

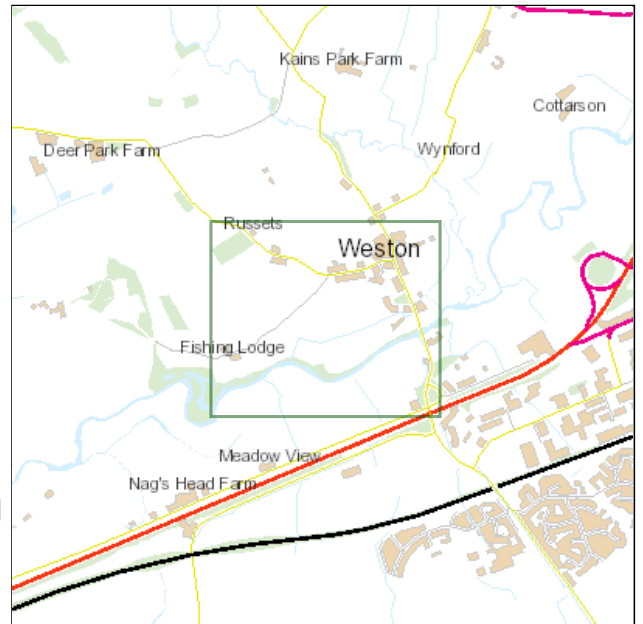
Ward Feniton

Reference 22/1513/FUL

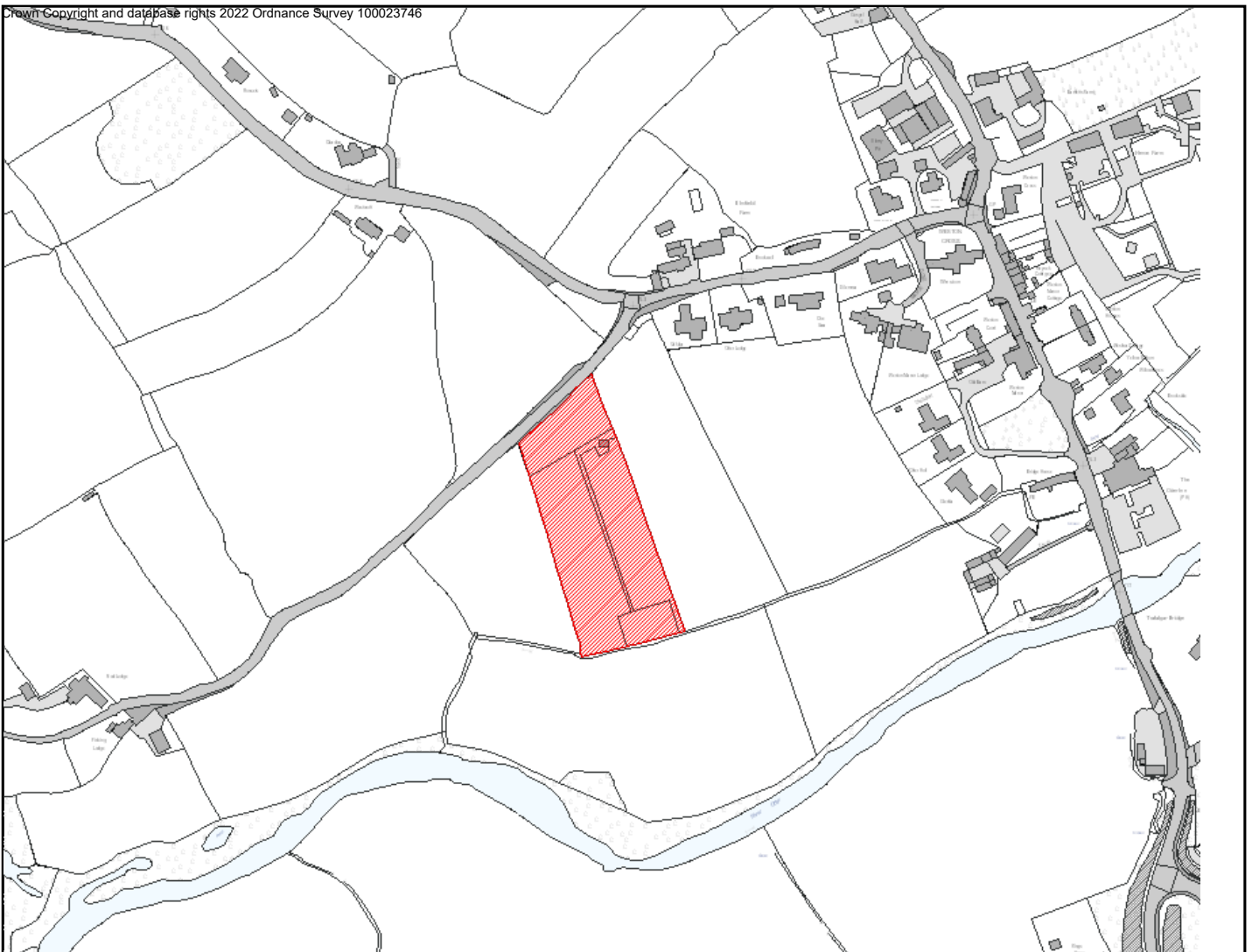
Applicant Mr D. Jenkins and Ms K. Holvey

