

**Agenda for Planning Committee
Tuesday, 21st April, 2026, 10.00 am**



Members of Planning Committee

Councillors B Bailey, I Barlow, K Bloxham, C Brown,
S Chamberlain, M Chapman, B Collins,
O Davey (Chair), S Gazzard, J Heath,
M Howe, S Hughes, S Hunt, Y Levine,
S Smith and E Wragg (Vice-Chair)

East Devon District Council
Blackdown House
Border Road
Heathpark Industrial Estate
Honiton
EX14 1EJ
DX 48808 Honiton
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www.eastdevon.gov.uk

Venue: Council Chamber, Blackdown House, Honiton

Contact: Wendy Harris, Democratic Services Officer
01395 517542; email
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(or group number 01395 517546)

Issued: Friday, 10 April 2026

This meeting is being recorded for subsequent publication on the Council's website and will be streamed live to the [East Devon District Council Youtube Channel](#)

[Speaking on planning applications](#)

In order to speak on an application being considered by the Planning Committee you must have submitted written comments during the consultation stage of the application. Those that have commented on an application being considered by the Committee will receive a letter or email detailing the date and time of the meeting and instructions on how to register to speak. The letter/email will have a reference number, which you will need to provide in order to register. Speakers will have 3 minutes to make their representation.

The number of people that can speak on each application is limited to:

- Major applications – parish/town council representative, 5 supporters, 5 objectors and the applicant or agent
- Minor/Other applications – parish/town council representative, 2 supporters, 2 objectors and the applicant or agent

The revised running order for the applications being considered by the Committee and the speakers' list will be posted on the council's website (agenda item 1 – speakers' list) on the Friday before the meeting. Applications with registered speakers will be taken first.

Parish and town council representatives wishing to speak on an application are also required to pre-register in advance of the meeting. One representative can be registered to speak on behalf of the Council from 10am on Tuesday, 14 April 2026 up until 12 noon on Friday, 17 April 2026 by leaving a message on 01395 517542 or emailing planningpublicspeaking@eastdevon.gov.uk.

Speaking on non-planning application items

A maximum of two speakers from the public are allowed to speak on agenda items that are not planning applications on which the Committee is making a decision (items on which you can register to speak will be highlighted on the agenda). Speakers will have 3 minutes to make their representation. You can register to speak on these items up until 12 noon, 3 working days before the meeting by emailing planningpublicspeaking@eastdevon.gov.uk or by phoning 01395 517542. A member of the Democratic Services Team will contact you if your request to speak has been successful.

1 **Speakers' list and revised running order for the planning applications**

(Pages 4 - 5)

Speakers' list and revised running order for the planning applications.

2 **Minutes of the previous meeting** (Pages 6 - 9)

Minutes of the Planning Committee meeting held on 24 March 2026.

3 **Apologies**

4 **Declarations of interest**

Guidance is available online to Councillors and co-opted members on making [declarations of interest](#)

5 **Matters of urgency**

Information on [matters of urgency](#) is available online

6 **Confidential/exempt item(s)**

To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.

7 **Planning appeal statistics** (Pages 10 - 28)

Update from the Development Manager

Applications for Determination

8 **25/1856/FUL (Minor) BUDLEIGH & RALEIGH** (Pages 29 - 51)

10 Marine Parade, Budleigh Salterton, EX9 6NS.

9 **24/2057/VAR (Other) EXMOUTH LITTLEHAM** (Pages 52 - 77)

Chestnuts, 65 Salterton Road, Exmouth, EX8 2EJ.

10 **26/0103/PIP (Other) CLYST VALLEY** (Pages 78 - 88)

Mayfield, Lower Lane, Ebford, Exeter, EX3 0QT.

- 11 **26/0261/LBC (Other) HONITON ST MICHAELS** (Pages 89 - 95)
Burwood, Exeter Road, Honiton, EX14 1AL.
- 12 **26/0128/FUL (Other) HONITON ST MICHAELS** (Pages 96 - 102)
7 Eureka Terrace, Honiton, EX14 1DZ.

The application below will not be considered before 1.30pm

- 13 **25/2454/OUT (Other) YARTY** (Pages 103 - 216)
Land opposite Ridgeway Inn, Smallridge.

Under the Openness of Local Government Bodies Regulations 2014, members of the public are now allowed to take photographs, film and audio record the proceedings and report on all public meetings (including on social media). No prior notification is needed but it would be helpful if you could let the democratic services team know you plan to film or record so that any necessary arrangements can be made to provide reasonable facilities for you to report on meetings. This permission does not extend to private meetings or parts of meetings which are not open to the public. You should take all recording and photography equipment with you if a public meeting moves into a session which is not open to the public.

If you are recording the meeting, you are asked to act in a reasonable manner and not disrupt the conduct of meetings for example by using intrusive lighting, flash photography or asking people to repeat statements for the benefit of the recording. You may not make an oral commentary during the meeting. The Chair has the power to control public recording and/or reporting so it does not disrupt the meeting.

[Decision making and equalities](#)

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

Planning Committee, Tuesday, 21 April 2026 – 10am

Speakers registered for the planning applications

****Please note that the running order for the planning applications has been revised based on the number of speakers****

Agenda item 8 Application number: 25/1856/FUL (Minor) Pages 29- 51 Ward: Budleigh & Raleigh Address: 10 Marine Parade, Budleigh Salterton, EX9 6NS Ward Members: Councillor Charlotte FitzGerald / Councillor Melanie Martin / Councillor Henry Riddell	
Objector	Chris Boorman
	Robert Wiltshire
Agent	Gavin Spiller Tel: 01392 581 150
Ward Member	Councillor Charlotte FitzGerald

Agenda item 11 Application number: 26/0261/LBC (Other) Pages 89 - 95 Ward: Honiton St Michaels Address: Burwood, Exeter Road, Honiton, EX14 1AL Ward Members: Councillor Violet Bonetta / Councillor Jenny Brown / Councillor Roy Collins	
Agent	Mathew Dalton-Aram Tel: 01297 232 61
Ward Member	Councillor Roy Collins

Agenda item 9 Application number: 25/2057/VAR (Other) Pages 52 - 77 Ward: Exmouth Littleham Address: Chestnuts, 65 Salterton Road, Exmouth, EX8 2EJ Committee Member: Councillor Anne Hall / Councillor Nick Hookway Committee Ward Member: Councillor Brian Bailey	
Ward Member	Councillor Nick Hookway

Agenda item 10 Application number: 26/0103/PIP (Other) Pages 78 - 88 Ward: Clyst Valley Address: Mayfield, Lower Lane, Ebford, EX3 0QT Committee Ward Member: Councillor Mike Howe	
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Agent	Gavin Spiller Tel: 01392 581 150
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Agenda item 12 Application number: 26/0128/FUL (Other) Pages 96 - 102 Ward: Honiton St Michaels Address: 7 Eureka Terrace, Honiton, EX14 1DZ Ward Members: Councillor Violet Bonetta / Councillor Jenny Brown / Councillor Roy Collins	
Ward Member	Councillor Roy Collins

The application below will not be considered before 1.30pm

Agenda item 13 Application number: 25/2454/OUT (Other) Pages 103 - 216 Ward: Yarty Address: Land opposite Ridgeway Inn, Smallridge Ward Members: Councillor Duncan Mackinder	
Objector	Diana Pollard
	Amy Hardy
Agent	Rachel Tadman Tel: 07776 132 225
Ward Member	Councillor Duncan Mackinder

EAST DEVON DISTRICT COUNCIL**Minutes of the meeting of Planning Committee held at Council Chamber, Blackdown House, Honiton on 24 March 2026****Attendance list at end of document**

The meeting started at 10.00 am and ended at 12.05 pm

88 Minutes of the previous meeting

The minutes of the previous meeting held on 24 February 2026 were agreed as a true record subject to Councillor Kim Bloxham's apologies being formally noted.

