

## PLANNING APPLICATION REPORT

**Case Officer:** Bryony Hanlon

**Parish:** Churchstow **Ward:** Loddiswell and Aveton Gifford

**Application No:** 2202/22/FUL

**Agent:**

Mr Nigel Dalton  
Nigel Dalton Architectural Design  
Unit 4H  
South Hams Business Park  
Churchstow  
Kingsbridge  
TQ7 1NY

**Applicant:**

Mr & Mrs T Puncher  
Churchstow Lodge  
Churchstow  
TQ7 3QU

**Site Address:** Churchstow Lodge, Churchstow, TQ7 3QU



**Development:** Erection of new dwelling & associated new vehicular access

**Reason for call in:** Cllr Bonham wishes the Committee to consider the visual impact of the proposal, with particular regard for heritage assets, in addition to the highways safety impacts.

## Recommendation: Conditional approval

### Conditions:

1. Standard time limit
2. Accord with plans
3. Construction Management Plan
4. Visibility splays
5. Unexpected contamination
6. Surface water drainage
7. Natural slate
8. Solar panels
9. Air source heat pump
10. DEV32 measures
11. Accord with arboricultural report
12. Accord with ecological mitigation
13. Details of external lighting
14. First floor window in east elevation – obscure glazed and fixed shut
15. Permitted Development rights removed

### Key issues for consideration:

Principle of development, design, scale and massing, residential amenity, highways, heritage, biodiversity, drainage, low carbon, impact on the South Devon Area of Outstanding Natural Beauty.

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### Site Description:

The site is located within the built form of Churchstow, directly adjacent to the A379, within South Devon Area of Outstanding Natural Beauty. The site comprises the eastern part of a large garden associated with Churchstow Lodge and is bounded by a large hedge which separates the garden from the A379. The site falls within the setting of the Grade II Listed Fleur Cottage and Furneaux Hatch to the east, with the Grade II\* Listed St Mary's Church with the Grade II Listed boundary walls, along with the Grade II Listed Church House Inn to the south east, on the southern side of the A379. The site falls within Flood Zone 1.

### The Proposal:

The applicant wishes to subdivide the garden to accommodate a new, detached dwelling in the eastern part of the site, with a new access directly onto the A379 to the south. The new access is supported by the creation of new visibility splays and the realignment of the existing hedge on the southern boundary of the site. The dwelling is designed in a contemporary style, with a simple pitched roofed form, with two dormers on the north elevation enclosing two Juliette balconies and a wraparound ground floor flat roofed extension on the southern and western boundaries. The dwelling provides three bedrooms, along with associated living space, off-road turning and parking for at least two vehicles, patio and garden area to the east. The proposal includes a heat pump, solar PV panels and EV charging point.

During the life of the application, the dwelling was re-sited further to the south west within the site boundary, renewable technologies were included and the application was re-advertised.

### Consultations:

- |   |                                    |
|---|------------------------------------|
| • County Highways Authority (original comments) | Objection                          |
| • County Highways Authority (revised comments)  | No objection subject to conditions |
| • Churchstow Parish Council (original proposal) | Object on the grounds of access    |
| • Churchstow Parish Council (revised proposal)  | Object on the grounds of access    |
- The Parish Council again unanimously object to this development on the grounds of dangerous access.

They have reviewed the revised comment from Highways and would like to enquire as to when (dates and times) of when Highways did their on site assessments as the combined local knowledge of this road and the positioning of the access lead them to believe that perhaps the timing of Highways visit did not give a true representation of the dangers it would provide.

