

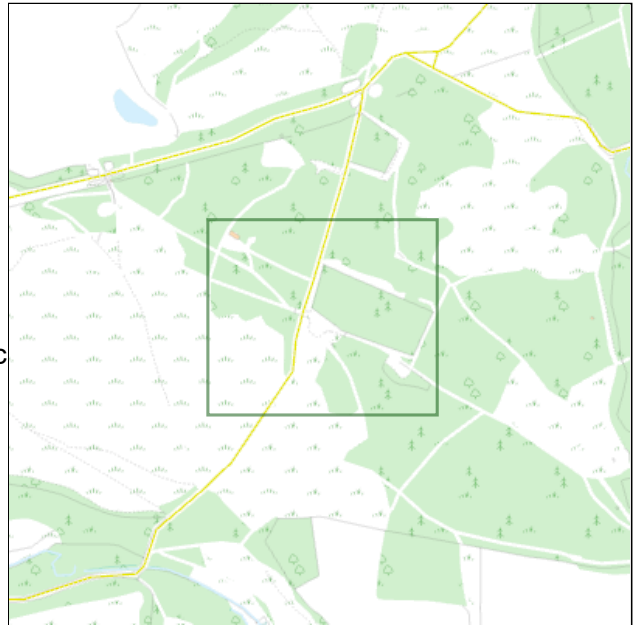
Ward Budleigh And Raleigh

Reference 23/0868/FUL

Applicant Mr Neil Harris

Location Wheathill Plantation Car Park East Budleigh
Grid Ref: SY 04062 84763

Proposal Improvements to the carpark. The improvements include provision of a new tarmac entrance, layout changes within the existing carpark extents, expansion of the car park area to the southern side, the provision of new signage, vehicle barriers, and boundary treatments in the form of logs, wooden posts or earth bunds.



RECOMMENDATION: Approval with conditions

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		Committee Date: 24.10.2023
Budleigh And Raleigh (East Budleigh)	23/0868/FUL	Target Date: 30.06.2023
Applicant:	Mr Neil Harris (East Devon District Council)	
Location:	Wheathill Plantation Car Park East Budleigh	
Proposal:	Improvements to the carpark. The improvements include provision of a new tarmac entrance, layout changes within the existing carpark extents, expansion of the car park area to the southern side, the provision of new signage, vehicle barriers, and boundary treatments in the form of logs, wooden posts or earth bunds.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

This application is before Committee as the applicant is East Devon District Council.

The East Devon Pebblebed Heaths is a Site of Special Scientific Interest (SSSI) covering some 1,400 ha. They are also designated a Special Area of Conservation (SAC) for the heathland habitat and the presence of the Southern Damselfly and as a Special Conservation Area (SPA) owing to the habitat that they provide for the Nightjar and Dartford Warbler.

The proposals relate to works to upgrade the Wheathill Plantation Car Park, one of a number parking facilities for visitors to the Pebblebed Heaths. It is located off of the eastern side of a Class C road that connects Yettington and the B3179 opposite the top end of Higher Marley Road.

The application is one of three essentially very similar applications that are on this Committee agenda; the others relating to Model Airfield Car Park (ref. 23/0851/FUL), approximately 1.4 km. to the north, and Uphams Car Park (ref. 23/0852/FUL), approximately 1 km. to the north.

They follow the grant of planning permission in 2021 (application ref. 21/1392/FUL) for similar works at four other car parks on the Pebblebed Heaths, namely: Joneys Cross Car Park, Hawkerland; Stowford Woods Car Park, Colaton Raleigh; Four Firs Car Park, Woodbury and Frying Pan Car Park, The Common.

Together, the works to each of the three sites, taken together with those previously approved at the four other car parks referenced above, provide a coherent strategy for updating the visitor experience and providing for increased visitor numbers. By improving the larger car parks, there would be an increased focus in these areas with less harm likely to arise in other satellite car parking areas, thereby reducing harm to the wider Pebblebed Heaths.