89 Declarations of interest

Minute 93. 23/2077/MOUT (Major) OTTERY ST MARY.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the Constitution, the Chair, Councillor Olly Davey, on behalf of the Committee, advised lobbying in respect of this application.

Minute 94. 25/2593/PIP (Other) CLYST VALLEY.

In accordance with the Code of Good Practice for Councillors and Officers dealing with planning matters as set out in the Constitution, Councillor Olly Davey, advised lobbying in respect of this application.

Minute 94. 25/2593/PIP (Other) CLYST VALLEY.

Councillor Mike Howe, Affects Non-registerable Interest, Clyst Valley Ward Member.

90 Matters of urgency

There were none.

91 Confidential/exempt item(s)

There were none.

92 Planning appeal statistics

The Committee received the planning appeal statistics report noting that an appeal had been lodged for planning application 23/2627/MFUL – land north east of Parkfield Cottages, Pink House Corner, Lypstone for the construction of an 'Educatering' facility. The Committee also received an update on three enforcement appeals and were pleased to hear that all three appeals had been dismissed with the Enforcement Notices upheld.

93 23/2077/MOUT (Major) OTTERY ST MARY**Applicant:**

Mr Graham Hudson.

Location:

Land south of Hansford Way, Ottery St Mary.

Proposal:

Outline application for single storey class B8, E(c) and E(g) development comprising floor space of up to 2640 sq.m. (all matters reserved).

RESOLVED:

Approved with conditions in accordance with officer recommendation.

94 **25/2593/PIP (Other) CLYST VALLEY**

Applicant:

Mr Christopher Heal.

Location:

Land adjacent to A376 Exmouth Road, Ebford Lane, Ebford.

Proposal:

Permission in principle for the development of up to five detached dwellings.

RESOLVED:

Permission in Principle be approved in accordance with officer recommendation.

95 **23/2663/FUL (Minor) YARTY**

Applicant:

Mr & Mrs Raggio.

Location:

Lily Cottage, Goldsmith Lane, All Saints, Axminster, EX13 7LU.

Proposal:

Demolition of cottage and erection of new dwelling.

RESOLVED:

1. The Appropriate Assessment be adopted.
2. Approved in accordance with officer recommendation subject to a S106 agreement to secure a foul drainage upgrade and subject to an amendment to Condition 10 to read as follows:
"Prior to first occupation, a written report shall be submitted to and approved in writing by the Local Planning Authority confirming that the sustainability measures identified in the Design & Access Statement (December 2023), or updated measures or equivalent or superior performance, have been installed and commissioned. These shall include:
 - (a) a low-carbon heating system, such as a ground or air source heat pump, or any alternative technology that achieves equal or greater energy efficiency and carbon savings;
 - (b) a whole-dwelling mechanical ventilation system with heat recovery;
 - (c) an eaves mounted renewable electricity-generating system with capacity equal to or exceeding 7.5kWp installed in accordance with the details under Condition 8;
 - (d) on-site energy storage with capacity equal to or exceeding 13.5 kWh;
 - (e) a breathable, bio-based fabric construction, including hob, straw bale and wood fibre;

The approved measures, or approved updated equivalents, shall thereafter be retained and maintained for the lifetime of the development.

(Reason – To ensure the dwelling achieves and maintains the very high levels of sustainability that form a key component of the planning balance under NPPF paragraph 139.)

96 **25/1601/OUT (Minor) WOODBURY & LYMPSTONE (APPLICATION DEFERRED)**

Applicant:

Mr Anthony.

Location:

Car park land south of Underhill Close, Lymptone.

Proposal:

Outline application for the erection of three detached dwellings (all matters reserved)

This application was deferred to a later date.

Attendance List

Councillors present:

I Barlow
K Bloxham
C Brown
B Collins
O Davey (Chair)
J Heath
M Howe
S Hughes
Y Levine
S Smith
E Wragg (Vice-Chair)

Councillors also present (for some or all the meeting)

J Bailey
R Collins
P Faithfull
D Mackinder

Officers in attendance:

Nigel Barrett, Senior Planning Officer
Andrew Digby, Senior Planning Officer
Wendy Harris, Democratic Services Officer
Jill Himsworth, Planning Officer
Damian Hunter, Planning Solicitor
Wendy Ormsby, Development Manager

Councillor apologies:

B Bailey

S Gazzard

Chairman

Date:

**EAST DEVON DISTRICT COUNCIL
LIST OF PLANNING APPEALS LODGED**

Agenda Item 7

Ref: 25/2209/FUL **Date Received** 09.03.2026
Appellant: Mr Andrew and Paul Lightfoot
Appeal Site: Land adjoining White Farm Lane West Hill Ottery St Mary
Proposal: Construction of 1no. dwelling
Planning 6006098
Inspectorate Ref:

Ref: 25/2102/LBC **Date Received** 10.03.2026
Appellant: Mr Graham Tucker
Appeal Site: The Old House Sheldon Honiton EX14 4QR
Proposal: Install 8no. panels and 5no. panels on south east elevation
Planning 6006240
Inspectorate Ref:

Ref: 25/0786/CPE **Date Received** 16.03.2026
Appellant: Mr M Babakarkhil
Appeal Site: A303 Services Yarcombe EX14 9ND
Proposal: Certificate of lawful existing use or development. Signage and associated infrastructure in, on or under the ground/land located at A303 Services EX14 9ND
Planning 6006470
Inspectorate Ref:

Ref: 25/0830/AGR **Date Received** 17.03.2026
Appellant: M G Bull
Appeal Site: Land North of Sand Farm Sidbury Hill Sidbury
Proposal: Portal framed agricultural building
Planning
Inspectorate Ref:

Ref: 25/1433/CPE **Date Received** 22.03.2026
Appellant: Daren Richards
Appeal Site: Valley View Paddock Church Hill Pinhoe Exeter Devon
Proposal: Lawful development certificate for the continued use of a converted stable as a dwelling
Planning 6006822
Inspectorate Ref:

Ref: 25/2568/ADV **Date Received** 29.03.2026
Appellant: Mr Ashwin Eapen
Appeal Site: Country House Estate Whimple Devon EX5 2NL
Proposal: Three non-illuminated free standing totem signs located in the vicinity of InstaVolt's EV charging site (retrospective)
Planning 6007241
Inspectorate Ref:

Ref: 25/1015/FUL **Date Received** 01.04.2026
Appellant: Mr and Mrs Freemantle
Appeal Site: 2 Hunt Cottages Sidmouth Road Clyst St Mary Exeter EX5
1DN
Proposal: New detached dwelling
Planning 6007522
Inspectorate Ref:

**EAST DEVON DISTRICT COUNCIL
LIST OF PLANNING APPEALS DECIDED**

Ref: 25/0682/PIP **Appeal Ref:** 25/00072/REF
Appellant: Mr May
Appeal Site: Land West of Rewe Cross Green Lane Netherexe
Proposal: Planning in principle for the erection of a minimum of 1no.
and a maximum of 4no. affordable self-build (SCB) dwellings
Decision: **Appeal Dismissed** **Date:** 11.03.2026
Procedure: Written representations
Remarks: Delegated refusal, accessibility, amenity and conservation
reasons upheld (EDLP Policies D1, EN7, EN8, EN8, TC2,
Strategies 5B, 7, 46, ELP Policies D01, D02, HE01, HE02,
TR01).
BVPI 204: **Yes**
Planning 6000858
Inspectorate Ref:

Ref: 25/0686/FUL **Appeal Ref:** 25/00089/REF
Appellant: Mr Richard Morgans
Appeal Site: Forge House Wilmington Honiton EX14 9JR
Proposal: Creation of new access, driveway and parking area
Decision: **Appeal Dismissed** **Date:** 17.03.2026
Procedure: Written representations
Remarks: Delegated refusal, landscape and amenity reasons upheld
(EDLP Policy D1, Strategy 46, ELP Policy OL02).
BVPI 204: **Yes**
Planning 6002059
Inspectorate Ref:

Ref: 24/1372/FUL **Appeal Ref:** 25/00071/REF
Appellant: Adrian Clarke
Appeal Site: Land North of Dennesdene Close Exmouth
Proposal: Proposed construction of detached bungalow
Decision: **Appeal Allowed** **Date:** 23.03.2026
(with conditions)
Procedure: Written representations
Remarks: Delegated refusal, amenity reasons overruled (EDLP Policies D1, EN2, Strategy 6, NP Policy EN2).

The Inspector considered that there would be limited harm caused to the character and appearance of the site and its surroundings resulting in conflict with Strategy 6 and policies EN2 and D1 of the EDLP and ENP policy EN2 which seek to protect the character of the site and its surroundings and conserve the Bapton Brook Valley Park. The proposal would therefore conflict with the development plan when read as a whole.

However, the Council can only demonstrate 2.97 years supply of deliverable housing sites which is well below the minimum level required. The policies most important for determining the appeal are therefore out of date for the purposes of the Framework. Consequently, with reference to paragraph 11 d) of the Framework, consideration of the presumption in favour of sustainable development is required.

The Inspector concluded that overall, the limited adverse impact of the proposal does not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole having particular regard to key policies for directing development to sustainable locations. As a result, the presumption in favour of sustainable development applies to this appeal.

BVPI 204: **Yes**
Planning 6000802
Inspectorate Ref:

Ref: 25/1062/FUL **Appeal Ref:** 25/00079/NONDET
Appellant: Mr Steve Richards
Appeal Site: Land South of 15 Halsdon Avenue Exmouth
Proposal: To erect a single-storey 1-bed detached dwelling with associated amenity space.
Decision: **Appeal Dismissed** **Date:** 01.04.2026
Procedure: Written representations
Remarks: The appeal was made against the failure of the Council to give notice of a decision on the planning application within the prescribed period. However, the Council resolved that, had it been in a position to determine the application, the application would have been refused. Amenity and drainage reasons upheld (EDLP Policies D1, D3, EN22, Strategy 6, NP Policies EN1, EB2).

BVPI 204: **No**
Planning 6001291
Inspectorate Ref:

Ref: 24/1912/FUL **Appeal Ref:** 25/00087/HH
Appellant: Mr Constantinou
Appeal Site: Maycoes Branscombe Devon EX12 3DN
Proposal: Erection of replacement gabion retaining structure.
Decision: **Appeal Allowed** **Date:** 01.04.2026
(with conditions)
Procedure: Written representations
Remarks: Delegated refusal, landscape reasons overruled EDLP Strategies 7, 46).

The Inspector considered that although the gabion wall is engineered in form, it would be introduced into a setting where domestic retaining structures are already characteristic. Its scale, siting and relationship with the existing terrace mean it would read as a functional garden feature associated with the dwelling, consistent with the settled domestic character of this part of the valley. It would not erode the underlying of the wider protected landscape or disrupt the natural landform beyond the confines of the existing garden.

The Inspector concluded that the proposed development would not result in material harm to the character or appearance of the area, and it would conserve the qualities for which the East Devon National Landscape is designated.

BVPI 204: **Yes**
Planning 6001716
Inspectorate Ref:

East Devon District Council List of Appeals in Progress

App.No: 24/0439/TRE
Appeal Ref: APP/TPO/U1105/10189
Appellant: Mr Steven Richards
Address: Land South Of 15 Halsdon Avenue Exmouth Devon EX8 3DL
Proposal; G7.1 and G7.2 Lime:
i) Create high pollard on structural branches, with preferentially nodal pruning at a height of approx. 8m, with target pruning cuts of typically 100mm dia. Establish radial spread of approx. 2.5m.
ii) Repeat management on cycle of not less than 5 years, and not more than 7 years.

Start Date: 26 July 2024

Procedure:
Written reps.

Questionnaire Due Date:

9 August 2024

App.No: 21/F0311
Appeal Ref: APP/U1105/C/25/3360742 & APP/U1105/F/25/3360464
Appellant: Julia Gardiner
Address: 55 High Street, Honiton EX14 1PW
Proposal; Appeals against enforcement notices served in respect of the installation of windows in a listed building
Start Date: 10 March 2025
Procedure:
Written reps.

Questionnaire Due Date: 24 March 2025
Statement Due Date: 21 April 2025

App.No: 23/F0111
Appeal Ref: APP/U1105/C/25/3361991
Appellant: Mr Robert Hobson
Address: Land at Broad Down, north of Wiscombe Linhay Farm,
Southleigh, Colyton EX24 6JF
Proposal; Appeal against an enforcement notice served in respect of
siting and storage of non-agricultural items on the land
including a static caravan, shipping containers, a porta cabin,
a storage/toilet block and a commercial vehicle.
Start Date: 25 March 2025
Procedure:
Written reps.
Questionnaire Due Date: 8 April 2025
Statement Due Date: 6 May 2025

App.No: 25/0649/CPL
Appeal Ref: APP/U1105/X/25/3368421
Appellant: Mr John Sidhu
Address: Bridewell Cottage Hawkchurch Axminster EX13 5XL
Proposal; Certificate of lawfulness for proposed repairs to Cottage as
already approved per undertaking given in 1972 and since in
detailed communications
Start Date: 2 July 2025
Procedure:
Written reps.
Questionnaire Due Date: 9 July 2025
Statement Due Date: 6 August 2025

App.No: 24/0096/MFUL
Appeal Ref: APP/U1105/W/25/3369854
Appellant: Clearstone Energy
Address: Land south of Hazelhurst Raymonds Hill Axminster
Proposal; Proposed construction, operation and maintenance of a
Battery Energy Storage System (BESS) with associated
infrastructure and works including highway access,
landscaping and biodiversity enhancements.
Start Date: 25 July 2025
Procedure:
Inquiry
Questionnaire Due Date: 1 August 2025
Statement Due Date: 29 August 2025
Inquiry Date: 10 March 2026

App.No: 25/0468/FUL
Appeal Ref: APP/U1105/W/25/3372790
Appellant: Christine And David Joyce
Address: Woodhouse Farm Stables Hawkchurch EX13 5UF
Proposal; Construction of new dwelling to replace mobile home granted under certificate of lawfulness ref. LP5/179/GCG/AL (02/Y0002)
Start Date: 17 September 2025
Procedure: Written reps.
Questionnaire Due Date: 24 September 2025
Statement Due Date: 22 October 2025

