

## PLANNING APPLICATION REPORT

**Case Officer:** Lucy Hall

**Parish:** Wembury **Ward:** Wembury and Brixton

**Application No:** 2948/19/FUL

**Agent/Applicant:**

Mr Sean Adams - Adams PPS Ltd  
Rivendell  
Zeal Monachorum  
Crediton  
EX17 6DF

**Applicant:**

Mr & Mrs S Smith  
139 East Gomeldon Road  
East Gomeldon  
Salisbury  
SP4 6NB

**Site Address:** Land Adjacent Sea View, West Hill, Heybrook Bay

**Development:** Erection of new 3 bedroom, 1 1/2 Storey, detached dwelling with subterranean garage and driveway (Resubmission of 1423/19/FUL)



**Reason item is being put before Committee:**

At the request of Cllr Brown and Cllr Chown who are concerned about the impact the proposal might have on the neighbouring property.

**Recommendation: conditional approval**

**Conditions**

1. 3 year time limit for commencement
2. Development to be carried out in accordance with approved details
3. Sample of natural slate to be provided
4. Details of render to be provided
5. Details of joinery to be provided
6. Wall to be constructed from natural stone
7. Rooflights to be flush fitting
8. Tamar EMS
9. Compliance with drainage scheme

10. Retention of garage for parking/not be used for habitable accommodation
11. Construction and Environmental Management Plan (prior to commencement)
12. Development to accord with recommendations in ecology report
13. No external lighting
14. Removal of PD rights
15. Compliance with landscape scheme
16. Unsuspected land contamination
17. Carbon reduction measures to be implemented prior to occupation

### Site Description:

The application site is a sloping site of about 0.10 ha in size that sits between 2 houses at West Hill, Heybrook Bay. Historically the site was part of the curtilage of Sea View, the adjoining property to the east. There are 6 existing houses at West Hill. The application site falls within an Area of Outstanding Natural Beauty (AONB), undeveloped coast and is adjacent to a Site Special of Scientific Interest.

### The Proposal:

The application seeks full planning consent for the provision of a 1 ½ storey detached dwelling with sub-terrain garage and driveway.

The dwelling would be located towards the southern end of the plot, elevated to the road. The dwelling essentially comprises three interlocking blocks, two end gables and a central gable. The building would be clad in render with natural slate to the roof.

The internal floor areas of the ground and first floor cumulatively is 236 sq. m. The overall height of the building is 7.3m to the ridge and 4.2m to the eaves.

Internal accommodation would be arranged over two levels and includes a lounge and kitchen/dining area at ground floor and at first floor three bedrooms plus a study and bathroom at first floor.

The proposal also includes a garage which would be dug into the existing bank and sit below the level of the main dwelling. The garage would be accessed via a driveway which would terminate below the site of the dwelling. Just off the garage, a lobby area and internal lift providing access to the ground floor of the dwelling is proposed.

### Consultations:

- County Highways Authority                      no comments refer to DCC standing advice
- Environmental Health Section                      no comments
- Wembury Parish Council                      Objection
  1. *This application will seriously affect the amenities of its neighbouring house. I understand there should not be any development in this area.*
  2. *Neighbours to the east of this planned development are against it because of its overbearing nature, overlooking, people across the valley because it will endanger the sea view and because the original approval for a modest bungalow has been turned into a three storey abode.*
  3. *Original plans for a more acceptable development. SHDC has decided there would be no more development in Heybrook Bay but this was overlooked. Sea View's solar panels will be obscured, light reduced, will be overlooked, among material considerations.*
  4. *Original was acceptable but was in wrong place. Now agree with above.*
- Drainage (SHDC)                      no objection subject to conditions

- Natural England request additional information
- MOD no safeguarding objections raised
- Ecologist (SHDC) no objection
- Landscape (SHDC) no objection

### **Representations:**

The Council has received 13 letters of representation from third parties, 3 letters of support and 10 objections.

