

PLANNING APPLICATION REPORT

Case Officer: Jacqueline Houslander
Monachorum

Parish: Buckland Monachorum **Ward:** Buckland

Application No: 2336/18/FUL

Agent/Applicant:

Mr Paul Farnham
1 Yelverton Terrace
Meavy Lane
Yelverton
PL20 6AF

Applicant:

Mr & Mrs C Cross
Higher Rock
Yelverton
PL20 6BN

Site Address: Land adjacent to Tyller Tythy, Crapstone, Devon, PL20 7PF

Development: Erection of two storey dwelling.

Reason taken to Development Management Committee:

Councillor Cheadle:

- the application is outside the settlement boundary. I believe that technically this defines it as 'building in the open countryside' and extant policies require justification for such development on grounds of agricultural use etc.

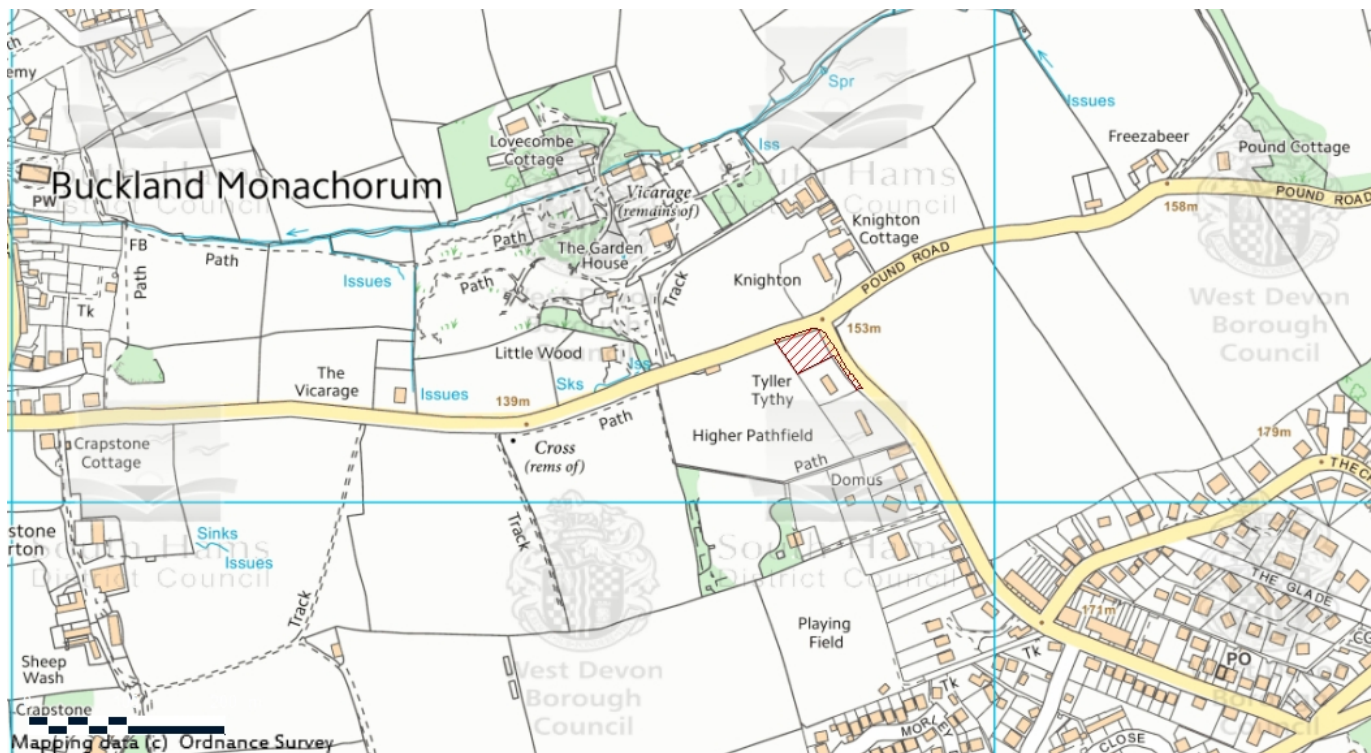
- the site lies within the AONB which we are obliged to offer 'the utmost protection' in accord with the NPPF.

