

PLANNING APPLICATION REPORT

Case Officer: Gemma Bristow

Parish: Strete **Ward:** Allington and Strete

Application No: 2031/18/FUL

Agent/Applicant:

Mr Dave Back
BBH Chartered Architects Ltd
9 Duke Street
Dartmouth
TQ6 9PY

Applicant:

Mr & Mrs P Green
Lower Court Barns, Old Byre
A379 Strete Village
Strete
TQ6 0RW

Site Address: Lower Court Barns, Old Byre, A379 Strete Village, Strete, TQ6 0RW

Development: Construction of new dwelling on land adjoining 'The Old Byre'

Reason item is being put before Committee: Called to committee by Cllr Foss as the application is within AONB, Heritage Coast and close to traditional farm buildings that has been developed to maintain their identity. Drainage report does not mention a buddel hole that drains directly into this plot.



Recommendation:

Conditional approval

Conditions

- Time
- In accordance with plans
- Remove PD
- In accordance with ecology report
- Unsuspected contamination
- Foul drainage (pre-commencement)
- In accordance with SWD
- Retention of surrounding hedging and trees
- Details of trees to be planted
- Screening planting along footpath to prevent overlooking of School House.
- Details of potential noise from air source heat pump

Key issues for consideration:

Principle, landscape, design, highways

Site Description:

0.22ha site located on the south-east side of the village of Strete accessed via existing drive serving Lower Court Barns. The site slopes gently down from west to east and is enclosed along the south and east boundaries by established hedges and trees. The site extends to the east elevation of the dwelling the School House, and in front of the converted barn forming the dwellings of Old Byre, The Hayloft and Buttermilk Cottage.

- Within AONB
- Within Heritage Coast/Undeveloped Coast
- Borders Strete Conservation Area
- Borders Strete development boundary

The Proposal:

Erection of a single-storey three/four bedroom dwelling with integrated garage/garden storage room and study and utility space cut into the rising land. 27m long by 6m wide, and an additional section housing the undercut rooms extending a further 9.6m by 7.2m wide, 3m high with a flat roof.

Parking for two vehicles adjacent to Old Byre.

Materials: Elevations white render and timber cladding, walls Devon stone.

Amendments: As originally submitted a vehicle driveway swept down to the proposed dwelling in front of the Old School House.

Consultations:

- County Highways Authority – no objection

The Highway Authority notes the existing access has slightly restricted visibility to the south, however it is expected drivers would be able in this low speed environment to protrude slightly and then gauge to the south safely. Therefore the Highway Authority has no objections.

- Environmental Health Section: Unsuspected contamination condition only.
- Town/Parish Council – Objection
Following site visit and discussion at the PC meeting on 20th September all councillors were unanimous in strongly objecting to the planning application based on the following:
 - Will adversely affect the privacy and setting of all surrounding properties.
 - A very large development in the AONB, Coastal Preservation areas.
 - The development is too close to the conservation area boundary.
 - It is out of keeping with the centre of the village.
 - It is outside the current development boundary and when the Neighbourhood Plan is published, based on SHDC recommendations, this area will remain outside the development boundary.
 - Its situation on the A379 will mean more vehicles coming in to a restricted road.
- Council Drainage Specialist – supports scheme as proposed subject to conditions.
- Council Landscape Specialist – no objection
In respect of the principle policy tests in the NPPF, this application is not considered to constitute “*major development*” in the context of paragraph 172, due to the context of residential development and the significantly restricted public visibility of the site.

The site lies adjacent to residential plots on the A379 in Strete. The topography and vegetation locally are such that public views of the site area are very restricted; limited to wider glimpsed views from high ground to the east. Once built, glimpses may also be available from the coast path approach to Strete from the east. In such views, the site is read as part of the low-density development in this area of Strete, with dwellings set amongst large gardens and significant tree cover.

Where not prominent or publically visible locally, the design of the dwelling is not a matter of landscape impact, but I note the majority use of local stone and render in the building façades, which are relevant local materials, and I would raise no issue with their use here. Whilst the proposed dwelling has a large footprint, this would not be perceptible in public views, and the character and appearance of the area would be retained.

