Overlooking and loss of privacy
- Over development of the site
- Increase in traffic and highway safety
- Removal of green frontage
- Out of character
- Lack of amenity space
- House at the rear would be out of keeping
- Loss of trees and vegetation
- Does not overcome previous appeal and reasons for refusal
- Insufficient space on site for the turning of service vehicles
- Scale, mass and design is inappropriate
- Over shadowing and loss of light
- Second vehicular access is dangerous
- Length of time determining the application

PLANNING HISTORY

| Reference | Description | Decision | Date |
|------------------|---|--------------------------------|-------------|
| 20/2679/FUL | Change of use of 1st floor apartment to 4 no. HMO bedrooms (Retrospective application) | Approval - standard time limit | 18.01.2021 |
| 20/0311/MFUL | Demolition of existing 10 unit house in multiple occupation and erection of a 9 unit apartment block and 1 no. detached dwelling with associated parking, cycle and bin stores together with two new accesses onto Salterton Road | Withdrawn | 24.08.2020 |
| 08/3034/COU | Change of use of ground floor from residential care home to house in multiple occupation comprising 10no. units of residential accommodation | Approval with conditions | 22.12.2008 |

| | | | |
|--------------|--|---------------------------------|------------|
| 08/0055/MFUL | Demolition of existing nursing home and erection of ten 2 bedroom residential units with associated access & parking | Refusal | 24.10.2008 |
| 07/0392/MOUT | Demolish existing rest home and erect 12 two-bedroom flats | Refusal | 01.06.2007 |
| 05/3285/MOUT | Demolition of existing building and erection of 14 flats | Refusal and dismissed at Appeal | 27.02.2006 |

POLICIES

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)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN5 (Wildlife Habitats and Features)

EN21 (River and Coastal Flooding)

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)

The Avenues Design Statement 2005

Government Planning Documents

NPPF (National Planning Policy Framework 2021)

Government Planning Documents

National Planning Practice Guidance

Site Location and Description

The site refers to 65 Salterton Road, a large detached two storey early 20th century property that has been extended in the 1980's and 1990's to include two single storey rear projecting elements. The property is currently in use as a 14 bedroom House in Multiple Occupation and benefits from a large landscaped front garden with parking and retaining wall to the front boundary. To the east the site is adjoined by a large detached property and its rear garden and to the west is a large McCarthy and Stone retirement home. To the rear of the site is a large area of allotments. The site is located within in built-up area boundary and within the Avenues area of Exmouth and is not the subject of any landscape or townscape designations.

Proposed Development

This application seeks planning permission for the demolition of the existing building and the construction of a single block of 9 apartments. The proposed building would provide 5 no three bedroom apartments and 4 no two bedroom apartments. The apartment block would be a three storey building of a contemporary appearance and design with a traditional pitched roof and feature gable ends and dormer windows. The apartment building would be of red brick and rendered construction with some areas of horizontal composite cladding under a tiled roof. The apartments would be accessed via a new vehicular access to the south of the existing access onto Salterton Road leading to a parking area for 18 vehicles, a bin and cycle store.

The proposal has been amended and no longer includes the construction of a detached two storey, 4 bedroom dwelling at the rear of the proposed apartment block as originally proposed.

Issues and Assessment

The main issues to consider in determining this application are in terms of:

- The policy context and principle of development
- Character and Appearance
- Residential Amenity
- Highway Safety and Parking
- Ecological Impact and Habitat Mitigation
- Arboricultural Impact
- Surface Water Run-Off

Policy Context

The National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The Council formally adopted the East Devon Local Plan 2013-2031 on 28th January 2016 and the policies contained within it are those against which applications are being determined and carry full weight. The Exmouth Neighbourhood Plan (NP) has been 'made' and also carries full weight. The Avenues Design Guide 2005 was originally an SPD but given its age is now a material consideration for determination of this application as reference in the Neighbourhood Plan.

Principle

The site is located within the built-up area boundary of Exmouth in a highly sustainable location where the principle of residential development in location terms is considered to be acceptable under the provisions of Strategies 6 (Development within Built-Up Area Boundaries) and 22 (Development at Exmouth) of the East Devon Local Plan subject to compliance with other policies within the East Devon Local Plan.

