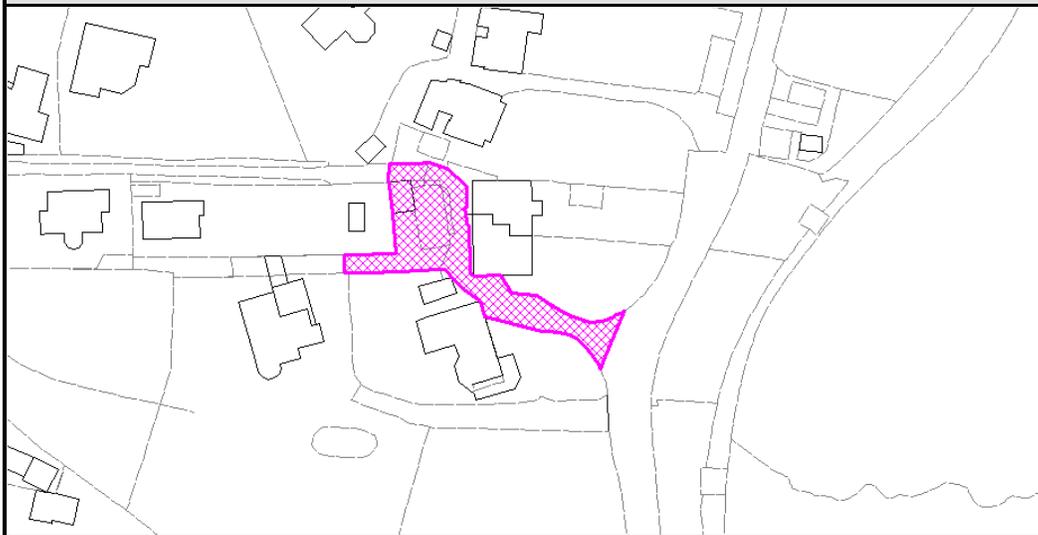


Committee Report – 12th May 2022

Application Number:	1/1388/2021/FUL
Registration date:	14 December 2021
Expiry date:	8 February 2022
Applicant:	Ms Lyn Bennett
Agent:	Deborah Somerville Chartered Architect
Case Officer:	Sarah Boyle
Site Address:	Cleave Farm, Lower Cleave, Northam, Bideford, Devon, EX39 2RH
Proposal:	Conversion of redundant agricultural building into a one bedroom dwelling (AMENDED DESCRIPTION AND PLANS)
Recommendation:	Grant



Reason for referral:

The application has been called in by Councillor Leather for the following reasons:

'On site turning and parking issues and adequate amenity space. Effect of the proposed development on the public right of way and neighbouring properties.'

Relevant History:

Application No.	Description	Status	Closed
1/1599/1981	ALTERATIONS TO REAR WINDOWS CLEAVE FARM, LIMERS LANE, NORTHAM	PER	15.12.1981
1/1218/1985	CHANGE OF USE FROM STABLE TO RESIDENTIAL DWELLING AND CAR PARKING SPACES	REF	06.03.1986
1/0406/1986	CONVERSION OF BARN/STABLE TO DWELLING WITH AMENITY PROVISION AND OFF-SITE CAR PARKING PROVISION	REF	29.08.1986
1/1130/1990	CONVERSION OF REDUNDANT OUTBUILDING TO DWELLING	REF	30.07.1990
1/1637/1993	REPAIRS RENEWAL AND RESTORATION WORKS	PER	05.01.1994
1/0771/2000	CONVERSION TO HOLIDAY ACCOMMODATION	REF	21.07.2000
1/1346/2000	CONVERSION TO HOLIDAY ACCOMMODATION	PER	06.10.2000
LB/0407/2015	Listed building maintenance and repair	XPE	29.06.2015

Site Description & Proposal

Site Description

The application site is located in the development boundary for Bideford which is designated as a 'Strategic Centre' in the North Devon and Torridge Local Plan. The site is a stand alone, redundant, agricultural building which is surrounded by residential properties and amenity space. The site is accessed via a private road which connects into an unclassified highway to the southeast of the site. Cleave Farm is designated with a Grade II listing, however it is considered that this building is not curtilage listed as it has been severed by the presence of the road which serves third party properties and gives a right of way to this building.