The proposals would lead to much needed improvements to the surfacing, configuration and drainage of the existing car parking. The enhanced functionality of the site would be justified due to the increased demand experienced.

The application is therefore recommended for approval.

CONSULTATIONS

Local Consultations

Parish/Town Council

East Budleigh with Bicton Parish Council has the following view:

Although the Parish Council is pleased that the existing extremely poor car park surface at Wheathill will be improved, there is concern about the statement that the level of site maintenance will be similar to the existing situation for the carparks. Photographs included with the application show the dreadful state to existing car park surfaces, including Wheathill. Four Firs new car park surface is already being gouged, so suggesting that maintenance will be at current levels is alarming. Perhaps it would be more cost effective to reinforce the critical turning points of the car park, particularly near the entrance (see Four Firs), with latticed structures that still allow drainage?

The Council does not see a pressing need to close the existing road edge parking at Wheathill and it does not seem a sensible use of funds. The road edge is wide with a hard level surface and is superior to the car park itself and less likely to incur vehicle damage which results from poor maintenance of the car park. The vegetation is not adversely impacted by the road edge parking as the hard surface has been in place for many years. It is stated that there is a desire to encourage parking at Wheathill as an alternative to Frying Pans (which has been closed) and surrounding informal car parks, but there is no proposed increase to the overall 41 parking places to accommodate this wish. Retention of road edge parking would give 51 overall parking places. It is also noted that Squabmoor parking is under pressure from insufficient parking and the Devon Wildlife Trust car park at Bystock was closed. These two scenic / educational areas are very popular with the public and parking is lamentable. Maximising parking at Wheathill at 51 spaces would therefore be sensible. It is also noted that the road edge parking at Wheathill is far superior to that at Bystock Ponds, which will continue to operate. Road edge parking also continues to operate at Frying Pans. It is therefore difficult to understand the inconsistency of proposed road edge parking closure at Wheathill.

Technical Consultations

County Highway Authority

I have visited the site and reviewed the planning documents.

The swept path plans show successful manoeuvring in off-carriageway turning and access/egress from this enhanced public car park access, furthermore the standard detail of the proposed bund shows a height of 0.6m, which means it will not affect the visibility splay in both the East and West direction.

The road safety audits are appreciated at the County Highway Authority (CHA) is satisfied with this content along with the Construction and Environment Management Plan (CEMP) to help mitigate any effects upon the carriageway during the construction phase.

The provision of a new bound tarmac entrance will provide a highway safety net gain of reducing debris and drainage being brought onto the highway.

Therefore, in summary the CHA has no objection to this planning application.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

EDDC Trees

I have no arboricultural concerns subject to the following conditions:

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

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

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

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

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

DCC Historic Environment Officer

I refer to the above application and the Written Scheme of Investigation (WSI) submitted in support of this application. This document sets out the scope of the archaeological work to be undertaken in mitigation for the impact of the proposed development upon the archaeological resource and is acceptable to the Historic Environment Team.

I would therefore advise that any consent that may be granted by the Planning Authority should be conditional upon the following worded conditions:

'The development shall proceed in accordance with the Written Scheme of Investigation prepared by South West Archaeology (document ref: BMA22WSIv1, dated 16th December 2022) and submitted in support of this planning application. The development shall be carried out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.'

Reason

'To ensure, in accordance with Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan and paragraph 205 of the National Planning Policy Framework (2021), that an appropriate record is made of archaeological evidence that may be affected by the development.'

In addition, the Historic Environment Team would advise that the following condition is applied to ensure that the required post-excavation works are undertaken and completed to an agreed timeframe:

'The development shall not be brought into its intended use until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall be confirmed in writing to, and approved by, the Local Planning Authority.'

Reason

'To comply with Paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.'

I will be happy to discuss this further with you, the applicant or their agent.