- Loddiswell Parish Council (revised proposal) No comments to make
- Loddiswell Parish Council (original proposal) No comments to make
- SHDC Tree Officer (original proposal) Objection – insufficient information
- SHDC Tree Officer (revised proposal) No objection subject to condition

### Representations:

#### Representations from Residents

On letter of objection was received in response to the original proposal and includes the following points:

- I am objecting to the proposed development on the grounds that the access onto the busy A379 I do not feel would be safe. It would come out onto the road opposite the vicinity of the Village shop and the cottages of Butt Park Terrace where there are already parking problems.
- I feel it could have therefore a detrimental effect on a rural business notably the Village Shop and Post Office which are already struggling.
- As a daily user of the shop from Venn, I am acutely aware of the potential issues that this development might cause.

### Relevant Planning History

Planning Application Reference	Proposal	Site Address	Decision	Appeal
11/0923/92/3: FUL	Extension to dwelling	Churchstow Lodge Churchstow.	Conditional approval: 17 Jul 92	
11/1354/92/1: OPA	Outline application for erection of two dwellings with garages and private drive access	Churchstow Lodge Churchstow.	Withdrawn: 03 Nov 92	
11/0794/93/1: OPA	Outline application for erection of dwelling and garage	Churchstow Lodge Churchstow.	Refusal: 13 Jul 93	Dismissed (Refusal): 03 Mar 94
11/0409/02/F: FUL	Extension to form sun-lounge	Churchstow Lodge Churchstow Kingsbridge Devon TQ7 3QU	Conditional approval: 11 Apr 02	
11_32/0607/04/O: OPA	Outline application for erection of dwelling	Churchstow Lodge Churchstow Kingsbridge Devon TQ7 3QU	Withdrawn: 10 May 04	
11_32/0379/05/F: FUL	Conversion of garage to kitchen erection of utility room garage and shed	Churchstow Lodge Churchstow Kingsbridge Devon TQ7 3QU	Conditional approval: 13 Apr 05	

11/2812/12/F: FUL	Householder application for extension to west and east elevations.	Churchstow Lodge Churchstow Kingsbridge Devon TQ7 3QU.	Conditional approval: 24 Jan 13	
3731/21/FUL	Construction of new dwelling and formation of access	Churchstow Lodge Churchstow Kingsbridge Devon TQ7 3QU	Withdrawn	

## ANALYSIS

### Principle of Development/Sustainability

The Plymouth and South West Devon Joint Local Plan sets out the framework for consideration of all new development proposals within the Plymouth, West Devon and South Hams Local Planning Authority Areas. Policy SPT1 Delivering Sustainable development requires that proposals uphold the principles of sustainability with respect to their economic, social and environmental components. This is considered in tandem with policy SPT2 Sustainable linked neighbourhoods and sustainable rural communities, which directs growth according to the spatial strategy. These policies are supported by policy TTV1 Prioritising growth through a hierarchy of sustainable settlements, which organises the settlements of the TTV policy area (which covers much of South Hams) into a hierarchy. Growth is directed to the main towns in the first instance, to promote self-containment in order to support new growth and to support existing services, the out to smaller settlements.

The JLP does not define settlement boundaries, nor does it seek to allocate development within settlements in the AONB. Instead, the JLP directs Neighbourhood Plans to “bring forward positive allocations to meet local housing need where justified by an appropriate evidence base”, with the criteria for development proposals set out in policy DEV25. The site has not been allocated for development within the Neighbourhood Plan. However, the site falls within the built form of Churchstow and hosts a detached dwelling set in a large garden; the principle of development within this context is therefore established, subject to compliance with the other protective designations relevant to this highly sensitive location.

Policy SPT1 identifies a range of principles of sustainable development and SPT2 details a number of principles of sustainable linked neighbourhoods and sustainable rural communities. In support of policy SPT2, figure 3.2 provides a number of ‘aspirational’ measures of sustainable neighbourhoods and communities, such as walking distances to a bus stop, a local convenience store and a primary school. The site is within the built form of Churchstow and is opposite the village shop and pub; it lies within walking distance of the village shop and post office, pub, church and bus stop. Officers do acknowledge that there is no dedicated footway for the whole route but that the DCC Highways Engineer has confirmed that the access would be sufficient to cross the road to the south of the site to access the shop. Similarly, there is a small industrial estate to the south east of Churchstow village c. 0.5km but there is no safe pedestrian route to connect to this area. On balance the siting of the development is considered sustainable and therefore accords with the provisions of SPT1, SPT2, TTV1, TTV2 and KWAC ENV1.