### Object

- Proposal does not conform to conditions imposed on the outline consent. Dormer bungalow as consented would be less intrusive compared with the proposed dwelling.
- Plot is part of an attractive hillside and parking is generally at road level.
- Proposed driveway removes an established natural vegetation and the tarmac driveway detracts from the AONB and results in cramped urban development.
- West Hill is steep and has a restricted width. Concerns about disruption to existing residents from construction traffic and additional traffic once complete on a narrow lane which is likely to result in congestion and situation exacerbated during winter weather conditions.
- Damage to the road or bridge could preclude access for emergency vehicles
- Loss of amenity to residents of Sea View. Dwelling and proposed boundary tree planting would cause overshadowing and sense of enclosure.
- Height of dwelling combined with trees will block light from the solar panels at Sea View, and seriously degrade the degree of power output from the micro energy system.
- Extent of excavations proposed could cause damage to neighbouring properties and services.
- Design is not in keeping with the immediate neighbouring bungalows.
- Development has already impacted on trees with significant cut back of an existing conifer tree.
- Existing foul sewer infrastructure is not fit for purpose.
- Concerns that it will not be physically possible to construct the dwelling.
- Approval would set an undesirable precedent
- Proposal has similar level of opposition to that which was withdrawn earlier this because of the level of objections from locals and the parish.
- Proposal should have regard to environmental protection as set out within the recent Queen's speech.

### Support

The comments received can be summarised as follows: -

- Main issues raised previously have been adequately addressed
- Applicants have reassured neighbours at Gorse Cliff that they intend to avoid disruption and continue to repair and maintain access road going forward.
- Welcome the development of a house on the plot and consider the proposal will enhance the area.
- Proposal will safeguard the amenity of Frangipani
- Proposed landscaping design will enhance the nature conservation in the area.
- Proposal has been sensitively designed to allow existing residents of Heybrook Bay continued enjoyment of local amenities and views.

### **Relevant Planning History**

1423/19/FUL, erection of new 3 bedroom dwelling with sub-terranean garage and driveway, Land adj to Sea View, West Hill – withdrawn

2988/17/OPA, Outline planning application with all matters reserved for erection of detached dwelling, Land a West Hill, adjacent to Sea View, Heybrook Bay – conditional approval

## ANALYSIS

### Principle of Development/Sustainability:

The policy context regarding development within the undeveloped coast and AONB locations has changed following the adoption of the JLP in March this year and having regard to the current policies it is unlikely that the principle of a new open market house on the site would be acceptable. However, notwithstanding this, the principle of development on the site has already been established with the extant outline consent which was granted in 2017 and in the consideration of this application the outline consent represents a fall-back position which cannot be disregarded.

### Housing Mix

Having regard to the fall-back position which restricts the height of the dwelling but not its footprint, the principle of a 3 bed dwelling does not raise any concerns.

### Design/Landscape:

The site is sensitively located in an elevated position off West Hill. It falls within the South Devon AONB and undeveloped coast. AONBs are among the areas afforded the highest level of protection within the NPPF in relation to landscape and scenic beauty. JLP Policy DEV25 requires all developments to conserve and enhance the natural beauty of protected landscapes. JLP Policy DEV24 seeks to protect the undeveloped and unspoilt character, appearance and tranquillity of the undeveloped coast and only supports development in exceptional circumstances.

The proposed dwelling is higher than that which could be permitted under the terms of the outline consent permitted. The outline consent included a condition which restricted the height of the dwelling to a single storey or 1 ½ storey dormer bungalow and the reason for this condition was to 'protect the character of the street scene and wider area.' At the time this application was considered no indicative plans were provided to show how a dwelling could be delivered on the site.

The existing dwellings on West Hill all appear to be relatively modern buildings, constructed from the 1950's onwards. While they generally respond to the topography, there is variation with their heights and architectural styles. The buildings are typically 1 ½ storey or bungalows. Having regard to its context officers do not have any concerns with regards to the proposed dwelling. It is traditional in its form, with its pitch roof and rendered walls, and while it would be higher than its immediate neighbour Sea View, in the wider context this is not considered to be a reason in itself to justify the refusal of the application. The building is of a generous scale but would not represent an overdevelopment of the site and its mass is broken up. Compared to the previous withdrawn application, it is also pleasing to see that the level of glazing has been reduced. Due to the sensitive location of the plot it is considered appropriate to remove permitted development rights for extensions and alterations and this can be secured via condition.

The Council's landscape specialist has reviewed the proposal and has provided comments, which Officers agree with. The comments received are detailed below: -

*'The site is within the developed slope, located within the existing building form on the edge of Heybrook Bay. It remains within the valley and is viewed within the context of the village. The building form is strongly affected by the degree of slope and will result in the need for a larger scale of engineered retaining walls, particularly in the lower sections. Similarly the meandering drive will have to navigate the slope to allow access to the dwelling and park vehicles close to it. Consequently this results in a larger overall built form. However, it does remain in the context of the village and is not dissimilar to other dwellings locally, especially across the valley. A landscape scheme has also been submitted to mitigate the proposed layout and provide strategic enhancements through tree and shrub planting. On this basis the overall proposed development can be supported.'*

Having regard to the fallback position which allows for a dwelling on the site, the reason a restrictive condition was imposed on the outline consent, the wider context and comments from the Council's

landscape specialist, officers consider that the proposal will sit comfortably within its site and will not result in harm to the AONB or undeveloped coast to such an extent that a recommendation of refusal could be justified.

### **Neighbour Amenity:**

Safeguarding neighbouring amenity is a material consideration. Paragraph 127 of the NPPF requires developments to provide a high standard of amenity for existing and future users. JLP Policy DEV1 requires proposals to safeguard the health and amenity of local communities.

Sea View, lies to the east of the site and Frangipani, to the west. Due to change in topography, Frangipani sits at a much lower level on West Hill compared to the site, whereas Sea View is at the same level and the dwelling lies within close proximity to the site.

The occupants of Frangipani have written in support of the development and consider that their amenity would be protected. Officers have no reason to disagree with this view.

The occupants of Sea View are concerned that the new dwelling would cause overshadowing and a sense of enclosure. While these concerns are noted, Officers are satisfied that the position of the dwelling itself would not cause harm. Compared to the previous proposal which extended beyond the front elevation of Sea View, the revised design is pulled back and sits on a similar line as its neighbour. While there might be an opportunity for glimpsed views into the neighbouring site from the plot, in the context of the site and surrounding development where to a degree the properties all overlook one another, this relationship is not considered unreasonable.

To protect the neighbour's privacy planting is proposed along the boundary between the site and Sea View. However, the neighbours are concerned that the proposed trees themselves will have an adverse impact on their amenity. Again while these concerns are noted, this in itself is not considered to be a reason for refusal. Planting is not development and does not require the benefit of planning consent. Therefore while the trees could be removed from the landscaping plan, there is nothing to prevent the occupiers of the proposed dwelling still undertaking planting on the boundary.

Concern is also raised about the loss of light to the solar panels which have been installed on Sea View and this will be considered below under 'low carbon'.

### **Highways/Access:**

The principle of a dwelling on the site has already been established with the outline consent. The Highways Authority have not provided any detailed comments on the current proposal and refer to standing advice issued by DCC. Officers are satisfied that the proposal demonstrates that adequate visibility splays will be provided and parking and turning can be accommodated within the site. Due to the restricted width of the road and concerns regarding disruption to the residents of West Hill from construction traffic, it is considered appropriate to require a construction management plan and this can be secured via condition.

### **Drainage**

Full drainage details have been provided and assessed by the Council's drainage engineers who are satisfied sufficient information has been provided to demonstrate a workable drainage scheme can be accommodated on site. A condition is recommended to ensure the scheme as approved is implemented.

### **Low Carbon:**

Policy DEV32 requires all development to minimise its use of natural resources over its lifetime, such as water, minerals and consumable products, by reuse or recycling of materials in construction. Developments should be considered in relation to the energy hierarchy of i) Reducing the energy load of the development ii). Maximising the energy efficiency of fabric iii). Delivering on-site low carbon or renewable energy systems and iv) Delivering carbon reductions through off-site measures. In addition the policy states 'Developments should reduce the energy load of the development by good layout,

orientation and design to maximise natural heating, cooling and lighting, and reduce the heat loss area'.

The current owners of Sea View and the Parish Council have both raised concerns loss of light to the solar panels located on the south west elevation of Sea View. Loss of light to solar panels is a material consideration.

Outline consent, with all matters reserved, for the erection of a dwelling was granted on the application site on 1 December 2017. On 14 February 2018 planning permission was granted for works to Sea View and included an extension on its south western elevation (which faces the application site) (application ref 4322/17/HHO). The application included solar panels but because no details of these were provided the reference to solar panels was removed from the application and an informative which makes it clear that solar panels do not form part of the consent was included on the decision notice.

The neighbours consent has been implemented and the works to the side extension are almost complete. Ten solar panels were installed on the roof of the new side extension as part of the overall works. They do not benefit from planning permission. Solar panels can be installed on domestic properties under permitted development but in this instance because they were installed when the extension was being constructed, permission was required.

The applicants have provided a drawing to illustrate that any loss of light to the solar panels from the proposed development would only occur during the month of December. The LPA has not been provided with any specialist technical information from either the neighbours or the applicants to assess the impact of the proposal on the reduction of light to the solar panels. Having regard to the information set out above, it appears that the interference with the solar panels is considered to be modest.

The proposal development will make a modest contribution towards the reduction in non-renewable energy resources. The design and access statement includes a section on sustainability and outlines how the proposal will provide an environmentally 'friendly' development including the installation of 12 photovoltaic panels which would provide approx. 3KW of electricity for the dwelling and the installation of a mechanical ventilation and heat recovery system which will provide constant air change and will reduce the reliance on the boiler to provide heat for the main living areas and bedrooms. Additionally openings have been positioned to maximum solar gain while respecting the Council's dark skies policy and light fittings will all incorporate low energy lamps. This is considered to be acceptable to comply with JLP Policy DEV32 but a condition requiring the measures to be implemented prior to occupation is considered appropriate to ensure they are forthcoming.

### **Biodiversity:**

The site lies within 100m of the Plymouth Estuary SAC and adjacent to a SSSI. The proposal includes a preliminary ecological assessment and comprehensive landscaping scheme. The proposal has been considered by the Council's Ecologist who has not raised any objections and considers the proposal accords with relevant policies including DEV26. Given the sensitivity of the site it was suggested any notice of approval should include a condition which requires the submission of a Construction and Environmental Management Plan.

The site falls within the Zone of Influence for new residents have a recreational impact on the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA). This Zone of Influence has recently been updated as part of the evidence base gathering and Duty to Cooperate relating to the Joint Local Plan. A scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site can be appropriately secured by condition, and this approach has been agreed in a standing advice statement provided by Natural England in April. Natural England have requested further information on this site regarding the mitigation. The case officer discussed the matter with the Council's Ecologist who is satisfied that an

appropriate assessment has been carried out, a copy of which is available on the Council's website, and having regard to the standing advice, is satisfied that mitigation can be secured via condition.

### **Conclusion:**

The principle of a dwelling on the site has already been established and is a material consideration in the assessment of this application. While the dwelling goes beyond the limits of what the outline consent permitted, having regard to the reasons the condition was imposed Officers are satisfied that the proposed dwelling will sit comfortably within the site and will not cause harm to the AONB, undeveloped coast or the character of the area. The concerns raised with the previous withdrawn application have been addressed and with no technical objections the application is recommended for approval subject to conditions.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004.***

### **Planning Policy**

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of decision making, as of March 26th 2019, the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts South Hams and West Devon within Dartmoor National Park) comprises the Plymouth & South West Devon Joint Local Plan 2014 - 2034.

Following adoption of the Plymouth & South West Devon Joint Local Plan by all three of the component authorities, monitoring will be undertaken at a whole plan level. At the whole plan level, the combined authorities have a Housing Delivery Test percentage of 166%. This requires a 5% buffer to be applied for the purposes of calculating a 5 year land supply at a whole plan level. When applying the 5% buffer, the combined authorities can demonstrate a 5-year land supply of 6.5 years at the point of adoption.

The relevant development plan policies are set out below:

**The Plymouth & South West Devon Joint Local Plan was adopted by South Hams District Council on March 21st 2019 and West Devon Borough Council on March 26th 2019.**

SPT1 Delivering sustainable development  
SPT2 Sustainable linked neighbourhoods and sustainable rural communities  
SPT3 Provision for new homes  
SPT9 Strategic principles for transport planning and strategy  
SPT10 Balanced transport strategy for growth and healthy and sustainable communities  
SPT12 Strategic approach to the natural environment  
SPT13 Strategic infrastructure measures to deliver the spatial strategy  
SPT14 European Protected Sites – mitigation of recreational impacts from development  
TTV1 Prioritising growth through a hierarchy of sustainable settlements  
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area  
TTV26 Development in the Countryside  
TTV27 Meeting local housing needs in rural areas  
DEV1 Protecting health and amenity  
DEV2 Air, water, soil, noise, land and light  
DEV10 Delivering high quality housing  
DEV20 Place shaping and the quality of the built environment  
DEV23 Landscape character  
DEV24 Undeveloped coast and Heritage Coast  
DEV25 Nationally protected landscapes



DEV26 Protecting and enhancing biodiversity and geological conservation  
DEV28 Trees, woodlands and hedgerows  
DEV29 Specific provisions relating to transport  
DEV31 Waste management  
DEV32 Delivering low carbon development  
DEV33 Renewable and low carbon energy (including heat)  
DEV35 Managing flood risk and Water Quality Impacts

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance in Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: South Devon AONB Management Plan and Countryside and Rights of Way Act.

### **Neighbourhood Plan**

Wembury Neighbourhood Plan is within its infancy and has not yet reached a stage where its policy can be taken into consideration.

### **Considerations under Human Rights Act 1998 and Equalities Act 2010**

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.

### **Conditions**

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

Reason: To comply with Section 91 of the Town and Country Planning Act, 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby approved shall in all respects accord strictly with drawing number(s) 18-094/SP1A (block plan and sections), 18-094/LP1 (site plan), RP/02C (landscape proposals), 18-094/2 (elevations), 18-094/SS1A (front elevation), 15421-570 Rev B (proposed drainage strategy) and 18-094/1A (floor plans) received by the Local Planning Authority.

Reason: To ensure that the proposed development is carried out in accordance with the drawings forming part of the application to which this approval relates.

3. The roofs hereby approved shall be clad in natural slates, a sample of which shall have been submitted to and approved in writing by the Local Planning Authority prior to installation

Reason: To perpetuate the use of vernacular materials so as to retain the character of the locality.

4. Prior to installation of development, details of the proposed render type and colour(s) shall be agreed in writing with the Local Planning Authority and shall be applied without the use of metal beads or stops. Movement joints, where required, shall be positioned at changes of direction or directly behind rainwater downpipes.

Reason: To ensure that the finishes and colours are appropriate to the locality.

5. Prior to installation on site until full details of all new joinery have been first submitted to and approved in writing by the Local Planning Authority. Such details shall be at full or half scale and shall include cross-sections, profiles, reveal, surrounds, materials, finish and colour in respect of new windows, doors and other glazed or timber panels. The work shall thereafter be carried out in accordance with the approved details and shall thereafter be permanently retained in that form unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of the appearance of the development and the surrounding area.



6. The stonework shall be constructed of natural stone which matches the colour and texture of that occurring locally, a sample of which shall be submitted to and agreed in writing by the Local Planning Authority, prior to the commencement of development. The new stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones.

Reason: To ensure that the development displays good design practice in respect of the age and character of the development and to allow the Local Planning Authority to assess the details of the scheme to ensure that their character is maintained.

7. The roof lights shall be fitted so as to be flush with the roof profile.

Reason: To protect the appearance and character of the area.

8. Prior to first occupation of any residential unit, a scheme to secure mitigation of the additional recreational pressures upon the Tamar European Marine Site, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in full prior to first occupation.

Informative: This condition can be satisfactorily addressed by means of a pre-occupation contribution towards improved management within the Tamar European Marine Site (informed by the SAMMS list). Calculated at the time the contribution is triggered. At that time the Applicant should contact the Council's Development Management team to arrange payment of the contribution.

Reason: The development lies in the Zone Of Influence of the Tamar European Marine Site (comprising the Plymouth Sound and Estuaries SAC and Tamar Estuaries Complex SPA) where it is considered there would be a likely significant effect from this development, when taken in combination with other plans and projects, upon these European designated sites. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to provide sufficient mitigation for any recreational impacts which might arise upon the European designated sites. In coming to this decision, the Council has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and the requirements of policies SPT12, SPT14 and DEV26 of the Plymouth and South West Devon Joint Local Plan.

9. The drainage scheme shall be installed in strict accordance with the approved plans, maintained and retained in accordance with the agreed details for the life of the development.

Reason: To ensure surface water runoff does not increase to the detriment of the public highway or other local properties as a result of the development.

10. The garage and hardstanding hereby permitted shall remain available in perpetuity for the parking of motor vehicles in association with the use of the dwelling.

Reason: To ensure that the off-street parking facilities remain available in the interests of highway safety.

11. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction and Environmental Management Plan including:
  - (a) the timetable of the works;
  - (b) daily hours of construction;
  - (c) any road closure and full details;
  - (d) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6pm Mondays to Fridays

inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed by the planning Authority in advance;

- (e) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- (f) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- (g) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- (h) hours during which no construction traffic will be present at the site;
- (i) the means of enclosure of the site during construction works; and (j) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- (k) details of wheel washing facilities and obligations
- (l) The proposed route of all construction traffic exceeding 7.5 tonnes.
- (m) Photographic evidence of the condition of adjacent public highway prior to commencement of any work; -
- (n) Details of all impact avoidance and mitigation measures for habitat and protected species protection during construction
- (o) Details of mitigation measures to control the risk of pollution to air, soil, protect biodiversity, trees and vegetation and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site
- (p) Details of noise impacts and controls
- (q) Hours of operation
- (r) Dust impact assessment and control in accordance with the Institute of Air Quality Management guidance for dust assessment from construction sites.

Reason – In the interests of highway safety and to safeguard the interests of amenity, the environment, biodiversity and protected species.

12. The recommendations, mitigation and enhancement measures of the Ecological Report, by David F Wills dated 17 July 2017, shall be fully implemented prior to the commencement of the use hereby approved and adhered to at all times. In the event that it is not possible to do so all work shall immediately cease and not recommence until such time as an alternative strategy has been agreed in writing with the local planning authority.

Reason: To safeguard the interests of protected species

13. Prior to the installation of any external lighting within the site, full details of the proposed lighting including *function, location, design and intensity* shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in strict accordance with the approved details.

Reason: To safeguard the appearance and character of the area which lies within the AONB, and in the interests of ecology.

14. Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (or any Order revoking, re enacting or further amending that Order), no development of the types described in Schedule 2, Part 1, Classes A-H of the Order and Part 2 Class A shall be carried out on the site, other than that hereby permitted, unless the permission in writing of the Local Planning Authority is obtained.

Reason: To protect the character and appearance of the site and its surroundings, to ensure adequate space remains about the building and in the interests of safeguarding residential amenity.

15. The landscape scheme (as shown on drawing number RP/02C, dated 06.09.19) shall to be fully implemented within the first planting season following of occupation. If within a period of 5 years from the date of the planting any tree/shrub/plant, or any tree/shrub/plant planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree/shrub/plant of the same species and size as that originally planted shall be planted at the same place, unless the local planning authority gives its written consent to any variation.

Reason: In the interest of visual amenity in order to protect and enhance the amenities of the site and locality.

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with.

Following completion of measures identified in the approved remediation strategy and verification plan and prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.

Reason: No site investigation can completely characterise a site. This condition is required to ensure that any unexpected contamination that is uncovered during remediation or other site works is dealt with appropriately.

17. The carbon reduction measures set out within the supporting statement, and as shown on the approved drawings shall be fully implemented prior to the first occupation of the dwelling.

Reason: In accordance with Policy DEV32 of the Plymouth and South West Devon Joint Local Plan, in the interest of the environment and sustainability