Natural England:

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on East Devon Pebblebed Heaths Special Area of Conservation (SAC), East Devon Heaths Special Protection Area (SPA) and East Devon Pebblebed Heaths Site of Special Scientific Interest (SSSI) and has no objection

Other Representations

No representations relating to the application proposals have been received from any interested third parties.

RELEVANT PLANNING HISTORY

21/1392/FUL - Car park improvements (Full). Approved 28/10/21. (Joneys Cross Car Park, Hawkerland)

21/1442/FUL - Car park improvements (Full). Approved 28/10/21. (Stowford Woods Car Park, Colaton Raleigh)

21/1443/FUL - Car park improvements (Full). Approved 28/10/21. (Four Firs Car Park, Woodbury)

21/1444/FUL - Car park improvements (Full). Approved 28/10/21. (Frying Pan Car Park, The Common)

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies Strategy 5 (Environment)

Strategy 7 (Development in the Countryside)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 47 (Nature Conservation and Geology)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

TC2 (Accessibility of New Development)

TC4 (Footpaths, Bridleways and Cycleways)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Made East Budleigh with Bicton Neighbourhood Plan to 2031 Policies

N1 (Protecting and Enhancing the Landscape, Biodiversity and Local Countryside Character)

Government Planning Documents
NPPF (National Planning Policy Framework 2021)

ANALYSIS

Site Location and Description

The Wheathill Plantation car park is one of a number of vehicle parking facilities located on the Commons/Pebblebed Heaths. Popular with visitors, these are primarily informally arranged areas with uneven and unmade surfaces and irregular configurations.

It is located on the eastern side of the Class 3 road that connects Yettington with the B3179 opposite the top end of Higher Marley Road. Wheathill Plantation itself flanks the car park to both the north and east. Further trees also screen the site to the south and along the roadside.

The site, as well as much of the immediate surrounding area, forms part of the designated East Devon Area of Outstanding Natural Beauty (AONB). It is also within the European-designated Pebblebed Heaths Special Protection Area (SPA) and Special Area of Conservation (SAC) as well as a Site of Special Scientific Interest (SSSI) and National Nature Reserve.

Proposed Development

The proposals, which have been submitted on behalf of the Council's Habitats Regulations Delivery Manager, involve various works/operations to upgrade the car park so as to create a more efficient layout, improve safety for users and reduce impacts to existing site features.

Applications relating to similar works/operations to the nearby Model Airfield (ref. 23/0851/FUL) and Uphams (ref. 23/0852/FUL) car parks have also been submitted. Reports relating to these also appear elsewhere on this agenda.

This series of applications follows a previous series of applications for works, alterations, etc. to upgrade the Joneys Cross, Stowford Woods, Four Firs and Frying Pan car parks elsewhere on the Pebblebed Heaths, all of which were approved around two years ago. These are referred to in the Planning History section of the report above. The various works/operations to which these permissions relate have since been largely completed.

The proposals for the Wheathill Plantation car park are summarised as follows:

1. Provision of a new enlarged entrance, constructed with a tarmac surface. Although in the same location as the existing, it would be of greater width to better two way traffic flow and improve visibility at the junction with the highway for users.
2. The introduction of bunds to either side of the entrance to deter parking within the unsurfaced roadside lay by areas.
3. The removal of potholes and the regrading and compacting of the surface of the car park with existing material from the site coupled with top up imported material to create

a consistent free draining surface. Re-profiling work is to include the covering over of an existing brickwork structure, currently 5-10mm above ground level, in aggregate.

4. Installation of a 2.2 metre high vehicle height barrier over the entrance.

5. The creation of 0.6 metre high bunding within the central part of the car park to formalise parking areas.

6. Protection of the edges of the parking area, in the form of a combination of posts, logs and additional earth bunds, so as to maintain its proposed boundaries.

7. Installation of a lockable low level security barrier to an access route to the east of the car park.

8. The installation of a vehicle counter system within the site entrance.

9. Renewal/repositioning of dog waste bins and information boards.

10. Provision of 3no cycle stands.

Considerations/Assessment

The main issues that are material to assessment of the proposals are discussed in turn as follows.