- the proposal extends the settlement of Crapstone (ie is not infill) and runs counter to the policies within the draft Neighbourhood Plan not to encroach on the separation of villages. I realise the NP has very limited weight until 'made' but the same could be said of both the current DP (out of date) and JLP (not approved). That said, the NP does make the point that we are 'over-supplied' with large houses and 'under-supplied' with affordable, smaller, homes.

- the recent Inspectors' response to the JLP criticises the lack of protection proposed to the AONB. I am unaware just what WD proposes to do about this but at least I would have thought that new development proposals within the AONB should be carefully scrutinised.

Councillor Sanders:

It is clearly outside the settlement boundary and therefore it is a new dwelling in the open countryside and not in a sustainable location.



Recommendation: Approval

Conditions (list not in full)

1. Time limit
2. Accord with plans
3. Samples of materials
4. Remove PD rights
5. Landscaping condition to retain existing landscaping and reinforce, but have consideration of the neighbours garden.
6. Unsuspected contamination.

Key issues for consideration:

Whether the proposed dwelling has an impact on the Tamar Valley AONB

Whether the location of the development is sustainable and therefore acceptable despite being outside the Crapstone Development Boundary

Whether the proposal will have an impact in terms of highways, design and neighbour impact.

Financial Implications (Potential New Homes Bonus for major applications):

It is estimated that this development has the potential to attract New Homes Bonus of £1187.00 per annum, payable for a period of 5 years. Members are advised that this is provided on an information basis only and is not a material planning consideration in the determination of this application.

Site Description:

The site is located next to an existing property and is located just outside the Crapstone Development Boundary. The Development boundary lies 120 metres to the south of the site. The site is currently overgrown, but was formerly the garden of Tyler Tythy. A substantial detached dwelling. The site measures 0.2 hectares. There is currently a garden shed on the land. There are Devon hedges around 3 of the sides of the site, with a concrete boundary wall between the site and Tyler Tythy. There is also some dense goat willow in the south west of the site. The hedges to the NW and NE are densely vegetated comprising a Devon Hedge and substantial trees. The SW boundary has the dense Goat Willow and the boundary with Tyler Tythy has a 1.8 metre high timber fence.

Tamar Valley AONB

Outside Crapstone Development Boundary

The Proposal:

The proposal is to provide a single two storey dwelling. It is proposed to have a pitched roof, providing a lounge, dining room, kitchen, utility workshop and integral double garage. On the first floor there are 5 bedrooms, 3 of which are ensuite and a separate bathroom. The dwelling is located in the centre of the site, with gardens on all sides. Access to the site is along an existing track which runs along the eastern edge of the property, Tyler Tythy.

In terms of materials, the roof is proposed as natural slate, ground floor walls are proposed as lime mortar render with the upper floors being timber cladding. Windows and doors are proposed as PCC aluminium. A green oak veranda frame is proposed and the garage door is proposed as timber.

Consultations:

- County Highways Authority: Having visited the site yesterday I can confirm that there are no objections from a highway point of view to the use of the existing access to serve the proposed additional residential unit.
- Environmental Health Section: Unsuspected contamination condition.
- Buckland Monochorum Parish Council:
The Parish Council OBJECTS to this application on the following grounds.

I) Highway Safety - it is considered that the access point is very unsafe for both cars and pedestrians. There is no footpath and cars travel at speed along the section of road where the access point is proposed making it unsafe for pedestrians and vehicles.

II) The proposed development is outside the settlement boundary.

III) The proposed development would involve building in open countryside.

Please can it be noted that the Parish Council did not have a copy of the comments from the Highways Authority.

Landscape and Visual: No significant arboricultural constraints are noted based upon the information submitted to support the enquiry which proposes minor variance to a previously consented application. Based upon the information submitted to support this planning enquiry we consider that potential exists for the development as outlined on arboricultural merit subject to the requirement for Tree Protection as detailed within Condition 12 of application 0647/17/FUL.

- Drainage: No comments based on the size of the development proposed.

Representations:

Representations from Residents

Comments have been received and cover the following points:

Highway safety- it would add an access to an already busy road adjacent to a blind corner and next to a junction.

Cars can reach 40 – 50 mph along here. Further traffic would endanger other road users.

There is no footpath on this busy road to the village.