App.No: 25/0609/PDQ
Appeal Ref: 6001237
Appellant: Mr Rupert Thistlewayte
Address: Land Opposite Cadhay Barton Cadhay Ottery St Mary
Proposal; Prior approval for the change of use of 2no. agricultural buildings into 3no. residential dwelling and associated operation development to enable the buildings to function as dwellinghouses
Start Date: 28 October 2025
Procedure: Written reps.
Questionnaire Due Date: 4 November 2025
Statement Due Date: 2 December 2025

App.No: 25/1228/PIP
Appeal Ref: 6001310
Appellant: Mr S Wright
Address: Cherrytrees 25 Village Way Aylesbeare Exeter EX5 2FD
Proposal; Permission in principle for the erection of 2no. self-build dwellings and associated works
Start Date: 28 October 2025
Procedure: Written reps.
Questionnaire Due Date: 4 November 2025
Statement Due Date: 2 December 2025

App.No: 25/0057/OUT
Appeal Ref: 6001406
Appellant: Mr Paul Hunt
Address: Land Adjoining West Hayes Eastfield West Hill EX11 1GG
Proposal; Outline application for the erection of 9 dwellings, including 4 affordable dwellings and associated parking. Approval sought for access, appearance, layout and scale (matters reserved: landscaping)
Start Date: 6 November 2025
Procedure:
Written reps.
Questionnaire Due Date: 13 November 2025
Statement Due Date: 11 December 2025

App.No: 25/1187/CPL
Appeal Ref: APP/U1105/X/25/3375504
Appellant: David Hawes
Address: 6 Bakers Cottages Longmeadow Road Lymptone EX8 5LP
Proposal; Certificate of Proposed Lawful Use for an outbuilding to be used for storing garden equipment, tools and as a log store.
Start Date: 1 December 2025
Procedure:
Written reps.
Questionnaire Due Date: 8 December 2025
Statement Due Date: 12 January 2026

App.No: 25/0809/FUL
Appeal Ref: 6002034
Appellant: Lawrence Arnold
Address: 1 Silver Street Ottery St Mary EX11 1DB
Proposal; Change of use from office/retail (class E) to 2no. new dwellings (class C3) on the 1st and 2nd floor including self-contained stairwell
Start Date: 1 December 2025
Procedure:
Written reps.
Questionnaire Due Date: 8 December 2025
Statement Due Date: 5 January 2026

App.No: 25/0128/FUL
Appeal Ref: APP/U1105/W/25/3375541
Appellant: FWS Carter & Sons Ltd
Address: Greendale Business Park Land south of Sidmouth Road
Aylesbeare
Proposal; Proposed 30 no. EV charging points, 2 HGV filling station
points, and battery farm (enclosed within a building) with
associated parking spaces, internal road
network/hardstanding, boundary planting, and access and
egress onto the Greendale Business Park Private Road
Network.
Start Date: 2 December 2025
Procedure:
Inquiry
Questionnaire Due Date: 9 December 2025
Statement Due Date: 6 January 2026
Inquiry Date: 3 March 2026

App.No: 25/0180/OUT
Appeal Ref: 6002448
Appellant: Mr Paul Gamble
Address: Land South of Knights Lane All Saints EX13 7LS
Proposal; Outline application for proposed self-build dwelling and
associated works (All matters reserved)
Start Date: 16 December 2025
Procedure:
Written reps.
Questionnaire Due Date: 23 December 2025
Statement Due Date: 20 January 2026

App.No: 25/1198/LBC
Appeal Ref: 6002257
Appellant: Mr And Mrs Walker
Address: 1 Ivy Cottages Talaton Exeter EX5 2SD
Proposal; Proposed open fronted porch on front north elevation.
Start Date: 6 January 2026
Procedure:
Written reps.
Questionnaire Due Date: 13 January 2026
Statement Due Date: 10 February 2026

App.No: 25/0839/FUL
Appeal Ref: 6002857
Appellant: Mr Maddicks
Address: 1 Broad Street Ottery St Mary EX11 1BR
Proposal; Proposed part change of use of ground floor, with shop remaining. Change of use of first floor from offices to two storey dwelling. Revised application of 24/1817/FUL.
Start Date: 6 January 2026
Procedure:
Written reps.
Questionnaire Due Date: 13 January 2026
Statement Due Date: 10 February 2026

App.No: 25/0509/MOUT
Appeal Ref: 6002860
Appellant: Bloor Homes (Exeter)
Address: Land At Ottery Road Feniton
Proposal; Erection of up to 85 dwellings, a community eco-hut and associated infrastructure (outline) with vehicular access to be determined; all other matters reserved
Start Date: 6 January 2026
Procedure:
Written reps.
Questionnaire Due Date: 13 January 2026
Statement Due Date: 10 February 2026

App.No: 25/1272/PIP
Appeal Ref: 6003523
Appellant: Mr Stephen Hartwell
Address: The Nook Brooklands Cross Newton Poppleford EX10 0BY
Proposal; Permission in Principle for construction 1no. new dwelling
Start Date: 15 January 2026
Procedure:
Written reps.
Questionnaire Due Date: 22 January 2026
Statement Due Date: 19 February 2026

App.No: 25/1284/PIP
Appeal Ref: 6003514
Appellant: A F Freemantle & Son
Address: Land At Oil Mill Cross Oil Mill Lane Clyst St Mary
Proposal; Permission in principle for the construction of 9 no. new dwellings
Start Date: 20 January 2026
Procedure:
Written reps.
Questionnaire Due Date: 27 January 2026
Statement Due Date: 24 February 2026

App.No: 24/2650/MFUL
Appeal Ref: 6003095
Appellant: Sky UK Development Ltd
Address: Land At Newlands Farm Crewkerne Road Axminster EX13 5SF
Proposal; Construction and operation of up to an 80MW Battery Energy Storage System (BESS), comprising battery container units; inverter-transformer skid units, electrical substation buildings; substation compound; access roads; water storage tanks; fencing; CCTV; landscaping, and all ancillary grid infrastructure and associated works
Start Date: 21 January 2026
Procedure:
Inquiry
Questionnaire Due Date: 28 January 2026
Statement Due Date: 25 February 2026
Inquiry Date: 12 May 2026

App.No: 25/0106/FUL
Appeal Ref: 6003757
Appellant: Mrs Kelly Potter
Address: 87 Peaslands Road Sidmouth Devon EX10 8XD
Proposal; Construction of shed in front garden (retrospective).
Start Date: 21 January 2026
Procedure:
Householder
Questionnaire Due Date: 26 January 2026
Statement Due Date:

App.No: 25/1588/FUL
Appeal Ref: 6003751
Appellant: Mr Graeme Fraser
Address: Coombe Dairy Annexe Exe View Road Lymstone Exmouth
EX8 5AZ
Proposal; Unrestricted use as dwellinghouse
Start Date: 22 January 2026
Procedure:
Written reps.
Questionnaire Due Date: 29 January 2026
Statement Due Date: 26 February 2026

App.No: 25/1477/FUL
Appeal Ref: 6004123
Appellant: Mr Stephen Luderman
Address: Land formerly Devonshire Inn Cottage Upottery Devon EX14
9NE
Proposal; Change of use of agricultural land and siting of mobile home
for holiday accommodation purpose
Start Date: 27 January 2026
Procedure:
Written reps.
Questionnaire Due Date: 3 February 2026
Statement Due Date: 3 March 2026