Principle and Justification

The current Local Plan identifies a requirement to build over 40,000 new homes in the East Devon, Exeter and Teignbridge districts by 2030. This level of growth has implications for recreation sites in the area, with significant increases in visitor pressure expected.

There is a requirement under the Conservation of Habitats and Species Regulations 2017 (the Habitat Regulations) to protect European conservation sites, including SPAs and SACs, from the negative impacts of development.

The East Devon Pebblebed Heaths are designated as Open Access Land under the Countryside and Rights of Way Act 2000 with an estimation that 400,000+ visits are made annually by local people, mostly travelling to the site by car (East Devon Pebblebed Heaths Visitor Management Plan). The Visitor Management Plan was developed to provide a framework for delivery of mitigation for the Pebblebed Heaths to ensure they can cope with the increased levels of recreation in the future and to give confidence that the expected growth will not result in adverse impacts on designated features.

The Council and the Pebblebed Heaths Conservation Trust have undertaken a holistic review of the car parking strategy within the area. Its principles seek to achieve this objective through:

- directing visitors towards car parks that are away from sensitive locations and have less impact on protected habitats and species
- retaining and developing the formal car parks that are as close as possible to the points of entry on to the Heaths, adjacent to the principal roads where the car parks are easy to find and easy to sign (e.g. car park name signs), thereby reducing car movements across the heaths and the scattered informal parking that occurs as a consequence
- maintaining the current number of car parking spaces across the heaths

- establishing nodes as the starting point for promoted trails, to direct people away from sensitive areas at key times of the year and to create welcoming, attractive locations where visitors can engage with interpretation, messaging and wardens about the nature, value and significance of the Pebblebed Heaths, and particularly about responsible dog walking.

The proposed works, aligned to the strategy, have been approved by the South East Devon Habitat Regulations Executive Committee as part of the South East Devon European Site Mitigation Strategy as well as the management plan, which together form the strategic response to the requirements of the Habitat Regulations.

They also follow a public consultation exercise undertaken in 2019 to determine the scope and direction of works associated with the car parks.

As such, and given the perceived increase in the importance of the works following visitor number increases to the Heaths in the wake of the Covid pandemic, the proposals are considered to be appropriately robustly justified and positively welcomed. It is anticipated that they would continue to assist in triggering behavioural changes by creating safe, accessible and efficient layouts for the public whilst deterring roadside parking which has led to damage to legally designated features.

Impact on Character and Appearance of AONB

Relevant policy requirements stipulate that development within the AONB be undertaken in a manner that is sympathetic to, and helps conserve and enhance the quality and local distinctiveness of, the natural and historic landscape (Local Plan Strategy 46). Moreover, paragraph 176 of the National Planning Policy Framework (NPPF) confers upon AONBs (along with other designated landscapes) the highest status of protection in relation to the conservation and enhancement of landscape and scenic beauty.

The proposals would, to some extent, bring about an engineered aesthetic to the lane, which at the moment has a largely undisturbed rural character, aside from the informal layby to either side of the existing entrance. However, this impact would be limited in terms of the scope of works proposed taken together with the extent to which the parking area itself is screened from the highway. Furthermore, screening provided by the adjacent plantations means the visual impact would be mitigated to a large extent. Moreover the car parking bays, seen in the context of the adjacent highway, would not be an untypical feature and gravel surfaces would not detract from the rural setting.

Furthermore, the measures - in the form of bunds - to deter roadside parking outside of the car park would represent a visual improvement over the present unsurfaced lay by areas to both north and south of the entrance.

The strategic importance of consolidation of parking areas, with the focus at this and other sites to which both previous and current proposals relate, the reduction in pressure on other parking areas and the resulting improvements to other areas of the AONB are also acknowledged.

