

Application No. 19/00573/FULL

Grid Ref: 298625 : 113083

Applicant: Mr Peter Milton

Location: 10 Mayfair, Tiverton, Devon, EX16 4NQ

Proposal: Variation of conditions 2, 3, 5, 6, 7 and 8 of planning permission
17/00910/FULL to allow substitution of plans

Date Valid: 29th March 2019



APPLICATION NO: 19/00573/FULL

Application 19/00573/FULL to vary condition numbers 2, 3, 5, 6, 7 and 8 of Application 17/00910/FULL for the construction of five, two storey properties at 10 Mayfair, Tiverton was presented at Planning Committee on 31 July 2019. Committee resolved that:

“the application be deferred to allow for further discussions to take place with the applicant with regard to the footway, the bin store and its location and how refuse collection could be best managed.”

Additional information has been submitted by the applicant, including revised plans to provide greater clarity of information. Additionally the applicant has provided a Highway Statement (dated 07/08/19) providing detail of the proposed scheme and a response to Committee concerns associated with the footway, bin store and refuse collection.

As a means of background, the original, approved highway design was based on an aspiration to gain access into Area B of the Tiverton Eastern Urban Extension to the south of the application site. As such, the original road design was capable of accommodating the vehicle movements for up to 500 homes. However, Cabinet resolved at its meeting on the 26 October 2017 that access into Area B would not include Mayfair. The road way proposed within application 17/00910/FULL was an over specification for the 5 dwellings proposed. The amendments proposed through application 19/00573/FULL reduce the specification to a level appropriate to the size and scale of the development currently proposed (5 units with the retention of 1 unit).

The scheme presented at Planning Committee (31 July) did not provide a footpath. Rather it provided a shared (vehicle and pedestrian) surface. Shared surface roads are widely advocated including within guidance adopted by Central Government, Devon County Council Highway Authority and Mid Devon District Council. More specifically, as detailed in Manual for Streets and Manual for Streets 2 (Secretary of State for Transport) and The Design Guide, Highways in Residential and Commercial Estates (Devon County Council, 1996 and updated 2001).

Para 2.4.1 of the DCC Design Guide confirms that *‘these are roads where the traditional format of carriageway and footways is replaced by a single highway surface, used in common by pedestrians (including children), cyclists and vehicles. Groups of 8 to 10 dwellings on a shared surface road work well as a cohesive unit..... Shared surfaces can encourage caution in the driver and emphasise that vehicles do not have priority’*. Examples of their implementation are available across the planning authority.

Following Planning Committee Officers have been in discussion with the applicant regarding the provision of a footway. It is the applicants’ intention to retain a shared surface road scheme, considering it to be both reasonable and proportionate in respect of the extent and type of development proposed whilst reflecting adopted planning policy guidance.

Further, the applicant has advised that the original road way serving 500 dwellings would result in very significant water runoff which would need to be dealt with under the DCC flood prevention guidelines. The resulting requirements to restrict the flow from the site would result in the need to store surface water run off on site before discharging it into the SWW drainage system at an agreed rate. The larger the hard surface area, the more runoff and the larger the storage tanks would need to be.

The original scheme proposed using a system of pumps to drain the water from the site. As this must allow for the failure of the pumps, the storm water storage tanks were required to be an additional 25% greater in size. In reviewing the scheme, the applicant considered that

by making amendments including raising the floor levels of plots 1 and 2 (those furthest from neighbouring buildings) a gravity-fed system could be installed. The immediate benefits of this would be to reduce the water storage requirement by 25%, reduce waste disposal arising and remove the need to install a pumping system. The reduction in waste disposal alone would reduce the need of 240 journeys by 16 tonne HGVs over an 8 week period, would remove approx. 162m³ of carbon dioxide arising from the excavation and HGV movements with associated reductions in noise and loss of amenity during this period. In the long term, such measures would have substantial benefits in terms of reducing carbon during construction including wider benefits for impact on climate change as well as savings in time and on costs both to the applicant and future residents. The Highway Statement, page 2 details additional direct and secondary benefits associated with a shared surface specification.

Additionally, the redesign and relocation of the turning head allows a further reduction in the surface area required to be drained. In areas that are not required to be constructed to an adoptable standard a porous paver can be provided. (See Drawing No. A(08)04C). Such measures further reduce the requirement for water storage on the site whilst increasing green verges, reducing carbon through construction and providing improved visual amenity and place-making.

The road is to be constructed to an adoptable standard. This is accepted by DCC Highway Authority. If built to standard and suitably insured with indemnity insurance, refuse vehicles will access the site as confirmed by MDDC Waste and Recycling and Operations Management. The applicant has confirmed that indemnity cover is available and would form part of the management requirements for the road. Each plot provides sufficient capacity to accommodate required waste and recycle bin storage. With appropriate indemnity cover bins can be collected individually from each property. As such, a dedicated bin store at the entrance to 10 Mayfair is not required, enhancing the quality of design and development generally. It is drawn to the attention of Members that the need for indemnity insurance cannot be made a condition of planning consent as it is not a planning issue.