Location Otters Pocket Weston Honiton EX143PF

Proposal Siting of a temporary rural workers dwelling and rural building.



RECOMMENDATION: Approval with conditions



		Committee Date: 29.11.22
Feniton (Buckerell)	22/1513/FUL	Target Date: 03.10.2022
Applicant:	Mr D. Jenkins and Ms K. Holvey	
Location:	Otters Pocket Weston	
Proposal:	Siting of a temporary rural workers dwelling and rural building.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before members as the officer recommendation differs from the views of a Local Ward Member.

The application seeks permission for the siting of a mobile caravan to serve as accommodation for an onsite worker to assist in the day to day keeping, breeding and rearing of alpacas. The application also seeks permission for the construction of a barn and yard area.

Policy H4 (Dwellings for Persons Employed in Rural Businesses) of the East Devon Local Plan sets a strict set of criteria that proposals must fully satisfy in order to be granted permission. As such, the principle of siting the mobile home is accepted subject to the application meeting the various requirements of Policy H4.

The key issue for consideration is whether the application demonstrates that there is an essential functional requirement for on onsite worker to assist with the day to day running of the business. Additionally the proposals will need to demonstrate future operational viability of the business.

The applicants have been operating for two years and currently own 14 Alpacas, 10 of which are female, 2 males and 2 crias. The submitted agricultural appraisal detail intentions to expand this number to 30 females in addition to a number of stud males and youngstock. A Standard Man Days calculation has estimated an outstanding labour requirement of 323 man days.

Whilst concerns have been expressed by the Parish Council and third parties regarding the robustness of the applicant's case, it is the position of officers that the existing numbers of the herd and the numbers forecast would warrant the need for an onsite worker for most parts of the day.

The need for an onsite worker largely stems from the need to assist the livestock during the birthing process known as 'unpacking'. The Agricultural Appraisal expands upon the various challenges of establishing a breeding herd of alpacas. Whilst pregnancy usually lasts around 11 months, this can be up to 30 days either side of the due date. The difficulty in predicting the timing of the birth is further complicated by alpacas being induced ovulators and consequently do not display signs of being in heat and, due to being a prey species, are able to disguise signs of labour. As such, being able to closely monitor pregnant females is essential in management of the herd and sustainability of the business.

Calving usually occurs during the morning hours to early afternoon, however, it is not unusual for this to take place outside of daylight hours and for some level of assistance during unpacking. The failure to do so can lead to cria being lost and, owing to the high cost of the progeny, can have severe implications on the viability of the business. As such the husbandry and careful monitoring of the female stock and young cria is of paramount importance in establishing a successful business.

Having considered the agricultural appraisal, financial assessment and various appeal decisions concerning similar development, it is the position of officers that the proposals meet the requirements of Policy H4. As such it is recommended that approval is given for construction of the barn and temporary consent is granted for the siting of the mobile home.

CONSULTATIONS

Local Consultations

Parish/Town Council

Buckerell Parish Council objects strongly to the proposal for the siting of the temporary rural workers dwelling on the site of Otters Pocket. The Parish Council remains unconvinced that the applicant has demonstrated sufficient justification for the creation of a new home in this countryside location. It is not satisfied that a sufficiently robust case has been made that an agricultural holding of this size, can support a viable agricultural enterprise which will be sustainable for the foreseeable future and this view is reinforced by the admission that the business will rely upon income from camping under permitted development rights or long term camping proposals to support the alpaca rearing operation.

