

PLANNING APPLICATION REPORT

Case Officer: Bryony Hanlon

Parish: Salcombe **Ward:** Salcombe and Thurlestone

Application No: 3273/22/FUL

Agent:

Mr Adam Benns
BBH Chartered Architects Ltd
9 Duke Street
Dartmouth
TQ6 9PY

Applicant:

Mr & Mrs R. Guess
Sheerwater
Devon Road
Devon, Salcombe
TQ8 8HJ

Site Address: Sheerwater, Devon Road, Salcombe, TQ8 8HJ



Development: Demolition of existing dwelling and construction of new replacement dwelling including existing garage renovation and associated landscaping.

Recommendation: Conditional approval

Conditions:

1. Time limit
2. Accord with plans
3. Construction Management Plan
4. EPSL
5. Landscaping
6. Surface water drainage

7. Natural slate
8. Natural stone
9. External lighting
10. Low carbon
11. Solar panels
12. Accord with ecological mitigation
13. Annexe - Ancillary use only

Key issues for consideration:

Design, scale and massing, neighbour amenity, drainage, highways, biodiversity, low carbon, impact on the South Devon Area of Outstanding Natural Beauty.

Reason for call-in: Cllr Long wishes this application to be considered by the DM Committee, due to concerns over the scale, massing, design, glazing and the cumulative impact of development on the setting of the area, landscape and natural environment. Also, to review any challenges that this proposed developmental makes to policy including Neighbourhood Plan policies.

Site Description:

The site is located within the built form of Salcombe, c. 0.4km south west of the town centre. The site hosts a detached dwelling, with separate garage and ancillary accommodation above. The site is accessed via Devon Road, with off-road parking and turning to the north of the dwelling. The site is set within the hillside and the dwelling is set below street level with the garden area further below. The site is located within South Devon Area of Outstanding Natural Beauty.

The Proposal:

The applicant wishes to demolish the existing dwelling and garage and construct a replacement; the dwelling and garage outbuilding retain their relative positions within the site boundary. The new dwelling is designed with a contemporary materials palette and is supported by a scheme of retaining walls that are faced with natural stone walls interspersed with planting.

the upper floor entry lobby and carport levels will have an adverse effect on the views of the estuary (water and Small's Cove) from both the Four Winds Development Site and Devon Road including the associated footpaths.

- Whilst we do not object to the re-development of the site, we are concerned that in its current form it will have a detrimental effect for the surrounding area and therefore request the scheme is suitably amended with further consultation invited from all relevant parties.

One letter of support was received and includes the following points:

- The Statement of Need has many points to recommend this redevelopment, not least the tiered landscaping, the fact that the 'scale and massing' is virtually the same as the existing property and a desire to "disguise" and "conceal", through landscaping etc is to be applauded. There has been consideration on the impact to the locality and on the onlooker - especially from the water and from 'the other side' of the estuary where locals and visitors alike appreciate the view.
- The artist's impression of the property, the South East Elevation, in b/w and colour, is particularly attractive, IMO, and as a neighbour to the right of the picture, the surrounding greenery and trees is much appreciated. Whilst the existing property is a traditional Salcombe house, the proposed one seems to have been very sensitively considered and looks to enhance this area of low density.

