

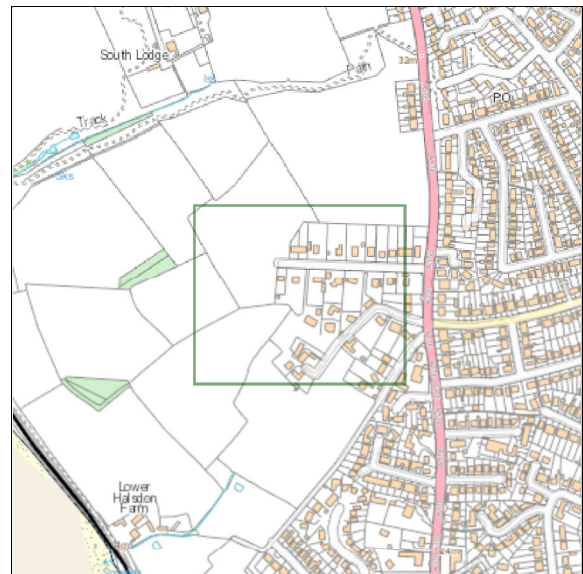
**Ward** Exmouth Halsdon

**Reference** 19/0816/RES

**Applicant** Mr & Mrs M Murray

**Location** 9 Seafield Avenue Exmouth EX8 3NJ

**Proposal** Construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale)



**RECOMMENDATION: Approval with conditions**

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		<b>Committee Date: 1<sup>st</sup> October 2019</b>
<b>Exmouth Halsdon (Exmouth)</b>	<b>19/0816/RES</b>	<b>Target Date: 12.06.2019</b>
<b>Applicant:</b>	<b>Mr &amp; Mrs M Murray</b>	
<b>Location:</b>	<b>9 Seafield Avenue Exmouth</b>	
<b>Proposal:</b>	<b>Construction of detached dwelling, pursuant to outline application 17/1020/OUT (seeking permission for access, appearance, landscaping, layout and scale)</b>	

**RECOMMENDATION: Approval with conditions**

#### **EXECUTIVE SUMMARY**

**This application was deferred from the meeting on the 3<sup>rd</sup> September 2019 for a Site Inspection to assess the impact upon the adjoining property at 7A Seafield Avenue.**

**The application was originally before members as the officer recommendation differs to the view of a Ward Member.**

**This reserved matters application seeks permission for the construction of a detached four bedroom, two storey dwelling within the rear garden of no 9 Seafield Avenue. The application seeks approval for access, appearance, landscaping, layout and scale, pursuant to the grant of outline planning permission (17/1020/OUT) in which the principle of a single dwelling on the site was accepted.**

**The proposed dwelling would be sited within a plot which is smaller than that granted at outline stage. Concern has been raised that the application site proposed for the reserved matters application is smaller than that approved at outline and that this should invalidate the application. Whilst the concern is noted and it is acknowledged that the application site for the development has been reduced, there is nothing within planning legislation that suggests that the application site area cannot be reduced through the submission of a reserved matters application.**

**Furthermore, whilst the footprint of the proposed dwelling is sizeable in relation to the size of the plot, the submitted site plan demonstrates that there is sufficient space within the site to provide an adequate private amenity area for the dwelling, parking and turning for vehicles and the access and driveway such that it would not give rise to significant harm to the character and appearance of the area**

despite the fact that Seafield Avenue is characterised largely by large dwellings in generous sized plots.

It is accepted that reducing the size of the application site would result in a less neighbourly form of development with no 7A Seafield Avenue, however the amendments to the scheme which includes moving the dwelling further away from the boundary and the incorporation of privacy screens would be sufficient to ensure that the impact of the dwelling on the amenities of the occupiers of surrounding properties would not be significantly harmful in terms of being unduly overbearing or over dominant, through loss of light or significant loss of privacy to sustain an objection.

On balance, the proposal is considered to be acceptable and compliant with Strategy 6 (Development within Built-up Area Boundaries) and policy D1 (Design and Local Distinctiveness) of the Local Plan and the policies contained within the Exmouth Neighbourhood Plan. The application is therefore recommended for approval.

## **CONSULTATIONS**

### **Local Consultations**

#### Exmouth Halsdon - Cllr Megan Armstrong

As ward councillor I am writing to object to application no. 19/0816/RES for the following reasons.