The Parish Council has not been able to interrogate the financial justification submitted to the local planning authority as that information has been redacted. It is considered that if this information is to be relied upon to justify the viability of the operation, then this information should be in the public domain and there is no government guidance which suggests that this information should be treated in a confidential manner.

Buckerell Parish Council expects East Devon District Council to appoint its own agricultural consultants, of equal standing to Reading Agricultural Consultants, to independently interrogate the financial case which has been put forward. They should expect the financial information to be based on up-to-date costs and prices, such as input prices which have risen significantly in recent months. Temporary planning permission should only be granted if the council's consultants are entirely satisfied that the long-term future operational viability is demonstrated, as required by Policy H 4 of the East Devon Local Plan.

Concern is also expressed that the mobile home will need to have its own sewage treatment plant which would require mains electricity which is not available on site. A traditional septic tank would not be appropriate due to the high-water table in this location.

The LPA also needs to be satisfied that the site has appropriate access as it is believed that the road to the site is in private ownership and it is important that appropriate notices are served.

Feniton - Cllr Alasdair Bruce – 07.09.2022

Haven't heard back from you regarding the above so I would like to lodge my objections to this development on the grounds already cited by Buckerell parish council.

Feniton - Cllr Alasdair Bruce – 11.11.2022

This application seems to have been poorly thought through with large gaps missing to satisfy the normal requirements of an application of this sort. The Parish councils have all pointed to the lack of transparency regarding the financial robustness of this application and there is no justification for the redaction of such information, nor any reason presented by the officers for this. Surrounded by farmers as I am, and occasionally involved in helping out, I am well aware of the pressures and still evolving regulations post brexit. So I too would have to cast doubt on the viability of such a venture as presented. My original comment, included in the original draft, was cut from an email I sent to the officer requesting clarification on points raised by a constituent. To date I have had no such clarification and leads me to have little confidence in the scrutiny which should have been applied to this case. From so many angles this application fails, and I'm frankly at a loss to see how it conforms with many of the requirements of H4 of our local plan, and that it is recommended for approval. I will not repeat the many sound and valid points raised by the respondents against this application, but would simply urge the committee to consider them well meant and refuse this application.

Adjoining Parish (Awliscombe)

Although this application is not within the Parish boundary of Awliscombe it is very close to the properties in the hamlet of Weston (part of Awliscombe Parish Council) and therefore we would like to make comments on behalf of the parishioners who are vehemently against this application. We have a number of questions that we would ask the planning officers to consider.

- Does the farming business case stack up and is there a need for an on-site worker? An area of 2.2 acres doesn't really provide the profit for a permanent workforce. It would seem that they have acquired a further field on a FBT but even so this amount of land would not lend itself to support the need for a dwelling on site particularly when it is within half a mile of the new Hayne Farm development. There is mention from the agents that the 'hypothetical' business could not support the rent or purchase of a local house surely this should cast doubts on the financial viability and the need for a mobile home at all. There is mention of a 'glamping business and egg production' and while this is not part of this application it will need to be taken into account for future decisions as this would be huge detriment to neighbouring properties.
 - There is a 'trunk' main water pipe which runs through the field and we ask that South West Water are consulted and also there is the issue of waste water and the provision of a sewage plant or soakaway which is needed by law.
 - The field is not in a flood designated area but we ask that the area is checked so that it is not affected by the Local Authority strategic plan for flood risk. These things are not the same as flood plain designation. We know the field floods when we have bad weather
 - Residents are also concerned no environmental or ecological surveys have been undertaken and there is a failure to note the existence of any trees. It is surrounded on four sides with mature trees! Residents also do not want another camp site or tourist attraction in the hamlet. Traffic is bad enough and there is no room for parking on the land owned by the applicant. Parking on the roads in Weston is already an issue.
- With these comments in mind Awliscombe Parish Council can not support this application and strongly object to the proposal of the 'Siting of a temporary rural workers dwelling and rural building'

Other Representations

Three third party comments have been received objecting to the application. The following points are a summary of the material planning issues raised:

- Trees are present onsite contrary to claims within the application form
- Lack of ecology survey
- Lack of Flood Risk Assessment
- No provision has been made for waste storage
- Concerns over accuracy of figures provided within the financial assessment
- Some of the appeal cases cited are not directly comparable
- Accommodation is available elsewhere that could be occupied
- Lack of Landscape Visual Impact Assessment
- A full Tree Survey should be conducted
- Inadequate measures to deal with surface water run off
- Mobile home does not reflect the local vernacular
- Financial costs do not reflect the current economic climate
- There is a lack of detail regarding the glamping offering which requires planning permission
- Salary for the rural worker is understated within the financial assessment

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside)

D1 (Design and Local Distinctiveness)

H4 (Dwellings for Persons Employed in Rural Businesses)

D3 (Trees and Development Sites)

Site Location and Description

Otters Pocket is located just west of Weston and accessed off of a private road that serves the Deer Park Hotel. The site is bounded by mature hedgerow and trees that prevent public views into the site. A pair of side hung timber gates have been constructed at the mouth of the access that were locked upon visiting the site. Currently the field consists of timber fencing that subdivide the area into pens, a number of timber outbuildings and a mobile caravan.

The application site comprises of 2.4 acres of agricultural land owned by the applicant laid to pasture where a herd of alpacas are left to graze. The holding also consists of an additional 0.7 acres immediately to the north east and a further 2.4 acres of land in Awliscombe both parcels of which are leased.

Proposed Development

The application seeks permission for the siting of a mobile caravan to serve as accommodation for an onsite worker to assist in the day to day keeping, breeding and rearing of alpacas. The application also seeks permission for the construction of a barn and yard area.

Principle of Development

The spatial strategy for development is focused around the seven main towns and larger villages with built up area boundaries, as described by Strategy 27. However, the proposed site is not included within such a settlement and therefore is not considered to have an appropriate level of services and facilities to support residential development. Therefore, for planning purposes, the proposal takes place within a countryside location and is therefore subject to restrictive rural policies.

Strategy 7 (Development in the Countryside) of the East Devon Local Plan states that development in the countryside will only be permitted where it is in accordance with a specific Local Plan or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape qualities within which it is situated.

Policy H4 (Dwellings for Persons Employed in Rural Businesses) of the East Devon Local Plan sets a strict set of criteria that proposals must fully satisfy in order to be granted permission. As such the principle of siting the mobile home is accepted

subject to the application meeting the various requirements of Policy H4, these will be considered in turn below.

Policy D7 (Agricultural Buildings and Development) of the Local Plan permits the construction of new agricultural buildings intended for agricultural purposes where there is a genuine agricultural need for the development.

Policy H4

The application has prompted objections from Awliscombe and Buckerell Parish Councils and a Local Ward Member who have expressed concerns that the agricultural appraisal has not put forward a robust enough case to warrant the need for an onsite worker. The Local Planning Authority has not employed an independent consultant to review the appraisal submitted by Reading Agricultural Consultants as suggested by a third party and Buckerell Parish Council. However, in this case, officers have reviewed the appraisal and referred to various appeal decisions involving the siting of temporary accommodation for an onsite worker for similar businesses.

Essential Functional Need

Policy H4 of the Local Plan supports the provision of homes in countryside locations to enable rural workers to live at or near their place of work in the countryside. H4 is broadly in line with the requirements of paragraph 80 of the National Planning Policy Framework which states that planning decisions should avoid isolated homes in the countryside unless there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.

The submitted agricultural appraisal seeks to demonstrate that there is an essential functional need for a worker to reside on the holding. If this test can be met then the financial viability of the business should be reviewed.

The applicants have been operating for two years and currently own 14 Alpacas, 10 of which are female, 2 males and 2 crias. The submitted agricultural appraisal details intentions to expand this number to 30 females in addition to a number of stud males and youngstock. A Standard Man Days calculation within the appraisal has estimated a labour requirement of 323 man days.

However, before the applicants can operate on a commercial scale, it is stated that there is a need to ensure that the welfare of the stock can be assured at all times. Livestock should enjoy 5 basic freedoms; freedom from hunger and thirst, freedom from discomfort, freedom from pain, injury or disease, freedom to express normal behaviour and freedom from fear and distress (Animal Welfare Act 2006). Whilst these freedoms are clearly ethical and important factors in effective livestock management, it is considered that all of these needs could be met by a non-resident worker looking after the herd on a day to day basis.