Relevant Planning History

Planning Application Reference	Proposal	Site Address	Decision
41/1118/81/3: FUL	Extension	Shearwater Devon Road Salcombe	Conditional approval: 08 Sep 81
41/0443/82/3: FUL	Ancillary unit of accommodation	Rear of Shearwater Devon Road Salcombe	Conditional approval: 27 May 82
41/2021/89/3: FUL	Erection of holiday flat over garage and car port	Sheerwater Devon Road Salcombe.	Refusal: 06 Dec 89
41/0655/96/3: FUL	Alterations and extension to dining room kitchen utility room and conservatory	Sheerwater Devon Road Salcombe.	Conditional approval: 22 May 96
41/1020/97/3: FUL	Extension to terraces to south east of dwelling	Sheerwater Devon Road Salcombe.	Conditional approval: 29 Jul 97
41/1791/97/3: FUL	Demolition of existing and construction of new garage/ storage building	Sheerwater Devon Road Salcombe.	Conditional approval: 11 Dec 97
41/1192/99/F: FUL	Erection of fence	Sheerwater Devon Road Salcombe TQ8 8HJ	Conditional approval: 27 Oct 99
41/0506/01/F: FUL	Non-compliance with condition B of permission 9/41/1791/97/3 (prior agreement of the use of natural slate) for using roof tiles rendering the gable ends and change in size of window	Sheerwater Devon Road Salcombe TQ8 8HJ	Withdrawn: 30 Apr 01
41/0707/01/F: FUL	Non-compliance with condition B of permission 9/41/1791/97/3 (prior agreement of the use of natural slate) for using roof tiles rendering gable ends change in size of window and ancillary office use	Garage at Sheerwater Devon Road Salcombe TQ8 8HJ	Conditional approval: 10 Jul 01

41/1702/03/F: FUL	Alterations to south elevation and erection of flagpole on south facing terrace	Sheerwater Devon Road Salcombe Devon TQ8 8HJ	Conditional approval: 04 Nov 03
41/1197/04/F: FUL	Retrospective application for replacement of second storey windows with bay window	Sheerwater Devon Road Salcombe Devon TQ8 8HJ	Conditional approval: 05 Aug 04
41/0087/05/F: FUL	Removal of condition 2 of planning permission 41/0707/01/F (use restriction) and erection of balcony	Sheerwater Devon Road Salcombe Devon TQ8 8HJ	Conditional approval: 11 Mar 05
41/2541/14/TW: TPO	Fell 5 Monterey Cypress	Monkston Point Devon Road Salcombe TQ8 8LP	Refusal: 03 Dec 14
1487/22/PR4	Full Pre App - Pre Application Enquiry for - Demolition of existing dwelling, creation of a new replacement dwelling, landscaping and renovation of existing garage.	Sheerwater Devon Road Salcombe Devon TQ8 8HJ	Pre-application (No Officer support): 06 Jun 22

ANALYSIS

Principle of Development/Sustainability

The site is located within the built form of Salcombe and hosts one dwelling and an outbuilding (annexe); the principle of development within this context is therefore established, subject to compliance with the other protective designations relevant to this highly sensitive location.

The proposal does not seek to increase the number of bedrooms within the dwelling and as such, the provisions of DEV8 are considered satisfied.

Scale, Design and Massing

Officers note that the contemporary design of the scheme has attracted both criticism and praise. The scheme cascades down the hillside in a similar fashion to the existing dwelling but includes additional accommodation above and below the existing two levels of the main building. However, this accommodation comprises a minimal increase in ridge height in comparison to the existing garage building on the site; given that much of the development is set below street level, it is unlikely that the proposal would be unduly visually prominent within the street scene. Concerns have been raised that the development would block views; the planning system does not recognise the right to a view and while the view across the site may be altered, it is not considered that these changes would result in demonstrable harm so as to warrant refusal solely on this basis.

The proposed development represents a significant intervention on the site; the use of local stone for retaining walls is welcomed and helps to soften the visual impact of the scheme when viewed from within the Salcombe Estuary. However, Officers do acknowledge that the proposal introduces a starkly cotemporary horizontal emphasis within the site, accented by the use of full height glazing and sections of painted render. The areas of glazing on the south east elevation are recessed under overhanging elements in order to limit upward light spill. The Town Council have raised concerns regarding the combined visual impact of the glazing and painted render, requesting that the horizontal emphasis and overall massing of the scheme be broken up. The impact of the areas of glazing in terms of its contribution to light spill is recognised; this is most notable on the south east elevation. Officers have included details of paint finishes within the overall landscaping condition; Officers consider that there is scope to further reduce the visual impact of the scheme with the use of muted paint colours, particularly on the lower levels of the development facing the Estuary.

Officers are also mindful of the impact of ancillary lighting in terms of its contribution to light pollution within the landscape; a condition has been included to ensure that no external lighting is installed without express permission, in the interests of nocturnal biodiversity.