Summary

The revised drawings have given greater clarity to the proposed scheme whilst maintaining the applicants' intention to retain a shared surface scheme. Following further discussions relating to the provision of a footway, a bin store and its location and the management of refuse collection it is evident that the proposed scheme reflects planning policy guidance whilst being reasonable and proportionate to the extent and type of development proposed. Further, the proposal provides significant reductions in carbon during construction including wider benefits for impact on climate change as well as savings in time and costs both to the applicant and future residents. Subject to conditions, the development is considered acceptable in terms of highway safety, refuse storage and collection. The proposal is considered to comply with policies COR1, COR2, COR8, COR9 and COR13 of the Mid Devon Core Strategy (LP1), AL/IN/3 and AL/TIV/2 of the Allocations and Infrastructure Development Plan (LP2) and DM1, DM2, DM3, DM8 and DM14 of the Local Plan Part 3 (Development Management Policies).

The Officers original report and recommendations are attached below for member information.

APPLICATION NO: 19/00573/FULL

RECOMMENDATION

Approve subject to conditions

PROPOSED DEVELOPMENT

Planning permission was granted for the construction of five, two storey properties on this site in 2017 (Application Number 17/00910/FULL).

The site lies to the south of Post Hill - a principle route into Tiverton. The northern edge of this triangular site is bounded by 4 properties (No's 12, 14, 16 and 18) forming part of Mayfair. Each of these dwellings is located within a generous sized plot. No. 14 lies closest to the application boundary but maintains a distance of 38m from it. The remaining boundaries of the application site adjoin open countryside. This area of open countryside forms part of the Tiverton Eastern Urban Extension (EUE) and lies within the settlement limit of Tiverton.

The private drive serving the application site, and an existing retained bungalow (No. 10) gives access to two further properties (No's 6 and 8 Mayfair). It is noted that planning permission has recently been given for a detached bungalow in the rear garden of number 12 (Application No. 18/02043/FULL). This property will not be accessed from the private drive. The south eastern corner of the site is occupied by a number of mixed woodland trees that do not form part of the application site.

The application now submitted is to vary a number of the conditions attached to the 2017 application. Members of the public have been formally notified of these changes and given the opportunity to comment.

APPLICANT'S SUPPORTING INFORMATION

Access road construction details

Drainage details

Provisional spot levels / site layout plan

Plots 1, 2, 3, 4 & 5

Access drive

Foul surface water drainage

Schedule of amendments

Permavoid system

Notes of amendments

Site plan with existing approved layout

Technical memo. Surface water storage system

RIDGISTORM Check Orifice Plate data Sheet

Orifice_Plate_Flow_Control_Chambers

Tank Maintenance Schedule

Permavoid

RELEVANT PLANNING HISTORY

88/01893/FULL - PERMIT date 20th September 1988
Conversion of garage and store into granny annexe

17/00910/FULL - PERCON date 30th November 2017
Erection of 5 dwellings and alterations to existing bungalow and erection of garage

19/00573/FULL - PCO date
Variation of conditions 2, 3, 5, 6, 7 and 8 of planning permission 17/00910/FULL to allow substitution of plans

OTHER HISTORY

17/00251/PREAPP - CLO date 22nd March 2017
PROTECT - Proposed erection of 4 dwellings

18/01795/PREAPP - PCO date
PROTECT: Proposed alterations to existing permission 17/00910/FULL

DEVELOPMENT PLAN POLICIES

Mid Devon Core Strategy (Local Plan 1)

COR1 – Sustainable Communities
COR2 – Local Distinctiveness
COR7 – Previously Developed Land
COR9 – Access
COR12 – Development Focus
COR13 - Tiverton

Mid Devon Local Plan Part 3 (Development Management Policies)

DM1 – Presumption in Favour of Sustainable Development
DM2 – High Quality Design
DM3 – Sustainable design
DM8 – Parking
DM14 – Design of Housing
DM15 – Dwelling Sizes

Mid Devon Allocations and Infrastructure Development Plan (Local Plan 2)

AL/DE/3 – Affordable Housing Target
AL/IN/3 – Public Open Space
AL/IN/5 – Education provision

National Planning Policy Framework (as amended Feb 2019)

Technical Housing Standards – Nationally Described Space Standards

CONSULTATIONS (as of 30.5.19)

DCC Highway Authority (21.05.19)

No Comments

DCC Highway Authority (01.04.19)

I can confirm the Highway Authority are happy to accept the change (*to Condition 6*) from commencement to occupation based on the condition of the existing road structure

DCC Lead Flood Authority (10.07.19)

The surface water drainage system has changed considerably. Therefore, clarification of the changes are needed.

- Model outputs should be submitted to demonstrate the interaction of the tanks and the change in positively drained area
- Correspondence from South West Water should be submitted to confirm their acceptance of the site draining into their system at the proposed rate
- Is Mid Devon District Council content with attenuation tanks being located beneath driveways? I am not sure whether there are maintenance implications here or not, this should be clarified by the applicant
- Was the existing pond identified previously? I don't remember seeing this previously, do you know if it is fed by water?

DCC Lead Flood Authority (10.07.19)

The proposed surface water drainage strategy is for the driveways to be formed of permeable materials and for the roofs to drain into these driveways. As infiltration has not been demonstrated to be viable, these features will drain to the South West Water sewer via an attenuation tank. The attenuation tank will also serve the road.

We have two concerns with the proposals which you may want addressing:

- The previous area used within the surface water drainage calculations was 2580m² but the calculations now use an area of 1260m²
- The proposed pipes to drain the permeable paving into the main system will be 24mm in diameter. This is quite small, although it will be within the sub base

The applicant should confirm who shall be responsible for maintaining the elements of the surface water drainage system. If the property owner shall be responsible for maintaining their driveway, will they also be responsible for the pipe connecting the paving to the main system? This pipe emanate from the paving (within the dwelling curtilage) but will drain outside of the curtilage into the main system.