### Housing Need

The proposal has been considered against the provisions of DEV8, which require that developments provide a mix of housing sizes, types and tenure appropriate to the area. The policy also recognises particular needs associated with redressing an imbalance within the housing stock, households with specific need and for dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency.

The Strategic Housing Market Needs Assessment that underpins the housing mix policies within the JLP places suggests that household change to 2034 will present a need for smaller homes that meet the needs of a broader cross-section of our communities, particularly couples with no children and single person households.

Housing data from the 2011 Census indicate that the Parish of Churchstow indicate that the Parish is over provided with detached dwellings, which comprise 46% of the total housing stock. The housing stock provides a fairly even spread of different bedroom numbers, with 28% of dwellings with four or more bedrooms, 33% with three bedrooms, 32% with two bedrooms and 7% with one bedroom. In this context, the provision of one three bedroomed detached dwelling would have a neutral impact in terms of the provisions of DEV8; the dwelling would not address any of the identified need but Officers do not consider that the provision of one detached dwelling that has three bedrooms would result in significantly harmful impacts in terms of the availability or affordability of housing within the parish so as to warrant a refusal solely on this basis. In this context, the proposal is considered to accord with the provisions of DEV8 and KWAC H2.

### Design and Heritage

The site falls within the setting of the Grade II Listed Fleur Cottage and Furneaux Hatch to the east, with the Grade II\* Listed St Mary's Church with the Grade II Listed boundary walls, along with the Grade II Listed Church House Inn to the south east, on the southern side of the A379. These buildings are listed for their historical and architectural value; Officers are mindful that their intervisibility preserves the time-depth of the development of the village and that the Church tower is a dominant feature within the view along the A379. Officers are mindful of the duty noted at Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses in exercising planning functions.

The new dwelling is designed in a contemporary style, with clean lines and a simple form. The scheme incorporates the use of natural slate on the roof which is a positive feature; it is considered necessary to secure the details of the natural slate by condition in the interests of visual amenity. The scheme includes a flat roofed extension at ground floor level to provide living space whilst reducing the visual impact of the scheme when viewed from the A379, as this design allows for the two storey element of the scheme to be set further back into the site thus reducing its visual impact within the street scene.

Officers consider that the proposal is clearly discernible as a contemporary addition to the site and it is unlikely to be unduly visually prominent within the street scene. Officers have reviewed the scheme with the Council's Heritage Officer and in light of the fact that the existing boundary hedge could be removed at any time, the Heritage officer did not raise an in-principle objection to the scheme. On this basis, the setting of the Listed Building is preserved and the proposal is considered to accord with the provisions of DEV20, DEV21, DEV23, KWAC ENV4, KWAC BE3, and KWAC BE4.

In light of the sensitive setting of the development and the design intent behind the scheme, Officers consider it necessary to restrict Permitted Development rights for the dwelling to enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.

### Landscape and Trees

The site is currently well screened from public view from the A379 and to the south by a well-established boundary hedge. However, this hedge is not covered by any protected designations and may be removed by the applicant at any time. The SHDC Tree Officer initially objected to the scheme on the grounds that insufficient information was provided with respect to the impact of the development on the trees on the site; in response the application provided additional information to address this. This report confirms that the boundary hedge will be realigned and retained at a height of at least 1m when measured from the top of the bank (itself 1m high when measured from the public highway) to provide sufficient space to accommodate the visibility splays whilst maintaining the verdant character of the site and softening the appearance of the development within the street scene.