Character and Appearance

Policy D1 (Design and Local Distinctiveness) of the Local Plan states that proposals will only be permitted where they respect the key characteristics and special qualities of the area in which the development is proposed and ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.

Policy EB2 of the NP states that new development should be mindful of surrounding building styles and ensure a high level of design as exemplified in the Avenues Design Statement (2005). In particular, the Design Guide references a footprint of no more than 25% coverage to protect the amenity of the area.

The site is situated in the Avenues area of Exmouth where the predominant type and style of development is characterised by large detached properties set well back from the road in spacious landscaped grounds. The existing building is an attractive and substantial two storey early 20th century building that has been extended through the construction of two single storey wings which gives the building its 'U' shaped footprint. It is understood that the building was formerly in use as a nursing home and most recently as a 14 bedroom House in Multiple Occupation.

Whilst the existing building is attractive and makes a positive contribution to the character and appearance of the area, it is not listed, not worthy of local listing, and it is not considered that there are any sound planning reasons to object to the building's demolition and re-development subject to an securing a replacement building with an appropriate design, size and scale.

In the 2005/6 appeal decision for the site, the Inspector noted that the area is characterised by a variety of detached properties and gaps between the buildings providing the area with a feeling of spaciousness. The landscaped front gardens of properties generally soften the impact of buildings when viewed from the road.

The Inspector dismissed the previous appeal due to concerns that:

- The building would have an unduly cramped appearance which would detract from the predominantly spacious character of the area and be out of keeping with its surroundings.
- The two storey wing would be out of keeping with the character of the area.
- The proposed parking and turning area would appear unduly prominent within the streetscene having a detrimental impact on its amenities and contrary to the Avenues Design Statement.

- The increased vehicles movements and activity to the front of the site would generate significant greater levels of noise and disturbance to occupiers of no 67 Salterton Road.
- It would provide unsatisfactory levels of amenity to the future occupiers by virtue of the close proximity of some of the units to the access drive serving the adjacent McCarthy and Stone development and lack of sunlight to the rear communal garden due to the excessive height and scale of the building.
- The lack of sufficient turning space within the site for service vehicles that would lead to hazardous parking and manoeuvres on the highway to the detriment of highway safety.

Whilst each application must be determined on its own merits and the policy position has changed considerably since the 2005 appeal, these observations are considered to be relevant to the determination of this application. Albeit that in a different policy context and given the passage of time and need to focus development on brownfield sites within BUAB's, the harm caused by these considerations now needs to be greater than in 2005/6 in order to justify refusal of planning permission.

The proposed apartment block would be 3 stories in form with accommodation provided within the roof space of the building. The submitted plans demonstrates that the ridgeline of the building would not exceed the height of the existing property with the exception of the three storey gable feature on the south western side such that it isn't considered that its scale when presented to Salterton Road would give rise to any significant harm to the character and appearance of the area. The siting of the apartment block would be on the footprint of the existing building and would largely maintain the building line that exists within Salterton Road along with the significant set back from the road which would help to ensure the apartment block does not appear unduly prominent or intrusive within the streetscene.

The design approach to the building is a modern take on traditional design with a pitched roof, with feature gables and pitched roof dormer windows in an attempt to reference the more traditional vernacular of other properties on Salterton Road and in the avenues area. The apartment building would be of red brick and rendered construction with some areas of horizontal composite cladding under a tiled roof. The more traditional approach to the design and form of the building is considered to be a more sympathetic approach to re-development of the site and a significant improvement over the previously submitted flat roofed contemporary apartment block which was not considered to be appropriate for the surrounding context.

Salterton Road is however characterised by a variety of architectural styles of property such that there is no discernible streetscene. Whilst this proposal would introduce a more modern development onto the site, it is considered that the key features which contribute to the character and appearance of the area which include building heights and the set back from the road would be preserved. The bulk and massing of the sides and rear of the building would be increased over the existing however this is unlikely to be visible from public vantage points outside of the site such that the impact of the increase in the overall size of the building would be limited. On balance, it isn't considered that the proposed apartment block would give rise to any significant harm to the character and appearance of the area to sustain an objection.