It is acknowledged that the proposal represents an increase in massing and would result in a strong horizontal emphasis across the side when viewed from the public realm within the Salcombe Estuary associated with the contemporary design. Officers are aware that the sequential redevelopment of individual dwellings does result in a marked change to the townscape. However, in this instance, Officers do not consider that the resultant visual impact would be so significantly harmful to the local townscape so as to warrant a refusal on this basis, as the development would not disrupt the time-depth evident within the surrounding development that aids understanding of the historic growth of Salcombe.

It is considered necessary to secure the details of the natural slate in the interests of visual amenity. It is considered necessary to secure the details of the natural stone in order to enable the Local Planning Authority to consider the details of all stonework to be constructed as part of the development hereby permitted in order to ensure that the development displays good design and is of a locally distinctive style, to ensure that all stonework is retained in its natural stone finish. While the decision is finely balanced, Officers are unable to evidence significant demonstrable harm arising from the proposal and it is therefore considered to accord with the provisions of DEV20, DEV23, SALC ENV7 and SALC B1.

Landscape

The applicant has confirmed their intention to support the development with a landscaping scheme and a high-level concept sketch of the final development has been provided to indicate how this might appear against the replacement dwelling. Officers consider that the landscaping scheme is integral to the final development and that full details were required through condition, in the interest of public amenity and the conservation and enhancement of the local landscape character.

The condition must be discharged prior to commencement as the landscaping scheme is a key factor in mitigating the visual impact of the scheme. The applicant queried the wording of the condition; the applicant has advised that they need to demolish the existing building and carry out extensive ground testing before a detailed landscaping scheme can be prepared. Officers do acknowledge that a level of ground testing is required but are keen to ensure that the landscaping scheme is integral to the scheme, rather than an afterthought. Officers have revised the wording of the condition to allow for demolition and ground testing only, with the landscaping scheme to be submitted prior to commencement of any foundations. The applicant accepted the revised condition in writing on 16 March 2023.

Policy DEV25 requires that proposals “conserve and enhance the natural beauty of the protected landscape with particular reference to their special qualities and distinctive characteristics or valued attributes”. Concerns have been raised that the proposal does not accord with the guidance contained within the South Devon AONB Management Plan with respect to new development, however, Officers would note that this development seeks to replace a dwelling within an established residential area of Salcombe rather than create new development in an area of open countryside. While the changes will be discernible when viewed from the Salcombe Estuary, the proposal meets the first policy test, in that the design and palette of materials have a neutral impact on the AONB itself. While it does not offer enhancement, given the scale of the proposal and having regard to the current condition of the site, including the presence of an existing residential dwelling, the proposal is considered acceptable with regard to the provisions of DEV25 and SALC ENV1.

Neighbour Amenity

Policy DEV1 (1) sets out the safeguards for the health and amenity of local communities and requires that “impacts [of new development] will be judged against the level of amenity generally in the locality”. Officers would note that due to the prevalence of balconies, topography, density and relative siting of dwellings in this part of Salcombe, that there is a degree of mutual overlooking between neighbours at present. On this basis, Officers do not consider that the proposal would result in a significantly harmful increase in overlooking or noise and disturbance at height so as to warrant a refusal solely on this basis. As such, the proposal is considered to accord with the provisions of DEV1 (1).

Highways, Access and Parking

The scheme utilises the existing access, parking and turning area at the top of the site adjacent to and slightly below street level. The garage space within the annexe is also retained and an additional car port area is provided at the same level within the main dwelling. This area also includes space for a bin store and the applicant has noted within the DEV32 checklist that EV charging points will be provided. Officers note that the DCC Highways Engineer has not raised any objection to the scheme and consider that the proposal complies with the provisions of DEV29 and the guidance contained within the SPD.