Proposed Development

The application seeks full planning permission for the conversion of a redundant agricultural building into a one bedroom dwelling.

The ground floor will comprise of a bedroom, bathroom and a study/home office, then the first floor will be a sitting room/diner and a kitchen and utility on the first floor with a wood burner. The proposal details one parking space to the south of the building and amenity space to the west.

The application is for a conversion and will utilise the main structure of the building, by repairing the stone work that is already on site and then re-building to allow for a new roof to be constructed. The roof will be natural slate and the rebuild will be rendered on a timber frame. The windows will be powder coated aluminium double/triple glazed units in anthracite grey and then velux conservation rooflights. The doors will be powder coated aluminium with double glazed units in anthracite grey. On the western elevation two of the windows will be satin obscure glazed top hung.

Consultee representations:

Northam Parish/Town Council:

It was resolved that this application be recommended for refusal on the grounds that it was contrary to Local Plan policy DM05 Highways, not providing clear vehicular access and egress to the proposed dwelling and not including details of the effect on the public right of way passing the property, either temporary or permanent. Policy DM05 states that:

(1) All development must ensure safe and well designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highway users including cyclists and pedestrians.

(2) All development shall protect and enhance existing public rights of way, footways, cycleways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.

The Council further considers the proposal does not provide for the sympathetic renovation of a listed building but its replacement with a more modern construction, affecting the street scene and amenity of the area.

Conservation Officer:

This application has been the subject of some changes which has been a result of discussions with officers.

The comments relate to the amended plans received 14.04.2022.

The settlement at Cleave has been a strategic site on the banks of the River Torridge in terms of access from the river and this is reflected in the evolution of the cluster of buildings which run along the shore.

In the early twentieth century this area was the site of the Cleave Shipbuilding yard and there are remnants of this industrial activity on the foreshore.

The Department of Environment preamble to the description states: Group of houses on the estuary south east of Northam. Seen from across the water this is rather an attractive group contrasting with the many villas.

This view has been altered by recent development but this alteration to the setting of the group of buildings does not alter the appearance of the group itself.

The barn at Lower Cleave is sited behind Cleave Farm and is in the same ownership. The area behind the farm formerly was the farm stead but this arrangement was altered in the 1930's when 2 bungalows were constructed at the end of the farm lane and the access to the bungalows detached the farm from the barn and area of land.

The barn is therefore severed from the host listed building and the right of way, including a public footpath, which means the barn is not within curtilage. The works to the barn do require the setting of the host (and other adjacent) listed buildings to be considered as part of the conversion process.

In this case the design of the barn has been amended to increase the roof pitch to match that of the surrounding buildings and that of a traditional barn.

The scheme reuses the existing openings and proposes a small area of rebuilding on the wall tops to achieve the current scheme which proposed reverse level living. There are some provisos such as controlling the location of any meter box and ensuring the flue is finished in black to enable it to visually recede within the roofscape.

In terms of the visual impact on the setting of the host building the proposal presents a traditional form and when viewed as part of the cluster of building at Cleave the replacement roof will not be overtly visible amongst the current roofscape.

As such the proposal will have an impact on the significance of the setting of the listed buildings but this impact is small and considered to be less than substantial under the guidance set out in paragraph 202 of the NPPF. The restoration of this building in this location is considered to improve the overall appearance of the area rather than have a deteriorating traditional stone building.