The design and form of the apartment building is considered to be appropriate to its surroundings through its modern take on traditional local vernacular architecture incorporating feature gable ends and pitched roof dormer windows which are prevalent on a number of properties within the area. The building would remain set well back from the road, occupying a similar position and footprint to the existing building which would ensure that it does not appear unduly prominent or intrusive within the streetscene, significantly reducing its visual impact on the character and appearance of the area.

Concerns about the impact of the car parking at the frontage of the site are noted however since the determination of the earlier appeal, the hard surfacing of the site has increased with additional parking spaces on the southern side of the existing access. In addition, there is a small parking area at the front of Bronte Court but this is well screened by planting on the front boundary.

There is a balance that needs to be struck between providing sufficient on-site parking to meet the policy requirement of 2 car parking spaces per apartment and minimising the visual impact of the parking area on the character and appearance of the area. In this respect the proposal is for a grasscrete parking area which would soften the impact of the car parking on the streetscene to a degree. Additional planting could also be secured by condition within the site and along the site frontage to help screen the impact on the frontage of the site. However, there is no doubt that more parking is proposed that will be more visible from the street. This weighs against the proposal, although a suitable landscaping scheme will help to mitigate this impact.

The proposal will result in a site coverage in excess of the 25% outlined in The Avenues Design Statement. The footprint being nearer to 40%. However, the footprint of the proposed building is not much greater than the existing and whilst the car park area is increased, as stated above, with suitable landscaping, it is not considered that the parking area will be visible to an extent that will be out of character or harmful to the area bearing in mind the need to maximise the use of brownfield land and the provision of dwellings within BUAB's.

Subject to conditions that require the submission of samples of materials for the building, detailed designs of the bin and cycle stores and a detailed landscaping plan, it is considered that the proposal complies with Strategy 6 and policy D1 of the Local Plan and the design policies within the Exmouth Neighbourhood Plan to an extent that no detrimental harm would be caused that could justify refusal of planning permission.

Residential Amenity:

Policy D1 of the Local Plan requires that proposals do not adversely affect the residential amenities of the occupiers of existing properties.

The proposed development would have its most significant impact on the properties either side of the site, no 67 Salterton Road to the north east and Bronte Court to the south west. The impact on the residential amenities of the occupiers of these properties will be considered as follows:

67 Salterton Road

The relationship between the site and no 67 Salterton Road has been carefully considered. The proposal has been significantly amended to include the removal of the dwelling at the rear of the site following concerns about the impact this would have on the amenities of the occupiers of this property.

No 67 has a large rear garden which runs parallel to the site boundary. At present the existing building projects close to the boundary with no 67 but with its single storey rear wings does not impact significantly on the property or the garden.

The footprint of the proposed apartment block would be positioned 3.7 metres from the boundary with no 67 and has been designed to project into the site mainly in single storey form, increasing in height away from the boundary. The greatest impact from the apartment block would be from a two storey element of the building which would project 2.3 metres back at two storey height from the main block but the impact of this would be reduced through stepping further back from the boundary.

On balance, it is considered that the bulk and massing of the side elevation of the apartment block facing the boundary with no 67 has been carefully considered and designed such that it would not have an unduly harmful impact in terms of being over dominant or over bearing on the occupiers of no 67 and its rear garden. Windows on the N.E. elevation would primarily be positioned at ground floor level only, facing a boundary fence. The only first floor window on the N.E. elevation would be high level serving a kitchen and would face a blank gable end. It isn't considered that this would give rise to any loss of privacy to sustain an objection.

First and second floor bedroom windows on the rear elevation closest to the boundary would face into the application site allowing only oblique views towards the rear garden, forming a similar relationship with the existing property that would not be uncommon in a residential area. On the basis that the windows would serve bedrooms and not primary rooms that would be in use at all times of the day, it isn't considered that the first and second floor windows would give rise to any significant levels of overlooking or loss of privacy.

