

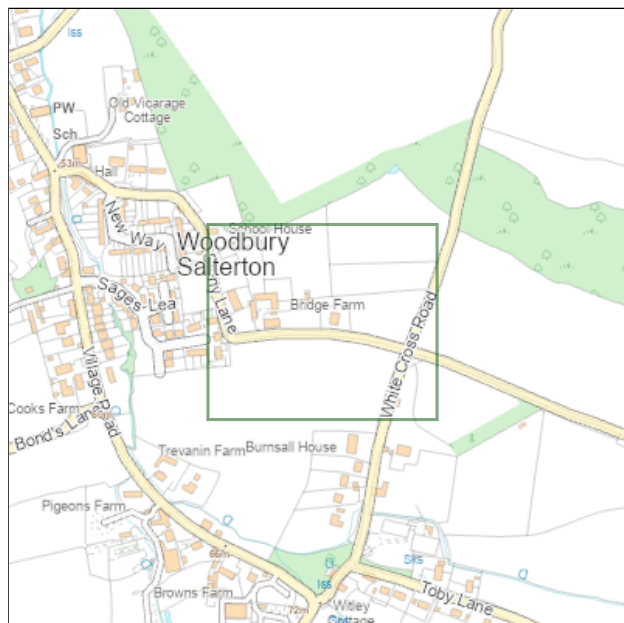
Ward Woodbury And Lymptstone

Reference 23/1131/VAR

Applicant Mr Tom Buxton-Smith

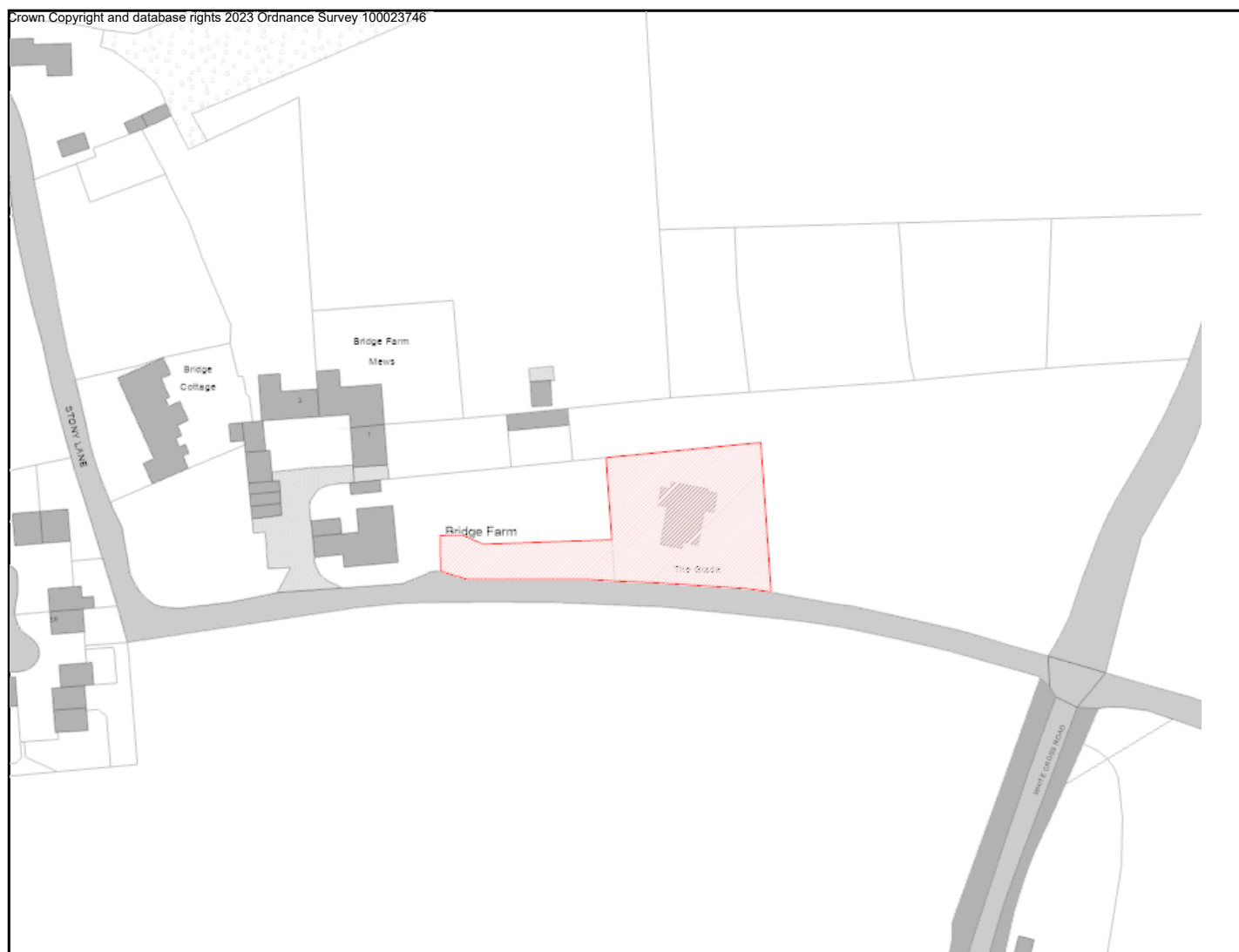
Location The Glade Stony Lane Woodbury Salterton
Devon EX5 1PP