The SHDC Tree Officer has confirmed that the proposal is policy compliant with respect to arboriculture, with the details within the tree report to be secured by condition to protect the trees during and post construction such that no long term detriment to their health is likely to arise and in the interests of preserving the visual amenities of the area. In this context, the proposal is considered to accord with the provisions of DEV28 and KWAC ENV10.

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”. The proposal meets the first policy test, in that the design and palette of materials have a neutral impact on the AONB itself, as the proposal is located within the built form of Churchstow and changes to character and appearance of the residential area will be localised only, thereby conserving the natural beauty of the AONB. While it does not offer enhancement, given the small 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 KWAC ENV3 as the overriding character and appearance of the AONB would be conserved.

#### Neighbour Amenity

There are a number of residential dwellings in the area surrounding the application site, however, Officers are satisfied that the dwelling is sufficiently separated from the neighbouring dwellings in order to maintain residential privacy and amenity. The applicant has also included obscure glazing within the first floor window on the east elevation of the dwelling to ensure that there can be no overlooking of the garden to Fleur Cottage; it is considered necessary to secure the details of the obscure glazing and that the window is fixed shut, in order to safeguard the residential privacy and amenity of adjoining occupiers. No such measures are included or deemed necessary on the west elevation given the separation distance between the dwelling and the most private part of the garden closest to Churchstow Lodge, which is approximately 40m. On this basis, the proposal is considered to accord with the provisions of DEV1.

#### Highways/Access

The proposal includes provision for off-road parking and turning within the site boundary, along with EV charging provision; Officers are satisfied that this will provide sufficient parking for the occupants of the development in accordance with the guidance set out in the SPD.

There have been strong objections to both versions of the development, citing concerns regarding the safety of pedestrians and for drivers in terms of access and parking in the area surrounding the new access. The Parish Council have also queried the details of the DCC Highways Engineer's site visit as there are concerns that the comments may not reflect true nature of the traffic movements in the local area. Officers would confirm that the DCC Highways Engineer has considered the application in detail and that the development will provide policy compliant pedestrian and vehicular access, subject to the imposition of conditions. One condition requires that the visibility splays are laid out as per the approved drawings, to provide adequate visibility from and of emerging vehicles. Officers consider that the details of the visibility splays, to include details of retaining walls, surfacing, means of preventing surface water from draining onto the highway and means of enclosure must be provided prior to commencement of condition to ensure that surface water does not drain onto the highway and that the scheme delivers a high quality finish appropriate within the setting of nearby heritage assets. A further condition requires that a Construction Management Plan be prepared and approved in writing by the Local Planning Authority to safeguard the interests of highways safety, 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 and safeguards must be in place to prevent significant adverse impacts from occurring. The applicant agreed the conditions in writing on 10 May 2023. On this basis, the proposal is considered to accord with the provisions of DEV1, DEV2, DEV25, DEV29 and KWAC T3.

### Surface Water Drainage

The applicant has proposed the use of a soakaway to dispose of surface water from the proposed scheme; it is considered appropriate to secure these details 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 KWAC ENV6 and is acceptable.

### Low Carbon

The applicant has included the provision of an air source heat pump within the proposal. While the principle of this element is acceptable, full details of the ASHP must be secured by condition in order to safeguard the interests of residential amenity and the natural environment. On this basis, the proposal is considered to accord with the provisions of DEV1, DEV2, DEV26, DEV28, DEV32, KWAC ENV7 and KWAC ENV8.

The applicant has also included solar panels on the southern roof plane of 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 do not apply.

### Biodiversity

The applicant has provided a Preliminary Ecological Appraisal to confirm that there are no ecological constraints to development on the site. The Appraisal contains a number of precautionary recommendations and measures to deliver biodiversity net gain, in order to safeguard the interests of protected species, which are necessary to secure through condition. The report also recommends strict controls on external lighting; it is considered necessary to secure the details of any external lighting through condition in the interests of nocturnal biodiversity. On this basis, the proposal is considered to accord with the provisions of DEV26 and KWAC ENV5.