App.No: 25/1349/PDQ
Appeal Ref: 6003914
Appellant: Mr P Moore
Address: Four Elms Farm Alfington Road Ottery St Mary EX11 1NY
Proposal; Prior approval (Class Q) for the change of use of an agricultural building to 2 no. dwelling (Class C3)
Start Date: 3 February 2026
Procedure:
Written reps.
Questionnaire Due Date: 10 February 2026
Statement Due Date: 10 March 2026

App.No: 25/0731/MOUT
Appeal Ref: APP/U1105/W/26/3377572
Appellant: Mr P Aubery (Tavistock Green Ltd)
Address: Land at Abbey Road Dunkeswell
Proposal; Outline application for residential development for up to 65 dwellings (all matters reserved except for access)
Start Date: 10 February 2026
Procedure:
Hearing
Questionnaire Due Date: 17 February 2026
Statement Due Date: 17 March 2026
Hearing Date: 20 May 2026

App.No: 25/1856/FUL
Appeal Ref: 6004696
Appellant: Dr Hugh McCormick
Address: 10 Marine Parade Budleigh Salterton Devon EX9 6NS
Proposal; Redevelopment of the site to provide 4no. maisonette dwellings, with associated parking and landscaping (revised scheme to planning application ref. 24/1832/FUL)
Start Date: 10 February 2026
Procedure:
Written reps.
Questionnaire Due Date: 17 February 2026
Statement Due Date: 17 March 2026

App.No: 25/1794/VAR
Appeal Ref: 6004829
Appellant: Leonard Taylor
Address: 7 Woodlands Drive Exmouth Devon EX8 4QP
Proposal; Variation of condition 2 (approved plans) of planning permission Ref: 22/1375/FUL (Single storey side extension, removal of chimney stack, conversion of roof space to habitable use to include a front and rear dormer, 2 roof lights, extension to vehicular hardstanding to front, installation of vehicular hardstanding to side, installation of boundary wall to rear, porch to front with alteration to fenestration) to allow for ridge height and pitch alterations and changes to fenestration.
Start Date: 10 February 2026
Procedure:
Written reps.
Questionnaire Due Date: 17 February 2026

App.No: 25/1302/FUL
Appeal Ref: 6004880
Appellant: Sarah Birnie
Address: Northay Lodge Trinity Hill Road Axminster EX13 5SS
Proposal; Change of use of existing dwelling house (restricted to use for holiday accommodation purposes) to permit unrestricted residential occupation.
Start Date: 12 February 2026
Procedure:
Written reps.
Questionnaire Due Date: 19 February 2026
Statement Due Date: 19 March 2026

App.No: 25/2025/PIP
Appeal Ref: 6004981
Appellant: Mrs E Hunt
Address: Land Adjoining Hawthorn House Back Lane Newton Popleford
Proposal; Permission in Principle application for up to 9no. dwellings
Start Date: 17 February 2026
Procedure:
Written reps.
Questionnaire Due Date: 24 February 2026
Statement Due Date: 24 March 2026

App.No: 25/0800/FUL
Appeal Ref: 6005430
Appellant: Mr Thomas Rogers
Address: 6 Jesu Street Ottery St Mary EX11 1EU
Proposal; Redevelopment from commercial to residential of shop front,
1 two-bed cottage, 1 two-bedroom flat and a three-bed duplex
apartment.
Start Date: 24 February 2026
Procedure:
Written reps.
Questionnaire Due Date: 3 March 2026
Statement Due Date: 31 March 2026

App.No: 25/2309/FUL
Appeal Ref: 6005489
Appellant: David Mulvihill
Address: Meadow Cottage Frogmore Road East Budleigh Devon EX9
7BB
Proposal; Demolish existing dwelling. Construction of 1no. new dwelling
with detached garage and other associated works
Start Date: 2 March 2026
Procedure:
Written reps.
Questionnaire Due Date: 9 March 2026
Statement Due Date: 6 April 2026

App.No: 25/2532/FUL
Appeal Ref: 6005675
Appellant: Mr Stoykov
Address: Pitney Water Storage Tank Broadhembury
Proposal; Conversion and extension of the existing building to provide a two-bedroom dwelling
Start Date: 3 March 2026
Procedure:
Written reps.
Questionnaire Due Date: 10 March 2026
Statement Due Date: 7 April 2026

App.No: 25/2209/FUL
Appeal Ref: 6006098
Appellant: Mr Andrew and Paul Lightfoot
Address: Land adjoining White Farm Lane West Hill Ottery St Mary
Proposal; Construction of 1no. dwelling
Start Date: 10 March 2026
Procedure:
Written reps.
Questionnaire Due Date: 17 March 2026
Statement Due Date: 14 April 2026

App.No: 25/2102/LBC
Appeal Ref: 6006240
Appellant: Mr Graham Tucker
Address: The Old House Sheldon Honiton EX14 4QR
Proposal; Install 8no. panels and 5no. panels on south east elevation
Start Date: 16 March 2026
Procedure:
Written reps.
Questionnaire Due Date: 23 March 2026
Statement Due Date: 20 April 2026

App.No: 24/1761/MFUL
Appeal Ref: 6005405
Appellant: Mr N Taylor
Address: Land At Higher Metcombe Higher Mecombe EX11 1SL
Proposal; Proposed erection of 3no detached dwellings, stable block and paddock with associated hard and soft landscaping/access
Start Date: 17 March 2026
Procedure: Written reps.
Questionnaire Due Date: 24 March 2026
Statement Due Date: 21 April 2026

App.No: 23/2627/MFUL
Appeal Ref: 6005764
Appellant: Goosemoor Ltd
Address: Land north east of Parkfield Cottages Pink House Corner Lympstone
Proposal; Construction of proposed 'Educatering' facility (use class E(g) and B8) including parking, access, area for growing crops and landscaping
Start Date: 17 March 2026
Procedure: Hearing
Questionnaire Due Date: 24 March 2026
Statement Due Date: 21 April 2026
Hearing Date: 23 June 2026

App.No: 25/0711/FUL
Appeal Ref: 6003339
Appellant: Mr Henry Gent (Mosshayne Farm Partnership)
Address: Mosshayne Farm West Clyst Devon EX1 3TR
Proposal; Siting of temporary rural workers dwelling (retrospective)
Start Date: 18 March 2026
Procedure: Hearing
Questionnaire Due Date: 25 March 2026
Statement Due Date: 22 April 2026
Hearing Date: 9 June 2026

App.No: 25/1433/CPE
Appeal Ref: 6006822
Appellant: Daren Richards
Address: Valley View Paddock Church Hill Pinhoe Exeter Devon
Proposal; Lawful development certificate for the continued use of a converted stable as a dwelling
Start Date: 31 March 2026
Procedure:
Written reps.
Questionnaire Due Date: 14 April 2026
Statement Due Date: 12 May 2026

App.No: 25/2568/ADV
Appeal Ref: 6007241
Appellant: Mr Ashwin Eapen
Address: Country House Estate Whimble Devon EX5 2NL
Proposal; Three non-illuminated free standing totem signs located in the vicinity of InstaVolt's EV charging site (retrospective)
Start Date: 1 April 2026
Procedure:
Written reps.
Questionnaire Due Date: 10 April 2026