Proposal Variation of condition 2 (approved plans) of application (21/0908/VAR) to allow for revision of plans for the proposed garage that include changes to the external materials, garage and access door positions and internal layout



RECOMMENDATION: Approval with conditions

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		Committee Date: 26.09.2023
Woodbury And Lympstone (Woodbury)	23/1131/VAR	Target Date: 21.07.2023
Applicant:	Mr Tom Buxton-Smith	
Location:	The Glade Stony Lane	
Proposal:	Variation of condition 2 (approved plans) of application (21/0908/VAR) to allow for revision of plans for the proposed garage that include changes to the external materials, garage and access door positions and internal layout	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Members because the applicant is a member of staff of East Devon District Council.

Planning permission is sought to vary condition 2 (approved plans) of approval granted under reference 21/0908/VAR to allow revisions to the external appearance and layout of the approved garage.

The alterations proposed will not affect the size or footprint of the garage, and are not considered to have a material impact on the appearance of the property or any wider visual impact.

CONSULTATIONS

Local Consultations

Woodbury And Lympstone - Cllr Geoff Jung
23/1131/VAR

I have viewed the variation planning application for 23/1131/VAR for a variation of condition 2 (approved plans) of application (21/0908/VAR) to allow for revision of plans for the proposed garage that include changes to the external materials, garage and access door positions and internal layout at the Glade Stony Lane Woodbury Salterton.

I support this application; however, I reserve my final views on this application until I am in full possession of all the relevant arguments for and against.

Parish/Town Council

Woodbury Parish Council supports this application.

Other Representations

None received

PLANNING HISTORY

Reference	Description	Decision	Date
21/0908/VAR	Variation of condition 2 (approved plans) and removal of condition 3 (closure of access and reinstatement of hedge) of planning permission 20/0568/VAR to allow the retention of the temporary access onto Stony Lane	Approval with conditions	05.07.2021
20/0568/VAR	Variation of condition 2 (approved plans) of 19/0868/VAR to allow revisions to the layout/elevations, external materials and landscaping	Approved	24.07.2020
19/0868/VAR	Variation of Condition 2 (Approved Plans) on 17/0990/RES (reserved matters application for the construction of a dwelling pursuant to outline approval 14/2969/OUT) to allow internal layout changes, elevational and fenestration changes and changes to external finishes, and variation of conditions 3, 4, 5, 6, 8, 9, 10, 11 and 12 of application 17/0990/RES following the submission of information to discharge these conditions.	Approved	24.06.2019

17/0990/RES	Approval of reserved matters (access, appearance, landscaping, layout and scale) for the construction of a dwelling pursuant of outline approval 14/2969/OUT	Approved	25.08.2017
15/1492/FUL	Retention of vehicular access	Refused	24.11.2015
15/0774/FUL	Construction of detached two storey dwelling with integral garage and creation of new vehicular access	Refused	14.07.2015
14/2969/OUT	Proposed new dwelling (outline application with all matters reserved)	Approved	25.02.2015
14/1161/OUT	Proposed new dwelling (Outline with all matters reserved)	Refused Appeal dismissed	31.07.2014 10.12.2014

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies Strategy 7 (Development in the Countryside)

D1 (Design and Local Distinctiveness)
D2 (Landscape Requirements)
D3 (Trees and Development Sites)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)
TC7 (Adequacy of Road Network and Site Access)
TC9 (Parking Provision in New Development)

Government Planning Documents

NPPF (National Planning Policy Framework 2021)
National Planning Practice Guidance

Site Location and Description

The Glade is a newly constructed dwelling located on the eastern edge of the village of Woodbury Salterton.

Proposed Development

Planning permission is sought to vary the approved plans to allow internal and external alterations to the approved garage. Whilst the main dwelling has been constructed, work has yet to begin on the approved garage. It is proposed to move the position of

the garage door on the front elevation, remove a door opening from the east elevation and to introduce a new door opening in the north elevation. Alterations to the materials include timber cladding to the front and east elevation, and to render the north, all to match the existing property. It is also proposed to remove the internal partitions within the garage.

ANALYSIS

The main issue in the determination of this application relates to any visual impact arising from the alterations.

It is considered that the relocation of the garage doors to a central position will provide symmetry when viewing the property from Stony Lane, the main public vantage point from which the property can be seen. The amendments to the materials are considered to improve the appearance, providing a more recessive look to the garage building and breaking up the expanse of render. Wider views of the property from the east, in White Cross Road, would also be improved by the use of timber cladding which would have a more rustic appearance and again break up the render finish on this elevation.