### Conclusion

Officers note that there are strong local concerns with respect to highways safety but on the advice of the County Highways Engineer, it is not considered that the proposal would result in significant increased risk to highways safety given the site constraints and context. On balance, the proposal is considered acceptable and it is therefore recommended that the application be granted conditional approval.

***This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and with Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.***

## 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  
SPT3 Provision for new homes  
SPT10 Balanced transport strategy for growth and healthy and sustainable communities  
SPT11 Strategic approach to the Historic environment  
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  
DEV10 Delivering high quality housing  
DEV20 Place shaping and the quality of the built environment  
DEV21 Development affecting the historic 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 Kingsbridge, West Alvington & Churchstow Neighbourhood Plan was made at South Hams District Council Committee on 15 December 2022. It now forms part of the Development Plan for South Hams and is used when determining planning applications within the Kingsbridge, West Alvington & Churchstow Neighbourhood Area.

The relevant policies are listed below:

Policy KWAC Env1 Settlement Boundaries and the avoidance of coalescence

Policy KWAC Env3 Impact on the South Devon Area of Outstanding Natural Beauty (AONB), green corridors and green infrastructure.

Policy KWAC Env 5 Prevention of light pollution

Policy KWAC Env 6 Prevention of Flooding

Policy KWAC Env 7 Carbon Reduction

Policy KWAC Env 8, Encouraging renewable energy

Policy KWAC Env 10 Promotion of tree planting

Policy KWAC H2 Market Housing

Policy KWAC BE3 Design Quality

Policy KWAC BE4 Safeguarding Designated and Non-Designated heritage assets and the conservation areas of Kingsbridge and West Alvington

Policy KWAC T1 Sustainable Transport routes

Policy KWAC T2 Non-fossil fuel vehicle hub

Policy KWAC T3 Car Parking

Policy KWAC Inf 1 Broadband Infrastructure

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: South Devon AONB Management Plan (2019-2024), Plymouth and South West Devon Joint Local Plan Supplementary Planning Document 2020.

## **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 1127.21.00

Indicative Site Plan for Surface Water Drainage 1177.22.07

Received by the Local Planning Authority on 19 August 2022

Proposed Elevations 1177.22.04 rev A

Proposed Floor Plans 1177.22.05 rev A

Proposed Sections 1177.22.06 rev A

Proposed Site Plan 1177.22.03 rev A

Received by the Local Planning Authority on 12 March 2023

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. Prior to commencement of any part of the site the Planning Authority shall have received and approved a Construction Management Plan (CMP) including:
- (a) the timetable of the works;
  - (b) daily hours of construction;
  - (c) any road closure;
  - (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) Details of the amount and location of construction worker parking.
  - (n) Photographic evidence of the condition of adjacent public highway prior to commencement of any work; (To cover 20m either side of the proposed access)
  - (o) Details of the proposed traffic management to enable the formation of the access and visibility splays.

Reason: To safeguard the interests of highways safety, 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 and safeguards must be in place to prevent significant adverse impacts from occurring.

4. Prior to commencement of any part of the site the Planning Authority shall have received and approved full details of the visibility splays, to include details of retaining walls, surfacing, means of preventing surface water from draining onto the highway and means of enclosure. Visibility splays shall be provided, laid out and maintained in accordance with those details as approved for that purpose at the site access and in accordance with the Proposed Site Layout drawing 1177.22.03 Rev A where the visibility splays provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway/drive level.

Reason: To provide adequate visibility from and of emerging vehicles.

The condition must be discharged prior to commencement of development in order to ensure that surface water does not drain onto the highway and that the scheme delivers a high quality finish appropriate within the setting of nearby heritage assets.

5. 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.