Earlier schemes for development of the site raised concerns with regards to the increased vehicle activity and disturbance associated with the frontage parking area. To address this concern, the proposed access would be cited in a central position within the site frontage with 9 car parking spaces on either side. The spaces on the north eastern side of the site would be positioned around 8.0 metres from the boundary with no 67 Salterton Road which could be planted to provide additional screening and help reduce the impacts from noise and disturbance that would be generated.

Furthermore it should be noted that the property as an HMO is already served by 14 spaces at the front of the site, 7 of which are located in close proximity to the boundary with no 67. Whilst the total number of parking spaces would increase, it isn't considered that noise and disturbance would significantly increase over the existing parking arrangement to sustain an objection on these grounds.

Bronte Court

Bronte Court is a sheltered development located to the south west of the application site which has its side elevation with ground, first and second floor windows facing towards the site. The windows ground, first and second floor windows are understood to be secondary living room windows and kitchen windows to the apartments on the north eastern side of the building. The site opens up to the rear with a shared car parking area with apartments facing over with rear balconies.

The side elevation of Bronte Court is separated by an access road which leads to the rear car park where the boundary is formed by a brick wall and vegetation. There is a noticeable change in levels between the application site which occupies a higher level by around 1.0 metre to the side elevation of Bronte Court. The footprint of the existing building extends close to the boundary in single storey form with a roof sloping away from Bronte Court which is positioned behind trees and vegetation on the boundary.

The proposal would introduce a three storey building close to the boundary with Bronte Court and therefore the introduction of a building of increased height, bulk, massing and scale requires careful assessment in terms of its relationship with and impact upon the amenities of the apartments which face towards the site.

The submitted section drawing demonstrates that the building would significantly increase in height over the existing single storey element of the building and would introduce a three storey building where the two stories would reach the height of the eaves of Bronte Court with a pitched roof form sloping away from Bronte Court. Following concerns from officers about the proximity of the apartment building to the boundary, the change in levels and the impact of the building, amended plans have been received which have positioned the building further from the site boundary which would allow for retention of the existing vegetation which would help to screen and soften the impact of the building on the apartments of Bronte Court facing the site.

Whilst the apartment building would have an increased physical impact on the occupiers of this side of Bronte Court, having regard for the fact that the building has been re-positioned away from the boundary, retention of the existing vegetation, the fact that the site is separated by an existing driveway, it isn't considered that the impact on the amenities of the occupiers of these properties would be so harmful in terms of being overbearing or over dominant or through loss of light to sustain an objection.

Concerns about overlooking and loss of privacy from windows on the side elevation have been addressed through the submission of amended plans which have changes first floor windows on the south western elevation facing Bronte Court with a combination of obscure glazed windows, angled windows and high level windows. This would be sufficient to ensure that the development would result in no significant overlooking or loss of privacy to the adjoining occupiers of Bronte Court.

Having regard for the above, it is considered that the proposed apartment block would be acceptable in terms of its relationship with and impact upon adjoining occupiers and would comply with policy D1 of the Local Plan which seeks to ensure that proposals do not adversely affect the amenities of existing residents.

Highway Safety and Parking

Local Plan policy TC7- Adequacy of Road Network and Site Access of the Local Plan states that planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network.

Local Plan policy TC9 (Parking Provision in New Developments) of the Local Plan states that spaces will need to be provided for Parking of cars and bicycles in new developments. As a guide at least 1 car parking space should be provided for one bedroom homes and 2 car parking spaces per home with two or more bedrooms. At least 1 bicycle parking space should be provided per home.

It must also be taken into account that planning policy has moved on since the 2005/6 appeal decision with considerations in relation to highway matters now subject to the NPPF Paragraph 111 which states:

‘...development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

Whilst it is appreciated that some local residents do not understand why a refusal on highway grounds in 2005/6 do not apply today, this is because times have changes and the consideration of such issues compared to 15 years ago have changed. As such, just because a proposal was refused in 2005/6, it does not follow that the same proposal would still be considered unsafe today. The application needs to be considered against current day standards in terms of parking, turning, visibility and what is now generally deemed to be acceptable.