The development is from a difficult shared access on to a busy local road. There is no traffic calming to mitigate these issues.

This issue will be particularly acute during the construction phase.

In sharing the access route with the proposed dwelling, we have to negotiate blind bends in both directions, which is hazardous to pedestrians and vehicles.

The walk into the village can be dangerous with no footpath and vehicles travel far faster than the 30mph limit.

Cars travelling from Buckland towards the site would have to negotiate an almost 180 degree turn which could also be dangerous to other road users.

Planning policy –Urban development harmful to visual and rural amenity outside a town or village contrary to SE8 of Devon County Structure Plan (incl 1st and 2nd alterations 1989 and Policy CDE1 of the 3rd Alteration as submitted

The site is outside the settlement boundary of Crapstone and would constitute an undesirable ribbon of development in the countryside.

The development would extend the village

The applicant states that Poundhangar is a similar proposal but it is infill between two plots

The site is not included in the current JLP submission with regard to 5 year land supply.

The JLP is imminently to be approved and so there will be a 5 year land supply of which this site is not included.

A comprehensive and well supported LDP recently determined that the proposed site should not be included in areas nominated for development.

Impact on AONB – The proposal is contrary to Structure Plan First Review S4 and C4

Planning History- A previous application in 1980 was refused. On the grounds of outside the development boundary and road safety concerns

An application in 1991 also refused – urban development harmful to rural and visual amenity Devon County Structure Plan; harm the landscape amenity and road safety concerns.

An appeal in 1992 Dismissed as the site was outside the development boundary and would constitute undesirable ribbon development.

An application in 1999 for a stable block was refused because it was development in an AONB and outside the development boundary and highway safety.

An application in 2006 for an implement shed was approved

From the above it is clear that the same concerns remain.

The proposed dwelling will be constructed in a former orchard, this is a change of use not noted in the application.

Loss of privacy – bedroom 4 would be overlooking the swimming pool area of Tyler Tythy, which has not been identified on the block plans.

Boundary trees – two trees are proposed to be planted along the boundary with Tyler Tythy and they would ultimately overhang Tyler Tythy and lead to a loss of amenity, including loss of afternoon light.

Relevant Planning History

OA/3/32/312/1980/5: OPA

Proposal Erection of a detached dwellinghouse with garage in orchard.

Site Address: Orgadene Crapstone Yelverton Devon
Decision: Refusal: 07 May 80

OA/3/32/609/1982/5: OPA
Proposal: Erection of a dwellinghouse at garden.
Site Address: Orgadene Crapstone Nr. Yelverton Devon
Decision: Refusal: 05 Jul 82

F/3/32/1196/1992/5: FUL
Proposal: Formation of access to allow maintenance of land.
Site Address: Tyller Tythy Crapstone
Decision: Conditional Consent: 26 Jun 92

OA/3/32/1131/1992/: OPA
Proposal: Erection of dwelling and creation of new access.
Site Address: Land adjacent to Tyle Tythy Crapstone Yelverton
Decision: Refusal: 23 Jun 92
Appeal AUN: Dismissed - (REFUSAL): 03 Nov 92

CU/3/32/1174/1999/: COU
Proposal: Erection of stable block.
Site Address: Tyler Tythy (Land adj) Crapstone Yelverton
Decision: Refusal: 16 Jul 99

F/3/32/1621/1991/5: FUL
Proposal: Erection of dwelling with access.
Site Address: Tyler Tythy Crapstone
Decision: Refusal: 31 Jan 92

9557/2006/TAV: FUL
Proposal: Erection of implement shed greenhouse and toilet together with a change of use of land to vegetable plot
Site Address: Land adjacent to Tyller Tythy Crapstone Yelverton Devon
Decision: Conditional Consent: 15 Dec 06

0615/17/PRE
Pre application enquiry for erection of detached two storey dwelling with 4/5 bedrooms with spacious gardens.
No officer support 11/ 7/2017

ANALYSIS

Principle of Development/Sustainability:

The principle of the proposal must be considered against relevant planning policies. The site lies outside the development boundary for Crapstone and so initially fails to meet policy H28 of the Local Plan Review in relation to development boundaries. The proposal therefore must be considered against policies relating to development in the countryside.

