

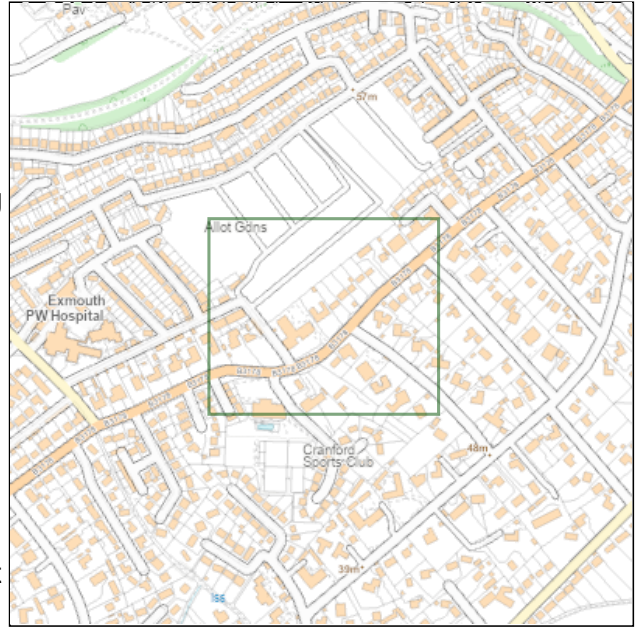
**Ward** Exmouth Littleham

**Reference** 24/2057/VAR

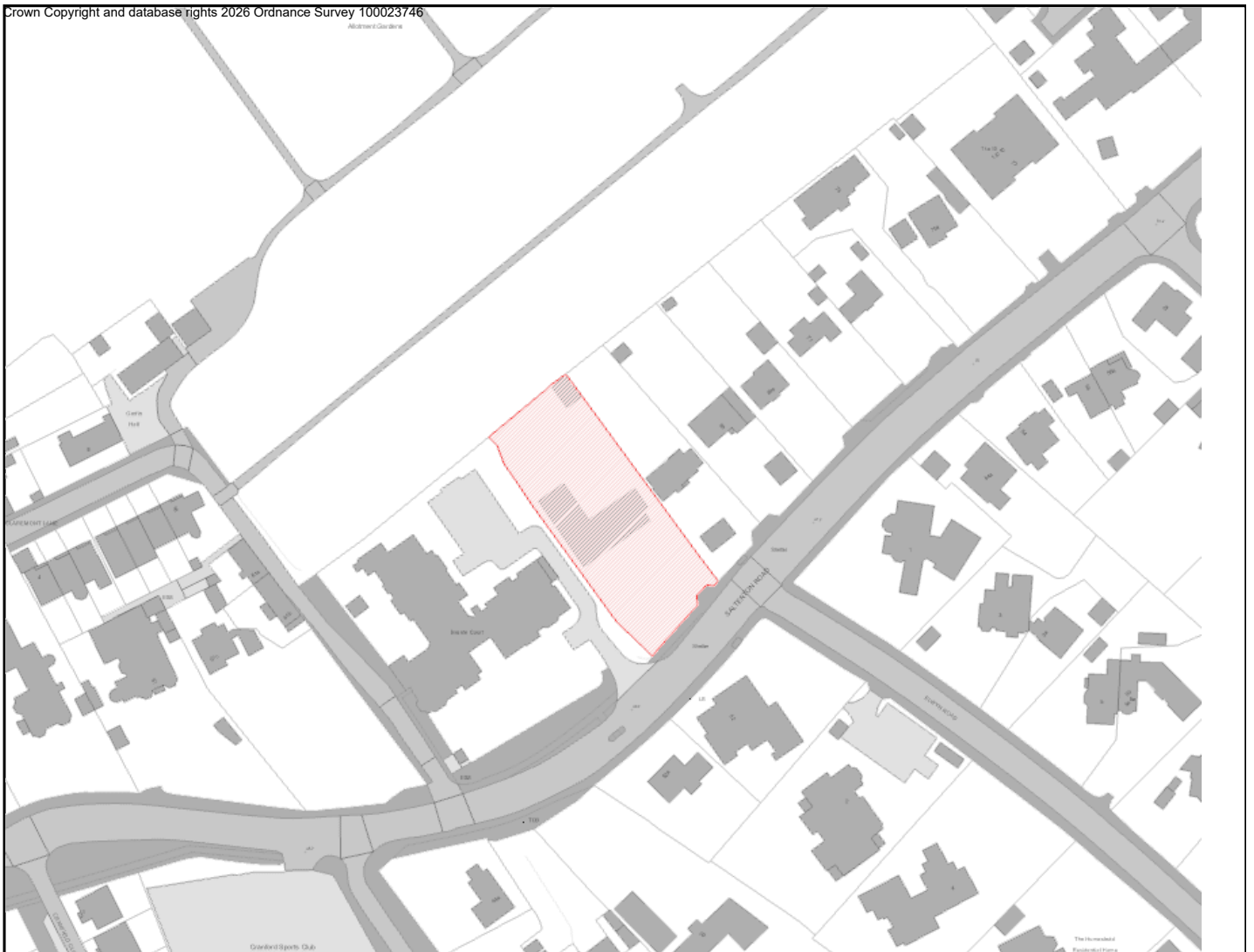
**Applicant** Mr David Crocker

**Location** Chestnuts 65 Salterton Road Exmouth EX8 2EJ

**Proposal** Variation of condition 2 (approved plans) of planning permission 23/0538/FUL (Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site) and condition 10 (parking layout) to allow the removal of east elevation chimney and alteration to approved windows on eastern elevation, the addition of ensuites at 1st floor, change to material finishes, re-positioning of bike and bin store, change to parking layout and retention of disability ramp, retention of front West wing roof and inclusion of 2no roof lights.