6. Notwithstanding the submitted details, prior to the installation of any part of the surface water management scheme or before development continues above ground level, whichever is the sooner, full details of the most sustainable drainage option shall be submitted to and approved in writing by the Local Planning Authority (LPA). Design steps as below:

1. Soakaway testing to DG 365 to confirm the use of soakaways or to support an alternative option. Three full tests must be carried out and the depth must be representative of the proposed soakaway. Test results and the infiltration rate to be included in the report.
2. If infiltration is suitable then the soakaway should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).
3. If infiltration is not suitable then an offsite discharge can be considered. Attenuation should be designed for a 1:100 year return period plus an allowance for Climate change (currently 40%).
4. The offsite discharge will need to be limited to the Greenfield runoff rate. This must be calculated in accordance with CIRIA C753. The discharge must meet each of the critical return periods. Full details of the flow control device will be required.
5. A scaled plan showing full drainage scheme, including design dimensions and invert/cover levels of the soakaways/attenuation features, within the private ownership. The soakaways should be sited 5m away from all buildings and highways to accord with Building Regulations and 2.5m from all other site boundaries for best practice.
6. 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.

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. 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.

9. Notwithstanding the information submitted, prior to installation full details of the Air Source Heat Pump hereby approved shall be submitted to and approved in writing by the LPA. The equipment shall then be installed, maintained and retained in accordance with those details for the lifetime of the development, unless otherwise agreed in writing by the LPA. The Air Source Heat Pump must be removed as soon as reasonably practicable when no longer required.

Reason: In order to safeguard the interests of residential amenity and the natural environment.

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. The recommendations, mitigation and enhancement measures as set out in; Tree Survey Report PT\_7/2022\_TQ73QU dated 15 September 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. The boundary hedges shall be retained and maintained in accordance with the details set out in the report for the lifetime of the development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the trees during and post construction such that no long term detriment to their health is likely to arise and in the interests of preserving the visual amenities of the area.

12. The recommendations, mitigation and enhancement measures of the Ecological Report, by Western Ecology dated November 2021, 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. 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.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any Order revoking and re-enacting this Order) the first floor window hereby approved on the east elevation of the dwelling (as shown on drawing number Proposed Elevations 1177.22.04 Rev A) shall be glazed in obscure glass, fixed shut, and thereafter so maintained.

Reason: To protect the residential amenity and privacy of adjoining occupiers.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, 2015, as amended (and any Order revoking and re-enacting this Order), no development of the types described in the following Classes of Schedule 2 and 14 shall be undertaken without the express consent in writing of the Local Planning Authority other than those expressly authorised by this permission:-

- (a) Part 1, Class A (extensions and alterations)
  - (b) Part 1, Class AA (enlargement of a dwellinghouse by construction of additional storeys)
  - (c) Part 1, Classes B and C (roof addition or alteration)
  - (d) Part 1, Class D (porch)
  - (e) Part 1, Class E (a) swimming pools and buildings incidental to the enjoyment of the dwellinghouse and; (b) container used for domestic heating purposes/oil or liquid petroleum gas)
  - (f) Part 1, Class F (hardsurfaces)
  - (g) Part 1, Class G (chimney, flue or soil and vent pipe)
  - (h) Part 1, Class H (microwave antenna)
- Schedule 2
- (i) Part 2, Class A (means of enclosure)
- Part 14 Renewable energy
- (j) Class A (solar equipment)
  - (k) Class B (stand alone solar equipment)
  - (l) Class C (ground source heat pumps)
  - (m) Class D (water source heat pumps)
  - (n) Class E (installation or alteration of flue for biomass heating) (o) Class F (installation or alteration of flue for combined heat and power)
  - (p) Class G (installation or alteration of air source heat pumps)
  - (q) Class H (installation or alteration of wind turbine)
  - (r) Class I (installation or alteration of stand alone wind turbine)

Reason: To enable the Local Planning Authority to exercise control over development which could materially harm the character and visual amenities of the development and locality.