Construction Management Plan

Officers are mindful of the potential impact of construction on the surrounding residential area, given the proximity of neighbours, the lack of on-street parking and potential build out time. A Construction Management Plan has been requested by pre-commencement condition to outline how the construction phase will be managed in order to address these constraints, with the document to be secured by condition in order to safeguard the interests of residential amenity and the natural environment. The condition must be discharged prior to commencement of development, as any works on site could result in detrimental impacts on neighbour amenity and the natural environment and safeguards must be in place to prevent significant adverse impacts from occurring. The applicant agreed this in writing on 13 March 2023. On this basis, the proposal is considered to accord with the provisions of DEV1, DEV2, DEV25 and SALC ENV1.

Biodiversity

The applicant's Ecologist has advised that an EPS Licence will be required for the proposed development. Officers note that if a proposed development is likely to trigger a Habitats Regulations offence, the LPA is required to consider whether the proposal meets the three derogation tests, and accordingly whether Natural England is likely to subsequently grant an EPS Licence.

These tests are considered below;

Can an imperative reason, overriding public interest, which overrides the requirement to maintain the roosts as they are at present be argued?

1. The applicant wishes to reorder the accommodation and upgrade the thermal and energy efficiency of the current dwelling through a contemporary replacement.

2. Is there no satisfactory alternative?

Given the siting, design, orientation and sensitive setting of the existing dwelling it is considered that potential options for replacement are limited.

3. Is there evidence of the maintenance of favourable conservation status?

Officers note that the ecology report includes proposals to mitigate (i.e. reduce) the impact on bats through working methods (pre-commencement inspection and ecological watching brief, and hand removal of features with bat-roost potential), temporary roost provision during works, and compensatory roosting provision within the proposed development (and this has been reflected on submitted plans) such that would meet the needs of the species concerned and would ensure Favourable Conservation Status. It is considered that this third test is met.

As Officers consider the first two tests are met, it would be reasonable for the LPA to conclude that Natural England will subsequently grant an EPS Licence enabling the proposal to proceed lawfully.

On this basis, Officers consider it necessary to impose a number of conditions; firstly that no works shall proceed until the LPA is provided with a copy of an EPSL for bats, in order to safeguard the interests of protected species. The condition must be discharged prior to commencement of works to ensure that the works proceed lawfully and that protected species are not harmed. After discussion with the applicant, the wording of the condition prevents demolition of the main house before the EPSL is in place; this is the location where bats were discovered during the survey. The applicant accepted the amended condition in writing on 13 March 2023. A further condition is also considered appropriate, to ensure that the mitigation and compensation measures outlined in the survey reports provided by the applicant are implemented, to safeguard the interests of protected species. Officers also consider it necessary to secure the details of external lighting through condition, in order to safeguard the interests of nocturnal biodiversity.

Although, the reasoning for the development and any alternatives (answer to questions 1 and 2 above) are not considered a strong argument in planning terms to justify the development, Officers are satisfied that the impact is considered low by the applicant's Ecologist. On this basis, the proposal is considered to accord with the provisions of DEV26.

Surface Water Drainage

The applicant has confirmed that due to the site gradient, that the use of soakaways is not feasible. As such, the applicant has confirmed with South West Water that they will accept attenuated flows to the public sewer. Officers confirm that this approach is acceptable, with the details to be secured by condition 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. On this basis, the proposal is considered to accord with the provisions of DEV35 and is acceptable.

Trees

The SHDC Tree Officer initially reviewed the scheme and requested the submission of further information in order to "allow a balanced response and informed commentary on the arboricultural constraints posed by trees and significant vegetation masses etc. upon the application". The applicant provided this information and confirmed with the Tree Officer during a separate meeting that there will be no impact to these as a result of the proposed site works and tree protection for the extent of the overhanging canopy can be provided if necessary. On this basis, the proposal is considered to accord with the provisions of DEV28.

Low Carbon

The applicant has retained the solar panels that currently serve the dwelling; this is considered acceptable, with the details to be secured through condition in the interests of visual amenity and to ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

The applicant has also provided a copy of the DEV32 checklist which details the measures included within the design and build of the dwellings in order to reduce the carbon footprint associated with the project and comply with the provisions of DEV32. It is considered necessary to secure these details through condition in order to ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

For clarity, Officers would note that as the application was submitted prior to 01 December 2022 the provisions of the Climate Emergency Planning Statement with respect to the carbon impact of the demolition phase do not apply.