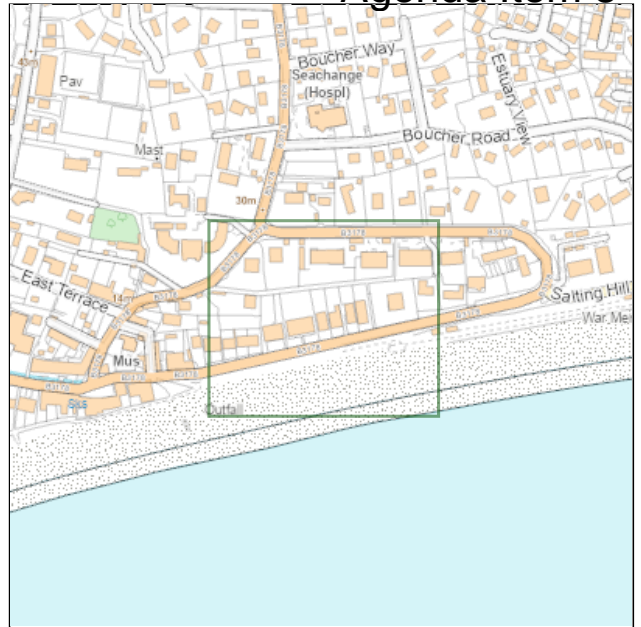
Ward Budleigh And Raleigh

Reference 25/1856/FUL

Applicant Dr Hugh McCormick

Location 10 Marine Parade Budleigh Salterton Devon EX9 6NS

Proposal Redevelopment of the site to provide 4no. maisonette dwellings, with associated parking and landscaping (revised scheme to planning application ref. 24/1832/FUL)



RECOMMENDATION: To notify the Planning Inspectorate that the Council recommend that the planning appeal be allowed.



		Committee Date: 21.04.2026
Budleigh And Raleigh (Budleigh Salterton)	25/1856/FUL	Target Date: 12.11.2025
Applicant:	Dr Hugh McCormick	
Location:	10 Marine Parade Budleigh Salterton	
Proposal:	Redevelopment of the site to provide 4no. maisonette dwellings, with associated parking and landscaping (revised scheme to planning application ref. 24/1832/FUL)	

RECOMMENDATION: To notify the Planning Inspectorate that the Council recommend that the planning appeal be allowed.

EXECUTIVE SUMMARY

This application is before members of the planning committee as the officer's recommendation is contrary to that of the Ward Member. The application is subject to an appeal against non-determination, therefore the Council cannot determine this application but can inform the Planning Inspectorate of its recommendation to approve or otherwise.

The application seeks permission to redevelop the site to provide 3 no. three-bedroom maisonette dwellings and one, four-bedroom maisonette dwelling with underground parking and cycle storage to the front. It is a revised scheme of the refused 24/1832/FUL. The walls of the building are to be constructed from render alongside reconstituted stone and would have a slate roof. The maisonette dwellings will be accessed from Marine Parade with alterations to the existing access to create a two-way flow of traffic and to house the four underground parking garages with cycle storage.

The proposal lies within the build-up area boundary, Budleigh Salterton Conservation Area and East Devon AONB/National Landscape and is lent support in principle by Strategy 6 of the Adopted East Devon Local Plan (2013-2031). Strategy 6 offers support to proposals that are compatible with the character of the site and the surrounding area (including the conservation area) and do not leading to unacceptable pressure on services, exacerbate flood risk or raise highway safety concerns. Compared to 24/1832/FUL the proposal has overcome the highway safety concerns and the harm to the conservation area which formed two of the three reasons for refusal. As for the impact on neighbouring amenity, the balconies to the rear on 24/1832/FUL have been removed and the windows in the East elevation now serve a bathroom and stairwell, neither of which are habitable rooms and both of which could be made

to be obscure glazed. The concern regarding poor internal light to the rear ground floor bedrooms has been overcome by terracing the rear garden and lowering a retaining wall.

Following the revised design submitted in November and following Conservations assessment of the amended plans, the proposal would continue to preserve the setting and significance of the Budleigh Salterton Conservation Area and would therefore comply with Policy EN10 of the Local Plan. In addition, the revised plans include adequate turning space for vehicles to turn off the carriageway overcoming any highway safety issues.

In the absence of a five-year housing land supply Paragraph 11 d) i) of the National Planning Policy Framework (the 'tilted balance') applies subject to there being no significant adverse impact on the Budleigh Salterton Conservation Area and/or East Devon National Landscape, both of which are '*protect areas or assets of particular importance*' within the Framework.

The proposal has overcome highway safety concerns, addressed amenity concerns and would preserve the setting of the conservation area in comparison to the previously refused application 24/1832/FUL. The development accords with the development plan taken as a whole and as such is recommended for approval.

CONSULTATIONS

Budleigh Salterton Town Council

15/10/25- This council does not support the application for the following reasons:
Neighbourhood Plan Policies: The Town Council considered the proposal against the Budleigh Salterton Neighbourhood Plan and concluded that it did not fully meet the following policies:

Policy H1 ' Meeting Local Housing Need: The proposal is unlikely to provide housing that meets the needs of local residents and does not make a meaningful contribution to the town's affordable or accessible housing stock.

Policy H2 ' Maintaining Local Character: This policy states that new housing development 'should maintain the local distinctiveness of the town and its setting. New housing should have regard for scale and massing.' Members felt that the proposed design was not sufficiently sensitive to the established character and proportions of the surrounding buildings along the parade.

While there was some support for the principle of developing four maisonettes on the site, a preference was expressed for retaining the existing façade in order to preserve the architectural character of Marine Parade. Members also noted that the rear elevation, as viewed from Madeira Walk, would present a blank wall that would not contribute positively to the surrounding streetscape.

Policy H3 ' Parking Provision: This policy requires that development should 'have regard for the parking standards of the Local Plan. ' Local Plan Policy TC9 specifies that the development of homes with two or more bedrooms are guided to be provided with two parking spaces. The proposed allocation does not meet this

standard and was therefore considered insufficient. There was an overriding concern regarding the number of parking spaces allocated to this development. Members acknowledged that each property may reasonably be expected to have up to two vehicles. Given the existing parking congestion within Budleigh Salterton, it was felt to be inaccurate to suggest that sufficient on-street parking is available to accommodate additional demand generated by this proposal. The cumulative effect on parking availability and access was therefore a significant consideration. General Comments: Members reiterated the importance of adhering to the Neighbourhood Plan and questioned whether the site was of adequate size to accommodate four properties comfortably, without overdevelopment of the plot. It was acknowledged that attempts had been made to reflect the surrounding architectural style.

Public Correspondence: It was noted that Budleigh Salterton Town Council had been included in four items of correspondence from members of the public submitted to East Devon District Council in relation to this application.

Budleigh Salterton Town Council

25/11/25- This Council does not support this application for the following reasons:

- ' Members were unable to identify any significant difference between the revised plans and the earlier submission.
- ' The proposal places too much development within a limited space.
- ' The proposed dormer windows do not comply with Policies H2 and H3 of the Neighbourhood Plan.
- ' While the rear and side elevations were considered acceptable, the proposed front windows were not regarded as being in keeping with the surrounding street scene.
- ' Only one parking space per maisonette has been provided. Previous concerns regarding inadequate parking provision have not been addressed and remain valid.
- ' Although some alterations have been made, the proposal still fails to maintain the character of the locality.
- ' The proposal does not meet local housing needs nor preserve local character.
- ' Concerns remain regarding the ability to turn into and out of the site safely from the highway.
- ' The principal issue relates to the proposed façade. Members questioned whether the existing façade could be retained with development constructed behind it, as the proposed frontage does not reflect the established street scene.
- ' The existing building is considered to be unique, and its demolition would be regrettable.
- ' The revised proposal includes a narrower footprint intended to improve turning geometry, but this is not considered to offer any meaningful improvement.
- ' The proposed building would be smaller than the existing one; however, it is noted that the conservation consultation report produced by EDDC does not support the application.
- ' It was noted that repeated applications with only minor amendments are unhelpful. The Council supports EDDC's ability to refuse such applications under Section 70A of the Town and Country Planning Act 1990, which allows a planning authority to decline to determine an application when:
 - ' The application is similar to one previously submitted, and
 - ' At least one statutory condition is met.
 - ' The statutory conditions include:

A similar application has been refused by the Secretary of State within the past two years, or

An appeal relating to a similar application has been dismissed by the Secretary of State within the same period.