**RECOMMENDATION: Approval with conditions**



		<b>Committee Date: 21.04.2026</b>
<b>Exmouth Littleham (Exmouth)</b>	<b>24/2057/VAR</b>	<b>Target Date: 30.12.2024</b>
<b>Applicant:</b>	<b>Mr David Crocker</b>	
<b>Location:</b>	<b>Chestnuts 65 Salterton Road</b>	
<b>Proposal:</b>	<b>Variation of condition 2 (approved plans) of planning permission 23/0538/FUL (Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site) and condition 10 (parking layout) to allow the removal of east elevation chimney and alteration to approved windows on eastern elevation, the addition of ensuites at 1st floor, change to material finishes, re-positioning of bike and bin store, change to parking layout and retention of disability ramp, retention of front West wing roof and inclusion of 2no roof lights.</b>	

**RECOMMENDATION: Approval with conditions**

### **EXECUTIVE SUMMARY**

**The application is before the planning committee as the officer recommendation of approval is contrary to comments received from the Ward Councillor and the Town Council.**

**The application seeks to regularise a number of amendments made during the construction of the previously approved scheme. The changes involve amendments to a couple of windows to the east elevation of the building, changes to the external materials, revisions to the proposed bike and bin storage, alterations to the proposed parking layout and the installation of an Air Source Heat Pump to serve the dwellings.**

**In comparison with the approved scheme, it is not considered that that proposal would give rise to any unacceptable impacts on the character or appearance of the area, or to the residential amenity of neighbours. Subject to the imposition of updated and revised conditions, the scheme would comply with policies contained with the East Devon Local Plan and the Exmouth Neighbourhood Plan and is therefore recommended for approval.**

## **CONSULTATIONS**

### **Local Consultations**

#### Exmouth Littleham - Cllr Nick Hookway

I am writing to you to object to the above application for a variation in planning consent. I have concerns over the design and the scale of the proposed variation.

#### Parish/Town Council

19/11/2024 - No objection

#### Parish/Town Council

01/09/25 - No objection, subject to the following conditions being attached to any approval:

The window on the eastern elevation must be fitted with opaque, non-opening glazing to address concerns raised by neighbouring resident.

A low hedge should be planted at the front of the property to soften the visual impact of the brickwork and tarmac.

#### Parish/Town Council

01/04/2025 - Members did not wish to comment on the amended plans as they were unable to identify the revisions to the bay window design dated 21.03.25.

#### Parish/Town Council

05/01/26 - No objection subject to neighbours' privacy concerns being respected.

#### Parish/Town Council

02/ 02/ 26 - Objection: Members felt that the proposed window surround/screening intended to protect neighbours' privacy was out of keeping. They considered that no changes to the originally approved window design should be permitted.

### **Technical Consultations**

#### EDDC Landscape Architect

27/02/2025 – Objection.

- Too little space left for landscaping at the edge of the rear of the pavement
- The cycle store has been moved to the rear of the site
- The proposed grasscrete is unlikely to survive.

26/08/2025 – Objection – the amendments do not address previous comments.

21/01/2026 – Objection

25/04/2025 - Objection

#### Private Sector Housing (EDDC) - Caravan Licensing

Private Sector Housing have no comments on the proposed variation as it would have no significant impact on the compliance with HMO licensing standards.

### County Highway Authority

23/09/2025 - Observations:

The County Highway Authority (CHA) has visited the site and reviewed the planning application documents.

The repositioning of the bin store will still allow for a smooth bin collection process that does not unduly hold up the free-flow of traffic. The parking layout still allows for vehicles to turn off-carriageway and re-enter the carriageway in a forward facing motion.

The relocation of the bushes will also allow for visibility splays upon the inter-visibility of the adjoining accesses.

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

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Addendum 23/09/2025

The CHA has reviewed the amended parking layout and is content with that the grasscrete finish, we are satisfied that no mud or debris will enter the carriageway.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

### Environmental Health

10.03.2026 - The separation distance between the ASHP and the nearest noise sensitive dwelling is insufficient. The Sound Power Level of the ASHP has been given as (64 dB) the distance attenuation reduces the sound pressure level to 39 dB(A) at the window therefore, higher than the 37 dB(A) level set within the guidance doc MCS 020a. To reach the required level the ASHP would need to be at a distance of at least 12m from the centre point of the window.

The solution here would be to either enclose it, or to build an acoustic barrier between the ASHP and the neighbouring property (ensuring no line of sight of the ASHP from the window) the barrier would need a solid mass of at least 12kg. An acoustic consultant would need to give further advise on this.

### Environmental Health

23.03.2026 - I have reviewed the technical specification of the ASHP enclosure and I do not anticipate any environmental health concerns in relation to noise.