1. This is a reserved matters application which should comply with the outline approval as granted in 2017. However the location plans on the outline approval and this current application differ substantially, in that the area allocated for development has been significantly reduced. Consequently the available land has been limited to the lower south eastern section. I would therefore suggest that this is no longer a reserved matters application, and that a completely new application be submitted.

2. I have read the objection letter from the closest affected neighbours, no. 7A and entirely agree with all the points raised, following my site visit, especially the overall size and height of the proposed dwelling, the raising of the ground level against the boundary of 7A and the very close proximity of the dwelling to these neighbours. I consider that all these issues, if pursued would result in an overbearing and out of keeping appearance in this open residential area.

3. I am very surprised that the Arboricultural Report in the documents section was written for the original outline application and is dated 30th March 2017, when two dwellings were proposed on the much larger site. This has not been updated in line with the reserved matters application, especially considering the much smaller plot size.

I am particularly concerned about the neighbouring silver birch (T9) which could be particularly vulnerable due to its close proximity to the proposed dwelling.

I would like to see a current arboricultural report from the council's own tree officer with special reference to this silver birch, its root protection area and any work that would need to be done to it if this proposal is approved.

4. In conclusion, I have very serious concerns about this application in its current form and all the above issues must be addressed to the satisfaction of neighbouring residents. ie.

- the dwelling to be scaled down in size,
- to be further back from the boundary,
- the height reduced,
- not to raise the floor level near the boundary,
- to ensure a current council tree officer report is done and actioned appropriately,
- and to consider whether a completely new application should be submitted.

I also suggest that a site visit by other members/officers would be very useful in this case.

Further comments: 09/08/19

As ward councillor I am writing to object to the latest amended plans for application 19/0816/RES.

Although there is now an updated Arboricultural Report, with some safeguards for the neighbouring silver birch (T9) (referred to as a 'poor quality neighbouring specimen', which I would challenge), none of my previous objections have been addressed. These are: the overall size and height of the dwelling, the raising of the ground level against the boundary of no. 7A and its overbearing effect and the dwelling being totally out of keeping with the surrounding area.

For all these reasons I once again recommend refusal of this application.

Further comments: 19/07/19

As ward councillor I am writing to object to this amended application 19/0816/RES, 9 Seafield Avenue, Exmouth, which has again been recommended for refusal by the Town Council on the grounds of the dwelling being overbearing and out of keeping with the surrounding area.

Despite some minimal tweaks, no serious material changes have been made to mitigate the objections raised.

- The overall size is the same;
- The height is the same;
- The raising of the ground level against the boundary of 7A is the same;
- The overbearing effect on no. 7A is the same;
- The dwelling would remain out of keeping with the surrounding area;
- In addition, the applicant has not provided an up to date Arboricultural report, as requested by the council's tree officer, who still has serious concerns over the impact of the scheme on no. 7A's silver birch tree.

In conclusion, my previous objections remain and I recommend refusal of this application.

Parish/Town Council  
Meeting 14.05.19

Objection in terms of size, mass and scale and was therefore contrary to the East Devon LP policy D1. Members also felt the proposal was out of keeping with the area therefore contrary to Exmouth Neighbourhood Plan policy requirement EB2. It was recognised that outline permission had been granted but it was felt this proposal was too much of a departure from the original scheme. Preference was for a single storey or smaller dwelling. Members also supported Cllr M Armstrong's request for an updated Arboricultural report from EDDC.

Further comments 08.07.19:

Objection sustained, none of the concerns previously raised had been mitigated plus additional objection that the proposed dwelling overlooked the neighbouring property and created lack of privacy. An updated Arboricultural report had also not been received.

**Technical Consultations**

EDDC Trees

The submitted arboricultural report needs to be updated to reflect the actual development proposed.

The location of tree on and adjacent to the site should be shown on all submitted plans.

Until we have this information I am unable to comment on the proposed scheme.

Further comments 13.08.19:

No objection to the amended scheme. Any planning approval should be subject to a compliance condition. I have provided a draft condition below:

Tree Protection - Approved Tree Protection Plan(TPP) and Arboricultural Method Statement(AMS)

Prior to the commencement of the development hereby approved (including all preparatory work), the following tree protection measures as identified in the submitted Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) dated 24th day of July 2019 will have been completed:

- a) A detail manufacture or engineers specification for the depth of the cellular confinement system, for the construction of the no dig road shall be submitted to and approved by East Devon District Council.
- b) The location of all underground services shall be submitted to the East Devon District Council.
- c) The tree protection fencing and ground protection shall be in place and in accordance with the agreed specification.

d) The installed tree protection measures will have been inspected by an appropriately experienced and qualified Arboricultural Consultant commissioned to act as the project Arboricultural Supervisor.

e) The findings of the Arboricultural Supervisors initial site inspection shall be forwarded to Local planning Authority prior to the commencement of works on site.