Has a plan been submitted to confirm the proposed levels of the site? This would be useful to confirm that a gravity-fed drainage solution is viable.

The levels previously caused exceedance flows to be directed to the southeast of the site, but if the levels have been altered then these routes will may have changed. The applicant should clarify this.

DCC Lead Flood Authority (12.07.19)

It looks like the area being drained has also reduced as 10 Mayfair is no longer being accounted for within the drainage strategy. I have no concerns with this as the building is existing, but it was appreciated that this building was accounted for previously.

I didn't notice the Spot Levels plan before, but this plan does show proposed levels of the highway. From the levels in this plan it looks like most of the exceedance flows will flow to the southeast as previously proposed. It looks like there will be a gradient up to the existing access road from approximately 10 Mayfair onwards, could the applicant confirm this and if so, will exceedance flows pond in the highway here?

Could weeds be referred to in the maintenance plan please? As this maintenance plan will be passed onto homeowners I think the plan should be specific to ensure that all homeowners are aware of how the permeable paving should perform and what is required to ensure this. Details of potential contacts that homeowners can get in touch with should also be provided to homeowners in case they experience any difficulties.

Could the applicant provide any maintenance details for the flow control within the plot boundaries please? Will these manholes be lockable? If so, how will homeowners gain access to them? Details of potential contacts that homeowners can get in touch with should be provided to homeowners in case they experience any difficulties.

Could the applicant confirm that maintenance of the attenuation tanks shall be in accordance with the previously submitted maintenance schedule (for 17/00910/FULL)?

Will the attenuation tank/crates be capable of heavy loading? (I assume that bin lorries will be able to access the road to these plots)

DCC Lead Flood Authority (15.07.19)

I have no further concerns to advise you of.

The applicant should be aware that the design of the permeable paving should be informed by a ground investigation (to assess the ground conditions and any groundwater).

You may want the revised maintenance schedule for the permeable pavements.

South West Water (10.07.19)

Surface water needs to be limited to 2l/s which is acceptable.

Tiverton Town Council

A formal request for comments has been made to Tiverton Town Council. The town clerk has agreed to convene a special meeting to discuss the application. The comments of the Town Council will be provided as an update.

REPRESENTATIONS

7 letters of objection and general comment have been received, the main issues including:

- Application 17/00910/FULL made provision for a 2m wide footpath along the 5.5m wide private drive to serve new and existing residents. The revised drawings provide a 4.1 to 4.5m wide road with no footpath provision. This will be a risk to pedestrians of all ages.

- This risk to existing pedestrians will be enhanced with the traffic movements from the anticipated 9 new dwellings it will serve.
- The private drive should be completed (to an adoptable standard) before the construction of the 5 dwellings.
- The lane will not be adopted by DCC. Recycling lorries will therefore not be able to serve the new properties. Residents will have to carry their waste to the end of the drive.
- Will the new turning head be adequate for refuse lorries. The turning head is some distance from Plots 4 and 5.
- The private drive lies above neighbouring front gardens. Assurance that the drainage will inhibit surface water runoff would be welcomed.
- The developer wants to increase the height of the buildings to provide drainage without the need for a pumping system. This should not be permitted just because it is not financially viable. The additional height will impact on the neighbouring bungalows.
- It is outrageous that the original application can be varied.
- It is a disgrace that 2 storey properties have been permitted in front of bungalows

General Comment

- The threat of the lane being used as an access to Area B of the Tiverton EUE is a source of great anxiety to local residents.

MATERIAL CONSIDERATIONS AND OBSERVATIONS

The main material considerations in respect of this proposal are:

- 1) **Principle of Development in this Location**
- 2) **Storm and Foul Water**
- 3) **Road and Access**
- 4) **Overall Design**
- 5) **Other**

Principle of Development in this Location

Planning permission was granted for the construction of five, two storey properties on this site in 2017 (Application Number 17/00910/FULL). As such, the principle of development, including the construction of 2 storey properties, is accepted.

This application is a revision to a previously agreed scheme for the same number of units. Variation of condition applications are a confirmed means by which to change an approved scheme. The changes are listed in the applicants 'Schedule of Changes' (See **Appendix A**) and specifically relate to Conditions 2, 3, 5, 6 and 8 (see **Appendix B**) of Application 17/00910/FULL.

This report does not seek to detail each specific change (available in the applicants' Schedule of Changes at Appendix A) but to provide an over view of the impact of the proposed changes on the approved scheme.

Storm and Foul Water

10 Mayfair is not served by a dedicated storm water sewer. The approved scheme therefore requires a pumped system for both the foul and storm water. This application seeks to remove the need for the sewage pumping unit within the site (as detailed on Drawing No. 16.095.102 P6, Application 17/00910/FULL) with replacement of a gravity fed system

(Drawing No. 0472.404 A). The revised drainage strategy will also provide on plot surface water attenuation with surface water being stored within the sub-base media of the driveways and released at a restricted rate. The discharges from the individual plots will be attenuated with the runoff from the estate road. An overall discharge of 2l/s will be made to the combined sewer as confirmed by South West Water (10 July 2019). DCC as Lead Flood Authority have expressed a number of concerns throughout the consultation process. Those concerns have been satisfied with the submission of additional information. DCC Lead Flood Authority have confirmed that they have no further concerns and as such have no objection to the proposal.