### Other Representations

One third party representation has been received, in objection to the proposal. A summary of grounds for objection is as follows:

- The neighbours to the east of the site have had to put up with being overlooked from the window on the east elevation for over 18 months.

- The proposal shown on drawing 8601-02 Rev. P would be the preference in terms of the appearance of the building and the privacy provided.
- The original garage to the rear of the building has increased in height and depth in its conversion to a cycle store.
- The front of the property is not in keeping with rest of Salterton Road or the Avenues owing to the lack of screening to the car parking.

### **PLANNING HISTORY**

<b>Reference</b>	<b>Description</b>	<b>Decision</b>	<b>Date</b>
81/P1550	Use Of Two Ground Floor Rooms As Ophthalmic Optical Consulting Rooms.	Approval	13.11.1981
86/P1098	Change Of Use To Hair & Beauty Centre	Refusal	02.09.1986
87/P0304	Change Of Use To Guest House.	Approval	23.03.1987
87/P2334	Change Of Use To Rest Home	Approval	26.01.1988
92/P1886	First Floor Extension & Alterations.	Approval	11.01.1993
94/P1507	Extension	Approval	24.10.1994
05/3285/MOUT	Demolition of existing building and erection of 14 flats	Refusal	27.02.2006
07/0392/MOUT	Demolish existing rest home and erect 12 two-bedroom flats	Refusal	01.06.2007
08/0055/MFUL	Demolition of existing nursing home and erection of ten 2 bedroom residential units with associated access & parking	Refusal	24.10.2008
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	22.12.2008
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

20/2679/FUL	Change of use of 1st floor apartment to 4 no. HMO bedrooms (Retrospective application)	Approval	18.01.2021
21/0103/FUL	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.	Refusal  Allowed at Appeal	03.03.2022  13.02.2023
23/0538/FUL	Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site.	Approval	01.09.2023
23/2522/VAR	Variation of conditions 2, 7, 8 & 10 of planning consent 23/0538/FUL (Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site) to facilitate an increase area on the ground floor rear east wing, and first floor west wing, and to retain existing access with new parking arrangements	Approval	09.04.2024

## **POLICIES**

### Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries) Adopted

Strategy 22 (Development at Exmouth) Adopted

D1 (Design and Local Distinctiveness) Adopted

D2 (Landscape Requirements) Adopted

D3 (Trees and Development Sites) Adopted

EN5 (Wildlife Habitats and Features) Adopted

EN14 (Control of Pollution)

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

EN22 (Surface Run-Off Implications of New Development) Adopted

TC2 (Accessibility of New Development) Adopted

TC7 (Adequacy of Road Network and Site Access) Adopted

TC9 (Parking Provision in New Development) Adopted

### Exmouth Neighbourhood Plan (Made 2019)

- Policy EN1: Proposals for development within the Built-up Area Boundary (BUAB) will generally be supported.
- Policy EN5: The impact from any additional surface water resulting from development should be controlled and satisfactorily mitigated
- Policy EN6: Development proposals must incorporate Sustainable Urban Drainage Systems (SuDS) and a management plan for future maintenance of the drainage system.
- Policy EB2: New development should be mindful of surrounding building styles and ensure a high level of design.

### Draft East Devon Local Plan 2020-2042 Policies

- Strategic Policy SP05 (Development inside Settlement Boundaries) Draft
- Strategic Policy SD01 (Exmouth and its development allocations) Draft
- Strategic Policy AR01 (Flooding) Draft
- Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft
- Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport) Draft
- Policy TR04 (Parking standards) Draft
- Strategic Policy OL01 (Landscape features) Draft
- Policy OL09 (Control of pollution) Draft
- Policy PB07 (Ecological enhancement and biodiversity in the built environment) Draft

### Government Planning Documents

National Planning Policy Framework 2024 (as amended)

## ANALYSIS

### Site Location and Description

The application site is 65 Salterton Road, a large detached two storey early 20th century property 1.2 km east of the town centre of Exmouth. The house 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 20 bedroom House in Multiple Occupation. The house has a large parking area within the former front garden, and a retaining wall to the front boundary runs along the rear of the pavement along Salterton Road. The HMO sits on a large site with associated rear amenity space. On the ground floor the property consists of 14 HMO bedrooms with communal laundry, dining, lounge, hall, and kitchen facilities. On the first floor are a further 6 ensuite HMO bedrooms and 4 private bedrooms.

A Horse Chestnut tree within the northwest corner of the rear garden is the subject of a tree preservation order. The east of 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 of Exmouth. The site lies opposite but not within the 'Avenues' area of Exmouth and is not subject to any landscape or townscape designations.

## Proposed Development

A variation of condition 2 is sought for the planning permission of 23/0538/FUL. The original consent was for the construction of ground floor and first floor extensions to create an additional 10 HMO bedrooms, the creation of a new vehicular access onto Salterton Road and provision of parking to the front of the site.

The application is retrospective and seeks to regularise changes made during the construction period. The proposed changes are as follows:

- The removal of the chimney breast to the east elevation and the replacement of two approved windows with a single window.
- The replacement of the existing render with an eco rend in smoke grey colour and replacement of the tile hung areas with fibre cement cladding.
- The relocation of the bin store to the front boundary wall.
- The relocation of the bike store to the rear garden.
- Rearrangement of the parking arrangement to the front of the house.
- The installation of an air source heat pump

## Principle of Development

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 Strategy 6 (Development within Built-Up Area Boundaries) and Strategy 22 (Development at Exmouth) of the East Devon Local Plan, subject to compliance with other policies contained within the plan.