Application of Section 70A to This Case

' It is the view of BSTC that these conditions are met. The current submission is substantially similar to previous applications; no material change in relevant considerations has been identified; and the authority has already refused more than one similar application within the statutory two-year period. The authority is therefore legally entitled to decline to determine the present application

Budleigh And Raleigh - Cllr Charlotte Fitzgerald

13/10/25- I object to this application. It is clear that the proposed development would not enhance the character of the surrounding conservation area. The case for demolishing the existing building is not obvious. In addition, the proposed design of the replacement building is incongruous to the vernacular of the street; the increased massing of the building is inappropriate for the plot; and I have concerns about the sufficiency of, and feasibility of safe access into, the proposed off-road parking spaces.

Budleigh And Raleigh - Cllr Charlotte Fitzgerald

01/12/25- Further to my previous comment, I cannot see that sufficient improvement has been made in the latest design amendment for me to change my position. Furthermore I am not comfortable with the reliability of the applicant's assurance of safe vehicular access to the on-site parking.

Budleigh And Raleigh - Cllr Henry Riddell

03/11/25- As one of the East Devon District Councillors for Budleigh and Raleigh, I take my responsibilities to represent the community seriously, but the way in which previous applications at this property have been pursued has resulted in my feeling unable to comment and needing to leave it to my fellow ward members to represent the interests of our ward.

Transparency and openness are essential to the planning process. Consequently, I feel unable to provide an impartial comment on this application and will remain neutral, trusting that the planning authority will carefully assess the matter with fairness and integrity.

County Highway Authority

21/10/25- The revised plans (44/2501/PL_1010) from the 24/1832/FUL application has set-back the dedicated parking spaces and removed the individual cycle parking units. Whilst still retaining a communal secure bike store.

Therefore there is now sufficient space for vehicles to turn off-carriageway and avoid not upholding the through-flow of traffic.

As such our response is now one of no objection.

Conservation

20/11/25-

On the basis of the information provided through the amended plans dated 18.11.2025, the proposed redevelopment of the site to provide 4no. maisonette dwellings, with associated parking and landscaping (revised scheme to planning application ref. 24/1832/FUL). Would on account of the development proposals addressing previous concerns, continue to preserve the setting and significance of Budleigh Slaterton Conservation Area as a heritage asset.

In this respect conservation do not wish to offer any further heritage comment, beyond the need for conditions. Case Officer to assess on planning merit.

Support subject to materials condition

Environmental Health

01/10/25- No objection subject to a CEMP condition.

South West Water

04/12/25- The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets)
2. Discharge into the ground (infiltration); or where not reasonably practicable,
3. Discharge to a surface waterbody; or where not reasonably practicable,
4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

Having reviewed the applicant's current information as to proposed surface water disposal for its development (domestic roof and driveway run off only) Please note that discharging to the public combined sewerage network is not an acceptable proposed method of disposal, in the absence of clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

South West Water

11/11/25- Surface Water Management

Please note - the public sewer in Marine Parade is a Combined sewer and not a Surface Water sewer as referred to in Appendix A - Surface Water Drainage Strategy.

It is noted the applicant proposes to attenuate on site, using permeable surfacing to the forecourt/ drive aisle and porous build-ups within the rear garden to promote

infiltration, before discharging to the public sewer in Marine Parade. Should infiltration prove unviable in some areas of the site, they propose to use sub-base attenuation or modular crates from which flow can be controlled.

As this sewer is a Combined sewer, this arrangement will need to be agreed by SWW before any development permitted by this application connects to the network.

EDDC District Ecologist

06/01/26- No objection subject to a Construction and Ecological Management Plan (CECoMP) condition, compliance with the ecology report and no external lighting

Biodiversity Net Gain (BNG)

Metric calculations indicate the development will result in a quantified biodiversity loss of 69.09% for area habitats with a unit deficit of 0.08. The EclA acknowledge that offsite

provision will be required to meet the biodiversity net gain objective and given the limited opportunities for onsite enhancement, this is considered acceptable.

However, it is recommended that local (within East Devon or surrounding area) offsite BNG provision is committed to, in accordance with BNG Good Practice Principles for Development and Principle 8 of the Biodiversity Net Gain User Guide.

Other Representations

54 letters from third parties have been received, 47 of objection and 7 in support.

The objections raise concerns regarding:

- The harm to the conservation area
- The design, mass and bulk of the proposal
- Harm to residential amenity
- Highway safety and parking
- Land stability, excavation and structural risk
- Sustainability of demolition and reconstruction
- The need for this type of housing

The letters of support praise:

- The improvements compared to the previous scheme
- The reuse of a brownfield site
- The support from consultees and overcoming the previous reasons for refusal
- The economic benefits of the scheme
- Being in-keeping with its surroundings

PLANNING HISTORY

Reference	Description	Decision	Date
24/2680/FUL	Single storey rear extensions and new 2nd floor extension with conservation rooflights and second storey side windows (with translucent glazing)	Refusal	05/03/2025 (Appeal Dismissed 22/07/2025)
24/2661/FUL	Terraced landscaping to rear garden	Approval with conditions	27/02/2025 (Appeal Allowed [no conditions] 22/07/2025)
24/2409/CPL	Certificate of Proposed Lawful Development for the construction of single storey rear extensions (Permitted Development Class A) and alterations to existing roof (Permitted Development Class C).	CPL Refuse Part 1	28/11/2024
24/2164/CPL	Lawful development certificate for construction of outbuilding (Permitted Development Class E)	CPL Refuse Part 1	12/11/2024
24/1832/FUL	Replacement of existing single family dwelling and creation of 4 no. apartments.	Refusal	18/11/2024 (Appeal Dismissed 22/07/2025)
24/1823/FUL	Proposed self-build dwelling.	Refusal	15/11/2024 (Appeal Dismissed 22/07/2025)

POLICIES

National Planning Policies

National Planning Policy Framework
National Planning Policy Guidance

Adopted East Devon Local Plan 2013-2031 Policies:

Strategy 6: Development within Built-up Area Boundaries
Strategy 21: Budleigh Salterton
Strategy 46: Landscape Conservation and Enhancement and AONBs
Policy D1: Design and Local Distinctiveness
Policy D2: Landscape Requirements

- Policy D3: Trees and Development Sites
- Policy EN5: Wildlife Habitats and Features
- Policy EN9: Development Affecting a Designated Heritage Asset
- Policy EN10: Conservation Areas
- Policy EN19: Adequacy of Foul Sewers and Adequacy of Sewage Treatment System
- Policy EN21: River and Coastal Flooding
- Policy EN22: Surface Run-Off Implications of New Development
- Policy EN25: Development Affected by Coastal Change
- Policy TC2: Accessibility of New Development
- Policy TC7: Adequacy of Road Network and Site Access
- Policy TC9: Parking Provision in New Development

East Devon Local Plan 2020 to 2042 Regulation 19 Publication Draft February 2025

Please note the following policies currently hold limited weight

- Strategic Policy SP05: Development inside Settlement Boundaries
- Strategic Policy SP07: Delivery of infrastructure
- Strategic Policy CC01: Climate emergency
- Strategic Policy CC06: Embodied carbon
- Policy HN06: Sub-dividing or replacing existing buildings and dwellings
- Strategic Policy DS01: Design and local distinctiveness
- Policy DS02: Housing density and efficient use of land
- Strategic Policy TR01: Prioritising walking, wheeling, cycling, and public transport
- Policy TR04: Parking standards
- Strategic Policy OL01: Landscape features
- Strategic Policy OL02: National Landscapes (Areas of Outstanding Natural Beauty)
- Policy OL09: Control of pollution
- Strategic Policy PB05: Biodiversity Net Gain
- Policy PB07: Ecological enhancement and biodiversity [...]