The changes proposed reduce overall development costs and negate the need for maintenance fees on the new home owners for the up-keep of the pumping unit. However, the implementation of a gravity fed system does have an impact on other elements of the scheme - including an increase in finished floor levels at Plots 1, 2, 3 and 4.

This application proposes a finished floor level of 108.15 for Plot 1 (Drawing No.s A(01)08A and A(08)04A) compared to a finished floor level of 106.65 for the approved scheme. However, the 1.5m increase in finished floor level and likely resultant increase in ridge height (should the approved house type at Plot 1 been retained) has been reduced by the introduction of a new house type at Plot 1. The approved scheme indicates a ridge height of 114.85m (Drawing No. 16.095.102 P6) whilst this application proposes a ridge height of 115.85 (Drawing No. A(01)08A). The implementation of a gravity fed foul and storm water system will result in a 1m increase in ridge height for Plot 1.

The implementation of a gravity fed system will also result in an increase of ridge height of Plots 2 and 4 (Drawing No. A(08)04A). This application proposes an increase in finished floor level of 1m for Plot 2 (approved scheme 107.05m, proposed scheme 108.05) and an increase of 0.3m for Plot 4 (approved scheme 107.95m, proposed scheme 108.25). The applicant has sought to minimise the impact of the increase in finished floor level by reducing the ridge height of Plots 2 and 4 by 0.25m. (Plot 2 approved scheme 7.95m, revised scheme 7.7m and Plot 4 approved scheme 7.95m, revised scheme 7.7m). As such, Drawing No. A(08)04A of this application indicates an increase in ridge height for Plot 2 of 0.75m (approved scheme 115.00m, proposed scheme 115.75m) and an increase of 0.05m for Plot 4 (approved scheme 115.90m, proposed scheme 115.95m),

Drawing No. 16.095.102 of the approved scheme indicates a ridge height of 113.40 for the retained No. 10 Mayfair. At its nearest point, a distance of 19m separates 10 Mayfair and Plot 1. The two properties are positioned at an oblique angle to one another. Plot 2 is some 15m distant from 10 Mayfair and Plot 4 some 20m. An increase in ridge height for Plot 1 of 1m, and 0.75m for Plot 2, whilst of some significance, is, on balance, unlikely to have an over bearing impact or have a significant adverse impact on the quality of amenity enjoyed by the residents on No.10. Other near (existing) neighbours to Plots, 1, 2 and 4 are in excess of 53m. A maximum increase in ridge height of 1m is not, on balance, considered to significantly impact on outlook or privacy.

It is noted that whilst the finished floor level of Plot 3 is proposed to increase by 0.5m (approved scheme 107.55, revised scheme 108.05) the ridge height of Plot 3 will stay the same (115.75). This is achieved by means of a revised house type that introduces a reduced ridge height of 0.5m (approved scheme 8.2m, revised scheme 7.7m). This application whilst introducing a new house type at Plot 5, retains the same finished floor level as the approved scheme. However, the revised house type would introduce a reduced ridge height of 0.25m (approved scheme 7.95m, revised scheme 7.7m). The reduction in ridge height is welcomed.

Road and Access

At the applicant's request, the previously agreed scheme provided an access that was capable in highway terms of accommodating significantly more vehicles than the 5 dwellings proposed. However, Cabinet resolved at its meeting on the 26 October 2017 that access into Area B of the Tiverton Eastern Urban Extension would not include Mayfair and/or the Manley Lane / Post Hill Junction.

This application seeks amendments to the scheme including a change to the location of the internal road layout, the introduction of an additional turning head adjacent to Plot 1, a reduction in the road width and reduced pavement width. The approved road width of 5.5m wide with 2m wide pavement (Drawing No. 16.095.102, Application No. 17/00910/FULL) is proposed to be reduced to a nominal road width of 4.5m (minimum width 4.1m) with 1m wide pavement (reducing to .05m at the centre of the site), Drawing No. A(01)08A. The Highway Authority have confirmed that a 4.1m width road and shared surface is appropriate to serve the current and proposed number of dwellings (with associated vehicles, pedestrians, cyclists and refuse lorries with associated turning). The scheme is also compliant with Manual for Streets. The Highway Authority has confirmed it has no objection to the proposed amendments. A comment has been received relating to surface water runoff from the private drive. It is advised that Condition 3 ensures surface water outfall will not adversely impact on existing neighbouring properties. It is also noted that the proposed road widths would not be sufficient to serve any future development on Area B.

Significantly, the applicant is also proposing that Condition 6 of the approved scheme be amended to allow the development to commence prior to the completion of certain highway works (detailed in Parts A, B and C of Condition 6). Revised wording would ensure the highway works are completed prior to occupation of the units. DCC have confirmed (1st April 2019) the change from commencement to occupation, based on the condition of the existing road structure is acceptable. The road, whilst not proposed for adoption by DCC Highway Authority, will be constructed to an adoptable standard. For these reasons, the planning authority are content that Condition 6 of the approved scheme can be revised as follows:

No part of the development can be occupied until:

- A] The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20.00 metres back from its junction with the public highway
- B] The ironwork has been set to base course level and the visibility splays required by this permission laid out
- C] The footway on the public highway frontage required by this permission has been constructed up to base course level
- D] A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority

Overall Design

The application submitted proposes a change to the location of a number of the units. These are detailed on Drawing No. A(08)06 A that overlays the proposed scheme on the existing planning approval. Plot 5 has been rotated and moved back into the site. The impact of this is that the side elevation of the garage is positioned 1.5m closer to the boundary shared with existing residents. The applicant has sought to amend this by introducing a change in unit type including a reduction in ridge height (0.25m) and the introduction of the double garage. The double garage would be located towards the boundary with existing dwellings. This has the effect of moving the main dwelling (ridge height 7.7m) an additional 1m off the boundary shared with existing dwellings. In so doing, the depth of the planting screen approved

through the 2017 planning application is retained. However, the garage (ridge height of 4.7m) is 1.5m closer to the boundary with existing neighbours. As a means to minimise its impact on the quality of amenity and outlook enjoyed by existing residents, the garage roof has been hipped. Of the remaining Plots, the location of units 1, 2, 3 and 4 have not significantly changed. On balance, the proposed changes to the location of the units are considered acceptable.

Changes in unit type, including changes to ridge heights (as previously outlined) have also been introduced. In summary, this application seeks to increase the footprint of Unit 4 by approximately 0.3m (width) and 0.4m (length). The unit and attached garage will be 'handed'. The overall design remains largely similar, albeit the depth that the garage is set back into the site is reduced by 1.2m, fenestration on the rear and side elevation is amended, the location of the (pedestrian) garage door is amended. Similarly, unit 2 remains largely the same, albeit a change to the fenestration (rear and side elevation).

Whilst the location of Plot 3 has not changed significantly this application seeks to increase the length of Plot 3 by approximately 0.4m. The overall design is revised including the 'handing' of the attached garage. The balcony on the first floor front elevation is removed. The internal layout and overall design of Unit 1 is revised. The attached (now double) garage is 'handed'. The balcony on the first floor front elevation is removed. On balance, the detailed changes to the units are considered acceptable.

Perhaps more significantly, are the changes to the brick type and roofing material (slate replacing roof tile). Whilst clay tile is the dominant roofing material, particularly when viewed in its immediate context, slate is not uncommon both within Mayfair and beyond. The use of roof slates would not be out of keeping.

More generally, with respect to the change in materials, the material palette is broadly similar to that approved, but with their use simplified. For example cladding over the first floor front elevation windows is removed. The proposed changes include specific design details not previously incorporated into the scheme, including raked joint dentil courses at ground and first floor level and soldier courses over ground floor windows. Such details are welcomed, lifting the quality of design and detailing.

Other

DCC Lead Flood Authority in their correspondence make reference to an existing pond. The Technical Memo confirms that this is two lined ornamental ponds shown on the Topographical Survey associated with the existing property. They serve no functional purpose in relation to surface water management and will be removed as part of the construction works.

Summary

The revised drawings have given further consideration to the overall layout, design and scale of the proposed dwellings including upon near existing residents. Local residents have had an opportunity to comment on the scheme. Those concerns has been addressed throughout the report. The erection of five dwellings is in accordance with adopted planning policies. Subject to conditions, the development is considered, on balance, acceptable in terms of highway safety, effect on the visual quality and amenity of neighbouring residents. The proposal is considered to comply with policies COR1, COR2, COR8, COR9 and COR13 of the Mid Devon Core Strategy (LP1), AL/IN/3 and AL/TIV/2 of the Allocations and Infrastructure Development Plan (LP2) and DM1, DM2, DM3, DM8 and DM14 of the Local Plan Part 3 (Development Management Policies)

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three* years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.
3. No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Unless it is demonstrated that it is unfeasible to do so, the scheme shall use appropriate Sustainable Urban Drainage Systems. The drainage scheme shall be designed so that there is no increase in the rate of surface water runoff from the site resulting from the development and so that storm water flows are attenuated. The development shall be carried out in accordance with the approved scheme.
4. Demolition should be carried out in such a manner as to minimise the potential for airborne nuisance, additional land contamination and/or the creation of additional contamination pathways either on the site or at adjacent properties/other sensitive receptors. Prior to demolition commencing, a works plan and risk assessment shall be submitted for approval to the Local Planning Authority for consultation with Environmental Health Services. This plan and assessment should identify and risk-assess any potential hazardous material in above or below ground structures that will be removed or disturbed during demolition and measures to deal with these safely. All potentially hazardous materials should be assessed.
5. The proposed estate road, footways, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance / vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.
6. No part of the development can be occupied until:
 - A] The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20.00 metres back from its junction with the public highway
 - B] The ironwork has been set to base course level and the visibility splays required by this permission laid out
 - C] The footway on the public highway frontage required by this permission has been constructed up to base course level
 - D] A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority
7. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The development shall be carried out at all times in strict accordance with the approved scheme, or such other details as may be subsequently agreed in writing by the Local Planning Authority.