As such the principle of development is acceptable, subject to an assessment of the impact of the proposal upon the character and appearance of the area and impacts upon residential amenity.

## Consideration and assessment

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).

The report considers the impacts of the changes in turn.

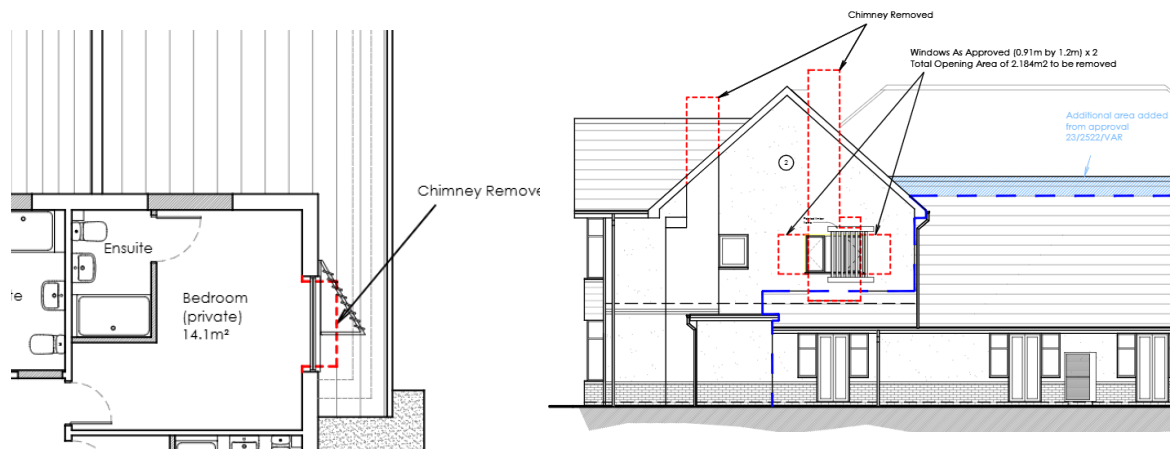
## Chimney breast removal and replacement windows:

The original approval indicated two vertical windows either side of the existing chimney breast. The windows relate to a private bedroom within the dwelling and are the only source of light to the room as the former north facing windows have been blocked up to allow for the rear extension.



East elevation as approved under 23/0538/FUL

No changes were made to this arrangement in the later 23/2522/VAR application. This application seeks to regularise the works undertaken whereby the chimney breast has been removed and a single window has been installed in lieu of the approval scheme.



Proposed plan

Proposed elevation

The approved windows had a total area of 2.18 square metres (1.09sqm per window). The location of the chimney breast would have prevented overlooking of the adjacent neighbour from the left hand window.

The window as built has area of 1.92sqm. The submitted louvre screen has been proposed to prevent overlooking from the window into the neighbour's garden at No. 67 Salterton Road. A condition would be imposed upon any approval requiring the screen to be installed within three months of the date of the approval and requiring a screen to be retained in perpetuity in the interests of privacy and to reduce the impacts to the neighbouring garden at No. 67 Salterton Road. The above option (drawing no. 8601-02 Rev P) is the preferred option referred to in comments received from the neighbour.

The Town Council have objected to the proposed screen on the grounds that the design would be out of keeping, and that no changes to the originally approved window design should be permitted. However, the chimney breast which previously provided some screening has been removed and the proposal represents a pragmatic solution to prevent overlooking of the neighbour's garden. The proposed screen extends 800mm out from the east elevation but would be partially screened by the second chimney breast to the south of the east elevation which has only been removed down to eaves level. The screen would be set 7 metres back from the principal elevation and would therefore be unlikely to have a harmful impact upon the street scene.

There is no policy objection or objection on grounds of design and character to the removal of the two chimney stacks and the most northerly chimney breast.

### **The replacement render and replacement of tile hanging with fibre cement cladding**

The house is not within a conservation area or within the 'Avenues' area of Exmouth. As such there are no objections to the replacement of the existing render with replacement render. There are other examples of fibre cement cladding seen locally so whilst the loss of the tile hung areas is regrettable given existing cladding seen locally the proposal would not have any adverse impact upon character or local distinctiveness and the proposal would comply with Local Plan Policy D1 and Exmouth Neighbourhood Plan Policy EB2.

### **The relocation of the bin store to the front boundary wall**

The originally approved site plan indicated the proposed bin store being sited to the front of the house, approximately 3 metres behind the brick retaining wall to the rear of the pavement along Salterton Road, and the bin store was indicated as being set behind planting. No details were provided of the bin store but condition 9 required further details of the bin store. The condition stated:

Notwithstanding the submitted details, and prior to first occupation of the development hereby approved, the bin and cycle store shall be provided 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 stores and cycle stores shall thereafter be constructed in accordance with the agreed details prior to occupation of the new HMO units hereby permitted and remain in perpetuity for their intended use.