As such, and when balanced against the benefits of the overarching car parking strategy for the Pebblebed Heaths set out above that the proposed measures are designed to achieve, it is considered that the proposals would be acceptable and would comply with the provisions of Strategy 46. Furthermore, they would meet with the relevant provisions of Local Plan Policy D1 (Design and Local Distinctiveness) which, among other criteria, require that important landscape characteristics are not adversely affected by development.

Impact on Highway Safety

In broad highway safety terms, and notwithstanding the proposed introduction of roadside bunds to prevent parking adjacent to the highway, the proposals would retain the existing levels of visibility available from, and of, vehicles emerging from the car park.

This finding is reflected in the consultation comments made by the County Highway Authority (CHA). These also refer to the acceptability of the submitted swept path analysis that demonstrates the manoeuvrability of off-road turning and access to/egress from the access as well as a Construction and Environment Management Plan (CEMP) that accompanies the application, the measures within which will help mitigate any effects upon the carriageway during the construction phase.

The laying of a new bound tarmac entrance is also acknowledged as enabling a highway safety net gain in terms of reducing debris and drainage being carried onto the highway.

More generally, the proposals would reconfigure the existing facility to create a purposely allocated specific parking area, as opposed to the existing ad hoc configuration. Resurfacing and regrading of the parking area with gravel would be carried out with soakaway ditches installed. This would all be to the benefit of the existing area which is currently more difficult to traverse and allows for pooling of water.

Overall therefore, it is accepted that they would comply with the requirements of Local Plan Policy TC7 (Adequacy of Road Network and Site Access).

Impact on Ecology

The majority of the site is already in use as a car park to serve visitors to the Pebblebed Heaths.

Notwithstanding, the application is accompanied by a Construction Environmental Management Plan (CEMP) that incorporates all of the information ordinarily required of such a document.

The content of this document is considered to be acceptable and therefore a condition to secure compliance with its measures is recommended.

In this regard, the proposals would satisfy Policy EN5 (Wildlife Habitats and Features) and Strategy 47 (Nature Conservation and Geology) of the Local Plan.

Other Matters

The points highlighted by the parish council in its consultation response are acknowledged. However, the first of these essentially relates to the ongoing management of the parking area and is not therefore material to the assessment of the proposals on their planning merits.

In relation to the loss of the existing roadside parking to which reference is also made, the car parking strategy for the Pebblebed Heaths cites the restriction upon roadside parking as providing benefits in terms of keeping the entrance clear, reducing damage to the existing surface and restoring rural character. The study also identifies the vulnerability of vehicles to theft and the adverse visual effects arising from roadside parking.

As such, whilst the various factors highlighted by the parish council in its wish to see the retention of roadside parking at Wheathill are recognised, it is considered that they are outweighed by the benefits in the wider planning balance.

Impact on Pebblebed Heaths and Appropriate Assessment

The Local Planning Authority has a duty under Regulation 9 (5) of the Conservation of Habitats and Species Regulations ("Habitat Regulations"). This duty is for all "competent authorities" (including Local Planning Authorities and other public bodies) to "have regard to the Habitats Directive in the exercise of its functions".

Regulation 61 (1) of the Habitats Regulations requires consideration of whether a development proposal, is likely to give rise to significant effects on a European site or a European offshore marine site (either alone or in combination with other plans or projects), in view of that site's conservation objectives.

The East Devon Pebblebed Heaths Site of Special Scientific Interest (SSSI) cover some 1,400 ha. and are designated a Special Area of Conservation (SAC) for the heathland habitat and Southern Damselfly and as a Special Protection Area (SPA) for Nightjar and Dartford Warbler.

Lowland heaths are some of the most important habitats in Europe due to the rarity of species they support. The East Devon Pebblebed Heaths Site of Special Scientific Interest (SSSI) cover some 1,400 ha, and comprises the single largest area (1,112ha) of lowland heath in Devon (where there are 4,000ha). A biodiversity audit of the East Devon Pebblebed Heaths was undertaken in 2016 with over 3,000 species documented, 10% of which have conservation significance. (Bridgewater, S & Lesley, K. 2016. East Devon Pebblebed Heaths: Providing Space for Nature. Biodiversity Audit 2016. Pebblebed Heaths Conservation Trust.)