8. No development shall begin until details / samples of the materials to be used for all the external surfaces of the building[s] have been submitted to, and approved in writing by, the Local Planning Authority. Such approved materials shall be so used and retained.
9. No development shall begin until there has been submitted to, and approved in writing by the Local Planning Authority, a landscaping scheme, including details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth reprofiling comprised in the approved details of landscaping shall be carried out prior to the occupation of the development [or phases thereof], and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species. The landscaping scheme shall be retained in accordance with the approved scheme.
10. Notwithstanding the provisions of Article 3 of The Town and Country Planning [General Permitted Development] Order 2015 [as amended] [or any Order revoking and re-enacting that Order with or without modification] no development of the types referred to in Classes A, B, C of Part 1 of Schedule 2, relating to the enlargement of a dwelling including an addition or alteration to its roof, shall be undertaken within the application site without the Local Planning Authority first granting planning permission.
11. The development shall be carried out in accordance with the recommendations and mitigation measures set out in the 'Preliminary Ecological Appraisal' prepared by WYG dated May 2017 for application 17/00910/FULL and shall be approved by the Local Planning Authority before construction begins.
12. The landscape scheme, to be approved in writing by the Local Planning Authority prior to the commencement of any development, shall provide heavy standard trees.
13. The occupation of any dwelling shall not take place until the Local Planning Authority have viewed and agreed in writing a maintenance plan with specific reference to the function and maintenance of the sustainable urban drainage system.

REASONS FOR CONDITIONS

1. In accordance with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and in the interests of proper planning.
3. To protect water quality and minimise flood risk in accordance with Flood Management Act and in accordance with Policy of the DM2 Local Plan Part 3 [Development Management Policies].
4. In the interests of public health and protection of the environment.
5. To ensure that adequate information is available for the proper consideration of the detailed proposals.

6. To ensure that adequate on site facilities are available for all traffic attracted to the site during the construction period, in the interest of the safety of all users of the adjoining public highway and to protect the amenities of the adjoining residents.
7. To ensure, in accordance with paragraph 141 of the National Planning Policy Framework [2012] and the supporting text in paragraph 5.3 of the Mid Devon Local Plan Part 3: Development Management Policy DM27 [2013], that an appropriate record is made of archaeological evidence that may be affected by the development.
8. To ensure that the development makes a positive contribution to the character and amenity of the area in accordance Policy DM2 of Local Plan Part 3 [Development Management Policies].
9. To ensure the use of materials and detailing appropriate to the character and appearance of the building and boundary treatments in accordance with Mid Devon Core Strategy [Local Plan Part 1] Policy COR2 and Local Plan Part 3: [Development Management Policies] Policies DM2 and DM14.
10. To safeguard the residential amenity of neighbouring residents in accordance with Policy DM2 of the Local Plan Part 3 [Development Management Policies].
11. To limit the impact of the development on any protected species which may be present.
12. In the interest of the character and visual amenity of the area in accordance with Policy DM2 of the Local Plan Part 3 (Development Management Policies).
13. To ensure that adequate information is available for the proper consideration of the detailed proposals.

INFORMATIVES

1. The maintenance plan will be passed onto homeowners. As such, the plan should be specific to ensure that all homeowners are aware of how the permeable paving should perform and what is required to ensure this. Details of potential contacts that homeowners can get in touch with should also be provided to homeowners in case they experience any difficulties.

The Human Rights Act 1998 came into force on 2nd October 2000. It requires all public authorities to act in a way which is compatible with the European Convention on Human Rights. This report has been prepared in light of the Council's obligations under the Act with regard to decisions to be informed by the principles of fair balance and non-discrimination.

APPENDIX A

10 Mayfair Schedule of Changes (Planning Approval Ref 17/00910/Full)

Location	Desc	Item	Approved	Proposed	Conditions Requiring Amendment	Drawing References		
						Existing	Proposed	
Plot 1	Levels							
		Finished Floor Level	106.65	108.15	2	16.095.102	A(08)01, A(08)02, A(08)03.	
		Ridge Level	114.85	115.85	2	16.095.102	A(08)01, A(08)02, A(08)03.	
	Materials							
		Driveway	Block Paving	Block Paving	Block Paving or Gravel grid			
		Walls	Brickwork - Ibstock Laybrook Imperial Red Stock Render - K Rend, Ash white Cladding - Hardi plank - Select	Brickwork - Hanson Royal Blend. Red sand pointing with 5mm raked joint dentil courses as drawing. Render - Ash White painted smooth render. Cladding - Hardi plank - Select light grey		8		
		Windows	Windows-UPVC, double glazed.	Windows - UPVC, double glazed.		8		
		Doors	Assume - UPVC	Composite Ral 2017		8		
		Roof	Roof tiles - Marley Eternit Ashmore smooth brown plain tile.	Brazilian Grey slate		8		
		Facias	Fascias, soffits - White	Fascias, soffits - White		8		
		Gutters and downpipes	Rainwater goods - White plastic	Rainwater goods - black plastic		8		
		Boundary		Moved .5m to south			16.095.102	
		Changes	Front Elevation		Remove balcony and replace with window. Change porch roof design. Remove cladding board over first floor window and replace with brick. Add dentil courses to ground and first floor.	2		A(08)01 & A(08)03,
			Rear Elevation		Alteration of window layouts to incorporate window with Juliet balcony to master bedroom. Add brick plinth and dentil course. Add soldier course over windows GF. Change folding sliding doors to French door.	2		A(08)01 & A(08)03,
		LHS Elevation (when viewed from front)		Add brick plinth and dentil course. Add window.	2		A(08)01 & A(08)03,	
		RHS Elevation (when viewed from front)		Change window to double casement. Render to gable. Brick plinth and dentil course. Brick wrapped round side elevation 1.2m	2		A(08)01 & A(08)03,	
		Ground Floor Plan		Alter layout of family room. Alter entrance to include side lights to front door.	2		A(08)01 & A(08)03,	
		First Floor Plan		Remove balcony. Add en-suite. Reconfigure hallway	2		A(08)01 & A(08)03,	
		Garage	Single Garage	Double garage hipped roof rendered with brick plinth	2		A(08)01 & A(08)03,	
	Location			moved .3m to south		16.095.102		
Plot 2	Levels							
		Finished Floor Level	107.05	108.05	2	16.095.102	A(08)01, A(08)02, A(08)03, A(08)04.	
		Ridge Level	115	115.75	2	16.095.102	A(08)01, A(08)02, A(08)03.	
	Materials							
		Driveway	Block Paving	Block Paving	Block paving or gravel grid.			
		Walls	Brickwork - Ibstock Laybrook Imperial Red Stock Render - K Rend, Ash white Cladding - Hardi plank - Select	Brickwork - Hanson Royal Blend. Red sand pointing with 5mm raked joint dentil courses as drawing. Render - ash white painted smooth render. Cladding - Hardi plank - Select light grey		8		
		Windows	Windows-UPVC, double glazed.	Windows - UPVC, double glazed.		8		
		Doors	Assume - UPVC	Composite Ral 2017		8		
		Roof	Roof tiles - Marley Eternit Ashmore smooth brown plain tile.	Brazilian Grey slate		8		
		Facias	Fascias, soffits - White	Fascias, soffits - White		8		
		Gutters and downpipes	Rainwater goods - White plastic	Rainwater goods - black plastic		8		
		Boundary		As previously proposed				
		Changes	Front Elevation		Remove cladding. Add dentil course to ground and first floor. Increase size of w.c. window. Add brick plinth	2		
			Rear Elevation		Amend fenestration	2		
		LHS Elevation (when viewed from front)		Remove cladding board. Add dentil course and brick plinth	2			