A discharge of condition application was made in respect of this condition on 24th October 2024. In response to the submitted information, EDDC's Landscape Architect commented as follows:

"The proposed construction of the bin store appears to comprise an open enclosure formed with timber panels. This is considered too flimsy and the store should comprise a steel framed and roofed structure with timber cladding and should include PIR sensor operated lighting. Detailed roof and floor plans and elevations should be provided". No further information was received from the applicant, and the condition has not been discharged.

The delegated report for 23/2522/VAR states that the condition was not discharged, and the condition would be reapplied to the new permission created under 23/2522/VAR. The condition was reapplied as condition 7 under the new approval.

The approved layout under 23/2522/VAR indicated the bin store just off centre of the street elevation. This application seeks to relocate the bin store to the east of the entrance, again screened by soft landscaping. The proposal represents an improvement in the proposed location as the bin store is more discretely located and has the potential for a small amount of soft landscape screening in front of the store. The landscape architect's comments also stated the bin store should be set back 750mm from the edge of the parking bay to make the structure less vulnerable to being knocked and damaged by vehicle manoeuvring. The proposed siting of the store complies with this requirement and is acceptable in terms of the relationship with the adjacent parking spaces. County Highways have also confirmed that the proposed siting would not impact upon the visibility splays from the site.



Layout approved under 23/2522/VAR showing the proposed bin store adjacent the site entrance

The bin store as constructed has concrete posts and is therefore considered sufficiently robust.

Planting to screen the bin store had not been undertaken at the time of the site visit. EDDC's Landscape Architect has stated that the store should have a roof, however this would increase the prominence of the bin store within the street scene. The bin store should be fitted with a secure door however. As such a condition would be imposed upon any approval requiring details of the door to the bin store to be submitted to and approved in writing by the LPA within two months of the decision and within six months of the decision the works to the bin store should be completed.

### **The relocation of the bike store to the rear garden**

Condition 9 on the original approval also required details of the cycle storage to be submitted and approved prior to its construction.

As with the bin store, details of the cycle store were submitted on 24th October 2024 under a discharge of condition application. The submitted details showed a small open sided shed containing 3 Sheffield cycle stands, sufficient to store 6 bicycles. EDDC's Landscape Architect commented that the proposal would not provide sufficient security or space for the housing of bicycles and a minimum of 20 spaces should be provided for to reflect the fact that the accommodation would be capable of housing up to 47 people in 24 rooms.

No further information was submitted, therefore as with the bin store condition 9 has not been discharged. The condition was retained on the subsequent 23/2522/VAR approval.

EDDC's Landscape Architect has commented that the cycle store has been relegated to a far corner of the rear garden, contrary to best practice guidance to facilitate cycle use by making access to cycle stores as convenient as possible to building entrances. The consultee response recommends that the cycle store should be relocated to the front of the site.

The plans for the cycle store as submitted show cycle parking for 24 bikes, with 18 spaces secure and behind a lockable door, and with 6 spaces under a covered roof.

Whilst it may be preferable for the store to be at the front of the building from the perspective of the accessibility of bicycles, the scale and massing of the bike store for the requisite number of bikes means it could potentially be detrimental to the street scene for such a large structure to be located to the front of the site. The cycle store is accessed via a paved pathway allowing for relatively easy access to bikes.

The cycle store has been adapted from the existing garage on site, with a 3 metre long by 1.9 metre wide extension to the front of the building and a 2.4 metre wide by 7.1 metre long undercover terrace extension to the existing western elevation.

The extension to the front of the building abuts the boundary fence. The former garage / store has been reclad in fibre cement cladding with a corrugated metal roof.

As such, whilst the footprint of the proposed cycle store is slightly larger than the existing garage, the ridge and eaves are similar such that it is not considered the proposal would be unduly harmful to the character of the area or upon the residential amenity of the neighbours at 67 Salterton Road.

### **Rearrangement of the parking arrangement to the front of the house**

Comments from EDDC's landscape architect raise concerns that the proposal allows insufficient space to support sustained healthy growth of trees and shrubs.

However the layout approved under 23/2522/VAR allowed no space between the parking and the retaining wall to the front of the site and in the interests of consistency it would be unreasonable to insist on reinstating soft landscaping to the rear of the retaining wall. A detailed soft landscaping scheme has been submitted with the application showing hedging plants in front of the bin store and ornamental planting in front of the house. A condition would be imposed upon any approval requiring the implementation of the proposed planting scheme. County Highways have confirmed that the proposed layout and materials including the grasscrete are acceptable. As such the proposal is considered to comply with local plan policies D1 and TC9.

### **The installation of an air source heat pump**

The air source heat pump (ASHP) has been installed to the east elevation of the single storey projecting wing, and has dimensions of 0.940 metres wide, 1.42 metres tall by 0.33 metres deep. Environmental Health objected to the location of the ASHP as the separation distance between the ASHP and the nearest noise sensitive dwellings (both number 67 Salterton Road and the application site) is insufficient.

Following the objection the applicant has proposed an acoustic enclosure to the ASHP to ensure that the sound pressure level is below the levels set within the guidance document Microgeneration Certification Scheme (MCS) 020a.

Environmental Health have confirmed subject to the enclosure being fitted there are no anticipated environmental health concerns in relation to noise.

A condition would be imposed upon any approval requiring the acoustic enclosure to be fitted to the ASHP within three months of the date of any approval and requiring an acoustic screen of a similar specification to be maintained in perpetuity for the lifetime of this and any subsequent ASHP.