The proposal would introduce a new vehicular access to the south of the existing entrance onto the B3178, Salterton Road. The County Highway Authority has raised no objections on highway safety grounds on the basis that the speed camera adjacent helps to reduce the speed of traffic upon the approach and exit of the access. Whilst the proposed access is close to the junction of the retirement properties the CHA have advised that it reaches their minimum requirement of 10 -15 metres from junctions/accesses according to Manual for Streets. This is on the basis that the original access is permanently blocked to help avoid any confusion from interacting traffic both on Salterton Road and from the new access.

The CHA recognises that parking numbers is a policy for East Devon District Council to administer, however they note the cycle storage which may help to reduce the local trip generation of vehicular traffic. The CHA also notes that Exmouth has ample sustainable travel of the rail, bus and Exe estuary trail, together with a good array of facilities and services. As a result, they do not consider that the development will produce an unacceptable level of two-way vehicular trip generations.

Whilst local concern about highway safety is noted, in the absence of any objections from the CHA, it isn't considered that the proposal would give rise to any highway safety concerns. The submitted site plan demonstrates that visibility splays of 2.4 x 70 metres can be achieved in both directions and a condition is recommended that ensures these visibility splays are provided in the interests of highway safety.

With regard to access for service vehicles, these will be able to safely enter or exit the site given the suitable visibility available. Whilst it would have been ideal to have a turning space provided within the site for a refuse vehicle, this would result in move hardsurfacing to the site frontage and push vehicles closer to neighbouring properties which is considered to be undesirable.

Having regard for the above and subject to conditions that require the permanent blocking up of the existing vehicular entrance, the submission of a Construction Management Plan and the provision of the cycle store prior to occupation of the development, it is considered that the proposal complies with the provisions of policies TC7 and TC9 of the Local Plan.

Ecological Impact

Policy EN5- Wildlife Habitats and Features of the Local Plan states wherever possible sites supporting important wildlife habitats or features not otherwise protected by policies will be protected from development proposals which would result in the loss of or damage to their nature conservation value, particularly where these form a link between or buffer to designated wildlife sites. Where potential arises positive opportunities for habitat creation will be encouraged through the development process.

The application is accompanied by a Phase 1 bat and nesting bird survey prepared by Devon and Cornwall Ecology which has surveyed the existing building and garage to be demolished for the presence of protected species.

A partial internal and full external inspection of the buildings was conducted which identified a number of features with moderate external potential for bats on the residence apartment building and low external potential on the garage outbuilding. Given the nature of the identified features further survey work was recommended.

Two phase 2 emergence surveys have also been undertaken to determine whether bats are present. No bats were recorded emerging from the identified features and only occasional passes by common pipistrelle (*Pipistrellus pipistrellus*) and serotine (*Eptesicus serotinus*) bats were noted.

No evidence of nesting birds was noted during the survey and no further survey work is required regarding birds.

On the basis that no bats were recorded emerging and given the low overall activity recorded at and near the site, it is considered unlikely that bats are present. Subject to a condition that requires the development to be carried out in accordance with the recommendations within the report to minimise the risk of disturbance or injury should bats be present during the proposed works it is considered that the proposal would not significantly impact on protected species. The application would therefore comply with policy EN5 of the Local Plan.

Habitat Mitigation

The site is located in close proximity to the Exe Estuary and the East Devon Pebble bed Heaths Special Protection Areas (SPA's) which provide an important recreational

resource for the local community. These are sensitive environments which are important to nature conservation and are subject to European wildlife site designations. However on the basis that the site's existing use is a 14 bed HMO, it isn't considered that the proposed 9 apartments would result in an increase in the number of planning units on the site and therefore there is no requirement for any further habitat mitigation contributions to mitigate any impact upon European protected sites.

Arboricultural Impact

Local Plan policy D3 - Trees and Development sites states that permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development. The development should deliver a harmonious and sustainable relationship between structures and trees.

A Horse Chestnut tree in the north western corner of the site is the subject of a Tree Preservation Order. The Application is accompanied by a tree report which has been considered by the Council's Tree Officer. The Tree Officer has advised that 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.