In order to secure enhancements to local character we should ensure that the site boundaries are retained and/or repaired as native hedgerow boundaries, and that some trees are included to perpetuate the character of residential dwellings set amongst a tree canopy. I would also suggest that we remove permitted development rights to ensure that the external boundary treatments and any ancillary structures are subject to planning control in perpetuity.

I note the landscape proposals submitted with the application, but would request some changes to this in line with the comments above. If these details can be secured by condition I would raise no objection to the application on landscape grounds, finding that it meets the landscape policy tests of adopted policies CS9 and DP2 and the emerging landscape policies of the Joint Local Plan, along with the policies and objectives of the

South Devon AONB Management Plan. I note a number of local objections to this application on a number of grounds, including its location within the AONB, Heritage Coast and Undeveloped Coast. Whilst the principle of new residential development in the countryside is a significant policy consideration, in this instance the impacts upon the landscape and visual amenities of the area are so limited that I don't believe that these impacts could be substantiated as robust reasons for refusal of this application.

- Council Strategic planning – objection

The proposal site is outside the adopted Development Boundary, and outside the draft Settlement Boundary as consulted upon alongside the JLP. The emerging NP does include it within a settlement boundary but this has yet to be justified through external scrutiny. The site has not been allocated for development within the NP, and as such to include it within a SB is not considered an appropriate method of establishing the principle for development. Before a site in such a sensitive location as this can be considered to be suitable for development a significant amount of evidence gathering and justification should be undertaken, and this is not the case of the draft Strete NP. Both the adopted and emerging local plan policy position require this site to be considered as countryside.

The site adjoins the edge of the built form on two sides, to the north and west, but not to the east or south. The site is described as an 'amenity field' although the type of amenity that the field offers is not described. The field has no built structure on it, and is considered more in character with the countryside to the east and south, than to the dwellings to the north and west. In policy terms, it is felt that the site should be considered as being within the countryside. In her comments regarding the application the SHDC Landscape Officer also described the site as being 'in the countryside'.

In order to justify being built within the countryside, the provisions of emerging JLP policies DEV8 (meeting local housing need in the TTV policy area) and TTV31 (development in the countryside) requires a proposal to justify the use of a countryside location, and to show how it meets an identified local housing need. This proposal does not provide that justification. The house is significant in scale, and will not represent a dwelling that is affordable or accessible to the identified needs groups in DEV8.

Currently the housing stock in the parish of Strete only comprises around 17% of 1 and 2 bed dwellings, with some 83% being 3 or more beds. There are currently around 30% of the 294 dwellings that are either semi-detached, terraced or flats, with 70% of dwellings being detached. According to Rightmove, over the last 7 years the average house price within the parish of Strete is £446k, significantly above the national and district average. All of these factors combine to demonstrate that a house of the scale and type as the proposed scheme will only perpetuate an imbalance within the housing stock, and do nothing to increase the accessibility of housing to people earning the local average wage. This is clearly contrary to emerging policy Dev8 (provision 1). The JLP is currently out for consultation regarding Main Modifications, and as such can be considered to be at an advanced stage of preparation. Under paragraph 48 of the NPPF provision is made for LPAs to give weight to emerging policies in such circumstances, providing that there is accordance with the NPPF.

Emerging policy TTV31 is proposed for part replacement through the Main Modifications, which proposes the creation of a new policy regarding rural exception sites. However the emphasis remains the same, in that proposals for housing in the countryside must show how they are meeting a proven need for affordable housing for local people. In respect of housing type, this could take the form of discount open market housing, with the price

suppressed against local averages, although given that the recent average is around £446k, and that the proposed dwelling is of significant scale, the degree of suppression to be considered affordable for local people would need to be significant.