With the appropriately worded condition in place the proposal would comply with Local Plan Policy D1 and EN14.

### **Other matters**

There are no listed buildings near the application site that could be affected by the proposal. The application would not be in scope of the requirement to provide a 10% uplift in BNG at the site as the application seeks to vary conditions to an original planning approval which was made prior to 12 February 2024, the commencement of

the statutory framework for biodiversity net gain. The proposal would have no impact upon the existing site trees including the Horse Chestnut to the rear of the site which is the subject of a tree preservation order. The original permission conditioned that surface water drainage would be via soakaway unless an alternative drainage scheme was approved by the LPA. The condition in respect of drainage would be retained on this new permission. The site is within flood zone 1 therefore there are no concerns in respect of flooding.

### Conditions

To ensure that the new permission is in accordance with the original decision, the remainder of this section will address the conditions applied to the original approval and whether they need to be reapplied or modified.

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.

*Officer comment: As the development has commenced there is no need for a time condition.*

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.

*Officer Comment: Standard condition, to be reapplied.*

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.

*Officer comment: This condition has not been discharged, however the application is retrospective and materials information has been provided on the submitted drawings. As such the proposed materials would be covered under the standard 'Plans' condition.*

4. Prior to commencement of any hard landscaping works, a hard landscaping scheme to include samples and finishes of materials to be used in the construction of the hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, areas of external hard surfacing shall be constructed using porous materials, details of which 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.

*Officer comment: The front garden area originally comprised a tarmac drive and parking area, which has been extended to provide further tarmac turning areas and*

*additional parking spaces laid out in grasscrete. The grasscrete provides the primary means of surface water management via infiltration. The scheme retains the original site boundary treatments, including the brick retaining wall to the rear of pavement, a low brick wall to the front boundary with No. 67 Salterton Road and a close boarding timber fence and planting to the boundary with Bronte Court. On the basis that the works have been completed and are considered satisfactory this condition is no longer required.*

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.

*Officer comment: A soft landscaping scheme has been submitted. This condition shall become a compliance condition requiring the implementation and maintenance of the proposed scheme.*

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. 8601-09D.

*Officer Comment: This is a compliance condition which is already covered under the plans condition above and therefore this condition will be removed.*

7. In accordance with the details shown on drawing no 8601-09A 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.

*Officer comment: This condition shall be changed into a compliance condition.*

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 8601-09A.

*Officer comment: This condition is no longer relevant as the access is being relocated into the original vehicular access point and therefore the access no longer requires stopping up.*

9. Notwithstanding the submitted details, and prior to first occupation of the development hereby approved, the bin and cycle store shall be provided 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 stores and cycle stores shall thereafter be constructed in accordance with the agreed details prior to occupation of the new HMO units hereby permitted and remain in perpetuity for their intended use.  
The condition will be amended to reflect that further details are required in respect of the bin store. The cycle store details are acceptable and therefore shall be revised to a compliance condition.

*Officer comment: The condition will be amended to reflect that further details are required in respect of the bin store. The cycle store details are acceptable and therefore shall be revised to a compliance condition.*

10. No part of the development hereby approved shall be occupied until the access and parking shown on drawing no 8601-09D have been provided and shall be retained thereafter.

*Officer Comment: Although the layout of this car park and its access have been changed, a similarly worded condition to maintain these elements will be applied.*

11. The scheme hereby permitted shall be carried out in accordance with the Construction Management Plan (CMP) as agreed under condition 11 of 23/0538/FUL.

*Officer comment: this is a compliance condition and will be retained on new approval.*

12. The scheme hereby permitted shall be carried out in accordance with the Construction and Environmental Management Plan (CEMP) as agreed under condition 12 of 23/0538/FUL.

*Officer comment - this is a compliance condition and will be retained on new approval.*

13. Prior to the commencement of any development 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.  
This condition will be revised to a compliance condition to reflect the

submitted tree protection measures.

*Officer comment: This condition will be revised to a compliance condition to reflect the submitted tree protection measures.*

14. Surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 45% for climate change.
- If demonstrated that the ground conditions are not suitable for soakaways or will result in an increased risk of flooding to surrounding buildings, roads and land, prior to any development above slab or ground level or creation of any new hardsurface, details of an alternative means of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details of the alternative means of surface water drainage shall include evidence of how surface water will be dealt with in order not to increase the risk of flooding to surrounding buildings, roads and land. The submitted means of surface water drainage shall ensure that all off site surface water discharges from the development must be limited to the "Greenfield" run off rate for the 1 in 10 year rainfall event with attenuation designed so as there is no risk of flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus a 45% allowance for climate change. On site all surface water shall be safely managed up to the "1 in 100 year critical rainfall event plus 45% allowance for climate change" conditions.
- The development shall not be utilised until the approved surface water drainage system has been completed as approved and it shall be continually retained and maintained thereafter.

*Officer comment - this is a compliance condition and will be retained on new approval.*

15. The development hereby approved shall be carried out in accordance with the recommendations and site enhancement measures contained within the 'phase 1 & 2 bat and nesting bird survey' report prepared by Devon and Cornwall Ecology dated June (updated August) 2021 as received in the planning application 23/0538/FUL, and the enhancement measures be maintained and retained for the lifetime of the development.