In addition the proposal is considered acceptable in terms of paragraphs 16 and 66 of the Planning(Listed Buildings and Conservation Areas) Act 1990 where the Local Planning Authority:

'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

In this case the surrounding listed buildings are not altered by the proposal but there is an impact on the setting. Similar to the considerations under the NPPF the restoration of the building is not considered to harm the setting of the adjacent listed structures and the views from the river will not be altered by the proposal with the listed buildings remaining the most visually prominent features along the waterside.

Devon County Council (Highways):
Standing Advice

Environmental Protection Officer:
In relation to the above application, the Environmental Protection Team has no objections in principle.

Due to the existence of neighbouring dwellings in close proximity, there is the potential for detriment to residential amenity from the construction works associated with the proposed development if control measures are not in place. Should planning consent be granted, the Environmental Protection Team recommends a condition restricting construction works and delivery times to 0700 to 1900 hours Monday to Friday and 0800 to 1300 hours on Saturdays only with no works permitted on Sundays and Bank Holidays in order to protect residential amenity.

There appears to be no detailed information provided on the historic use and subsequent land quality of the application site. Agricultural use and activity can result in ground contamination and ground conditions that are potentially harmful to human health or unsuitable for occupation without remediation. Given the sensitive end use, it is essential that the application site is appropriately assessed for any potential contamination that may impact future occupants and, where identified, remediated accordingly. Should planning consent be granted, the Environmental Protection Team recommends the imposition of the Authority's full standard contaminated land condition.

Devon County Council - Flood Risk Management:
No comments received

Representations:

Number of neighbours consulted:	8	Number of letters of support:	0
Number of representations received:	8	Number of neutral representations:	1
Number of objection letters:	7		

Fourteen representations (multiples from the same contributors) have been received for the application, comprising of 1 general and 7 objection comments detailing the following reasons:

General comment
- Asking for an extension of time on submitting a representation

Objection comments

- Former planning decision in 2000
- Public Rights of way - impact, additional vehicles
- Questioning conversion and Class Q statement
- Extent of new build and conversion proposed will create substantial work an impact on public rights of way.
- Can't be considered a conversion but a new build dwelling
- Access and Parking
- Additional vehicular movement during the construction phase and once completed
- Overlooking
- Environmental
- Noise
- Privacy
- Residential Amenity
- Pollution
- Overbearing Impact
- Timber cladding not in keeping with visual character of the area.

All of the above comments will be considered during the relevant sections of the report.

Policy Context:

North Devon and Torrington Local Plan 2011-2031:

ST06 (Spatial Development Strategy for Northern Devon's Strategic and Main Centres); ST04 (Improving the Quality of Development); DM04 (Design Principles); ST15 (Conserving Heritage Assets); DM07 (Historic Environment); DM01 (Amenity Considerations); DM05 (Highways); DM06 (Parking Provision); ST03 (Adapting to Climate Change and Strengthening Resilience); DM08 (Biodiversity and Geodiversity); ST14 (Enhancing Environmental Assets);

Government Guidance:

NPPF (National Planning Policy Framework); NPPG (National Planning Practice Guidance); NERC (Natural Environment & Rural Communities); WACA (Wildlife & Countryside Act 1981);

Planning Considerations

The main planning considerations for the application are:

1. Principle of Development
2. Impact on Character and Appearance
3. Impact on Amenity
4. Highway Safety
5. Drainage
6. Ecology

1. Principle of Development

The application site is located within the development boundary of Bideford which is designated as a strategic centre; therefore, Policy ST06 of the North Devon and Torrington Local Plan (NDTLP) must be applied. Policy ST06 states, sustainable development opportunities will be secured to increase self-containment and achieve balanced development to enable the town to meet its own needs and those of the surrounding area. The Bideford Spatial Strategy (BID) states that development will seek to maximise the positive benefits that it can achieve whilst respecting the sensitive landscape and environmental setting of the town, its heritage, community spirit and sense of place.