Paragraph 4.2 of the Agricultural Appraisal expands upon the various challenges of establishing a breeding herd of alpacas. Firstly, whilst pregnancy usually lasts around 11 months, this can be up to 30 days either side of the due date. The difficulty in predicting the timing of the birth is further complicated by alpacas being induced ovulators and therefore do not display signs of being in heat and, due to being a prey species, are able to disguise signs of labour. Therefore being able to closely monitor pregnant females is essential.

The birthing process is known as 'unpacking' and whilst this usually occurs during the morning hours to early afternoon, it is not unusual for this to take place outside of daylight hours. Furthermore it is not unusual for some level of assistance during unpacking, the failure to do so can lead to cria being lost and, owing to the high cost of the progeny, can have severe implications on the viability of the business.

From a number of the appeal decisions reviewed by the LPA, Inspectors have attributed weight to guidance available on the British Alpaca Society website;

“Generally they are hardy, healthy animals and for non-breeding alpacas, as with all livestock they should be checked at least once a day, preferably twice. Pregnant females or females with young cria will need a much higher level of supervision and you should seek advice from BAS members with breeding experience or a vet for a suitable care regime.”

The difficulty of an unpredictable gestation period and the likelihood of staggered pregnancies creates the likelihood of a wide birthing window. The need to closely monitor pregnant females was considered a functional requirement of the herd that could only be met by a worker readily available at most times of the day by an inspector in the assessment of APP/W1145/A/14/2218039 at Worthy Farm in Dolton. In that case the number of females (13) is arguably similar to the number of female alpacas that the applicant currently owns (10).

Additionally, an appeal against Teignbridge Council at Little Park Farm (APP/P1133/A/12/2188539), was allowed for the siting of a temporary workers dwelling to assist in the day to day management of an alpaca herd consisting of 17 individuals, 8 of which were female and 7 crias. The inspector in this case states at paragraph 23 that;

“The appellant plans to increase the alpaca herd at Little Park Farm from 8 breeding females to around 20 within the next 3-5 years. The size of the holding would enable this number to be accommodated at acceptable densities, and they would require all round day and night care for significantly long periods. This view is reinforced by several of the appeal decisions which have been submitted by the appellant, some of which point to around 15-20 breeding alpacas being an acceptable threshold for requiring care at most times, although appeals have been allowed in relation to smaller herds.”

Alternatively, an appeal lodged against Stroud District Council's refusal of a temporary caravan for a rural worker (APP/C1625/C/12/2171928) at Bird Farm was subsequently dismissed partly on grounds that there was no demonstrable functional need. Whilst there are similarities with regards to the size of the existing herds at

Otters Pocket, the number of females was much smaller (5) and therefore not directly comparable. Nonetheless, it was considered that at this number, the seasonal birthing period could be managed in a way that would only require the presence of an onsite worker during brief periods of any given year and therefore the siting of a mobile caravan could be achieved utilising permitted development rights.

However, a more recent appeal at Park Field, issued on 30.09.22 (APP/E2205/W/22/3297749), allowed an appeal for the siting of a temporary caravan. Whilst the inspector largely focuses on whether the forecasted herd numbers can be achieved, the functional requirement of the herd (42) was considered to warrant the presence of an onsite worker. Whilst it is acknowledged that the appellants also kept a small number of lambs and hens, the keeping, breeding and selling of alpacas was considered the primary function of the business. The number projected at Otters Pocket is 81 (30 females) and significantly above that of the Park Field case.

Owing to the number of alpacas forecasted by the end of year 3, concerns have been raised by statutory consultees and third parties regarding whether the modest size of the holding can accommodate the number. The application details that the holding consists of three parcels these include the application site (0.9ha), land west of The Barn Elmfield (0.4ha) and a further parcel of land at Awliscombe (2.4ha) under a Farm Business Tenancy Agreement. After further discussions between the LPA and the applicant's agricultural consultant, it has been confirmed that, once the size of the herd has increased individuals would be managed to ensure that pregnant alpacas prior to and immediately after calving would be kept at the application site along with their cria. The remaining herd who would require less supervision would be grazed on the nearby land. It has also been put to the LPA that the 48 adult alpacas projected by the end of year three need a minimum of 3.2ha (10 – 15 per hectare) and that the land available is 3.7ha. It has also been confirmed that as the business is developed past the initial three year period other land parcels will likely be added.