During the development hereby approved, the following tree protection measures identified in the above AMS and TPP will be undertaken:

f) The AMS and TPP dated 24th day July 2019 shall be strictly followed.

g) Ad-hoc monthly site inspections shall be undertaken by a suitably qualified tree specialist and the findings recorded in the site monitoring log.

h) Any departures from the approved TPP and AMS shall be reported to the Local Planning Authority in writing within five working days of the site inspection.

On completion of the development hereby approved:

i) A completed site monitoring log shall be submitted to the Planning Authority for approval and final discharge of the tree protection condition.

Reason: To satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy D3 - Trees and Development Sites of the East Devon Local Plan 2016 and pursuant to section 197 of the Town and Country Planning Act 1990

Informative:

The following British Standards should be referred to:

a) BS: 3998:2010 Tree work - Recommendations

b) BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations

### Other Representations

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

- The dwelling would be bigger than that approved at outline in a smaller site
- The dwelling would dominate the area
- Out of character with more spacious plots
- Overlooking and loss of privacy
- Lack of clarity on materials
- Permitted development rights should be removed
- No room for landscaping
- Raising ground levels would have an overbearing impact
- Would set a precedent for high density development in the area
- Contrary to Strategy 6 of the Local Plan
- Impact on mature silver birch tree

In addition, 1 letter of representation has been received stating that it would have been helpful for the applicant to identify changes from the original proposal.

## **POLICIES**

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

Strategy 6 (Development within Built-up Area Boundaries)

D1 (Design and Local Distinctiveness)

D3 (Trees and Development Sites)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Exmouth Neighbourhood Plan (Made)

### **Government Planning Documents**

NPPF (National Planning Policy Framework 2019)

National Planning Practice Guidance

## **Site Location and Description**

The site refers to part of the rear garden of no 9 Seafield Avenue which is located within the built-up area boundary of Exmouth. Seafield Avenue is an area of Exmouth with lower density housing typified by large dwellings in generous sized plots although a number of plots on the southern side of the road have been sub-divided. The site itself is irregular in shape with a gentle slope and is bound on three sides by existing houses and their gardens which are accessed off Seafield Avenue. No townscape or landscape designations apply.

## **Planning History**

Outline planning permission for the construction of a detached dwelling (with all matters reserved) was granted in 2017 (ref 17/1020/OUT). The planning permission was granted subject to conditions requiring the submission of finished floor levels and ground levels, a landscaping scheme, an Arboricultural Impact Assessment and Tree Protection Plan and the submission of a surface water and drainage strategy for the site.

## **Proposed Development**

This reserved matters application seeks planning permission for the construction of a detached four bedroom, two storey dwelling within the rear garden of no 9 Seafield Avenue. The application seeks approval for access, appearance, landscaping, layout and scale, pursuant to the grant of outline planning permission in which the principle of a single dwelling on the site was accepted.

It should be noted that the application site indicated on the submitted site location plan accompanying the application is smaller than that granted at outline. In effect, retaining a larger garden area for 9 Seafield Avenue.

The proposed dwelling would be two stories and would have a contemporary design with a mono-pitched roof form. It would be of rendered construction under a standing seam dark grey roof. The dwelling would be orientated north east-south west within the plot and would have on its rear a full length balcony which would be accessed from the first floor of the dwelling which would provide a living room, dining room and kitchen. The four bedrooms and bathrooms would be provided at ground floor level.

The proposal includes some cut and fill to provide a level site owing to the sloping nature of the lower section of the site.

Vehicular access into the site would be taken from Seafield Avenue where a new access drive would be constructed on the eastern side of the site leading down to the proposed dwelling, parking and turning area.

## **ANALYSIS**

The principle of a dwelling on this site has previously been accepted through the grant of the outline planning permission. Therefore the main issues to consider in determining this application are in terms of an assessment of the matters submitted for approval in terms of the layout, scale and appearance of the proposed dwelling and the impact it would have on the character and appearance of the area and the residential amenities of the occupiers of surrounding properties, the proposed access and the impact it would have on highway safety, as well as an assessment of the information that has been submitted in respect of landscaping and the impact on arboriculture.