Whilst the application is accompanied by a tree protection plan, this includes the dwelling which has since been removed from the scheme and therefore it is recommended that a condition is imposed that requires the submission of a new tree protection plan with the latest layout plan to ensure that the tree is protected during construction. Subject to this condition, it isn't considered that the proposal would harm the protected tree and that the development would comply with the provisions of Local Plan policy D3.

Flood Risk and Surface Water Run-off

Local Plan policy EN22- Surface Run-Off Implications of New Development states that planning permission for new development will require that:

1. The surface water run-off implications of the proposal have been fully considered and found to be acceptable, including implications for coastal erosion.
2. Appropriate remedial measures are included as an integral part of the development, and there are clear arrangements in place for ongoing maintenance over the lifetime of the development.
3. Where remedial measures are required away from the application site, the developer is in a position to secure the implementation of such measures.
4. A Drainage Impact Assessment will be required for all new development with potentially significant surface run off implications.
5. Surface water in all major commercial developments or schemes for 10 homes or more (or any revised threshold set by Government) should be managed by sustainable drainage systems, unless demonstrated to be inappropriate.

Policy EN6 of the Exmouth Neighbourhood Plan states that development proposals must incorporate Sustainable Urban Drainage Systems (SuDS) and a management plan for future maintenance of the drainage system, unless it can be demonstrated that they are inappropriate. New drainage systems must be effective in allowing for surface water management on site and improvement of water quality.

The site does not fall within a flood zone and so the proposed development is not considered to be at risk from flooding.

The County Council's Flood Risk Management Team have objected to the application on the basis that it does not satisfactorily conform to EN22 and because the applicant is required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

The Flood Risk Management Team have advised that as noted within the submitted Flood Risk Assessment it is proposed to utilise the existing surface water drainage system. They have however advised that where brownfield sites are being developed, peak flow control should still be based on the greenfield runoff rate. The applicant must therefore attempt to match this greenfield rate in the first instance, but if this is robustly demonstrated to be unfeasible, the applicant should work backwards to achieve a runoff rate as close to the greenfield conditions as possible. Importantly, the applicant will be required to provide evidence of the calculations undertaken to achieve the proposed runoff rate.

These comments have been passed to the applicant who has not submitted any further information to address the objection raised on the basis that they confirm that in accordance with SuDS surface water run off will be disposed of by way of ground soakaways as not to lead to an increase on the hydraulic load of the adopted surface water drains.

Whilst the objection from the County Council's Flood Risk Management Team is acknowledged, the site is a brownfield site where it is considered that the submission of a detailed scheme for the management and disposal of surface water that will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance can be secured through the imposition of a suitably worded condition.

RECOMMENDATION

Approve subject to the following conditions:

Time Limit:

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).

Approved Plans:

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.)

Materials:

3. Notwithstanding the submitted details, no development above foundation level shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been 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 considered at an early stage and 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.)

Hard landscaping:

4. Prior to commencement of any hard landscaping works, a hard landscaping scheme to include samples and finishes of the materials to be used in the construction of the hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also give details of any proposed walls, fences and other boundary treatment including details of materials and finishes. The development shall thereafter 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 Policies D1- Design and Local Distinctiveness of the Adopted and emerging East Devon Local Plan.)

Soft Landscaping:

5. No landscaping shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to identify trees and hedges to be retained and 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 otherwise agreed in writing by the Local Planning Authority and 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 New East Devon Local Plan 2013-2031.)

Levels:

6. The development hereby approved shall be carried out in accordance with the ridge heights, finished floor levels and ground levels as shown on drawing no 8020-111L.
(Reason: In the interests of the character and appearance of the area and the residential amenities of adjoining occupiers in accordance with Policy D1 – Design and Local Distinctiveness of the Adopted New East Devon Local Plan 2013-2031.)