Review of the various appeal decisions highlighted above leads the Local Planning Authority to consider that, despite the limited size of the holding, the size of the existing herd, and in particular the percentage of female alpacas, and the projected number of individuals anticipated to be added over the next couple of years would require the presence of an onsite worker. Therefore, with regards to Policy H4 and paragraph 80 of the NPPF, the essential need test is met.

Financial Test

Criteria 3 of Policy H4 requires that 'a financial assessment, specifically in the form of a business plan setting out projected future operations, must demonstrate future operational viability. Parts of the financial statement have also been redacted which has led to concerns from the Parish Council and third parties regarding the future viability of the business.

Three primary streams of income that form the business have been put forward; breeding and rearing of alpacas for sale, the sale of alpaca yarn products, manure and glamping. A website under the domain pocketalpaca.site has been created which sells a limited selection of alpaca toys although it's not clear that these have been made utilising wool obtained from the existing alpaca herd.

The primary source of income derives from the selling of breeding female alpacas which would also be supported by the sale of breeding males, non-breeding males and alpaca wool. The Parish Council appear to have concerns over the accuracy of the value of the alpacas and assumed sale prices within the financial statement. However in the absence of any substantive evidence put before the LPA to the contrary, information online indicates that the figures given are fairly reflective of the price of alpacas being traded in the UK.

The applicant assumes that by the third year of operating the business will be securing a fairly substantial amount of income through offering glamping. Owing to the limited land available and in the absence of planning permission for such a use, there is some doubt as to whether this part of the business can sufficiently operate to produce the income stated. The appraisal suggests that the landowner can utilise permitted development rights to enable the siting of tents/yurts, nonetheless, once the herd is fully established it is anticipated that there would possibly be limited land left available on the holding.

Comments from the Parish Council have reiterated that the costings provided gross margins need to reflect 'up-to-date costs and prices' which are stated to have risen over the last couple of months. However there is no evidence to suggest the figures given within the gross margins are out dated or incorrect and it is not possible to predict how the economy will change in the future. As such, despite the inflationary period the UK finds itself in, the costings provided within the report seem reasonable.

Primarily the financial assessment prepared by Reading Agricultural Consultants has sought to demonstrate that the business plan is capable, by the end of Year 3, of generating a profit sufficient to:

- a. reward the unpaid labour on the unit;
- b. provide a return to the investment in land;
- c. provide a return to the capital invested in the business; and,
- d. fund the build-cost of a dwelling

Further evidence provided by the applicant confirms that by the end of Year 3 £50,000 would have been invested into the business to cover the cost of constructing the proposed barn and for the purchasing of additional female alpacas.

In order to achieve the herd numbers given within the table at paragraph 4.13 of the agricultural appraisal, it is stated within the footnotes that between Year 1 and 2 that 10 breeding females will be purchased and then between year 2 and 3, 5 further breeding females would be purchased to expand the herd. Further correspondence with the agent has confirmed that approximately £30,000 shall be invested to

purchase new stock of females. Having reviewed prices given on alpacaseller.com it appears that the prices of females vary depending on age, breed and colour albeit usually they cost around the £2000 mark.

This initial investment figure (for the barn - estimate £20,000; and the alpacas - £30,000) and anticipated return of 2.5% (£1,250 per annum) is covered in the profit figures and reiterated at paragraph 4.21.

Despite concerns raised by third parties and the Parish Council, with regards to the viability of the business, it is the position of officers that there is a lack of evidence before the LPA to cast any doubt over the conclusions drawn within the applicant's financial assessment. It is also deemed appropriate to reiterate that the permission sought is for a temporary 3-year period during which the business would seek to develop and prove itself. Whilst this is not a reason itself to grant permission, the evidence before the LPA leads officers to conclude that there is a real prospect for the business to become viable by the end of the three-year period.

Proposed Barn

An open sided barn is proposed to be constructed towards the north-western corner of the site. The build is approximately 4.1 metres to eaves, 6 metres to the ridge with an overall footprint of 144sqm.

The applicant intends to use the building for storage of hay, machinery, feed and tools. Two stables would also be provided for sick or injured livestock that need to be separated from the main herd.

The structure is considered to be of reasonable size for the identified requirements. As a consequence it is considered that the agricultural building would be suitable and reasonably necessary to serve the agricultural use of the wider site.