The relevant policies against which to consider these matters are:

Strategy 6 (Development within Built-up Area Boundaries) of the Local Plan which states that within the boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.
2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.
3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.

Policy D1 (Design and Local Distinctiveness) of the Local Plan that requires proposals to:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.
2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.
3. Do not adversely affect:



- a) The distinctive historic or architectural character of the area.
- b) The urban form, in terms of significant street patterns, groups of buildings and open spaces.
- c) Important landscape characteristics, prominent topographical features and important ecological features.
- d) Trees worthy of retention.
- e) The amenity of occupiers of adjoining residential properties.

Policy EB2 of the Exmouth Neighbourhood Plan 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.

### Layout

The proposed dwelling would be sited within a plot which is smaller than that granted at outline stage. Concern has been raised that the application site proposed for the reserved matters application is smaller than that approved at outline and that this should invalidate the application. Whilst the concern is noted and it is acknowledged that the application site for the development has been reduced, there is nothing within planning legislation that suggests that the application site area cannot be reduced through the submission of a reserved matters application.

It is acknowledged that the footprint of the proposed dwelling is sizeable in relation to the size of the plot although the submitted site plan demonstrates that there is sufficient space within the site to provide an adequate private amenity area for the dwelling, parking and turning for vehicles and the access and driveway. Whilst the proposal would result in a plot size that would be noticeably smaller than the majority of the plots within Seafield Avenue, being a plot set well back from the highway and as a back land form of development, it isn't considered that this would give rise to any significant harm to the character and appearance of the area or the wider streetscene that would justify refusal of planning permission. The layout of the proposed development within the reduced application site is considered to be acceptable.

### Scale

Concern has been raised that a two storey dwelling would not be appropriate for the size of the plot given its limited size and its relationship with neighbouring properties. Whilst these concerns are noted, it is considered that the proposed dwelling has been designed to fit within the site without causing significant harm to the character and appearance of the area or the residential amenities of the occupiers of surrounding properties.

Seafield Avenue is characterised mainly by large two storey dwellings such that it isn't considered that a two storey dwelling in this location would be out of character with the area. The maximum height of the dwelling would be 6.5 metres which would be limited by reason the mono-pitched roof form of the building which would further help to reduce the overall visual impact of the dwelling on the wider character and appearance of the area.

## Appearance

The contemporary approach to the proposed dwelling is considered to be acceptable in this location. There are a variety of architectural styles of property in Seafield Avenue which include more contemporary designs, such that it isn't considered that the proposed design would give rise to any significant harm to the character and appearance of the area or the streetscene.

The chosen palette of materials for the exterior of the dwelling which include white rendered walls, stone cladding, grey windows and doors are considered to be appropriate for the character and appearance of the area such that it is considered that the proposal complies with the provisions of policy D1 (Design and Local Distinctiveness) of the Local Plan and Policy EB2 of the Neighbourhood Plan.

## Access and Highway Safety

The proposed site plan adequately demonstrates that a driveway and parking and turning area are capable of being provided within the site not dissimilar to other backland access arrangements in Seafield Avenue. Visibility at the junction of the access would be adequate with Seafield Avenue not being heavily trafficked or with vehicles driving at high speeds. The proposal makes provision for vehicles to park and turn within the site so that they can exit the site in a forward gear. It is considered that the proposal complies with the provisions of policy TC7 (Adequacy of Road Network and Site Access) and TC9 (Parking Provision in New Development) of the Local Plan.

## Landscaping

In accordance with condition 4 of the outline planning permission, the application is accompanied by a landscaping plan. Whilst this does not propose any significant new planting, it does retain existing trees and vegetation and includes the installation of additional 1.8 metre high fences to demark the boundaries of the site. The driveway and parking area would be constructed from compacted stone and grasscrete.

The proposed landscaping scheme is considered to be appropriate for a single dwelling of this size.

## Residential Amenity

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

The site is bound by a number of residential properties and their gardens and therefore it is accepted that a dwelling would have a degree of impact over its current use as a residential garden. In addition, it is accepted that the decision to reduce the application site area from that granted at outline, coupled with the size and footprint of the proposed dwelling would result in a less neighbourly development than could have been achieved on a larger site. However whilst this is the case, it is necessary to assess the degree of harm that would arise to the residential amenities of the occupiers of surrounding properties from the proposed development.