Officer comment - this is a compliance condition and will be retained on new approval.

### Planning Balance

The application seeks to regularise a number of amendments made during the construction of the previously approved scheme. The changes involve amendments to a couple of windows to the east elevation of the building, changes to the external materials, revisions to the proposed bike and bin storage, alterations to the proposed

parking layout and the installation of an Air Source Heat Pump to serve the dwellings.

In comparison with the approved scheme, it is not considered that that proposal would give rise to any unacceptable impacts on the character or appearance of the area, or to the residential amenity of neighbours. Subject to the imposition of updated and revised conditions, the scheme would comply with policies contained with the East Devon Local Plan and the Exmouth Neighbourhood Plan and is therefore recommended for approval.

## **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 soft landscaping shall be undertaken in accordance with drawing no. 8601-10 C. The landscaping scheme shall be carried out in the first planting season after the date of this approval 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 East Devon Local Plan 2013-2031.)

3. Visibility splays of 2.4 metres by 70 metres in either direction from the site access shall be maintained in perpetuity.

(Reason - To provide adequate visibility from and of emerging vehicles in accordance with policy TC7(Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan 2013-2031).

4. The bicycle store shall be constructed in accordance with the details shown on drawing no. 8601-18 Rev. A Cycle Store, within 6 months of the date of this permission and shall remain in perpetuity for its intended use.

(Reason - To ensure adequate provision of bicycle storage on the site in accordance with policy TC9 (Parking Provision in New Development) of the East Devon Local Plan 2013-2031).

5. Notwithstanding the submitted details, within two months of the date of this permission details of a door to the bin store shall be submitted and approved in writing by the Local Planning Authority. The works shall have been completed as per the approved details within six months of the date of approval of the details. The doors shall be retained as such for the lifetime of the development.

(Reason - To ensure adequate provision of bin storage on the site in accordance with Policy D1 (Design and Distinctiveness) of the adopted East Devon Local Plan 2013-2031).

6. The access and parking shall be provided in accordance with the details indicated on drawing no 8601-06 Rev. P Proposed site, and shall be retained thereafter for the lifetime of the development.

(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).

7. The scheme hereby permitted shall be carried out in accordance with the Construction Management Plan (CMP) prepared by Myers Construction Design and Management dated October 2023.

(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.)

8. The scheme hereby permitted shall be carried out in accordance with the Construction and Environmental Management Plan (CEMP) prepared by Myers Construction Design and Management dated October 2023.

(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.)

9. The development hereby approved shall be carried out in accordance with the tree protection details shown in drawing no. 8601-06 Rev. P Proposed Site Plan and the Tree Protection Plan and Arboricultural Method Statement prepared by Advanced Arboriculture dated 9th October 2023.

(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 adopted East Devon Local Plan 2013-2031).

10. Surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 45% for climate change.

If demonstrated that the ground conditions are not suitable for soakaways or will result in an increased risk of flooding to surrounding buildings, roads and land, prior to any development above slab or ground level or creation of any new hardsurface, details of an alternative means of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details of the alternative means of surface water drainage shall include evidence of how surface water will be dealt with in order not to increase the risk of flooding to surrounding buildings, roads and land. The submitted means of surface water drainage shall ensure that all off site surface water discharges from the development must be limited to the "Greenfield" run off rate for the 1 in 10 year rainfall event with attenuation designed so as there is no risk of flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus a 45% allowance for climate change. On site all surface water shall be safely managed up to the "1 in 100 year critical rainfall event plus 45% allowance for climate change" conditions.

The development shall not be utilised until the approved surface water drainage system has been completed as approved and it shall be continually retained and maintained thereafter.

(Reason - In the interests of adapting to climate change and managing flood risk, and in order to accord with the provisions of policy EN22 (Surface Run-Off Implications of New Development) of the adopted East Devon Local Plan 2013-2031).

11. The development hereby approved shall be carried out in accordance with the recommendations and site enhancement measures contained within the 'phase 1 & 2 bat and nesting bird survey' report prepared by Devon and Cornwall Ecology dated June (updated August) 2021 as received in the planning application 23/0538/FUL, and the enhancement measures be maintained and retained for the lifetime of the development.

(Reason - In the interests of biodiversity and ecology in accordance with policy EN5 (Wildlife Habitats and Features) of the adopted East Devon Local Plan 2013-2031).

12. The proposed louvre screen as shown on drawing no.s 8601-02 Rev P Proposed Floor Plans, 8601-15 Window Surround and 8601-04 Rev. P Proposed Elevations shall be installed within three months of the date of this approval and the screen shall be maintained and retained as such in perpetuity.

(Reason: In the interests of privacy and to reduce to impacts to residential amenity in accordance with Local Plan Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013-2031. )

13. The proposed acoustic enclosure to the Air Source Heat Pump as shown on drawing no.s 8601-02 Rev U Proposed Floor Plans, and 8601-04 Rev. Q Proposed Elevations shall be installed within three months of the date of the approval and an acoustic enclosure shall be retained in perpetuity for the lifetime of the Air Source Heat Pump.

(Reason: To prevent unacceptable levels of noise to nearby residents in accordance with Local Plan Policy D1 (Design and Local Distinctiveness) and Policy EN14 (Control of Pollution) 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.