Adopted policy DP15 – Development in the Countryside is considered to have limited weight due to it being adopted in 2012, but within provision 1(b) there is some accord with aims of NPPF paragraph 77. The provisions of DP15 are more demanding than DEV8, although it should be noted that the proposal meets none of the provisions of either policy. Paragraph 77 of the NPPF requires that proposals for rural housing be ‘responsive to local circumstances and support housing developments that reflect local needs’. Whilst there is a need for housing to be supplied in all parts of the LPA, the most acute housing need in our coastal villages is for housing that is affordable and accessible to people earning local wages, and people that have been displaced from rural communities due to the availability of housing that is affordable. DEV8 identifies specific needs groups for whom an increase in accessible housing is a priority, and the proposal adjacent to The Old Byre is not going to be affordable for anyone earning the average local wage as typified by these groups. As such, it will not diversify the housing stock, it will not improve community resilience by enabling a more balanced demographic profile, and does not represent a sustainable development. It should be noted that the principle of development is not accepted in this location for a house of this scale and type, not the principle of any housing at all. If the dwelling were smaller in scale, responded more positively to the current built form, and was evidently going to meet a local housing need (i.e. restricted by local connection).

It is acknowledged that the visual and landscape impact of the building have been kept to a minimum, but the site is within the Undeveloped Coast policy area, and as such should provide a justification as to why a coastal location is required for a development of this type. No justification has been included within the proposal.

The LPA cannot demonstrate a 5YLS at this point, and so a titled balance of considerations will need to acknowledge that the proposal does increase the supply of new homes by one. However, the proposal is not policy compliant (either adopted local, emerging local or adopted national policy), and the policies that it is in conflict with are those with a clear aim of meeting local housing needs and improving community resilience. Under the provisions of NPPF para 11 (footnote 6) the presumption in favour of sustainable development does not apply within the AONB, and it is considered that the principle of development in this location cannot be accepted for a dwelling of this type and scale. Only after applying the provisions of para 11 should para 172 be applied. The acceptable site-specific impact needs to be considered against an unacceptable principle of development within the Undeveloped Coast policy area, and the lack of justification for a coastal location, and the proposal being unable to meet an identified local housing need, as part of the wider planning balance.

Representations:

17 letters of objection, on the following grounds:

- Disproportionate development and does not conserve the AONB
- Would likely become a second home and not affordable
- Not in line with neighbourhood plan that has completed reg 14 consultation
- Not acceptable in underdeveloped and heritage coast
- Does not meet local housing need
- Change's character of conservation area

- Contrary to policy as outside development boundary and does not require a countryside location or coastal location
- Would set a precedent for further development
- Conflicts with policies within emerging Joint Local Plan TTV1, DEV25, DEV27 and TTV31.
- Ecology survey was not sufficient to cover potential impact on bats and badgers.
- Traffic and parking pressure already problematic in Strete
- Construction disruption
- Site is visible from the south-west coastal path
- Until the applicant bought Old Byre the field was agricultural
- The site was agricultural until around 1990
- Change in outlook to School House
- Loss of privacy to School House
- It approved the applicants would then be able to remove trees and hedging without consent.
- Archaeological interest as it once formed part of the Transhumance Route in the Middle Bronze Age.
- Concerns of noise from an air source heat pump

In response to the amended plans further comments on these amendments include:

- The removed drive could be reinstated at a later date, to get the application approved now.
- The change to the drive does not address the main principle objections to the site

Relevant Planning History

None.

ANALYSIS

Principle of Development/Sustainability:

The site is located on the edge of the village of Strete which was identified as a sustainable village within the Core Strategy (2006) policy CS1 and has also been retained as a sustainable village within the emerging Joint Local Plan (JLP) which is now at an advanced stage. Given the location of the site on the edge of the village that would share an existing access it is considered a sustainable location as easily accessible by foot to the facilities within the village.

Nevertheless, being located on the south-eastern edge of the village envelope and outside the settlement boundary it is defined as 'countryside'. Policy CS1 of the Core Strategy and DP15 of the Development Management Policy Document (DMPD) set out conditions where development in the countryside will be permitted, such as meeting the essential needs of agricultural or forestry or exceptional small scale needs which cannot be met within the settlement boundary, neither of which this proposal meets.

Policy TTV1 of the emerging Joint Local Plan (JLP) sets out the hierarchy of settlements and states that development outside of the defined settlement boundaries will only be permitted where it meets the principles of sustainable development and communities. Policy TTV31 specifically addresses development in the countryside and sets out the circumstances where development may be acceptable, specially stating housing development 'adjoining or very near to an existing settlement will only be supported where it meets the essential, small scale local development needs of the community and provides a sustainable solution'. While the location is considered a sustainable location it has not been demonstrated it has come forward in response to essential local need. Nevertheless, part 1 of TTV31 that relates to local development needs

has since been omitted from the wording of this policy in response to Inspectors comments and this amendment is currently being consulted on as a main modification to the JLP.