The first stage of Habitat Regulations Assessment is to screen development to identify whether any development proposals are likely to give rise to a 'significant effect'.

The scale and nature of the application, which involves controlled public access where public access is already available to an extent, together with mitigation measures

incorporated as part of any planning permission, is unlikely to affect the associated designations.

The proposals would result in improvements to the Pebblebed Heaths car parks. They form a key part of the jointly agreed strategic mitigation strategy to manage recreational pressure on this internationally important site for wildlife. The proposals have the primary objective of safeguarding the European protected bird species and heathland habitat and have been developed through consultation with Natural England.

It is considered therefore that the proposed development would not have significant adverse impacts on designated sites or protected landscapes. Furthermore, it is considered that the proposals would be unlikely to have a significant effect on any European site, either alone or in-combination with other plans and projects, and can therefore be screened out from any requirement for further appropriate assessment.

The works are clearly intended to be to the benefit of wider ecology by focusing visitors to the site. As such, the proposals are not considered to give rise to any 'likely significant effects'.

Conclusion

The proposals would create much needed improvements to the surfacing, configuration and drainage of the existing car parking. The improved functionality of the site would be justified due to the increased demand experienced. This application is part of an overall strategy to focus visitors to this main car park, thereby relieving pressures on smaller satellite parking areas and preventing wider ecological disturbance. It would provide for a central location to provide information, dog bins and a site warden presence.

The proposal is therefore welcomed and supported for these reasons and, as such, is recommended for approval.

RECOMMENDATIONS

1. That the Habitat Regulations Appropriate Assessment be adopted.
2. That the application be APPROVED 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 development shall proceed in accordance with the submitted Written Scheme of Investigation dated 16th December 2022 prepared by South West Archaeology (document ref: BMA22WSlv1). The development shall be carried

out at all times in accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

(Reason - To ensure, in accordance with Policy EN6 (Nationally and Locally Important Archaeological Sites) of the adopted East Devon Local Plan 2013-2031 and paragraph 205 of the National Planning Policy Framework (2021), that an appropriate record is made of archaeological evidence that may be affected by the development.)

4. The development shall not be brought into its intended use until the post-investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall thereafter be confirmed in writing to, and approved by, the Local Planning Authority.'

(Reason - To comply with paragraph 205 of the NPPF, which requires the developer to record and advance understanding of the significance of heritage assets and to ensure that the information gathered becomes publicly accessible.)

5. The development hereby permitted shall be carried out in accordance with the Outline Construction Environmental Management Plan (CEMP) dated April 2023 prepared by WSP (document ref. 70079322-GN-CEMP-301), or such other details as may be agreed in writing by the Local Planning Authority.

(Reason - To ensure that species within and around the site are protected during the construction phase in accordance with Policy EN5 (Wildlife and habitat Features) and Strategy 47 (Nature Conservation and Geology) of the adopted East Devon Local Plan 2013-2031.)

6. Prior to the commencement of any works on site (including demolition and site clearance or tree works), a scheme for the protection of the retained trees, hedges and shrubs and an Arboricultural Method Statement (AMS) for the construction of the car park, shall be submitted to and approved in writing by the Local Planning Authority. These shall adhere to the principles embodied in B.S. 5837:2012. No development or other operations shall take place except in complete accordance with the approved protection scheme and method statement.

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

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

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

(Reason - A pre-commencement condition is required to ensure retention and protection of trees on 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.)

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability

This Informative confirms that this development is not liable to a CIL charge.

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:

70079322-WSP- HGN-WP-100- DR-01 REV P03	Other Plans	20.04.23
70079322-0100- 301 REV P01	Other Plans	20.04.23
70079322-0100- 300 REV P01	Other Plans	20.04.23
	Location Plan	20.04.23

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