The greatest impact of the proposal would be on the amenities of the occupiers of no 7A Seafield Avenue which is positioned to the south east of the site at a lower level. No 7A would be set back behind the proposed dwelling orientated such that its side elevation with a single high level first floor window faces towards the site. A driveway and turning area separates no 7A from the site. The main outlook from no 7A is to the north and south.

The impact of the dwelling would be increased as a result of the amount of cut and fill required to provide a level site where the ground levels of the site would be increased by 1.5 metres where closest to the south eastern boundary.

Following concerns that were raised by officers in relation to the impact of the dwelling on the amenities of the occupiers of no 7A Seafield Avenue, amended plans have been produced which have moved the dwelling away from the boundary allowing for a separation distance of 3.8 metres from the existing retaining boundary wall. The dwelling has also been designed such that a single storey element would be closest to the boundary which would then step up to its full two storey height. This design coupled with moving the dwelling further away from the boundary is considered to be sufficient to ensure that the physical impact of the dwelling would not be significantly harmful in terms of being unduly over dominant or over bearing notwithstanding the increase in the ground levels close to the boundary of the site.

On balance, whilst a two storey dwelling would have a degree of impact on the occupiers of 7A Seafield Avenue, this would be to a driveway and turning area and a high level living room window at first floor on the side elevation. Owing to the orientation of the property in relation to the site, outlook from the living accommodation on the north and south elevations would be unaffected with no significant loss of light. On balance, it isn't considered that the impact of the development would be significantly harmful to residential amenity to sustain an objection.

Concerns regarding the potential for overlooking from the balcony proposed to run along the entire rear elevation of the dwelling have been addressed through the addition of a two storey privacy screen on the south eastern and a privacy screen on the north western side of the balcony and through the removal of an external staircase which could have resulted in an unacceptable level of overlooking and loss of privacy to no 7A. The submitted cross section drawing adequately demonstrates that there would be no overlooking from ground floor windows of the proposed dwelling where the accommodation has been designed to have an en-suite window closest to the boundary of no 7A. Even with the raised ground levels, ground floor windows would face directly towards the rear boundary fence.

The proposed dwelling would be visible from an area of land within the ownership of no 7A Seafield Avenue to the south where it is acknowledged that first floor windows and the balcony would face towards it, albeit at an oblique angle. This land is not recognised as lawful domestic curtilage which is located immediately to the rear of no 7A in the form of a first floor balcony, patio area and rear garden. There would be no impact from the dwelling on the private amenity space of no 7A because of the orientation of the proposed dwelling in relation to this property. The privacy screen to the south eastern side of the dwelling would help to prevent any significant overlooking or loss of privacy. No windows are proposed on the side elevation of the dwelling.

Whilst concerns have been raised regarding overlooking and loss of privacy to no 7 Seafield Avenue and its rear garden to the north east, the dwelling has been designed to have high level (1.7 metres from the finished floor level) kitchen and living room windows at first floor on the north east elevation such that there would be no significant levels of overlooking or loss of privacy. An area of glazing would serve a staircase however on the basis that this wouldn't serve a habitable room coupled with the distance from the boundary it isn't considered that an objection could be sustained on these grounds.

It is considered that there are sufficient distances to the rears of numbers 7 and 9 such that they would not experience and detrimental loss of amenity.

A condition is recommended that the privacy screens are installed prior to first occupation of the dwelling and that the privacy screens remain in place in perpetuity.

Having regard for the above points it is considered that the proposal complies with the provisions of policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.

#### Arboricultural Impact

Concern has been expressed about the impact of the dwelling on the health and well-being of a mature silver birch tree which falls outside of the application site but is in close proximity to the southern boundary. The Council's tree officer has advised that following the submission of amended plans which moved the dwelling outside of the root protection area of the tree, there were still concerns that the provided level details showed the ground level increasing between 1.0 and 1.4 metres, within and close to the root protection area of the birch tree in the neighbouring property. This was not considered to be sustainable in arboricultural terms and would be damaging to the tree.

To address these concerns, the applicant has provided an updated Arboricultural report and Impact assessment along with amended plans which propose maintaining the existing levels of the southern-most section of the garden within the root protection area of the silver birch tree with a timber sleeper retaining wall to be constructed immediately to the north. This has been considered by the Council's tree officer who has advised that this aspect of the proposal would be acceptable with no impact on the neighbouring tree.