Policy H31 in the Local Plan review 2005, which is a saved policy indicates that

“Residential development, outside the defined limits of settlements and where Policy H29 does not apply will not be permitted unless all the following criteria are met:

(i) There is written independent evidence that of a genuine and sustained need for the dwelling, that need being based upon an essential agricultural, forestry or horticultural requirement for a full time worker to be resident on the holding;

- (ii) The local planning authority has no reason to believe that the need for an additional dwelling has arisen primarily due to the recent sub-division of the holding and/or the recent disposal of a dwelling from the holding;*
- (iii) There is no building on the holding suitable for conversion to a dwelling;*
- (iv) The dwelling is sited close to existing agricultural buildings unless it can be clearly demonstrated that a more isolated location is essential for the operation of the holding; and*
- (v) The dwelling is in keeping with the character of the area in terms of scale, design and materials.”*

Policy NE10 in the West Devon Core Strategy is also relevant.

Development within the countryside outside settlement limits or not otherwise in accordance with policies or allocations in the Plan will not be permitted unless:

- (i) It provides an overriding economic or community benefit and cannot be reasonably located within an existing settlement;*
- (ii) It does not cause unacceptable harm to the distinctive landscape character of the area and the important natural and made features that contribute to that character including views;*
- (iii) Where the development is not associated with agriculture the best and most versatile land is only developed if sufficient lower grade land is not available or that available lower grade land has an environmental value that outweighs agricultural considerations.*

In this case no justification under policy H31 or NE10 has been supplied. It is therefore contrary to these development plan policies.

In addition Strategic Policy 24 is of relevance:

“Sustainable Rural Communities

In the local centres and villages of West Devon, small scale development within, adjoining or closely related to settlement limits will be permitted where a need has been identified through the use of the Sustainable Rural Communities Toolkit and, where appropriate, a Parish Housing Survey has been undertaken.

Proposals for development will be supported where they:

Contribute to community well being and to the sustainable social and economic growth of a settlement; Seek to protect and enhance existing community facilities, provide new local services, improve local employment opportunities and/or meet a housing need; and are in scale and in keeping with the site, its setting and the nature of the settlement, reinforce local character and protect natural landscapes and biodiversity.”

A Parish Housing Survey was undertaken in 2013, which identified a need for affordable housing within the village. However two other approvals in the village have made provision for the affordable housing requirements based on the 2013 survey.

In terms of sustainable development however, the proposal could be argued to contribute to community wellbeing and the social and economic growth of the settlement by helping to support and maintain the local services of the post office and garage. Albeit a single dwelling may not enhance local services or improve local employment opportunities. In terms of scale and sitting within its setting and respecting the local landscape character, the dwelling has been designed in consultation with the AONB unit to as to ensure it does this.

Therefore it does not comply with Strategic Policy 24 in essence but can be considered to meet many of the objectives of sustainable development also identified within that policy.

However, since these policies were produced the National Planning Policy Framework has been published and updated (July 2018). Paragraph 73 in the NPPF 2018 indicates that *“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies³⁶, or against their local housing need where the strategic policies are more than five years old³⁷*

In addition policy “

Paragraph 11 indicates that *“For decision-taking this means:*

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

In relation to out of date policies the NPPF specifically means *“applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73)”*;

Currently West Devon cannot demonstrate a 5 year housing land supply and so the development plan policies relating to housing are considered out of date. As a result the proposal must be considered in relation to the presumption in favour of development as set out in para. 11 of the NPPF.

In addition, the Local Plan covers the period to 2011. It is therefore already time expired and the development boundaries within it are also dated and have not been assessed against an up to date housing need.

Sustainable development according to the NPPF comprises 3 objectives – economic; environmental and social objectives. However it also states that *“they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.”* (para. 9).

The proposal does lie outside the development boundary for Crapstone, but it could still be described as sustainable. It is located on land formerly used as garden of the adjacent property, and so brownfield land.: It is approximately 275metres from the main built up area of the village and the village boundary line ends approximately 120 metres away (two properties away). The village has a post office and garage and also has access to public transport services. It would also help to sustain the community services already in the village.