		RHS Elevation (when viewed from front)		Remove cladding board Add window to porch Add dentil course and brick plinth	2		
		Ground Floor Plan		Revised- hall and family room	2		
		First Floor Plan					
		Garage	Single Garage				
		Canopy	Entrance canopy - House of Canopies - Glass door canopy with tie rods - Type P - 755mm x 2400mm		8		
		Location		As previously proposed	2	16.095.102	
Plot 3	Levels						
		Finished Floor Level	107.55	108.05	2	16.095.102	A(08)01, A(08)02, A(08)03,
		Ridge Level	115.75	115.75	2	16.095.102	A(08)01, A(08)02, A(08)03,
	Materials						
		Driveway	Block Paving	Block paving or gravel grid			
		Walls	Brickwork - lbstock Laybrook Imperial Red Stock Render - K Rend, Ash white Cladding - Hardi plank - Select	Brickwork - Hanson Royal Blend. Red sand pointing with 5mm raked joint dentil courses as drawing. Render - ash white painted smooth render. Cladding - Hardi plank - Select light grey	8		
		Windows	Windows-UPVC, double glazed.	Windows - UPVC, double glazed.	8		
		Doors	Assume - UPVC	Composite Ral 2017	8		
		Roof	Roof tiles - Marley Eternit Ashmore smooth brown plain tile.	Brazilian Grey slate	8		
		Facias	Fascias, soffits - White	Fascias, soffits - White	8		
		Gutters and downpipes	Rainwater goods - White plastic	Rainwater goods - black plastic	8		
	Boundary Changes			As previously proposed			
		Front Elevation		Remove balcony and replace with window. Change porch roof design. Remove cladding board over first floor window and replace with brick. Add dentil courses to ground and first floor	2		A(08)01 & A(08)03,
		Rear Elevation		Alteration of window layouts to incorporate window with Juliet balcony to master bedroom. Add brick plinth and dentil course. Add soldier course over windows GF. Change folding sliding doors to French door.	2		A(08)01 & A(08)03,
		LHS Elevation (when viewed from front)		Add brick plinth and dentil course. Add window	2		A(08)01 & A(08)03,
		RHS Elevation (when viewed from front)		Change window to double casement. Render to gable. Brick plinth and dentil course. Brick wrapped round side elevation 1.2m	2		A(08)01 & A(08)03,
		Ground Floor Plan		Alter layout of family room. Alter entrance to include side lights to front door.	2		A(08)01 & A(08)03,
		First Floor Plan		Remove balcony Add en-suite Reconfigure hallway	2		A(08)01 & A(08)03,
		Garage	Single Garage	Single with rendered with brick plinth	2		A(08)01 & A(08)03,
		Location		As previously proposed		16.095.102	
Plot 4	Levels						
		Finished Floor Level	107.95	108.25	2	16.095.102	A(08)01, A(08)02, A(08)03,
		Ridge Level	115.9	115.95	2	16.095.102	A(08)01, A(08)02, A(08)03,
	Materials						
		Driveway	Block Paving	Block Paving or gravel grid.		16.095.06	
		Walls	Brickwork - lbstock Laybrook Imperial Red Stock Render - K Rend, Ash white Cladding - Hardi plank - Select	Brickwork - Hanson Royal Blend. Red sand pointing with 5mm raked joint dentil courses as drawing. Render - ash white painted smooth render. Cladding - Hardi plank - Select light grey	8	16.095.06	
		Windows	Windows-UPVC, double glazed.	Windows - UPVC, double glazed.	8	16.095.06	
		Doors	Assume - UPVC	Composite Ral 2017	8	16.095.06	
		Roof	Roof tiles - Marley Eternit Ashmore smooth brown plain tile.	Brazilian Grey slate	8	16.095.06	
		Facias	Fascias, soffits - White	Fascias, soffits - White	8	16.095.06	
		Gutters and downpipes	Rainwater goods - White plastic	Rainwater goods - black plastic	8	16.095.06	
	Boundary Changes					16.095.102	
		Front Elevation		Remove cladding Add dentil course to ground and first floor. Increase size of w.c. window. Add brick plinth	2	6.095.06	
		Rear Elevation		Amend Fenestration	2	6.095.06	