Ancillary Use

The Town Council have confirmed that the annexe should be limited to ancillary use through condition to prevent it being used as a separate dwelling or holiday let. Officers agree that in this instance it is appropriate to impose a condition to ensure that the garage and annexe are used only for purposes ancillary to the main dwellinghouse and not as a separate unit of accommodation, as the establishment of an additional independent unit of accommodation would give rise to an over intensive use of the site and have a poor spatial relationship with the main dwelling. On this basis, the proposal is considered to accord with the provisions of DEV10.

Other Matters

An objector has raised concerns that neighbours were not individually notified by letter during the consultation process. Officers would note that South Hams District Council do not routinely notify neighbours of planning applications and that the application has therefore been correctly advertised as per the adopted Scheme of Community Involvement.

Objectors have also called for the application to be withdrawn and the scheme renegotiated in collaboration with neighbours. Officers would confirm that it is not possible for neighbours to recall applications in this way and that Officers are required to determine applications as they are submitted.

Conclusion

Officers acknowledge that the proposal challenges the limits of the existing policy framework and that the final recommendation is finely balanced. However, the existing dwelling is of no particular architectural merit and in this instance, Officers do not consider that the proposal would result in significant demonstrable harm so as to warrant a refusal solely on this basis. In this context, the proposal is recommended for conditional approval.

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

Planning Policy

Relevant policy framework

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 26 March 2019, the Plymouth & South West Devon Joint Local Plan 2014 - 2034 is now part of the development plan for Plymouth City Council, South Hams District Council and West Devon Borough Council (other than parts of South Hams and West Devon within Dartmoor National Park).

On 26 March 2019 of the Plymouth & South West Devon Joint Local Plan was adopted by all three of the component authorities. Following adoption, the three authorities jointly notified the Ministry of Housing, Communities and Local Government (MHCLG)* of their choice to monitor the Housing Requirement at the whole plan level. This is for the purposes of the Housing Delivery Test (HDT) and the 5 Year Housing Land Supply assessment. A letter from MHCLG to the Authorities was received on 13 May 2019 confirming the change.

On 13 January 2021 MHCLG published the HDT 2020 measurement. This confirmed the Plymouth, South Hams and West Devon's joint HDT measurement as 144% and the consequences are "None".

Therefore a 5% buffer is 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 5.8 years at end March 2021 (the 2021 Monitoring Point). This is set out in the Plymouth, South Hams & West Devon Local Planning Authorities' Housing Position Statement 2021 (published 12 November 2021).

[*now known as Department for Levelling Up, Housing and Communities]

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 21 March 2019 and West Devon Borough Council on 26 March 2019.

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
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
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
DEV1 Protecting health and amenity
DEV2 Air, water, soil, noise, land and light
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Meeting local housing need in the Plan Area
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV23 Landscape character
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
DEV35 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

Following a successful referendum, the Salcombe Neighbourhood Plan was made at Executive Committee on 19 September 2019. It now forms part of the Development Plan for South Hams District and is used when determining planning applications within the Salcombe Neighbourhood Area. The relevant policies are noted below;

SALC ENV1 Impact on the South Devon Area of Outstanding Natural Beauty.
SALC ENV2 Green infrastructure throughout the Parish
SALC ENV7 Maintaining the character and density of development in key areas of Salcombe
SALC B1 Design Quality and safeguarding Heritage Assets

Other material considerations include the policies of the National Planning Policy Framework (NPPF) and guidance within the Planning Practice Guidance (PPG). Additionally, the following planning documents are also material considerations in the determination of the application: Plymouth and South West Devon Joint Local Plan Supplementary Planning Document 2020, South Devon AONB Management Plan (2019-2024).