The applicants' agent has made reference to a number of appeals in his planning statement to support this proposal. One is a site at Abbey Meadows on the other side of the village which is also outside the village development boundary and was approved at planning appeal. The appeal decision makes reference to the development boundaries and the planning policies being out of date. In this case the boundary appears to have been drawn to follow the line of a footpath. However the line could equally have been drawn at the cross roads which lies immediately to the north of the application site. Reference is also made to a planning application elsewhere in the village, also within the AONB and a similar distance from the development boundary which was approved as sustainable development in 2016.

A review of development boundaries has taken place through the emerging JLP process, but as yet these boundaries have not been agreed and indeed in a recent advice note from the Inspectors reviewing the JLP, a request has been made that all development boundaries within the AONB should be removed at this stage.

So whilst the proposed dwelling is in the countryside, it is close to the village at the end of a ribbon of development. And whilst it is outside of the village boundary it has the same characteristics as the other dwellings in that line of development: none of them have a pavement access to the village, some of them are not in the boundary; they all have access points out to the same road.

It is therefore considered that the proposed dwelling is in a sustainable location taking into account other recent decisions both by the LPA and Inspectors. The principle of development is contrary to the development plan but that development plan has out of date housing policies and the Council cannot provide a 5 year housing land supply and so as such the presumption in favour of sustainable development should apply.

Design/Landscape:

The proposed dwelling lies within the Tamar Valley Area of Outstanding Natural Beauty and so must be considered in relation to Strategic Policy 17 Landscape Character. It enforces the need for the enhancement and conservation of AONB's to be given great weight in the planning balance. Any development which would be detrimental to the natural beauty and quiet enjoyment of the AONB will not be permitted.

The AONB unit were consulted about this application prior to its formal submission and have had some influence over the proposal now before us. In relation to the AONB, the unit state: *"Overall the alterations to the dwelling and levels of screening appear to reduce the visual impact of the dwelling. And it is noted that public views to the site are limited to the footpath and that the existing dwelling is more visible in views of the site from this location.*

I do not feel that the visual impact of the building as now proposed would be sufficient for the AONB to raise an objection.

I would suggest that an RPA plan be overlaid onto the landscaping scheme shown on Drwg. No AFB 03D to ensure that the dwelling can be accommodated in the position shown with the need for tree removal or canopy raising. It would also be my advice that the accompanying d & a statement should confirm that the LPA may impose conditions to ensure the retention, maintenance and replacement of the landscaping to ensure that the boundaries are not opened up at a later date.

If the above suggestions could be accommodated within the proposal then I am of the view that the scheme would not result in significant harm to the AONB landscape or an unduly harmful impact to landscape character."

In light of the above, it is considered that the proposal would not cause a detrimental impact on the AONB and meets the criteria in the development plan policies.

Strategic Policy 20 promotes high quality design for both buildings and landscaping. The comments of the AONB unit above and the site visit, and policy BE13 which seeks appropriate landscaping for all developments persuade me to impose a planning condition which secures the retention of the landscaping around the site and where possibly to reinforce the landscape to acknowledge the landscape character of the site.

Neighbour Amenity:

There have been a number of local objections to the proposal and the immediate neighbours have also expressed concerns about the development proposed. The main areas of concern are:

Traffic: Concerns with regard to the new access on a busy road. The access already exists and can currently be used by the site owner as well as the owners of Tyler Tythy. The change which will result from the development will be the extent of use of the access. Clearly with a dwelling on the site the amount of traffic will be increased. However the Highway Authority have not raised concern about this and as such it could not form a reason for refusal.

Planning policy considerations: Many of the objections relate to the planning history on this site and the fact that a number of previous applications on this site have been refused and as such this application should also be refused. The comments cite the fact that it is outside the village boundary and is development within the AONB as well as traffic concerns which have been considered above. The consideration above does acknowledge the planning policy considerations, but what is important in this case is that the previous refusals were all before the publication of the original NPPF in 2012, which places a presumption in favour of sustainable development and because the Council are unable to provide a 5 year housing land supply, the policies relied upon previously are now considered out of date.

With regard to the AONB concerns, as indicated above the AONB unit does not feel that any harm will be caused to the AONB as a result of the development and so the proposal is in compliance with the policies.

Additional tree planting adjacent to the boundary with the neighbouring property. The immediate neighbour also expressed concerns about potential trees on the boundary between them and the proposed dwelling. This issue can be dealt with through the landscaping condition.

Highways/Access:

Whilst concerns have been expressed by local residents about the use of the access, it exists currently and could be used more than it is by the owner without any recourse to the Local Planning Authority. In addition the Highway Authority have no concerns with the use of the access and with that support in place a reason for refusal could not be substantiated.

Other Matters:

Drainage

Strategic Policy 21 Flooding seeks to avoid flood risk where possible. The site lies in an area assessed as at low risk of flooding. In this case the applicant has submitted details in relation to the drainage for the site as follows:

Foul Water:

The public sewer is situated some distance from the site and it is proposed to install a 10,000 litre underground Klargestar septic tank to established manufacturers design and in compliance with the Building Regulations.

Storm Water:

A 5,000 litre flat tank underground rainwater harvester providing green water use for the property, together with a percolation overflow soakaway designed and constructed to comply with Building Regulations.

Parish Council objection: it is noted that the Parish Council have raised objection to the proposal for 3 reasons: Highway Safety –unsafe for pedestrians and vehicles; The proposed development is outside the settlement boundary; The proposed development would involve building in open countryside. As has been noted in the planning report, the planning policies are considered out of date and the proposal needs to be considered on the basis of whether it is sustainable development or not. It is not an isolated site, but is immediately adjacent to a line of houses emanating from the village. The village is walkable and the highway authority have no objection to the development or the use of the access.

Conclusion:

In light of the current policy situation and recent decisions elsewhere around the village it is considered that the site is sustainable and no other material considerations outweighs that consideration.

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.

The relevant development plan policies are set out below:

West Devon Borough Council Core Strategy 2011

SP1 – Sustainable Development
SP17 – Landscape Character
SP20 – Promoting High Quality Design
SP21 – Flooding
SP24 – Sustainable Rural Communities

West Devon Borough Council Local Plan Review 2005(as amended 2011)

NE10 – Protection of the Countryside and Other Open Spaces
BE13 – Landscaping and Boundary Treatment
H28 – Settlements with Defined Limits
H31 – Residential Development in the Countryside

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)

SPT2 Sustainable linked neighbourhoods and sustainable rural communities
TTV31 Development in the Countryside
DEV1 Protecting amenity and the environment
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV27 Nationally protected landscapes
DEV30 Trees, woodlands and hedgerows
DEV37 Managing flood risk and Water Quality Impacts

Neighbourhood Plan

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.

Proposed 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).

2. The development hereby approved shall in all respects accord strictly with drawing number(s)received by the Local Planning Authority on

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. No development shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the details so approved.

Reason: To enable the Local Planning Authority to consider the details of the materials.

4. 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 amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: This condition is required where no desktop study has been carried out or if the desktop study failed to completely characterise a site.

5. Notwithstanding the provisions of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 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, including the erection of extensions, porches, garages or car ports, the stationing of huts, fences or other structures 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 appearance of the area to ensure adequate space about the buildings hereby approved and in the interests of amenity

6. Prior to the commencement of foundation works, details have been submitted to and approved in writing by the Local Planning Authority.

(i). A plan showing the location of, and allocating a reference number to, existing trees on the site and adjoining the site, which have a stem diameter exceeding 75mm (measured at 1.5m above ground level). The crown spread of each tree and details of which trees are to be retained and which are to be removed shall be shown.

(ii). A schedule of the trees identified in paragraph i) detailing species, stem diameter, height, crown spread, vigour, condition and age, along with classification and recommended distance for protective fence in accordance with BS 5837: Trees in Relation to Construction.

(iii). A schedule of any proposed tree felling or tree surgery to trees identified in paragraph (i).

(iv). A plan showing the location of, and means of construction of, a fence or other measure to delineate a Protection Zone to prevent damage to retained trees before and during the course of development.

(v). Details of any proposed alterations to existing ground levels, excavations, placing of services or other works within the Protection Zone and proposed means of limiting any damage to retained trees in accordance with BS5837: Trees in Relation to Construction.

(vi). Details of the final landscaping/ground works proposed within the Protection Zone on removal of the fence detailed at paragraph (iv) including proposed means of limiting any damage to retained trees in accordance with BS 5837: Trees in Relation to Construction.

(vii) Details of the trees to be planted within 2 metres of the boundary with Tyler Tythy.

Reason: In order to identify, and protect, trees of public amenity value and to protect the residential amenities of the neighbouring property.