The application seeks full planning permission for the conversion of a redundant agricultural building into a one bedroom dwelling. Questions have been raised in the representations to whether the building is capable of conversion. The application has been accompanied by a report on the condition

of the existing building. The report states that the two-storey building consists of stone masonry for the external walls and concrete generally for the floor. The report summary states that the building appears to be sound and suitable for conversion. Some repairs to the existing walls will be necessary together with the addition of new internal walls for thermal requirements. However, the building has not deteriorated much since the last application in 2000 which was approved for letting.

As the application is in the development boundary a conversion would always be preferable but a new build if scaled correctly could also be supported in this location. The applicant is proposing a conversion to keep the historic nature of the site intact and therefore this is how the application will be assessed.

The site is surrounded by residential properties, and it is considered that the conversion of the building on the scale proposed would be a form of development that could be supported in this location. As such the application accords with policy ST06 of the NDTLP.

2. Impact on Character and Appearance

Policies ST04 (improving the quality of development) and DM04 (design considerations) of the NDTLP, requires new developments to be of high quality design, including being well related to their surroundings, be of an appropriate scale, include quality materials, and to be sympathetic to the character and appearance of the local area.

The application seeks full planning permission for the conversion of a redundant agricultural building into a one bedroom dwelling. During the application amended plans were submitted mainly making changes to the visual appearance of the building but also changing the description of the proposed development.

The ground floor will comprise of a bedroom, bathroom and a study/home office, then the first floor will be a sitting room/diner and a kitchen and utility on the first floor with a wood burner. The proposal details one parking space to the south of the building and amenity space to the west.

The application is for a conversion and will utilise the main structure of the building, by repairing the stone work that is already on site and then re-building to allow for a new roof to be constructed. The existing openings are being used for the proposal and there are minimal additions for the building to function as a dwelling.

In terms of the materials the roof will be natural slate and the rebuild will be rendered on a timber frame. The windows will be powder coated aluminium double/triple glazed units in anthracite grey and then velux conservation rooflights. The doors will be powder coated aluminium with double glazed units in anthracite grey. On the western elevation two of the windows will be satin obscure glazed top hung.

Due to the location and surrounding setting of the site the Conservation Officer has been consulted on the application. They have stated the following:

'This application has been the subject of some changes which has been a result of discussions with officers.

The comments relate to the amended plans received 14.04.2022.

The settlement at Cleave has been a strategic site on the banks of the River Torridge in terms of access from the river and this is reflected in the evolution of the cluster of buildings which run along the shore.

In the early twentieth century this area was the site of the Cleave Shipbuilding yard and there are remnants of this industrial activity on the foreshore.

The Department of Environment preamble to the description states: Group of houses on the estuary south east of Northam. Seen from across the water this is rather an attractive group contrasting with the many villas.

This view has been altered by recent development but this alteration to the setting of the group of buildings does not alter the appearance of the group itself. The barn at Lower Cleave is sited behind Cleave Farm and is in the same ownership. The area behind the farm formerly was the farm stead but this arrangement was altered in the 1930's when 2 bungalows were constructed at the end of the farm lane and the access to the bungalows detached the farm from the barn and area of land. The barn is therefore severed from the host listed building and the right of way, including a public footpath, which means the barn is not within curtilage. The works to the barn do require the setting of the host (and other adjacent) listed buildings to be considered as part of the conversion process.

In this case the design of the barn has been amended to increase the roof pitch to match that of the surrounding buildings and that of a traditional barn. The scheme reuses the existing openings and proposes a small area of rebuilding on the wall tops to achieve the current scheme which proposed reverse level living. There are some provisos such as controlling the location of any meter box and ensuring the flue is finished in black to enable it to visually recede within the roofscape.

In terms of the visual impact on the setting of the host building the proposal presents a traditional form and when viewed as part of the cluster of building at Cleave the replacement roof will not be overtly visible amongst the current roofscape.

As such the proposal will have an impact on the significance of the setting of the listed buildings but this impact is small and considered to be less than substantial under the guidance set out in paragraph 202 of the NPPF. The restoration of this building in this location is considered to improve the overall appearance of the area rather than have a deteriorating traditional stone building. In addition the proposal is considered acceptable in terms of paragraphs 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 where the Local Planning Authority:

'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

In this case the surrounding listed buildings are not altered by the proposal but there is an impact on the setting. Similar to the considerations under the NPPF the restoration of the building is not considered to harm the setting of the adjacent listed structures and the views from the river will not be altered by the proposal with the listed buildings remaining the most visually prominent features along the waterside.'

After assessing the plans and taking into account the Conservation Officers comments it is considered that the proposal is utilising the existing openings and converting the building that is in-situ to create a one bedroom dwelling. There is a change in roof height and some proposed alterations, but it is considered that they have been designed to be sympathetic to the existing building and the surrounding context and setting of the site area. As such the application complies with policies DM04, ST04, DM07 and ST15 of the NDTLP.

3. Impact on Amenity

Policy DM01 of the North Devon and Torridge Local Plan relates to amenity considerations and notes, development will be supported where:

- a) It would not significantly harm the amenities of any neighbouring occupiers or uses; and
- b) The intended occupants of the proposed development would not be harmed as a result of existing or allocated uses.

One of the core principles of the NPPF is to secure high-quality design and a good standard of amenity for all existing and future occupants of land and buildings. Fourteen representations (multiples from the same contributors) have been received for the application, comprising of 1 general and 7 objection comments.

Objections have been submitted in relation to privacy, overlooking and overbearing impact on neighbouring properties. After visiting the site and seeing the proposal from neighbouring properties, the plans were assessed, and some changes were made to the proposal; mainly aesthetic. When

assessing the amended plans it is acknowledged that a lot of the proposed openings are utilising the existing openings in the building, however there are new windows at first floor on the north elevation and one on the west elevation. The scheme proposes reverse living so the primary living area would be at first floor level rather than at ground floor level.

The specific concerns from 'Willow Barn' and 'Cleave Cottage' have been considered in the assessment of this application. However, the overlooking to the garden area is considered commensurate to modern standards and reflects the dense nature of this early settlement pattern. In addition, boundary treatments have been proposed to help limit angles of overlooking and the windows in the western elevation have been obscured for this reason. In terms of 'Cleave Cottage' the window to window impact is considered to have potential for perceived overlooking, however this is tempered by the fact that a public right of way severs the properties and therefore both properties would experience unregulated overlooking from passer-by's. Therefore, the existing openings being utilised by the proposed development for bedroom living are not considered to have a significant impact in terms of overlooking, on Cleave Cottage. In addition, the new window in the north elevation at first floor level is considered to have limited opportunity for views into adjacent dwellings and therefore is considered to have a minimal impact when considering the scheme and surrounding properties.

The amenity space with the proposed dwelling is constrained by the site area, however it is considered commensurate to the size of the dwelling. In addition, due to the site being located in Bideford it is considered that any occupiers could easily walk to the parks and coastal path.

Taking into account the proposed development and the proximity to neighbouring properties it is considered that the scheme would not significantly harm the amenities of any neighbouring occupiers or uses or the intended occupants of the proposed development would not be harmed as a result of existing or allocated uses. Therefore, the proposed development is in accordance with Policy DM01 of the NDTLP.

4. Highways Safety

Paragraph 110 of the National Planning Policy Framework indicates that access should be safe and suitable for all users. Paragraph 111 proceeds to advise that development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highways safety, or the residual cumulative impacts on the road network would be severe. In addition, Paragraph 112 notes that development should minimise the scope for conflict between pedestrians, cyclists and vehicles, respond to local character and design standards, allow for the efficient delivery of goods, and access by service and emergency vehicles.

Policy DM05 of the NDTLP relates to highways, and notes:

- (1) All development must ensure safe and designed vehicular access and egress, adequate parking and layouts which consider the needs and accessibility of all highways users including cyclists and pedestrians.
- (2) All development shall protect and enhance existing public rights of way, footpaths, cycle ways and bridleways and facilitate improvements to existing or provide new connections to these routes where practical to do so.

In addition, policy DM06 of the NDTLP relates to parking provision, and notes that developments will be expected to provide adequate parking depending on the needs of the scheme.

The proposal has indicated that the development will provide one car parking space on site. The parking space will be accessed off a private road which there is a right of way over. Several objection comments have been submitted in relation to the impact of the proposed development on the highway and the right of way. The application has been accompanied by a Vehicle Access and Swept Path Analysis which details that a car can access and park on site and has adequate turning to leave the site. Devon County Council Highways have been consulted on the application and they have commented that it should be dealt with under standing advice.

After visiting the site and assessing the application it is considered that the parking is satisfactory for a one bedroom dwelling, taking into account the on road parking to the east and the proximity of the site to the sustainable settlement of Bideford. Therefore, the proposal accords with policies DM05 and DM06 of the NDTLP.

5. Drainage

Policy ST03: Adapting to Climate Change and Strengthening Resilience requires that development adopts effective water management and sustainable drainage systems.

The application proposes to dispose of foul sewage through the mains sewer and the surface water is proposed to also be disposed of through the main sewer system. In line with policy ST03 it is considered that the proposed means of drainage is in accordance with policy.

6. Ecology

Local Planning Authorities have a statutory duty to ensure that the impact of development on wildlife is fully considered during the determination of a planning application under the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, the Conservation of Habitats and Species Regulations 2010 (Habitats Regulations 2010). This is further reinforced within the adopted North Devon and Torridge Local Plan through Policy DM08 and ST14 which states that development proposals should conserve and, where possible, enhance biodiversity interests.

A Wildlife Trigger List and Ecology Statement has been submitted with the application. After visiting the site and reviewing the documentation it is considered that the application is in accordance with policy DM08 and ST14 of the NDTLP.

7. Other

Environmental Protection have been consulted on the application and have commented the following:

'In relation to the above application, the Environmental Protection Team has no objections in principle.

Due to the existence of neighbouring dwellings in close proximity, there is the potential for detriment to residential amenity from the construction works associated with the proposed development if control measures are not in place. Should planning consent be granted, the Environmental Protection Team recommends a condition restricting construction works and delivery times to 0700 to 1900 hours Monday to Friday and 0800 to 1300 hours on Saturdays only with no works permitted on Sundays and Bank Holidays in order to protect residential amenity.

There appears to be no detailed information provided on the historic use and subsequent land quality of the application site. Agricultural use and activity can result in ground contamination and ground conditions that are potentially harmful to human health or unsuitable for occupation without remediation. Given the sensitive end use, it is essential that the application site is appropriately assessed for any potential contamination that may impact future occupants and, where identified, remediated accordingly. Should planning consent be granted, the Environmental Protection Team recommends the imposition of the Authority's full standard contaminated land condition.'

Taking the above into account if the application is approved then the above conditions would be attached to any permission.

8. Conclusion

The proposed development is considered to result in an acceptable impact on the character and appearance of the surrounding area and would not result in a harmful impact on the amenities of neighbouring occupiers. In addition, the development would not result in a harmful impact on protected species. Considering the above, the application complies with the policies outlined in the North Devon and Torridge Local Plan.

Human rights

Consideration has been given to the Human Rights Act 1998.

Conclusion

It is therefore considered that subject to the compliance with the attached conditions and taking into account all other material planning considerations, including the development plan the proposal would be acceptable.

Recommendation

GRANT subject to the following conditions

- 1 The development to which this permission relates must be begun no later than the expiration of three years beginning with the date on which this permission is granted.

Reason: The time limit condition is imposed in order to comply with the time requirements of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in the Plans Schedule.

Reason: To ensure the development is carried out in accordance with the approved plans.

- 3 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015, (or any Order revoking and re-enacting that Order) no development of the types described in Part 1 and Part 14; of Schedule 2, other than that hereby permitted shall be carried out without the further grant of planning permission.

Reason: In the interest of the character and appearance of the area.

- 4 The operating hours of construction works, including deliveries, shall be restricted to Monday to Friday 0700 to 1900 hours and Saturday 0800 to 1300 hours with no works permitted on Sunday or Bank Holidays.

Reason: To protect the amenities of neighbouring properties.

- 5 Notwithstanding the details shown in the application hereby permitted, prior to their installation, details (and/or representative samples) of the colour and texture of the facing and roofing materials to be used in the construction of the proposed development shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented before the development hereby permitted is brought into use and shall thereafter be retained as such.

Reason: To enable the Local Planning Authority to consider the suitability of the materials to be used for the development.

- 6 The obscure glazing to the two windows on the western elevation indicated on the plans hereby granted planning permission, shall be implemented prior to occupation of the development hereby permitted and shall thereafter be retained as such.

Reason: In the interests of the amenities of neighbouring residents.

- 7 The conservation velux rooflights hereby permitted shall be flush fitting with the outside face of the roof.

Reason: In the interests of the character and appearance of the building.

- 8 If unexpected contamination, which has not been previously identified, is found at any time when carrying out the approved development all work must be ceased and the part of the site affected by the unexpected contamination along with the nature of the contamination be immediately reported in writing to the Local Planning Authority. In addition to any assessment already provided with the planning application, an investigation and risk assessment to assess the nature and extent of any contamination on the site and relating to the affected area, whether or not it originates on the site, should be then be undertaken by competent persons, and then a written report submitted and approved in writing by the Local Planning Authority.

The investigation and risk assessment must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Review by the Local Planning Authority of the site investigation and risk assessment will confirm whether there is a need to undertake remediation measures. If required a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and to the natural and historical environment must be prepared by competent persons, and be approved in writing by Local Planning Authority. The scheme must then be implemented in accordance with the approved details prior to the re-commencement of any development on the site.

The remediation scheme must include:

- all works to be undertaken
- proposed remediation objectives and remediation criteria
- timetable of works and site management procedures.

The scheme must ensure that following the remediation works the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and approved in writing of the Local Planning Authority. Where an approved remediation scheme includes a requirement for a monitoring and maintenance scheme to ensure the long-term effectiveness of the proposed remediation over time, a report setting out monitoring and maintenance requirements must be submitted to and approved in writing by the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance produced, submitted to and approved by the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 9 Prior to the occupation of the development hereby permitted, full details of the method of accommodating all service meter boxes shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented prior to the occupation of the development hereby permitted and shall thereafter be retained as such.

Reason: In the interests of the character and appearance of the building and its setting.

- 10 The new flue to be installed as approved on the proposed plans shall be finished in a matt black finish to visually recede within the roofscape and shall be retained thereafter.

Reason: To ensure the new equipment visually assimilates with the exterior of the building on which it is proposed to be installed and to accord with policies DM04 and DM07 of the North Devon and Torridge Local Plan.

Plans Schedule

Reference	Received
Location Plan	13.12.2021
1427.03A	14.04.2022
1427.01G	14.04.2022
1427.02E	14.04.2022
Block Plan Rev A	27.04.2022

Informatives

01. The applicant is informed that they must ensure that the Public Right of Way remains open and available to the public at all times, including during the period of any construction activity such as with building materials and contractors' vehicles and plant. Should it be necessary to temporarily divert or close the path during construction works the applicant may apply to DCC for a temporary traffic order.

Statement of Engagement

The National Planning Policy Framework (paragraphs 38) requires local planning authorities to work positively and proactively with applicants to achieve sustainable development. Throughout the application process guidance has been given to the applicants and all outstanding issues have been identified.

In this instance the Council required additional information following the consultation process. The need for additional information was addressed with the applicant and submitted for further consideration.

The Council has therefore demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.