

DELEGATED REPORT	
Reference	18/00254/FUL
Site Address	KENTON - Oxton Mere Barn, Kenton
Proposal	Erection of a dwelling
Case Officer	Kelly Grunnill/Peter Thomas
Officer's Recommendation	<p>Approval with conditions and subject to the completion of a Section 106 agreement to secure:</p> <ul style="list-style-type: none"> • The dwelling to remain off grid • Permissive footpath to be provided in perpetuity • Provision of access for educational and charitable purposes with access on at least 10 occasions per year • Woodland management in perpetuity
EIA	Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.
CIL	The proposed gross internal area is 405.62m ² . The existing gross internal area in lawful use for a continuous period of at least six months within the three years immediately preceding this grant of planning permission is 0m ² . The CIL liability for this development is £107,939.01. This is based on 405.62 net m ² at £200 per m ² and includes an adjustment for inflation in line with the BCIS since the introduction of CIL.
Conditions/Reasons	<p>1. The development hereby permitted shall begin before the expiry of three years from the date of this permission.</p> <p>REASON: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p> <p>2. The development hereby permitted shall be carried out in accordance with the application form and the following approved plans/documents:</p> <p><u>Received 1st February 2018</u></p> <ul style="list-style-type: none"> • Location Plan- Drawing Numbered 110AUT_PL001

- Proposed Site Plan- Drawing Numbered 110_AUT103
- Proposed ground floor plan- Drawing Numbered 110_AUTPL104
- Proposed first floor plan- Drawing Numbered 110_AUT105
- Proposed Roof Plan- Drawing Numbered 110_AUT_PL 106
- North and South Elevations- Drawing Numbered 110_AUTPL111
- East and West Elevations- Drawing Numbered 110_AUT112
- Sections AA and BB- Drawing Numbered 110AUT_PL113
- Plan Showing extent of residential curtilage- Drawing Numbered 110AUT_PL115
- Proposed Landscape Plan – Residential Curtilage- Drawing Numbered 110AUT_PL116
- Advanced Arboriculture report dated 17th November 2017
- Autarkic House Oxton Mere
- Ecological Appraisal Richard Green Ecology

Received 11th June 2019

- Proposed permissible route Plan

REASON: In order to ensure compliance with the approved drawings.

3. No development above slab level shall take place until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the materials are considered at an early stage and are sympathetic to the character and appearance of the area.

4. The landscaping scheme shall be carried out in the first planting season after commencement of the development unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species) unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of amenity and to preserve and enhance the character and appearance of the area.

5. No development above slab level shall take place until the following details and specification have been submitted to and approved in writing by the Local Planning Authority.

- typical sample panels of the proposed external cladding system (including solar photovoltaic panels)
- elevation and section drawings of all new window/doors and glazing panels at scale 1:5/1:10 to include details of finish.
- details of any External vents, flues and meter boxes.

Development shall proceed in accordance with details as approved.

REASON: To ensure that the materials/details are considered at an early stage and are sympathetic to the character and appearance of the area.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that Order with or without modification) no works shall be undertaken within the Schedule Part 1 Classes A, B, C, D, E, F, G or H for the enlargement, improvement or other alterations to the dwelling hereby permitted, the provision of hardsurfaces, chimneys, flues or microwave antennae, or for the provision within the curtilage of any building, enclosure or storage tank [other than any enclosure approved as part of the landscape management scheme].

REASON: To enable the Local Planning Authority to retain control over the provision of any such development in the interests of the character and appearance of the area.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any order revoking and re-enacting that Order with or without modification), no fences, gates or walls shall be erected within the site other than any agreed under any approved landscaping scheme.

REASON: In the interests of amenity and to preserve and enhance the character and appearance of the area.

8. No external lighting shall be installed on, or in association with, the new building, except for low-intensity, PIR motion-activated lights on a short timer (maximum 2 minutes), mounted no higher than 1m from ground level, directed/cowled away from the woodland, and using warm wavelength bulbs, unless otherwise agreed in writing by the Local Planning Authority.

REASON: For benefit of legally protected light-sensitive species.

9. The development shall be carried out in accordance with the floor level details shown on drawing number 110AUT_PLPL113

REASON: In the interests of the character and appearance of the area.

10. Within 6 months of the occupation of the dwellinghouse hereby approved, details shall be submitted and approved in writing by the Local Planning Authority outlining how a lasting record of the house, its construction, use of innovative technologies, and ongoing maintenance requirements shall be made available through a publically accessible website. The record should include detailed information on the following:

- site selection and evolution of design concept and how the development responds to its context
- construction methods employed
- specific sustainable and innovative technologies utilised
- the baseline ecological value of the site, the enhancements delivered/to be delivered and how these will be managed and monitored to ensure their benefits are realised

REASON: In order to ensure the development provides a mechanism to help raise standards of design more generally in rural areas in accordance with guidance set out in the National Planning Policy Framework.

11. Within 6 months of the commencement of development a detailed schedule addressing the following matters has been submitted to and approved in writing by the Local Planning Authority:

- details of how the new building will be used as an educational and research resource
- site selection and evolution of design concept and how the development responds to its context
- construction methods employed
- details outlining the innovative technologies to be used in the new development and quantifying the reduction in energy demands resulting from their use
- details of the ecological enhancements of the site and the method of measuring and monitoring such enhancements

The schedule shall also include details of the mechanism by which such information will be publicised and made available for use by educational and research establishments, amongst others. Development shall then proceed in accordance with details as agreed.

REASON: The site is located in a rural area where planning permission for new housing would not normally be allowed. The proposed biodiversity enhancement of the site, use of innovative technologies and sustainability credentials of the development provide special justification for the development but before development commences the development should also demonstrate

	<p>how it will help to raise standards more generally in rural areas in accordance with paragraph 79 of the National Planning Policy Framework.</p> <p>12. The works including vegetation clearance shall proceed in strict accordance with the precautions, measures and recommendations described in section 4 and Conservation Action Statement D of the Ecological Appraisal report (dated July 2016 by Richard Green Ecology)</p> <p>REASON: For the benefit of habitats and legally protected species.</p> <p>13. All bluebells planted shall be of native of the English species <i>Hyacinthoides non-scripta</i>, and of local South West England provenance.</p> <p>REASON: To protect native bluebells from hybridisation with Spanish bluebells.</p>
Informatives	<p><u>Conditional Approval (with negotiation)</u> In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission.</p> <p><u>Approvals</u> Further details relating to this planning application, including the approved plans and the Officer's Report, can be viewed at www.teignbridge.gov.uk/planningonline</p> <p><u>CIL Liability Notice issued</u> This development is liable to make contributions under the Community Infrastructure Levy regulations to provide essential local facilities to support development in the District. The details of the CIL contribution is in the Liability Notice which can be viewed at www.teignbridge.gov.uk/planningonline</p> <p><u>S106</u> This development is subject to a Section 106 agreement dated 26/07/2019. The agreement can be viewed at: www.teignbridge.gov.uk/planningonline</p>
Relevant site history	<p><u>At the application site:</u></p> <p>16/02062/FUL - Erection of a dwelling at Land Adjoining Oxton Mere Barn - Withdrawn</p> <p><u>Sites within the Grade II Listed Oxton House Park and Gardens</u></p>



Spring Lodge (Grade II listed building)

02/02507/LBC – Application for Listed Building Consent to re-roof with natural grey slate and terracotta ridge tiles

88/00860/FUL – Extension to form workshop bedroom bathroom and car port

Oxton House (Grade II listed building)

Holme Farm

99/03381/FUL – 2 storey extension

94/03368/COU – Conversion of dwelling to form 2 dwellings

The Granary

00/02703/COU - Change of use and conversion of barns to ancillary accommodation

North Covert Farm (immediately to the West)

07/05393/FUL – New bungalow for agricultural occupation

02/02688/FUL – Extension to existing agricultural buildings

95/02109/FUL – General Purpose Cattle Shed

Oxton Mere

07/022212/FUL – Single storey extension to rear to form utility/office/en-suite

06/04863/FUL – Single storey extension to provide utility room and W.C, spa/Jacuzzi room and games room and add staff bedroom and garage

Deer Park Farm

85/00556/REM – Dwelling for agricultural worker

Site description,
Proposal (including
supporting
information)

The application site is located within the boundary of the Grade II listed Oxton House Park and Gardens, and outside of defined settlement limits as shown within the Adopted Local Plan.



The site lies within the Landscape Character Assessment area of Exe Estuary and Farmlands.

The application seeks full planning permission for the erection of a four bedroom dwelling called the Autarkic House, at a woodland site adjacent to Oxton Mere Barn near Kenton.

	<p>The site is within the boundary of the grade II listed Oxton House Park and Garden and outside of any development boundary</p> <p>The application is submitted as a paragraph 79 dwelling under the National Planning Policy Framework (NPPF).</p> <p>The proposal seeks to be an entirely “off grid” – an autarky exists where an entity can survive or continue its activities without external assistance or trade.</p> <p>It proposes to bring public benefits of:</p> <ul style="list-style-type: none"> • Public access to the woodland through a permissive footpath (detailed in report) • Some (Limited) access to the dwelling • An exemplar development through use of technologies and response to site context • Use of the house as an educational resource
<p>Notifications, Representations and issues raised</p>	<p>25 letters of support:</p> <ul style="list-style-type: none"> • Family grew up here and understand the area. • Will enhance the surroundings • This proposal is ambitious, innovative, and inspiring in its objectives. • Its environmental credentials are second to none and will serve as a blueprint for sustainable living. • I believe that the wider Oxton community will view this worthy and exciting development with pride. • The proposal has my full support, absolutely stunning in every way. • It is clear she want to be sympathetic to the prevailing countryside whilst building a unique and beautiful home. • As far as I can make out the house will not need any main services and has been designed with a truly thoughtful plan for care of our planet.

	<ul style="list-style-type: none"> • This innovative design has had a huge amount of thought go into it to integrate into and respect the landscape in which the house would be built. • This is a wonderful innovative house to be built in a discreet position which would be a truly great addition to the Oxton valley. • Believe that this unique proposal is extremely forward thinking and environmentally friendly. • We fully support this exciting, innovative and climate friendly project, which will sit comfortably in this valley. • Its eco-friendly disposition is in harmony with the surrounding landscape and cleverly tucked away. • This is an amazing opportunity to have a new 'off the grid home' for a couple who have so much history with Oxton. • With self builds the quality and uniqueness is an asset to the area unlike mass developers. • The design of the house is charming, with its all-wood exterior and futuristic features such as the prolific solar energy supply arrangements, and with its own solar energy and hydrogen storage facilities. • This project is an inspiration for all of us, especially for those who are planning homes for the 21st century. • Will not be imposing on the landscape. • There is every chance that construction of the house might well be a model for a whole new generation of house design that will be to the betterment of all. • The proposed plan and development is of a higher quality than we usually see in the countryside (i.e. small bungalows or small square box type houses). • Eco friendly
Parish / Town Council / Ward Member's comments	Kenton Parish Council has no objections to this application.

<p>Consultee Responses</p>	<p><u>Landscape Officer 05.03.18</u></p> <p>The package of additional benefits outlined, particularly the provision of the permissive of path that allows public access to the former drive, with opportunity to experience views of Oxton House within its setting, go some way towards offsetting the harm that the development will cause. The educational benefits outlined, however, are not sizable and I think are likely to be difficult to enforce, they are also, over time, likely to become of less interest as the innovative characteristic of the development become more common place. Overall, I am of the opinion that, the scale of harm is very large and is not outweighed by the proposed additional benefits. The benefits could be further increased and improved by extending the permissive path as far as the proposals site and creating a viewing area from which to see the building, and where there could be interpretation on the innovations associated with the proposed development along with information on the designed landscape at Oxton Park. However, even with these further, additional benefits, I am of the opinion that the scale of harm would still outweigh the benefit.</p> <p>Original Comments</p> <p>SUMMARY The design “The Autarkic House”, is an attractive piece of architecture and has many positive characteristics. Regrettably however, from a historic landscape perspective, it is my opinion that the proposal, if permitted, would cause harm to the registered park and garden at Oxton House for which, in return, there would be little perceived public benefit. As a consequence of this, I am of the opinion that granting planning permission would contravene national (paragraph 134 of the NPPF) and local planning policies (Teignbridge 2013-33 Local Plan policy EN5).</p> <p>I am also of the opinion that the proposed development does not satisfy the requirements of paragraph 55 of the NPPF.</p> <p>In terms of policy, the proposed development would not satisfy the following:</p> <ul style="list-style-type: none"> • Policies set out in paragraphs 126 – 141 of the NPPF. In particular: <ul style="list-style-type: none"> ○ paragraph 132 which states that “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation...” and that “... Substantial harm to or loss of a grade II listed building, park or garden should be exceptional”. ○ paragraph 134, which states that “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset,
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this harm should be weighed against the public benefits of the proposal...”

- Article 55 of the NPPF, which states that, “Local planning authorities should avoid new isolated homes in the countryside”;
- Teignbridge 2013-33 Local Plan policy EN5 Heritage Assets, states “To protect and enhance the area’s heritage, consideration of development proposals will take account of the significance, character, setting and local distinctiveness of any affected heritage asset, including Historic Parks and Gardens.... particularly those of national importance.”

The proposal’s site lies within the parkland setting of Oxton House, a grade II listed registered park and garden. Oxton House was the home of John Swete the historian, writer and renowned commentator on the 18th century landscape gardens. The park and garden (registered park and garden grade II listed) to his own estate at Oxton was laid out in the picturesque manner of the 18th century.

Oxton House (grade II listed) sits in a slightly elevated position, towards the head of the valley and looks out over the gently sloping pastoral landscape contained by the valley sides and surrounding woodland belts. A stream and series of lakes lie in the valley bottom. The estate is mainly approached from the north and east. There are gate houses at the entrance to the park and drives approach the house in a serpentine, irregular meander. Feature garden buildings are positioned throughout the park, designed to complement the picturesque qualities of the scenery. There is also a feature bridge (grade II* listed) that passes over the stream. The Home Farm and ancillary buildings are concealed away from the main focus of the park and garden behind the house.

The park and garden is still intact as an entity, however there have been some changes. These include: the addition of a number of buildings, some as dwellings and some associated with agriculture and forestry; changes in land use management, including the removal of woodland and lack of management of some woodland; loss of part of the north drive; and the splitting up of ownership of both the house and the park. Many of these changes have eroded the condition of the park and garden, however the new dwellings are largely are at the “back “of the estate outside of the main arena of space that relates directly to the house, or they have been in association with farming and forestry. As a consequence, the park and garden still retains its integrity and the original design is still sufficiently intact to be appreciated.

Historic England assess the condition of the park and garden to be “Generally unsatisfactory with major localised problems” and have placed the site on the Heritage at risk register. Their reasons for this

are not spelled out, however factors of relevance to Oxton, such as, multiple ownership, threat from planning weigh heavily in the scoring method used to measure the level of risk.

The application site lies within a woodland clearing towards the north-eastern edge of the park. It sits beside what is now the end of the north drive - the section between the application site and the gatehouse at the boundary to the park has now sadly gone. There is currently a small agricultural building on the site. The proposal is for a large, family home with garaging. The design is modern in character and uses natural materials for the elevations. There is a small garden curtilage in association with the house. Access is by way of the existing drive. The application references the historic landscape and landscape setting by: indicating the former line of the drive in bluebells and planting of lime trees; using larch sourced from the wood for the cladding of the building and relating to the topography of the site by setting the building into the sloping land. The application seeks permission for the home under paragraph 55 of the NPPF. The policy states that local planning authorities should avoid new, isolated homes in the countryside unless there are special circumstances. One of these circumstances being, the “exceptional quality or innovative nature of the design of the dwelling”.

Assessment of the impact on the Heritage Asset The assessment of the scale of the impact looks at the value of the heritage asset and the magnitude of the change that will resulting from the proposed development. The scale of impact is then weighed up against any arising public benefits.

A site visit was carried out on the 9th April 2018 in addition to two previous site visits over the past 2 years in association with the earlier application.

In terms of value, the park and garden is grade II listed. It is my opinion however, based on my experience and expertise, that the historic asset is under graded. My justification for this being that the garden was owned by the Rev John Swete who was a renowned commentator on the both the Devon landscape and the landscape gardens of the region. He was familiar with many landscaped gardens and made numerous illustrations. I don't think that it's unreasonable to suggest that, in his time, he is likely to have been regarded as a respected authority on the art of landscape gardening and that, as a consequence, the grounds to his own estate at Oxton are likely to have been exemplary in terms of their design, quality and execution, with the result that they are of great value to us today in appreciating the 18th Century landscape design approach found in the region.

Although much of his illustrations and writings about other landscapes are in the public domain, there is a lack of information

about Oxton and I wonder whether records have either been lost or have yet to be fully uncovered. Following the determination of this application, I will be formally making an application to Historic England to apply for the grading to be increased. The park is largely a pastoral landscape set around a series of lakes with woodland set on the higher sides of the valley to accentuate containment and to create a stage set and natural backdrop for Oxton House. Within this there are driveways and a collection of garden buildings, positioned and aligned to create what appears to me picturesque set views, and as well as views that are revealed in sequence along the routes.

The important characteristics would appear to be this structure, the natural and undeveloped setting from the house, views to and from the house and views to and from garden buildings and I believe that the value of Oxton Park lies in this concept and design structure. The heritage statement in support of the application has thoroughly researched the heritage of the site and, in terms of objective information, has presented this satisfactorily. It correctly recognises the park and garden at Oxton as a rare example of a Georgian designed landscape, in which most of the garden buildings, follies, waterworks and framed views survive.

I am concerned however that, the heritage statement does not arrive at an interpretation that I necessarily agree with. It doesn't recognise the importance of the structural arrangement of the park, the undeveloped setting for the house or importance of views to and from the house and garden buildings.

The statement correctly recognises that development, fragmentation of ownership and loss of historic fabric have contributed to the eroding the character of the park, however it does not conclude from this that the proposed development will cumulatively add to this.

The statement argues that the site area is of low sensitivity, suggesting that this is because there has been removal of historic fabric including: loss of woodland to the north of the drive; a section of the north drive; and some more minor pathways. Whereas these losses are regrettable, I do not believe that this makes the area one of low value.

In my opinion, the area around the site is of high value. This is because:

- firstly, the site is positioned at the bend in the north drive at the point where the view of the house is first revealed - the north drive is very likely to have been the main approach from the Exeter direction and the approach taken by visiting guests - the bend in the drive is likely to have been intentional and a key part of the design.
- secondly, the area lies very much within the immediate setting of Oxton House and lies close to the position that forms the

main arena of activity and focus of the main view out from the house.

More specifically, in addressing points raised in the heritage statement, I have issues with the following:

- 5.19 – The heritage statement suggests that the changes that have taken place over recent decades compromise the integrity of Swete's design. Whereas I agree that the domestic development has eroded the character of the park and garden, this is mostly located near to the home farm, in the area where this is least damaging. The other development is associated with agriculture and forestry and, as such, is less damaging to character. I am of the opinion that much remains of Swete's original design, the aims/purpose of which are set out above, have not so far been compromised.
- 5.20. The heritage statement suggests that the recent domestic and agricultural development causes harm and goes on to suggest that this is because the dwellings are visible and fail to respect local character and that development that is hidden and reflects local character is acceptable is immune. I disagree, in my opinion harm can still be caused to the character of the landscape and integrity of the design even if it is not visible.
- 5.26 The heritage statement suggests that the application site lies is a less sensitive part of the park and garden. Admittedly, the historic fabric has been eroded in this area, however much remains and set against this:
 - the application site is, in my opinion, one of the more sensitive part of the site because it is likely to have been the position on the bend in the drive where the house would have been first seen upon the approach from the Exeter direction.
 - the application site lies very much in the main view from the house, within the area that I would assess to be the immediate setting of the house and the main arena of the park and garden

The proposed changes will introduce a permanent, irremovable domestic presence into the park that will further fragment the uses found in the area and alter its character from, land that forms part of a designed landscape, to, land that under domestic use.

The building is positioned within the existing woodland and well screened by existing cover, however despite this the presence of the dwelling is believe that it will still be perceived as a result of domestic vehicle movements and noise. The construction phase would also introduce construction vehicle movements and noise.

The heritage statement acknowledges the impacts on character, however (as set out in par 7.11 and 7.12) justifies this as acceptable

because the area is on of low sensitivity and because there is already some domestic development within the park. As stated above, whereas I agree that there has been some loss of historic fabric from the area which has led to the erosion of character, the area is important as it forms a key part of the design.

Regarding the existing development, the presence of this is regrettable, however, in my opinion, it does not justify allowing further domestic development that would cumulatively add to the erosion of character.

The application, including the heritage statement claims benefits which include:

- Education and interpretation
- Adoption of a long-term woodland management plan
- Redefinition of the route of the historic upper north drive by way of a sympathetic bluebell pathway and the planting of lime trees
- Selective clearing and/or cutting back modern planting
- Removal of modern plant species from the lower section of the north driveway to allow surviving historic trees to be better revealed.

With regard to planting bluebells to redefine the alignment of the section of the north drive that has been lost. Firstly, I am concerned that this is not practical - bluebells have the need for specific growing conditions, they are either happy with the soil's moisture and the timing and level of the shade caused by the higher vegetation, in which case they flourish and naturalise everywhere, or they are unhappy and attempts to establish them result in them being short lived and quickly dying out. Although this is a nice idea, I don't think that it will be achievable. They will either be everywhere or not exist at all and so will not delineate the route of the former drive. Secondly, I am of the opinion these works would not constitute a significant enhancement. With regard to the other benefits, they are welcomed and will be of benefit, however they mostly to do with vegetation management focused on the application site area and will do little to reinstate aspects of the key elements of the designed landscape.

The parkland is of recognised value as a grade II registered park and garden: in my opinion it is currently under graded. The key characteristics of the design are the structural arrangements that create a setting for Oxton House and picturesque views.

The proposed development is well screened, however it will introduce further fragmentation of uses and the introduction of domestic activities into a valued part of the park. There have been a number of changes to the parkland in recent times, including development, however I do not agree that because of this it means that further development can be more easily accommodated. On the contrary, I

am of the opinion that further development and in particular domestic development will cumulative add to the further erosion of the special qualities of the parkland, cause cumulative harm and make worse the “at risk” assessment.

In assessing the magnitude of harm, I would agree with the heritage statement that this is “less than substantial”, however my assessment is that the impact is greater than that suggested by the heritage statement. The application suggests that there are education and conservation benefits that result from the development, however these are minor and mostly local to the application site and in my opinion do not outweigh the harm that will be caused.

How well the design of the building satisfy the requirements of paragraph 55. In particular:

- Is the design of the dwelling of exceptional quality or innovative nature? The NPPF amplifies how this should be judged, setting out that the design should:
- be truly outstanding or innovative, helping to raise standards of design more generally in rural areas
- reflect the highest standards in architecture
- significantly enhance its immediate setting
- be sensitive to the defining characteristics of the local area.

The proposed development would seem to satisfy a number of these requirements being an innovative, high standard development, set in a rural area, however I find it hard to accept that it will significantly enhance its immediate setting; or is sensitive to the defining characteristics of the local area. It is my understanding that the spirit of paragraph 55 is to allow consent for modern day landmark buildings to continue the tradition of great country houses in the way that their visual presence adds to the scenic value of the area.

In the case of the proposed development, site enhancement is made through planting lime trees and bluebells to demarcate the alignment of the section of the north drive that has been lost. Firstly, I am concerned that this is not practical nor constitutes significant enhancement.

Further, the introduction of a new dwelling, visible or not, will have an adverse impact on the character of the area and result in an adverse effect rather than an enhancement.

With regard to this point, I am afraid that, in my opinion, the answer is no, the proposed development does not significantly enhance its immediate setting.

- Is the development sensitive to the defining characteristics of the local area? The application argues that the proposed development is sensitive to the defining characteristics of the local area through:

- a form that adopts locally distinctive architectural details
- the use of larch sourced from the woodland as cladding
- responding to a sloping site by setting the building into the slope
- incorporating ivy trailing over the elevations to reflect the woodland setting.

Although these are some of characteristics of the wider landscape character area, I would not judge them to be defining characteristics of the specific area – they are more the general characteristics of the rural landscape in the region. In my opinion the defining characteristics of the local area are the remains of a largely 18th century designed landscape. On these terms, the design responds by concealing its visual presence. However, the proposal to position new domestic development in the designed landscape, shows little reverence for the integrity of the design and character and purpose of the parkland. Although the building is relatively concealed from view, the domestic aspects will be perceived and will have an adverse impact on the character of the park and garden.

With regard to this point, the development is sensitive to some of the defining characteristics of the local area but is at odds with the important defining characteristics. Regrettably therefore, from a historic landscape perspective, the proposal (a) does not satisfy the requirements of paragraph 55 of the NPPF; and, (b) would cause harm to the registered park and garden at Oxtan House for which, in return, there would be little public benefit. As a consequence of this, I am of the opinion that granting planning permission would contravene national (paragraph 134 of the NPPF) and local planning policies (Teignbridge 2013-33 Local Plan policy EN5). However, I believe that that, if the proposed new dwelling was to be sited within a woodland clearing somewhere else in the landscape character area, then it would be likely to satisfy the requirements of paragraph 55.

Gardens Trust

Thank you for consulting The Gardens Trust on the above application which affects Oxtan House, an historic designed landscape of national importance, which is included by Historic England on the *Register of Parks and Gardens of Special Historic Interest*. The Gardens Trust (formerly The Garden History Society) is the Statutory Consultee on development affecting all sites on the Historic England *Register of Parks and Gardens of Special Historic Interest*. The Devon Gardens Trust is a member of The Gardens Trust and responds on its behalf to consultations in the County of Devon.

We have visited Oxtan House, on several occasions, and have previously visited the application site. We have viewed the Historic

England Register map and entry, and the planning application documents on your website. We would ask you consider the following comments:

Oxton House is a late C18 picturesque designed landscape of national importance developed by the Rev John Swete, the late C18 diarist, artist & traveller. Between 1789 and 1801, Swete undertook a series of tours through Devon and neighbouring counties, producing twenty volumes of diaries with over 600 watercolour illustrations of houses, antiquities and other features of picturesque interest, inspired by the Rev William Gilpin's Observations. The Rev Swete died at Oxton in 1821, and the following year (1822) the Lysons noted that *'Oxton is beautifully situated and the extensive pleasure grounds have been laid out with much taste'*.

Oxton House was altered c1830, and when in 1848 the estate was offered for sale, the particulars described *'lawns, parterres, shrubberies and park-like grounds...*

refreshed by rivulets and fishpools uniting below the House into a small lake'.

Romantic walks and rides through the pleasure grounds and plantations were noted, and in the early C19 F W Stockdale described the woodlands at Oxton as *'remarkably picturesque'*.

Country houses such as Oxton House had consciously designed settings, intended to reflect the status of their owners by creating a deliberate aesthetic effect. The original late C18 design remains basically intact.

The application is for the erection of a dwelling at Oxton Mere Barn. The Heritage Statement states that *'The application site is part of the Parkland landscape which has already been subject to notable changes. ...formerly part of the wider woodland, the application site was largely cleared in the 1970s/1980s. Historic planting has largely been lost whilst that which does survive is very poorly maintained. It is therefore assessed that the application site is a more compromised, and therefore less sensitive, part of the Registered Park and Garden.The long standing presence and use and use of the agricultural barn within the sitemaking it difficult now to appreciate as a simple picturesque piece of pleasure-walk through woodlands, as it would have originally been in Swete's landscape design.'*

There is simply no justification whatsoever in the argument that because this part of the Registered site has been degraded, it is perfectly acceptable to harm the historic landscape further by

constructing a new dwelling.

The proposed development would be in an existing copse and the existing trees would largely screen the development from view. However, trees have a limited life and, in time, the building would be exposed as an alien element in the historic designed landscape. This is a matter of considerable concern as views of a conspicuous modern building from within the landscape would be seriously detrimental to its character and appearance.

The National Planning Policy Framework states a presumption in favour of sustainable development in both plan making and decision making, but recognises that there is a need to balance any adverse impacts against the benefits. NPPF paragraph 132 states that *'the more important the heritage asset the greater the weight that should be given to their conservation'*. It should be also noted that *'substantial harm to a Grade II park or garden should be exceptional'*. NPPF paragraph 133 states that *'where a proposed development will lead to substantial harm to, or total loss of significance of, a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.'* The benefits offered by the applicant include a management plan for the land in their ownership, a bluebell walk and educational visits. These benefits cannot be considered as **substantial** public benefit sufficient to outweigh the harm to the significance of the heritage asset.

Oxton House is on the Historic England *Heritage at Risk Register* because the estate is in divided ownership and it is in a generally unsatisfactory condition with major localised problems. The loss of trees, the arable use of the parkland and the lack of a conservation management plan for the estate all contribute to the decline of the landscape. The benefits offered by the applicant in respect of the proposed development do not address the wider conservation issues at Oxton House.

However, if your Council is minded to approve the application, we suggest that, there should be a S106 Agreement requiring the applicant to implement a landscape scheme before the proposed dwelling is occupied; that a landscape buffer is planted and maintained in accordance with good horticultural and arboricultural practice in perpetuity; and that the site is secured against future development in perpetuity in order to prevent further damage to the historic designed landscape.

We note that details of external works such as garages, sheds, bin storage, clothes drying areas, etc. do not appear to have been submitted with the application. Such elements would be extremely damaging to the historic landscape and we advise that any such

subsidiary development should be identified as an integral part of the planning application prior to its determination. We further suggest that it would be appropriate to impose a condition on the planning permission to remove the permitted development rights to control such subsidiary development in the future.

In conclusion, the proposed development would cause considerable harm to the significance of the heritage assets of Oxton House and therefore should not be permitted. We recommend that your authority should **refuse** consent for this proposal as it clearly conflicts with national planning policy with regard to the conservation of the historic environment, and with your local plan policies.

Conservation 09.03.18

I have discussed this application with my Landscape colleague Paul Bryan. His comments, which are to follow, will cover both heritage and landscape issues. Please take them as the response from the Design and Heritage Team.

Design and Heritage Biodiversity Officer 05.03.18

A Habitat Regulations contribution of £800 is required. Conditions are required. DESIGNATIONS/ISSUES The site is within 10km of the Exe Estuary SPA and Dawlish Warren SAC. Therefore a Habitat Regulations contribution of £800 is required towards offsetting in-combination effects from increased recreation pressures.

The Ecological Appraisal identifies potential issues with protected species including foraging bats and dormouse. The Report recommends appropriate mitigation measures.

The planting proposals are welcomed, however, hybridisation with Spanish bluebells natives and threatens our native species of bluebell, for which Britain is the international stronghold. Unfortunately, most commercially available bluebells are Spanish bluebells or hybrids. For such extensive planting in a woodland, it is essential that the correct, native species and stock of local provenance is used.

POLICIES THAT APPLY NPPF including paragraphs 9, 109, 118
Teignbridge Local Plan Policies: EN8 Biodiversity Protection and Enhancement EN11 Legally Protected and Priority Species

CONDITIONS REQUIRED The works, including vegetation clearance, shall proceed in strict accordance with the precautions, measures and recommendations described in the Ecological Appraisal report (dated July 2016, by Richard Green Ecology; especially section 4, and Conservation Action Statement D).

	<p>REASON: For the benefit of habitats and legally protected species.</p> <p>No external lighting shall be installed on, or in association with, the new building, except for low-intensity, PIR motion-activated lights on a short timer (maximum 2 minutes), mounted no higher than 1m from ground level, directed/cowled away from the woodland, and using warm wavelength bulbs, unless otherwise agreed in writing by the planning authority. REASON: For benefit of legally protected light-sensitive species.</p> <p>All bluebells planted shall be of native of the English species Hyacinthoides non-scripta, and of local South West England provenance. REASON: to protect native bluebells from hybridisation with Spanish bluebells.</p> <p><u>Tree Officer 26.02.18</u></p> <p>The application is supported by a tree report and survey that identifies a number of trees proposed for removal. Owing to the location of the site the trees are not highly visible from a public place, in addition, the form and condition of the trees is not of sufficient quality for any of the trees to be protected, either individually or as a group on their own merit. There is ample scope within the site to undertake replacement planting. Owing to the above there are no Arboricultural objections to the proposal.</p> <p><u>Highways Authority 22.02.18</u></p> <p>Devon County Council Highways recommend that the Standing Advice issued to Teignbridge District Council is used to assess the highway impacts</p> <p><u>Drainage 15.02.18</u></p> <p>I refer to the above application and can advise as follows: The proposal to discharge to a Sustainable Drainage system within the site boundary will be approved as part of the Building Regulations application.</p>
Relevant Planning Guidance/Policy	<p>Teignbridge Local Plan 2013-2033</p> <p>S1A Presumption in favour of Sustainable Development</p> <p>S1 Sustainable Development Criteria</p> <p>S2 Quality Development</p> <p>S22 Countryside</p> <p>EN2A Landscape Protection and Enhancement</p> <p>EN5 Heritage Assets</p>

	<p>EN8 Biodiversity Protection and Enhancement</p> <p>EN9 Important Habitats and Features</p> <p>EN10 European Wildlife Sites</p> <p>EN11 Legally Protected and Priority Species</p> <p>EN12 Woodlands, Trees and Hedgerows</p> <p>National Planning Policy Framework</p> <p>National Planning Practice Guidance</p>
Observations	<p><u>Principle of the development/sustainability</u></p> <p>The application site is located outside of any defined built-up area boundary as identified in the Adopted Teignbridge Local Plan (TLP). Policy S22 of the TLP states that in open countryside, development will be strictly managed, and limited to uses which are necessary to meet the overall aim set out above, as follows:</p> <p>In July 2018, the government updated the NPPF. The ‘Paragraph 55’ (or ‘Para 55’) policy changed in name to ‘Paragraph 79’. The policy remains much the same, stating that planning policies and decisions should avoid the development of isolated homes in the countryside unless certain circumstances can be met.</p> <p>It is the last bullet point of this paragraph 79 against which the application seeks to justify the proposal. This requires the proposed dwelling to be of “exceptional quality” in that it:</p> <ul style="list-style-type: none"> – <i>is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and</i> – <i>would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.</i> <p>In this case, the proposal is promoted under the exceptional quality or innovative nature exemption. In this respect a number of additional criteria are imposed that must be met for a proposal to meet the very high benchmark that the policy sets, these are considered below and expanded upon a necessary elsewhere in the report.</p> <ul style="list-style-type: none"> • Be truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas <p>The scheme proposes a contemporary approach with a dwelling that would be the first fully off grid hydrogen house not only in Devon but in the UK that can support modern family living.</p> <p>Whether or not the proposal is a truly outstanding or innovative</p>

design is invariably a subjective matter. The scheme has though evolved through pre-application discussions which have been subject of an independent design review panel (DRP) on three separate occasions.

It is recognised that the concept of 'truly outstanding' is a subjective judgement. With this in mind the applicant has sought the opinion of the Devon and Somerset Design Review Panel (DRP) which comprises a group of independent, multi-disciplinary construction professionals including Architects, Ecologists and Landscape Architects working in the field of the built environment. This process reflects advice contained within the NPPF and Planning Practice Guidance which states that Local Planning Authorities should have design review arrangements in place to provide assessment and support to ensure high standards of design.

The DRP considered that "the architecture is demure in its modest aesthetic, and is not therefore truly outstanding; that is not to say it doesn't stand out. However the panel were very supportive of the high quality design of the proposal, and consider the proposals do meet the requirements of paragraph 79 of the NPPF. The Panel considered that the proposals:

- Have demonstrated that they are truly innovative and that they may help to raise the standard of design more generally in rural areas
- Whilst not outstanding do reflect the highest standards in architecture
- Significantly enhance the immediate setting; and
- Are sensitive to the defining characteristics of the local area.

Whilst the Panel felt that the proposal was not truly outstanding, it was truly innovative. The success of the scheme therefore relies heavily upon whether the technology works. The proposal seeks to create a building which has no reliance on external sources of energy, and developing a self-sufficient water and waste cycle on site. The system stores the energy from the sun, by converting the electricity from the PV panels into a hydrogen store. The hydrogen can then be used at night or on overcast days to provide electricity for the dwelling. Similarly rainwater and water from the borehole on site would be used exclusively in the dwelling, with waste water processed on site.

It is proposed that there would be a significant carbon reduction through the structural form and fabric, efficient services and supplying the energy from the least carbon producing means. The building would be designed with optimal solar gain, storing energy within the fabric of the building by using the thermal mass of the building. The individual components of the whole system would be managed by an autonomous Building Management System. There would not be any

reliance nor back up power on gas, water or waste external supplies.

The proposal has been assessed by the Councils Building Control officer, and there has been some pessimism as to whether the technology itself will work. However, after substantial discussion it is now considered that there is sufficient flexibility in the design from Fuel Cell Systems that providing the house with night time & low light electricity, using the hydrogen processes, to now be a viable proposition. This capability remains subject to considerable further design and engineering input during construction to ensure all components of the system can operate together as intended. A condition is recommended which requires a measured output from the hydrogen fuel cell, but it is not considered that such a condition would be reasonable. Paragraph 98 of the NPPF states:

“When determining planning applications, local planning authorities should:

- not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions”

Given the considerations of both the DRP and the Councils Building Control officer, it is considered that the proposal would be truly innovative. The proposal does not seek to replicate the design of traditional buildings in the local area. The building is considered to be unique and would help to raise the standards of design more generally in rural areas. It is therefore considered that the proposal meets the first sentence of paragraph 79.

- Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area

The proposed site lies within the parkland setting of Oxton House a grade II listed registered park and garden. The application site lies within a woodland clearing towards the north-eastern edge of the park. It sits beside what is now the north end of the drive – the section between the application site and the gatehouse at the boundary to the park has now been removed.

Oxton House is a late C18 picturesque designed landscape of national importance developed by the Rev John Swete, the late C18 diarist, artist and traveller. It forms the setting to the grade II listed house that was designed by Swete in 1781 as part of the redesign of the park. A notable authority he produced a great wealth of contemporary accounts and illustrations of the Devon landscapes and the application of the picturesque. Oxton Park reflects many of the components of the picturesque and was influenced by his study and passion for the genre.

The landscape impact has been assessed by the Councils own landscape officer, Historic England and the Gardens Trust and the Design Review Panel:

Landscape Officer

The landscape architect has responded in detail, and stated that the dwelling is an attractive piece of architecture and has many positive characteristics. However the Officer has expressed the view that, if permitted, there would cause harm to the registered park and garden and there would be little perceived benefit to the public.

As a consequence the Officer considers that granted planning permission would contravene national and local plan policies.

In essence the objection stems from:

Failure to recognise to importance of the structural arrangement of the park, the undeveloped setting of the house or importance of views to and from the house and garden buildings.

The site is of high sensitivity. The site is positioned on the bend in the north drive at the point where the view of the house is first revealed. The north drive is very likely to have been the main approach from the Exeter direction and the approach taken by visiting guests. The bend is likely to have been intentional and a key part of the design.

Secondly the area lies very much within the immediate setting of Oxtou House and lies close to the position which forms the main area of activity and focus of the main view out from the house.

The integrity of Swete's design has only been compromised close to the home farm where it is least damaging.

Harm can still be caused even if the proposal is not visible

The proposed change will introduce a permanent, irremovable domestic presence into the park that will further fragment the uses found in the area and alter its character from, land that forms part of the designated landscape, to land that is domestic use.

The conservation and education benefits are minor

Historic England

The Park is currently on the heritage at risk register. This is for a number of reasons including neglect of the pleasure grounds and the ploughing of the parkland, which has resulted in a considerable loss of planned planting within these spaces. Its fragmentation into

multiple ownerships has resulted in piecemeal development of the park and created a wider management issue over the approach taken to repair, maintenance and restoration.

Historic England has no formal statutory remit by which to comment on proposals that fall within a grade II registered park and garden. However Historic England, given the at risk nature of the park would wish to make the following observations:

The current fragmentation and resulting piecemeal development is one of the contributing factors to it's at risk status. Therefore there is a resistance to the subdivision as it makes the wider long term management of the site more difficult to coordinate, it increases the pressure for development to be accommodated within the site as well as increase intensification of development within its boundaries.

The planting of bluebells to delineate the former drive to the north and clearance of understorey and trees to better reveal the formal planting on the lower sections of the drive are only light touch.

The introduction of modern features will erode the current linear character of the drive, which although largely covered with trees and trees is still legible within the archaeology.

The conservation gains are limited in terms of what is proposed as well as how they can address the wider issues affecting the at risk status of the designated asset.

The Council will need to consider these points within the wider planning balance.

Devon Gardens Trust

There is no justification whatsoever in the argument that because this part of the Registered site has been downgraded, it is perfectly acceptable to harm the historic landscape by constructing a new dwelling.

The proposed development would be in an existing copse and the existing trees would largely screen the development from view. However, trees have a limited life and, in time, the building would be exposed as an alien element in the historic designed landscape. This is a matter of considerable concern as views of a conspicuous modern building from within the landscape would be seriously detrimental to its character and appearance.

The National Planning Policy Framework states a presumption in favour of sustainable development in both plan making and decision making, but recognises that there is a need to balance any adverse impacts against the benefits. NPPF paragraph 132 states that *'the*

more important the heritage asset the greater the weight that should be given to their conservation. It should be also noted that *‘substantial harm to a Grade II park or garden should be exceptional’.* NPPF paragraph 133 states that *‘where a proposed development will lead to substantial harm to, or total loss of significance of, a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.’* The benefits offered by the applicant include a management plan for the land in their ownership, a bluebell walk and educational visits. These benefits cannot be considered as substantial public benefit sufficient to outweigh the harm to the significance of the heritage asset.

Oxton House is on the Historic England *Heritage at Risk Register* because the estate is in divided ownership and it is in a generally unsatisfactory condition with major localised problems. The loss of trees, the arable use of the parkland and the lack of a conservation management plan for the estate all contribute to the decline of the landscape. The benefits offered by the applicant in respect of the proposed development do not address the wider conservation issues at Oxton House.

Design Review Panel

The Panel in summarising their views state that the proposal would significantly enhance the immediate setting and would be sensitive to the defining characteristics of the area. The Panel welcomes the thorough historic and current analysis as well as the links to the Capability Brown landscape. Furthermore the Panel supported the lightness of touch and enhancements that are being proposed. It is considered that the proposed landscape design in the vicinity of the proposed house is also appropriate and the aspiration to maintain/create a woodland clearing in which the proposed house would sit has been achieved. The Panel were very supportive of the proposed bluebell trail and notes that this proposal does not prevent this trail becoming publically accessible in the long term should this ever become desirable or necessary.

Planning Balance

It is noted that there appears to be a difference of opinion between the views of the statutory consultation bodies and the design review panel.

The landscape and conservation response states that the harm to the setting of the parkland is less than substantial.

The National Planning Policy Framework states that in assessing if a proposal causes substantial harm is the impact on the significance of

the heritage asset. As the NPPF makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework ([paragraph 8](#)). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

The applicants have supplied a public benefits document.

It states that the public benefits that would be brought include:

- Public access to the woodland through a permissive footpath
- Limited access to the dwelling
- An exemplar development through use of technologies and response to site context which would be the first hydrogen powered dwelling in Europe

- Use of the house as an educational resource

The proposed permissive footpath would lead from Oxton House, north eastwards towards the site of the new house. The permissive footpath would be in-perpetuity and available 365 days of the year. The permissive way would allow for important views across the registered park and garden. One of these viewpoints proposed is reflected on a historic image from Rev. Swete from 1792. At either end of the permissive route information boards would be provided giving information on the historic parkland. 2 new benches would be provided. There would also be limited public access to the house and grounds

In acknowledging that the harm would be less than substantial the proposal does offer public benefits by giving access to listed grounds and viewpoints which otherwise would not have been achievable. It is considered that the footpath could be secured by way of a section 106 agreement. It is clearly of an innovative nature and the design of which would be suitable for further study and education: the applicants have expressed a willingness to allow the building to be viewed through pre-arranged visits.

As noted above regarding public benefits, that despite visits from Historic England no regrading process for the parks and garden has been commenced. Although the view has been expressed to the contrary, the applicants believe that the bluebell planting will be achievable and a specific request for a type of suitable bluebell is advocated by the Councils biodiversity officer.

The siting of the dwelling has been advocated by the Design Review Panel and has not been a cause for objection.

The concerns which have been raised are fully acknowledged. However the dwelling is proposed as an off grid dwelling using a hydrogen based system which would not have been seen anywhere else. It would be truly individual and innovative. It would allow access into the listed garden which do not currently exist.

Permitted development rights could be suitably withdrawn for any alterations or external buildings.

The proposal includes the ongoing woodland management, intended to reflect the original silvicultural management of the landscape when Oxton House was constructed. This would help to maintain the sylvan setting within which the proposal is located.

On balance it is considered that the benefits of the proposal combined with the innovative nature of the proposal lend the proposal support and it is considered that this is acceptable.

A legal agreement would be required to secure: the delivery of the house as an off grid development, the delivery of the footpath as a permissive route in perpetuity, making the house available for educational benefits

Impact on residential amenity of surrounding properties

The nearest residential properties would be located around 130m to the south west, and 176m to the west. Given these separation distances, it is not considered the proposal would cause any harm in terms of overlooking or overbearing. The additional vehicle movements along the access road are not considered to give rise to any amenity concerns.

Impact on ecology/biodiversity

The site is within 10km of the Exe Estuary SPA and Dawlish Warren SAC. An appropriate assessment has been carried out. A contribution of £800 is required to offsetting in combination effects from increased recreation pressures. A payment has been received and it is considered that the impact is sufficiently mitigated.

The ecological appraisal identifies potential issues with protected species including foraging bats and dormouse. Appropriate mitigation measures are recommended.

The planting proposals are welcomed, however hybridisation with Spanish bluebells natives and threatens the native species of bluebell. Most commercially available are Spanish bluebells or hybrids. The biodiversity officer therefore recommends that for such extensive planting that native species and stock of local provenance is used.

Impact upon trees

The application is supported by a tree report that identifies a number of trees for removal. The arboricultural officer is satisfied that owing to the location of the site the trees are not highly visible from a public place. The trees are not of a form and condition of sufficient quality for any of the trees to be protected either as a group or on their own. There is ample room to undertake replacement planning.

Given these considerations not objections are raised.

Land drainage/flood risk

The site is not within a flood zone. No objections have been raised by the drainage department and the application is acceptable in this regard.

	<p><u>Highway safety</u></p> <p>The proposed access would join onto an existing track and it is not considered that there are any harmful highway impacts. Parking is provided on site, along with additional vehicle parking for educational visits. No objections are therefore raised.</p>
Signing officer's name/date signed	<p>Resolved to approve subject to completion of S106 agreement</p> <p>IAN PERRY 12 APRIL 2019</p> <p>I have read the officer's report and agree with the considerations and conclusions made for the reasons set out therein.</p>
	<p>Following Signing of the S106 Agreement, I have reviewed the application file and requested more detail regarding land ownership. The applicant has confirmed the necessary land for the off-grid drainage solution is within their control and similarly that the various barns and storage buildings are within the application boundary and their control.</p> <p>In light of the extent of service networks that are likely to be required across the site and to ensure the landscape scheme is implemented / protected as far as possible, I have included two additional conditions on the permission. These relate to Tree Protection measures and the above ground details of the foul sewerage system and are details on the decision notice.</p> <p>In addition, for the avoidance of doubt, I have confirmed with our legal team that the erroneous error references within the S106 Agreement do not affect the operation of the Agreement.</p> <p>With these amendments, I am content to concur with the conclusions of the officer's Report for the reasons set out therein.</p> <p>R Eastman 30.7.19</p>