Whilst the Arboricultural report is considered to be acceptable in principle, the tree officer has advised that it lacks detail with regards to the location of underground services and the engineer's specification for the construction of a no dig access road. On this basis, it is considered that condition 5 on the outline planning permission which required the submission of an Arboricultural Impact Assessment, Arboricultural Method Statement and tree protection plan to be submitted prior to commencement of development has not yet been discharged and therefore this condition remains to be complied with and discharged under the outline planning permission.

In principle however the proposal is considered to be sustainable from an arboricultural perspective in compliance with the provisions of policy D3 (Trees and Development Sites) of the East Devon Local Plan.

#### Drainage and Surface Water Run-off

In accordance with condition 7 of the outline planning permission, the application is accompanied by a surface water and drainage strategy for the development. Foul water drainage would be connected to the combined public sewer in Seafield Avenue.

In respect of the surface water strategy, it is stated that there is insufficient space within the site to provide ground soakaways and therefore attenuated storage tanks are proposed for surface water collected from the roof of the building which would be discharged into the combined public sewer at a discharge rate of 1 l/s. The proposed drainage and surface water strategy is considered to be appropriate for a development of this size and nature and complies with the provisions of policy EN22 (Surface Run-Off Implications of New Development) of the Local Plan.

#### Permitted Development Rights

Permitted development rights were removed from the property for classes B and C (additions and alterations to the roof) at outline stage. Having regard for the fact that the application site area has been reduced in size, the proposed change in ground levels of the site and relationship with neighbouring properties, it is considered necessary and reasonable to remove permitted development rights for classes A and E (extensions and outbuildings) given the limited amount of space available within the proposed plot.

### **CONCLUSION**

It is accepted that a more neighbourly form of development and a development more in-keeping with the surrounding pattern of development in terms of the ratio of footprint to plot size could have been achieved on a larger application site more akin to the size granted at outline stage.

However following receipt of amended plans it is not considered that the proposal in terms of its scale, layout, appearance, landscaping and access would give rise to significant harm to the character and appearance of the area or to the residential amenities of the occupiers of surrounding properties to sustain an objection.

Notwithstanding the concerns that have been raised, it is considered that the proposal would comply with the provisions of Strategy 6 (Development within Built-up Area Boundaries) and policy D1 (Design and Local Distinctiveness) of the Local Plan and the policies contained within the Exmouth Neighbourhood Plan. The application is therefore recommended for approval.

### **RECOMMENDATION**

APPROVE subject to the following conditions:

1. East Devon District Council as Local Planning Authority HEREBY APPROVE THE FOLLOWING RESERVED MATTERS of the above described development proposed in the application numbered as shown above and in the plans and drawings attached thereto, copies of which are attached to this notice relating to:-

- (a) Appearance
- (b) Landscaping
- (c) Layout
- (d) Scale
- (e) Access

This Reserved Matters application numbered as shown above is made pursuant to the Outline Planning Permission (ref. No. 17/1020/OUT) granted on 13th December 2017.

The following reserved matters have yet to be approved:

None.

The following conditions of the outline permission is hereby discharged:

3, 4, 7

The following conditions of the outline permission remain to be discharged:

5

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. Before development above foundation level is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls, roofs, doors and windows of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
4. Prior to first occupation of the dwelling hereby approved, the privacy screens on the south east and north western elevations of the dwelling shall be installed in accordance with the details shown on drawing no's 7867-12 REV D and 7867-11 REV D. The privacy screens shall thereafter be retained in perpetuity.  
(Reason: In the interests of residential amenity in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2031).
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-

enacting that Order with or without modification) no works shall be undertaken within the Schedule 2 Part 1 Classes A or E for the enlargement, improvement or other alterations to the dwelling hereby permitted, other than works that do not materially affect the external appearance of the buildings, or for the provision within the curtilage of any building or enclosure, swimming or other pool, [other than any enclosure approved as part of the landscape management scheme] (Reason - The space available as a result of the reduction in the size of the application site would not permit such additions without detriment to the character and appearance of the area or to the amenities of adjoining occupiers in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

Plans relating to this application:

7867-10 Rev E	Proposed Site Plan	24.07.19
7867-13 Rev B	Landscaping	24.07.19
7867-LP	Location Plan	15.04.19
7867-12 Rev E	Sections	24.07.19
7867-11 Rev D	Proposed Combined Plans	15.07.19
7867-14 Rev A :	Other Plans	15.07.19
	DRAINAGE STRATEGY	

List of Background Papers

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