Trees

The application site benefits from extensive screening provided by dense hedgerow and trees that border the site particularly on the northern boundary. The original drawings detailed the barn and hardstanding for the yard area encroaching within the Root Protection Areas and crown spread of a number of significant trees along the northern and, potentially, western boundary.

Concerns with regards to the proximity of the barn to these trees were relayed to the applicant who has subsequently moved the barn away from the trees of concern. This can be seen on the amended Site Plan (Drwg: DJ-JH-04 A) dated 28.09.22. The Local Authority's tree officer has confirmed that the development can take place without causing undue harm to the existing stock of trees subject to details of Tree Protection measures being provided prior to commencement on site.

Impact on Character and Appearance of the Area

The application site is located on fairly flat ground and enclosed by dense hedgerow and trees that border the site particularly along the northern boundary. As such, public views into the site are largely restricted to those immediately forward of the site's access if the timber gates are open. Otherwise the site is almost completely screened.

Concerns have been raised by a third party regarding the impact of the development on the rural character of the area. However, it is anticipated that owing to the existing screening the construction of the barn and hardstanding would have limited visual impact. Similarly, for the siting of the mobile caravan, some glimpsed views will be available on the road to the Deer Park Hotel. Despite this, the subsequent impact is very low.

Other Matters

Foul Drainage

- The submitted Foul Drainage Assessment confirms that foul sewage would be treated via a package treatment plant and discharged via a soakaway.

Flooding

- The southern half of the application site is designated as Flood Zone (2&3). Despite this, the mobile home and access to the site fall outside the land with an elevated risk of flooding. As such a detailed Flood Risk Assessment is not required.

Ecology

- Comments from Awliscombe Parish Council have expressed concerns over a lack of Ecological appraisal. However the siting of the mobile home and construction of the barn does not trigger any statutory requirement for such an ecological appraisal to be completed. Furthermore, in light of confirmation that all existing trees would be retained, there is no evidence before the LPA to suggest that the existing level of biodiversity at the site or protected species would be impacted. No such survey has therefore been sought.

Conclusion

Despite objections raised with regards to the functional need for the accommodation. The submitted agricultural appraisal demonstrates that the requirements of the alpaca herd, particularly given the size after the three year period, warrants the need for an onsite worker.

Parts of the financial statement have also been redacted which has led to concerns from the Parish Council and third parties not being able to assess this and the future viability of the business. However there is not any evidence before the LPA to doubt the conclusions drawn within the financial assessment.

Having considered the agricultural appraisal, financial assessment and various appeal decisions concerning similar development, it is the position of officers that the proposals meet the requirements of Policy H4.

In the absence of any harm to the character and appearance of the area or adjacent neighbours it is recommended that approval is given for construction of the barn and for the temporary siting of the mobile home.

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. The permission hereby granted shall be for a limited period only beginning on the date the mobile home is first sited and expiring, on or before 3 years after this date at which point the land shall revert to an agricultural use and the mobile home shall have been removed and the site restored to its previous condition, unless the prior consent of the Local Planning Authority has been obtained in writing for a further period of such use.
(Reason - The permission is only justified for a limited period to allow the applicant to demonstrate the agricultural businesses viability and the continued functional need for the on-site accommodation of an agricultural worker and to control development in the open countryside in accordance with policy H4 (Dwellings for Persons Employed in Rural Businesses) and Strategy 7 (Development in the Countryside) of the adopted East Devon Local Plan 2013-2031).
4. The occupation of the mobile home shall be limited to a person solely or mainly working, or last working, in the locality in agriculture (as defined in Section 336 of the Town and Country Planning Act 1990) or forestry, or a widow or widower or surviving civil partner of such a person, and to any resident dependants.

(Reason - The dwelling is justified only by agricultural need and should remain available for this purpose in accordance with Policy H4 (Dwellings for Persons Employed in Rural Businesses) of the East Devon Local Plan 2013-2031.)

5. 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 - A pre-commencement condition is required to ensure retention and protection of trees on the site during and after construction. The condition is required in 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 East Devon Local Plan 2013-2031.)

6. Prior to commencement of the development hereby approved, details of the materials to be used for the construction of the barn shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

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:

DJ-JH-04 A	Proposed Site Plan	28.09.22
DJ-JH-02	Proposed Combined Plans	07.07.22
DJ-JH-03	Proposed Combined Plans	07.07.22
DJ-JH-05	Location Plan	07.07.22

List of Background Papers

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