Access and Parking:

7. In accordance with the details shown on drawing no 8020-110N visibility splays shall be provided, laid out and maintained for that purpose at the site access where the visibility splays shall provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway identified as X shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 70 metres in a northerly direction and 70 metres in a southerly direction.
(Reason - To provide adequate visibility from and of emerging vehicles in accordance with policy TC7- Adequacy of Road Network and Site Access of the East Devon Local Plan 2013-2031).
8. Prior to first occupation of the development hereby approved, the existing vehicular access shall be stopped up in accordance with the details shown on drawing no 8020-110N.
(Reason: To reduce the number of vehicular accesses onto Salterton Road In the interests of highway safety in accordance with policy TC7- Adequacy of Road Network and Site Access of the East Devon Local Plan 2013-2031).
9. No part of the development hereby approved until the access and parking shown on drawing no 8020-110N have been provided.
(Reason: To ensure that the adequate parking is provided for future occupiers of the development in the interests of highway safety in accordance with policies TC7- Adequacy of Road Network and Site Access and TC9- Parking Provision in New Development of the East Devon Local Plan 2013-2031).

Amenity of Existing Residents:

10. Prior to first occupation of the development hereby approved, in accordance with the details shown on drawing no 8020-100K, the windows on the south west elevation shall have been glazed with obscure glass and the obscure glazing of these windows shall thereafter be retained at all times. For the avoidance of doubt, the high level windows on the south west and north east elevations shall be fitted no lower than 1.7 metres from the finished floor level of the rooms they are intended to serve.
(Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1- Design and Local Distinctiveness of the East Devon Local Plan 2013-2031).

11. Prior to first occupation of the development hereby approved, in accordance with the details shown on drawing no 8020-100K, the balcony privacy screens on the south west elevation shall have been fitted and shall thereafter be retained at all times (Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1- Design and Local Distinctiveness of the East Devon Local Plan 2013-2031).

Construction Management Plan:

12. Prior to commencement of development on any part of the site the Planning Authority shall have received and agreed in writing a Construction Management Plan (CMP) which shall include the following information:
- (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.
- The development shall thereafter be carried out in accordance with these details.
- (Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance and in the interests of highway safety in accordance with policies D1 (Design and Distinctiveness) and EN14- Control of Pollution and TC7- Adequacy of Road Network and Site Access of the adopted East Devon Local Plan 2013 - 2031.)

CEMP:

13. A Construction and Environment Management Plan shall be submitted to and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters: Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.

(Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance with policies D1-Design and Distinctiveness and EN14- Control of Pollution of the adopted East Devon Local Plan 2013 - 2031.)

Bin and Cycle Storage:

14. Notwithstanding the submitted details and prior to first occupation of the development hereby approved, in accordance with details of the design, materials and finishes that shall have first been submitted to and approved in writing by the Local Planning Authority, the bin and cycle store shall be provided. The bin stores and cycle stores shall thereafter be constructed in accordance with the agreed details and remain in perpetuity for their intended use.

(Reason: To ensure that adequate facilities are provided for future occupiers of the development and to encourage sustainable modes of travel in accordance with policies D1- Design and Distinctiveness and TC2- Accessibility of New Development of the adopted East Devon Local Plan 2013 - 2031.)

Ecology:

15. The development hereby approved shall be carried out in accordance with the recommendations site enhancement measures contained within the ecological report prepared by Devon and Cornwall Ecology dated June 2021.

(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).

Surface Water Drainage:

16. No part of the surface water drainage shall be installed until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood and Highway Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems and shall include evidence of calculations to achieve a runoff rate as

close to greenfield conditions as possible. The surface water drainage scheme shall thereafter be installed in accordance with the agreed details.

(Reason - To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems in accordance with the provisions of policy EN22- Surface Run-Off Implications of New Development of the East Devon Local Plan 2013-2031).

Tree Protection:

17. Notwithstanding the submitted details, and prior to commencement of any works on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

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.

(Reason - To ensure retention and protection of trees on the site 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, D2- Landscape Requirements and D3- Trees on Development Sites of the 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:

| | | |
|-----------|----------------------|----------|
| 8020-LPA | Location Plan | 14.01.21 |
| 8020-110N | Proposed Site Plan | 20.01.22 |
| 8020-111L | Sections | 20.01.22 |
| 8020-101K | Proposed Elevation | 30.11.21 |
| 8020-100K | Proposed Floor Plans | 30.11.21 |

List of Background Papers

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