It should be noted the enforcement of strict development boundaries has previously been considered not to comply with the guidance within the NPPF as it has not historically reflected the approach of the presumption in favour of sustainable development. In addition, whilst the JLP proposed new settlement boundaries within a topic paper which explains and presents the results of an assessment of the sustainability of the settlements in the Thriving Towns and Villages (TTV) policy area these boundaries also carry very limited weight. Despite the JLP being at an advanced stage the Post Hearing Advice Note EXC15 issued by the Inspectors raises concerns with the consultation of the settlement boundaries and as such they specially cannot be relied upon. It is noted that Strete has an emerging Neighbourhood Plan and within this a settlement boundary is defined (which does include the proposed site) however as this Plan has only reached Regulation 14 where the Parish is consulting on the Plan very little weight can be given to its policies.

In addition, strategic planning have started the proposal is in conflict with emerging policy DEV8 of the JLP which seeks to deliver a wide range of homes that can widen opportunities for home ownership. While this policy currently carries limited weight, its essence is supported by para 77 of the NPPF that states 'responsive to local circumstances and support housing developments that reflect local needs'. Strategic planning that stated 'Whilst there is a need for housing to be supplied in all parts of the LPA, the most acute housing need in our coastal villages is for housing that is affordable and accessible to people earning local wages, and people that have been displaced from rural communities due to the availability of housing that is affordable. DEV8 identifies specific needs groups for whom an increase in accessible housing is a priority, and the proposal adjacent to The Old Byre is not going to be affordable for anyone earning the average local wage as typified by these groups. As such, it will not diversify the housing stock, it will not improve community resilience by enabling a more balanced demographic profile, and does not represent a sustainable development.

Finally, falling within the Undeveloped Coast emerging policy DEV25 and to a lesser extend the currently adopted policy DP2 (part 2) require evidence that the development requires a coastal location which has not been provided.

Design/Landscape:

In terms of landscape it is noted the site falls within the Area of Outstanding Natural Beauty (AONB) and the Undeveloped and Heritage Coast which are afforded the highest level of protection. Furthermore, the site borders the Strete Conservation Area and so the development is required to conserve or enhance the setting of the conservation area.

The site lies adjacent to residential units on the A379 in Strete. The Council's specialist landscape officer has stated the topography and vegetation locally are such that public views of the site area are very restricted; limited to wider glimpsed views from high ground to the east. Once built, glimpses may also be available from the coast path approach to Strete from the east. In such views, the site is read as part of the low-density development in this area of Strete, with dwellings set amongst large gardens and significant tree cover. Whilst the proposed dwelling has a large footprint, this would not be perceptible in public views, and the character and appearance of the area would be retained.

In order to secure enhancements to local character conditions are proposed to ensure that the site boundaries are retained and/or repaired as native hedgerow boundaries, and that some

trees are included to perpetuate the character of residential dwellings set amongst a tree canopy. Permitted development rights would also be removed to ensure that the external boundary treatments and any ancillary structures are subject to planning control in perpetuity.

The Council's specialist landscape officer has confirmed that the proposal meets the landscape policy tests of adopted policies CS9 and DP2 and the emerging landscape policies of the Joint Local Plan, along with the policies and objectives of the South Devon AONB Management Plan. The objections to the proposal on its location within the AONB, Heritage Coast and Undeveloped Coast are noted. Whilst the principle of new residential development in the countryside is a significant policy consideration, in this instance the impacts upon the landscape and visual amenities of the area are so limited that officers believe that these impacts could not be substantiated as robust reasons for refusal of this application.

In terms of design while not prominent or publically visible locally, the design of the dwelling is considered acceptable and the materials in keeping as the majority use local stone and render in the building façades. The footprint acknowledged to be large, however the height has been kept low to reduce the impact of the dwelling and stone walls proposed to help the dwelling become absorbed into the surrounding landscape and in so doing conserving the setting of the Strete Conservation Area.

Neighbour Amenity:

In terms of the amenity of the adjoining neighbours it is noted the site boundary is hard against the ground floor extension to the School House located to the west and is located south of the dwellings within the converted barn forming The Byre, Hayloft and Buttermilk Cottage. On account of the proposed dwelling being set down into the site and windows/doors only proposed within the south and east elevations the dwelling itself is not considered to result in loss of amenity to the adjoining neighbours. In addition, it is noted an area of the existing field (labelled paddock on the plans) is outside of the application red line boundary and so forms a buffer between the proposed house and surrounding neighbours.

It is however acknowledged the position of the dwelling and its surrounding landscaping would result in a change in outlook to the dwelling School House which currently enjoys uninterrupted views east across the site. The School house has a very close relationship to the site with its east elevation hard onto the site boundary and with windows facing over the site. In response to concerns raised the applicant amended the application to remove the vehicular drive that would have resulted in light and noise disturbance from the use of the drive. A pedestrian only path is now proposed to access the dwelling, a condition is proposed to ensure planting along the footpath to prevent overlooking into the ground floor of the School House. While the proposal would undoubtable change the outlook to the School House, critically it would not result in any loss of outlook and planning does not protect ones right to a view. Therefore the impact on the School House is considered to be accessible, subject to condition on footpath screening.

Highways/Access:

In terms of the vehicle access Devon County Highways have commented that the existing access has slightly restricted visibility to the south, however it is expected drivers would be able, in this low speed environment, to protrude slightly and then gauge to the south safely. In addition parking is proposed for two spaces with space to turn to exit in forward gear in front of the existing converted barn. While the parking and congestion concerns raised by objectors are noted, Devon Highways have not raised any objections and so they would not form a reason for refusal.

Other Matters:

Construction impact: While it is acknowledged there would be some disruption during construction, neither Highways nor Environmental Health have requested a construction management plan and so it is not considered reasonable to impose such a condition.

Drainage: Specialist drainage officers have assessed the drainage information submitted and accept the surface water scheme proposed. Details of foul drainage would be secured by condition.

Ecology: The submitted Preliminary Ecological Assessment did not require any additional surveys and so it is considered acceptable, and a condition is imposed to ensure compliance with the mitigation measures set out within the report.

Neighbourhood Plan: While it is noted that Strete have drafted a Neighbourhood Plan, as this is still at its consultation stage (Regulation 14) very limited weight can be given to the policies within it until it has been submitted to the examiner. This report has therefore not referenced specific policies within the Neighbourhood Plan.

Devon County review all applications and have not raised any archaeological issues warranting further investigation or conditions.

The potential noise from the air source heat pump can be reviewed by environmental health and so details would be reserved by condition.

Conclusion - Planning Balance

At present the Council cannot rely upon a five year housing supply and so in line with the NPPF decisions must be made with a presumption in favour of sustainable development 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.*

The first point applies in this case as the site is within the AONB which is defined as an 'area of particular importance'. The relevant policy of the NPPF is para 172 which states that great weight should be given to conserving and enhancing landscape within the AONB. In this respect as our specialist landscape has stated there would not be any harm to the AONB, and there has not been any other harm identified in the assessment, the presumption in favour of sustainable development would still apply. Therefore bullet point (ii) would need to be considered, i.e. the proposal determined on the basis of the 'tilted balance'.

While the development is contrary to policy CS1 and DP15 of the Local Plan as it is outside the development boundary and does not require a countryside location, these policies, of most importance to determining the proposal, are considered to be out of date given the absence of a proven five year housing supply. Moreover the site appears as a fringe area of the village rather than isolated, and therefore any intrusion into the countryside in terms of character would be very limited. The proposal would not be supported by emerging policy TTV31 and DEV8 as it does not relate to a particular community need or to specific individuals' needs within those

communities. However those policies are not in place and so cannot be accorded full weight, and as such any harm arising from non-compliance would be limited.

Set against that, the creation of a new dwelling would have benefits in respect of housing supply and supporting the vitality of the village. Specialist landscape officers have confirmed the proposal would conserve the special landscape character and visual quality of the AONB and Heritage Coast and so there would not be any landscape harm, especially in respect of the special qualities and features for which the AONB was designated. In the context of a lack of five year housing land supply and having given great weight to the AONB as a designated landscape, there are no adverse effects that would significantly and demonstrably outweigh the benefits. This is a sustainable site adjoining the village without any landscape harm that borders dwellings/gardens on two sides and so is recommended approval.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004 and, with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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:

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment
CS10 Nature Conservation
CS11 Climate Change

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP4 Sustainable Construction
DP5 Conservation and Wildlife
DP6 Historic Environment
DP7 Transport, Access & Parking
DP15 Development in the Countryside

South Hams Local Plan (please delete as necessary)

SHDC 1 Development Boundaries

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)**

SPT1 Delivering sustainable development
SPT2 Sustainable linked neighbourhoods and sustainable rural communities
SPT3 Provision for new homes
TTV1 Prioritising growth through a hierarchy of sustainable settlements
TTV2 Delivering sustainable development in the Thriving Towns and Villages Policy Area
TTV30 Empowering local residents to create strong and sustainable communities
TTV31 Development in the Countryside
DEV1 Protecting amenity and the environment
DEV2 Air, water, soil, noise and land
DEV8 Meeting local housing need in the Thriving Towns and Villages Policy Area
DEV9 Accessible housing
DEV10 Delivering high quality housing
DEV20 Place shaping and the quality of the built environment
DEV21 Conserving the historic environment
DEV22 Development affecting the historic environment
DEV24 Landscape character
DEV25 Undeveloped coast
DEV27 Nationally protected landscapes
DEV28 Protecting and enhancing biodiversity and geological conservation
DEV30 Trees, woodlands and hedgerows
DEV31 Specific provisions relating to transport
DEV32 Meeting the community infrastructure needs of new homes
DEV33 Waste management
DEV34 Delivering low carbon development
DEV35 Renewable and low carbon energy (including heat)
DEV37 Managing flood risk and Water Quality Impacts

Strete 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.

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 received by the Local Planning Authority on 28/08/2018:

2018/77/01-R5 landscape plan

2018/77/01 - R5 – Detail

30(A)

22 (A)

21(A)

20 (B)

11 (C)

10 (D)

01 (B)

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

3. The recommendations, mitigation and enhancement measures of the Ecological Report, by Luke Gibbons on 02/05/2018, 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

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 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.

5. Notwithstanding the submitted details, no development shall be commenced until:

(i). Details of the works for the disposal of sewage have been submitted to and approved in writing by the Local Planning Authority, and the dwelling shall not be occupied until the approved works have been completed to the satisfaction of the Local Planning Authority. Details to include a completed FDA1 form and justification for private foul system.

(ii). If the proposed development results in any changes/replacement

to the existing system or the creation of a new system, scale plans of the new foul drainage arrangements will also need to be provided. This will include a location plan, cross sections/elevations, specification and its capacity to hold additional load.

Reason: In the interests of the prevention of pollution.

6. The drainage scheme shall be installed in strict accordance with the approved plans (Ballantine Arnold Ltd surface water drainage report for Old Byre), maintained and retained in accordance with the agreed details for the life of the development.

Reason: In the interests of the reducing surface water flooding.

7. The hedging surrounding the site shall be maintained, protected and replaced as necessary in perpetuity, unless agreed in writing with the Local Planning Authority.

Reason: In order to maintain the vegetation screening surrounding this edge of settlement site.

8. Prior to above ground works details details of tree planting to the south and east of the site shall be submitted to and approved by the Local Planning Authority. The planting shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of ten years following the date of the completion of the planting.

Reason: In order to maintain the vegetation screening surrounding this edge of settlement site.

9. Prior to above ground works details of planted screening along the footpath to the hereby approved dwelling shall be submitted to and approved by the Local Planning Authority.

The planting shall be fully implemented in the planting season following the completion of the development and the plants shall be protected, maintained and replaced as necessary for a minimum period of ten years following the date of the completion of the planting.

Reason: In order to protect the privacy of the School House.

10. Prior to its implementation details of the air source heat pump, in relation to noise, shall be submitted to and approved by the Local Planning Authority. The heat pump shall be implemented in strict accordance with the approved details.

Reason: To ensure the heat pump does not disturb surrounding residents from potential noise.