		LHS Elevation (when viewed from front)		Remove cladding board Add dentil course and Brick plinth	2	6.095.06	
		RHS Elevation (when viewed from front)		Remove cladding board Add window to porch Add dentil course and brick plinth	2	6.095.06	
		Ground Floor Plan		Revised - hall and family room	2	6.095.06	
		First Floor Plan			2	6.095.06	
		Garage	Single Garage	Double garage	2		
		Location		As previously proposed		16.095.102	A(08)01, A(08)04.
Plot 5		Levels					
		Finished Floor Level	108.35	108.35	2	16.095.102	A(08)01, A(08)02, A(08)03,
		Ridge Level	116.3	116.05	2	16.095.102	A(08)01, A(08)02, A(08)03,
		Materials					
		Driveway	Block Paving	Block paving or gravel grid		16.095.07	
		Walls	Brickwork - Ibstock Laybrook Imperial Red StockRender - K Rend, Ash white Cladding - Hardi plank - Select	Brickwork - Hanson Royal Blend. Red sand pointing with 5mm raked joint dentil courses as drawing. Render - ash white painted smooth render. Cladding - Hardi Plank - Select light grey	8	16.095.07	
		Windows	Windows-UPVC, double glazed.	Windows - UPVC, double glazed.	8	16.095.07	
		Doors	Assume - UPVC	Composite Ral 2017	8	16.095.07	
		Roof	Roof tiles - Marley Eternit Ashmore smooth brown plain tile.	Brazilian Grey slate	8	16.095.07	
		Facias	Facias, soffits - White	Facias, soffits - White	8	16.095.07	
		Gutters and downpipes	Rainwater goods - White plastic	Rainwater goods - black plastic	8	16.095.07	
		Boundary Changes				16.095.102	A(08)01 & A(08)03,
		Front Elevation		Remove balcony and replace with window. Change porch roof design. Remove cladding board over first floor window and replace with brick. Add dentil courses to ground and first floor.		16.095.07	A(08)01 & A(08)03,
		Rear Elevation		Alteration of window layouts to incorporate window with Juliet balcony to master bedroom. Add brick plinth and dentil course. Add soldier course over windows GF. Change folding sliding doors to French door.		16.095.07	A(08)01 & A(08)03,
		LHS Elevation (when viewed from front)		Add brick plinth and dentil course. Add window.		16.095.07	A(08)01 & A(08)03,
		RHS Elevation (when viewed from front)		Change window to double casement. Render to gable. Brick plinth and dentil course. Brick wrapped round side elevation 1.2m.		16.095.07	A(08)01 & A(08)03,
		Ground Floor Plan		Alter layout of family room. Alter entrance to include side lights to front door.		16.095.07	A(08)01 & A(08)03,
		First Floor Plan		Remove balcony. Add en-suite. Reconfigure hallway.		16.095.07	A(08)01 & A(08)03,
		Garage	Single Garage	Double garage. Hipped roof. Rendered with brick plinth.			A(08)01 & A(08)03,
		Location		rotated and pushed back into the site			
Site		Drainage	Foul and Surface Water Drainage	Revised gravity fed scheme	3,5		A(08)04 ,A(09)01 A(01)08, 0472.404
Road and access				We request road layout and detail to be revised in accordance with drawings A(08)03, A(01)07 A(01)08 and T7501_04_P (Previously Approved) and A(09)01	5,6 A,B,C		
site compound				We request confirmation that D) site compound and car park has been constructed to the written satisfaction of the Local Planning Authority	6D		

APPENDIX B

Reference No: 17/00910/FULL

Parish: Tiverton 52

Date of Permission: 30th November 2017

Proposal: Erection of 5 dwellings and alterations to existing bungalow and erection of garage

Location: 10 Mayfair Tiverton Devon EX16 4NQ

Condition 2

The development hereby permitted shall be carried out in accordance with the approved plans listed in the schedule on the decision notice.

Condition 3

No development shall take place until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Unless it is demonstrated that it is unfeasible to do so, the scheme shall use appropriate Sustainable Urban Drainage Systems. The drainage scheme shall be designed so that there is no increase in the rate of surface water runoff from the site resulting from the development and so that storm water flows are attenuated. The development shall be carried out in accordance with the approved scheme.

Condition 5

The proposed estate road, footways, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with details to be approved by the Local Planning Authority in writing before their construction begins, For this purpose, plans and sections indicating, as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

Condition 6

No part of the development hereby approved shall be commenced until:

A] The access road has been laid out, kerbed, drained and constructed up to base course level for the first 20.00 metres back from its junction with the public highway

B] The ironwork has been set to base course level and the visibility splays required by this permission laid out

C] The footway on the public highway frontage required by this permission has been constructed up to base course level

D] A site compound and car park have been constructed to the written satisfaction of the Local Planning Authority

Condition 8

No development shall begin until details / samples of the materials to be used for all the external surfaces of the building[s] have been submitted to, and approved in writing by, the Local Planning Authority. Such approved materials shall be so used and retained.