##### **Biodiversity Net Gain Informative:**

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The Local Planning Authority cannot add this condition directly to this notice as the condition has already been applied by law. This informative is to explain how the biodiversity condition applies to your development.

The BG conditions states that development may not begin unless:

- (a) a Biodiversity Gain Plan (BG plan) has been submitted to the planning authority, and
- (b) the planning authority has approved the BG plan.

In this case the planning authority you must submit the BG Plan to is East Devon District Council.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will **not require the approval of a biodiversity gain plan** before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

In this case exemptions 3 (i) and (ii) from the list below are considered to apply:

*Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.*

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or

(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

(i) the application for planning permission was made before 2 April 2024;

(ii) planning permission is granted which has effect before 2 April 2024; or

(iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates\* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

(i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

(ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the

Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- (i) consists of no more than 9 dwellings;
- (ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

*Irreplaceable habitat*

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Plans relating to this application:

8601-06 P	Proposed Site Plan	29.01.26
8601-09 L : proposed site	Sections	29.01.26
8601-10 C	Landscaping	29.01.26
8601-18 A: cycle store	Other Plans	12.12.25
8601-02 U	Proposed Floor Plans	26.03.26
8601-04 Q	Proposed Elevation	26.03.26
	Location Plan	02.10.24

8601-15 :  
window  
surround

Other Plans

28.01.26

The historical planning application is referenced under 23/0538/FUL. All of the drawings under that application and the previous variation planning application have been superseded by the above drawings.

#### List of Background Papers

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

#### EDDC Landscape Architect

27/02/2025 - Thank you for consulting me on the above application. I object to the proposed scheme for the following reasons:

This stretch of Salterton Road is characterised by large houses set back from the street with a strong green frontage of trees and shrubs. Compared to the consented scheme (23/0538/FUL), the revised layout brings the carpark to within 750mm of the highway boundary. The intervening space between the boundary wall and parking bays is insufficient to support sustained healthy growth of trees and shrubs. The consequent lack of screening of the carpark from the road will adversely impact local amenity and character. The scheme should be revised to increase the planting width to the frontage to a minimum 1.5m to allow the establishment of trees and hedgerows.

The cycle store has been relegated to a far corner of the rear garden. This is not in accordance with best practice guidance to facilitate cycle use including by making access to cycle stores as convenient as possible to building entrances. The cycle store should be relocated to the front of the site.

The temporary tree protection fencing indicated on the site plan should be adjusted to take in the full canopy spread of trees and shrubs to be retained along the western boundary.

In view of the intensity of use of the parking spaces and the amount of manoeuvring required to get into many of the spaces it is unlikely that grass can thrive in the proposed grasscrete cells and it would be better for these to be filled with a suitable gravel instead.

#### EDDC Landscape Architect

26/08/2025 - Thank you for consulting me on the above application. The amendments made do nothing to materially address my previous comments in respect of the landscape issues and as such the submitted details remain unacceptable in this respect.

Due to the extent of parking within the plot frontage it appears that the only way these concerns can be satisfactorily addressed is to reduce parking numbers in

order to create an adequate planting margin of 1.5m minimum width to the roadside frontage of the site which can be planted with a suitable hedge and trees.

#### EDDC Landscape Architect

21/01/2026 - Having reviewed the latest amended details submitted in respect of the above scheme I find nothing to satisfactorily address my previous comments as per below email and therefore maintain my objection to the scheme.

#### EDDC Landscape Architect

25/04/2025 - Having reviewed the amended details uploaded to IDOX on 21 March I note no changes have been made to address my previous comments as per email below. As such I maintain my objection to the proposal for the reasons stated.

#### Private Sector Housing (EDDC) - Caravan Licensing

Private Sector Housing have no comments on the proposed variation as it would have no significant impact on the compliance with HMO licensing standards.

#### County Highway Authority

23/09/2025 - Observations:

The County Highway Authority (CHA) has visited the site and reviewed the planning application documents.

The repositioning of the bin store will still allow for a smooth bin collection process that does not unduly hold up the free-flow of traffic. The parking layout still allows for vehicles to turn off-carriageway and re-enter the carriageway in a forward facing motion.

The relocation of the bushes will also allow for visibility splays upon the inter-visibility of the adjoining accesses.

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

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

#### Addendum 23/09/2025

The CHA has reviewed the amended parking layout and is content with that the grasscrete finish, we are satisfied that no mud or debris will enter the carriageway.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

#### Environmental Health

The separation distance between the ASHP and the nearest noise sensitive dwelling is insufficient. The Sound Power Level of the ASHP has been given as (64 dB) the distance attenuation reduces the sound pressure level to 39 dB(A) at the window therefore, higher than the 37 dB(A) level set within the guidance doc MCS 020a. To

reach the required level the ASHP would need to be at a distance of at least 12m from the centre point of the window.

The solution here would be to either enclose it, or to build an acoustic barrier between the ASHP and the neighbouring property (ensuring no line of sight of the ASHP from the window) the barrier would need a solid mass of at least 12kg. An acoustic consultant would need to give further advise on this.

#### Environmental Health

I have reviewed the technical specification of the ASHP enclosure and I do not anticipate any environmental health concerns in relation to noise.

### **Statement on Human Rights and Equality Issues**

#### Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, 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.

#### Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality 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.