The revised position of external doors and removal of internal partitions are not considered to have any material impact on the appearance of the property and would provide a more efficient internal use of the space.

Subject to conditions, the proposal is considered to be acceptable.

RECOMMENDATION

APPROVE subject to the following conditions:

1. 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.)
2. The access shall be constructed in accordance with the details indicated on Drawing No: 2093 37.2 E (Proposed Site Plan Sheet 2 of 2) and the passing place shall be maintained free of obstruction in perpetuity.
(Reason - In the interests of highway safety, and in accordance with Policy TC7 - Adequacy of Road Network and Site Access of the Adopted East Devon Local Plan 2013-2031.)
3. All works on site shall be undertaken in accordance with Construction Stage Method Statement/Procedure details, Ref. 2093-CMP dated 17 April 2019 and received by EDDC on 24 April 2019 in respect of the approval granted under reference 19/0868/VAR.
(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 Local Distinctiveness) and EN14 (Control of Pollution) of the Adopted East Devon Local Plan 2013-2031).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no works within the Schedule Part 1 Class E for the provision within the curtilage of the dwellinghouse hereby permitted of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of the dwellinghouse as such; or Part 2 Class B – means of access to a highway shall be undertaken.
(Reason – To protect the character and appearance of the area in accordance with Policy D1 (Design and Local Distinctiveness) of the Adopted East Devon Local Plan 2013-2031).
5. Landscaping shall be undertaken in accordance with drawing nos. 2093 37.1E :sheet 1 of 2 Proposed Site Plan and 2093 37.2E : sheet 2 of 2 Proposed Site Plan received 13 May 2021 and the Soft Landscaping Specification Ref. 2093-softld dated 17 April 2019, and received by EDDC on 24 April 2019. The 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.
(Reason - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)
6. Refuse storage facilities shall be provided in the position indicated on drawing no. 2093 37.2E sheet 2 of 2 Proposed Site Plan received 13 May 2021 prior to the occupation of the dwelling hereby approved and shall be maintained thereafter.
(Reason - To ensure that consideration is given to the provision of appropriate refuse provision for the residents is in the interest of health and hygiene in accordance with Policies D1- Design and Local Distinctiveness and EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)
7. The construction of all hardsurfacing within the vicinity of trees shall be undertaken in accordance with the principles embodied in BS 5837:2012 and AAIS Arboricultural Practice Note 1 (1996), and the details indicated on drawing nos. 2093 37.1E :sheet 1 of 2 Proposed Site Plan and 2093 37.2E : sheet 2 of 2 Proposed Site Plan received 13 May 2021 and document no. 2093-softld dated 17 April 2019 and submitted to EDDC 24 April 2019.
(Reason - To ensure retention and protection of trees on the site during and after construction. The condition is required in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D3 - Trees and Development Sites of the Adopted East Devon Local Plan 2013-2031.)
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the flat roofs hereby permitted shall not be used as a balcony, roof garden or similar amenity area without the grant of further specific permission from the Local Planning Authority.

(Reason - To protect the privacy of adjoining occupiers in accordance with Policy D1 (Design and Local Distinctiveness) of the Adopted East Devon Local Plan 2013 - 2031.)

NOTE FOR APPLICANT

Informative: Confirmation - CIL Liable

This Informative confirms that this development is liable to a CIL charge.

Any queries regarding CIL please email cil@eastdevon.gov.uk.

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Plans relating to this application:

	Location Plan	26.05.23
013.PL101 ground	: Proposed Floor Plans	24.05.23
013.PL102 south	: Proposed Elevation	24.05.23
013.PL103 : east	Proposed Elevation	24.05.23
013.PL104 : north	Proposed Elevation	24.05.23

The historic planning application is referenced under 21/0908/VAR for which the approved plans were as follows:-

2093 37.2 E : Sheet 2 of 2	Proposed Site Plan	13.05.21
2093 37.2 E : Sheet 2 of 2	Proposed Site Plan	13.05.21

The historic planning application is referenced under 20/0568/VAR for which the approved plans were as follows:-

R.2061-West rev o : sheet 1 of 2	Tree Protection Plan	02.04.20
R.2061-West rev o : sheet 2 of 2	Tree Protection Plan	02.04.20

2093 30 D : ground	Proposed Floor Plans	02.04.20
2093 31 D : first	Proposed Floor Plans	02.04.20
2093 36 D	Proposed roof plans	02.04.20
2093 37.1D : sheet 1 of 2	Proposed Site Plan	02.04.20
2093 37.2D : sheet 2 of 2	Proposed Site Plan	02.04.20
2093 38 D : AA	Sections	02.04.20
2093 39.1 D : south	Proposed Elevation	02.04.20
2093 39.2 D : east	Proposed Elevation	02.04.20
2093 39.3D : north	Proposed Elevation	02.04.20
2093 39.4D : west	Proposed Elevation	02.04.20

List of Background Papers

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

Statement on Human Rights and Equalities Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation