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 numbers;

Site Location Plan and Block Plan 4300 01

Proposed Elevations 4300 30

Proposed Roof Plan 4300 24

Proposed Fourth Floor Plan 4300 23

Proposed Third Floor Plan 4300 22

Proposed Second Floor Plan 4300 21

Proposed First and Ground Floor Plan 4300 20

Proposed Section AA Plan 4300 40

Proposed North East Elevation Plan – Massing Comparison 4300 35

Proposed Elevations Plan 4300 33

Proposed North Eastern Elevation 4300 32

Proposed Elevations 4300 31

Drainage Plans 4300 26

Received by the Local Planning Authority on 26 October 2022

Proposed Area of Works Plan 4300 27

Received by the Local Planning Authority on 21 October 2022

Proposed Landscape Summary Plan 4300 28

Received by the Local Planning Authority 08 December 2022

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. Notwithstanding the details submitted, no development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The development shall then be undertaken in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. The CMP shall include the details below, although this list is not exhaustive.

(a) the timetable of the works, split into phases clearly setting out demolition and construction periods etc., to include school holiday dates and specific arrangements made to accommodate these holiday periods where relevant;

- (b) daily hours of construction;
- (c) any road closure (which must also be agreed with Devon County Council separately);
- (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 phases 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 all phases of the project;
- (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 and arrangements necessary to manage traffic.
- (m) Details of the amount and location of construction worker parking, to include details of shuttle vehicles if appropriate.
- (n) Details of neighbour notification arrangements, to include triggers for notification, notice period, addresses and method of notification.

Reason: To safeguard the interests of residential amenity and the natural environment. The condition must be discharged prior to commencement of development, as any works on site could result in detrimental impacts on neighbour amenity and the natural environment and safeguards must be in place to prevent significant adverse impacts from occurring.

4. Prior to commencement of demolition works to the main house, the LPA shall be provided with a copy of an EPS Licence for Bats issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorising the works to proceed.

Reason: In order to safeguard the interests of protected species. The condition must be discharged prior to commencement in order to

ensure that the works are undertaken lawfully and that protected species are not harmed.

5. Prior to commencement of any foundations, details of a hard and soft Landscape Scheme have been submitted to, and approved in writing by the Local Planning Authority. The Landscape Scheme shall be prepared by an appropriately qualified professional and shall include:

- a concept statement explaining how the proposed landscape treatment, both hard and soft, responds to the landscape character of the area;

- details of ground preparation prior to importation of topsoil, including decompaction of material and removal of any debris including plastic, wood, rock and stone greater in size than 50mm in any dimension;
- arrangements for stripping, storage and re-use of top soil;
- arrangements for importation of top soil, including volume, source, quality, depth and areas to be treated;
- details of earthworks associated with the development, including volumes of cut and fill and arrangements for disposal of any excess excavated material or importation of material;
- details, including design and materials, of ancillary structures such as bin stores and signage;
- details of lighting including function, location, design and intensity;
- details of new ground profiles including retaining bunds and banks;
- details of land drainage to avoid waterlogging of garden areas enclosed by hedgebanks;
- materials, heights and details of fencing and other boundary treatments;
- materials, heights, levels and extent of hard landscape treatment, including access points, steps, railings, walls and any hardstanding areas;
- details of any paint to be applied to areas of render on the building in order to reduce the visual impact of the built form and integrate the building with the landscaping scheme;
- the location, number, species, density, form and size of proposed tree, hedge and shrub planting;
- the method of planting, establishment and protection of tree, hedge and shrub planting;
- maintenance schedules for the establishment of new planting and its ongoing management;
- a timetable for the implementation of all hard and soft landscape treatment

All elements of the Landscape Scheme shall be implemented and maintained in accordance with the approved details unless otherwise agreed in writing by the local planning authority. All work shall be completed in accordance with the timetable agreed in writing.

Reason: In the interest of public amenity and the conservation and enhancement of the local landscape character. The condition must be discharged prior to commencement as the landscaping scheme is a key factor in mitigating the visual impact of the scheme.

6. Attenuated surface water drainage from the proposed development shall be connected to the mains sewer, and the drainage system shall be maintained and retained for the life of the development, as set out in the Attenuation Calculations J-2698 and SWW Liason Document.

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.

7. Prior to their installation details (such as a product brochure, technical specification sheet and colour photographs) of the natural roofing slate to be used in the construction of the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

The natural slate used on all new buildings with pitched roofs must accord with the hierarchy of origin as well as meeting the requirements to be compatible with local vernacular and design:

- Reclaimed UK or European slates where available with proof of origin from supplier
- New UK derived slates with proof of origin from supplier
- New European derived slates with proof of origin from supplier
- No other natural slate products will be considered acceptable

All new roof slates must be covered by a minimum warranty period of 50 years. Where possible, a product should be obtained that has an Environmental Product Declaration (EPD). If an EPD is not available, a verifiable certificate of origin or provenance will need to be supplied.

The development shall then be carried out in accordance with those samples as approved. The slates shall be fixed in the traditional manner using nails not hooks and retained and maintained for the lifetime of the development.

Reason: In the interests of visual amenity.

8. The new stone walls shall be constructed of natural random stone laid traditionally on its quarry bedding. A sample panel of not less than two square metres shall be provided for inspection and written agreement by the Local Planning Authority prior to the construction of any of the new walls.

The natural stone used in all of the new walls must accord with the hierarchy of origin as well as meeting the requirements to be compatible with local vernacular and design:

- Reclaimed UK or European stone where available with proof of origin from supplier
- New UK derived stone with proof of origin from supplier
- New European derived stone with proof of origin from supplier
- No other natural stone products will be considered acceptable

All new natural stone must be covered by a minimum warranty period of 50 years. Where possible, a product should be obtained that has an Environmental Product Declaration (EPD). If an EPD is not available, a verifiable certificate of origin or provenance will need to be supplied.

Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and reenacting this Order), all new stone walls, constructed in accordance with the approved drawings and the terms of this condition, and all existing stone boundary walls shall be retained in their natural stone finish and shall not be rendered, colourwashed or otherwise treated in a manner which would obscure the natural stone finish, nor shall they be demolished either in whole or in part.

Reason: To enable the Local Planning Authority to consider the details of all stonework to be constructed as part of the development hereby permitted in order to ensure that the development displays good design and is of a locally distinctive style, and to ensure that all stonework is retained in its natural stone finish.

9. There shall be no floodlighting or other external lighting at the site (including security lighting) unless otherwise previously approved in writing by the Local Planning Authority. Details of positions, heights, type, luminance/light intensity, direction and cowling (if any) of any floodlighting or other external lighting (including security lighting), to be erected, placed or operated on any part of the application site shall be submitted to and approved in writing by the Local Planning Authority prior to its erection or installation. Such lighting shall thereafter be carried out in accordance with the approved details and under no circumstances shall it cause light pollution nor shall external illumination be operated on the site other than in accordance with the approved scheme.

Reason: In the interests of nocturnal biodiversity.

10. The low carbon measures identified in the DEV32 Checklist shall be implemented in order to achieve regulated carbon emissions levels of at least 20 per cent less than that required to comply with Building Regulations Part L. 2013. Development shall take place in accordance with the approved details prior to the first use of any building to which they relate and shall be retained and maintained for the lifetime of the development.

Reason: To ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

11. Prior to their installation, details of the solar panels to be used in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The panels shall be of a visually recessive design. Prior to occupation of the building hereby approved, the panels shall be installed in accordance with those details as approved and retained and maintained for the lifetime of the development. The panels shall be removed as soon as reasonably practicable when no longer required.

Reason: (1) In the interests of visual amenity.

(2) To ensure the development contributes toward delivering a low carbon future and supports the Plan Area target to halve 2005 levels of carbon emissions by 2034 and increase the use and production of decentralised energy; and in accordance with policy DEV32.

12. The recommendations, mitigation and enhancement measures of the Ecological Reports, Report #084a22/GLE, Report #08422/GLE by Green Lane Ecology dated July 2022, 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. The garage, store and annexe building hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the host dwelling "Sheerwater, Salcombe" and shall not be used, let, leased or otherwise disposed of for any other purpose or as a separate unit of accommodation.

Reason: The establishment of an additional independent unit of accommodation would give rise to an over intensive use of the site and have a poor spatial relationship with the main dwelling.