Budleigh Salterton Neighbourhood Plan 2017-2031 (Made 2017):

- Policy H1: Meeting Local Housing Need Over the Period of the Plan
- Policy H2: Maintaining Local Character
- Policy B1: Identity of Town and Seafront
- Policy B2: Protection of Key Views and Vistas
- Policy B3: Heritage Assets

Site Location and Description

Marine Parade runs along the seafront of Budleigh Salterton and No. 10 is a detached Victorian property which sits to the north of the road, in a prominent location facing the main town beach. The house is a generously proportioned villa with projecting canted bay windows with bracketed gabled roofs over, and has a slated veranda enclosed by glazing to the ground floor, and a balcony above at first floor level. The ground floor is set above the road level and the land rises steeply to the rear of the building up to Madeira Walk, a pedestrian walkway to the rear of the site.

The site is within the Budleigh Salterton Conservation Area and also sits within the East Devon National Landscape. The view of the seafront, which includes 10 Marine Parade, is identified as a key view of the town within the Neighbourhood Plan. No. 10 Marine Parade also sits opposite, but outside of the boundary, of the Jurassic Coast World Heritage site.

Proposed Development

Permission is sought to redevelop the site which includes demolition of the existing dwelling and replacement with 4 no. maisonette dwellings. It is a resubmission of the previously refused 24/1832/FUL. The design and access statement provided claims the intension is to provide *four energy efficient maisonette dwellings and generous amenity space on*

previously developed land', whilst also *'maintaining the character of Marine Parade and the Conservation area, and minimising impact on neighbouring dwellings'*. The proposal will remain on the same footprint as the existing building and would retain a similar building line. As for its form and mass these too will be comparable to that of the existing building, emulating its existing roof slope and largely copying the fenestration on the existing façade. As for materials the proposed building will utilise render and reconstituted stone for the walls and have a slate roof with metal framed windows. The replacement building will also include four underground parking spaces, cycle parking and bin storage on the lower ground floor.

ANALYSIS

Housing Land Supply Position

As a result of the publication of the government's proposed reforms to the National Planning Policy Framework, East Devon can currently demonstrate a 3.50 housing land supply for the district against the local housing need. This indicates that there is a clear need to deliver more (market and affordable) housing in the district, and in the absence of a five-year housing land supply the 'tilted balance' is applicable. This directs decision makers to grant planning consent unless the harm significantly and demonstrably outweighs the benefits. In addition, as this site lies within the East Devon AONB/National Landscape and Budleigh Salterton Conservation area both of which are 'protected areas' within the framework it must also overcome policies within the framework that specifically protect these areas.

Principle of Development

As the site lies in the built-up area boundary the relevant policy is Strategy 6 of the Adopted East Devon Local Plan (2013-2031). Strategy 6 states:

'Built-up Area Boundaries are defined on the Proposals Map around the settlements of East Devon that are considered appropriate through strategic policy to accommodate growth and development. Within the boundaries development will be permitted if:

- 1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.*
- 2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.*
- 3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.*
- 4. It would not involve the loss of land of local amenity importance or of recreational value;*
- 5. It would not impair highway safety or traffic flows.*
- 6. It would not prejudice the development potential of an adjacent site'.*

Each of these statements will be assessed in turn below:

1. *It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement*

The proposal would replace the existing dwelling with 4 maisonette flats with underground parking to the front. While the height of the dwelling from the South Elevation would be no higher than the existing, as the site lies on sloping land and in order to accommodate the lower ground floor it would involve excavating the North, East and West elevation. Although there would be significant excavation involved, the amended design would be comparable with the

surrounding properties in terms of its height, mass and form, with the conservation team confirming that it would also preserve the character of the conservation area. This is discussed in more detail below.

2. *It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.*

The proposal would result in a +3 net increase in dwellings within the town when compared to the existing dwelling. While this is a noticeable increase, Strategy 21 of the Local Plan states Budleigh Salterton will '*secure modest housing development*'. Being within a 10-minute walk of services within the town and given the numerous bus stops nearby will reduce the dependency on a car to reach everyday services. As for flood risk and coastal erosion the replacement dwelling will sit on the same parcel of land as the existing dwelling and retain the similar building line. As the site lies entirely in flood zone 1 at the lowest risk of flooding the proposal will not worsen flood risk or coastal erosion.

3. *It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.*

The application is supported by an Ecological Impact Assessment (EIA) which has identified the potential impacts on protected species as a result of the proposal. In the interest of supporting wildlife, the EIA has provided some ecological enhancement measures that should the application be approved would support local wildlife. With regards to the impact on landscape and townscape the site does lie within the East Devon AONB/National Landscape and as such is afforded additional protection under Strategy 46 of the Local Plan. In addition, the site forms a key view within the Budleigh Salterton Neighbourhood plan and therefore is also protected under Policy B2. A more detailed assessment on any landscape harm and heritage harm is included below.

4. *It would not involve the loss of land of local amenity importance or of recreational value;*

The proposal would not involve the loss of land of local amenity importance or of recreational value.

5. *It would not impair highway safety or traffic flows.*

Following an assessment by county highways whose response is '*now one of no objection*' there are no highway safety or traffic concerns. The proposal provides on-site parking and secure cycle storage in accordance with local plan policies. A more comprehensive assessment of highway impacts is included in the section below.

6. *It would not prejudice the development potential of an adjacent site*

Notwithstanding the concerns received from third parties the proposal is not preventive of either neighbour expanding or improving their home.

As such the principle of development would be lent support by strategy 6 of the Local Plan.

Design, Landscaping and impact on character of site

To assess the design implications of the proposal attention is directed towards Policy D1 of the local plan. Policy D1 states:

'Proposals will only be permitted where they respect the key characteristics and special qualities of the area in which the development is proposed' and 'ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context'.

Sited within the conservation area and given its beachfront location, no 10 makes a positive contribution to the character and appearance of the area and as such it is imperative its replacement preserves or enhances this character. Marine Parade is characterised by large, detached properties set back from the road with most featuring balconies or large bay windows facing out towards the sea. The existing building at No 10 is no exception to this rule, contributing towards a cohesive and *'unashamedly seaside frontage'* as noted in the conservation area appraisal. The materials, form, mass and height of the buildings along Marine Parade are largely consistent, giving the area a strong sense of identity when looking up or down the street. While its loss is unfortunate its replacement largely replicates the materials and form of the existing building and emulates design features seen on the existing building and those along Marine Parade.

The proposed building would be 12.6 metres high, 10.6 metres wide and 8.1 metres deep and would consist of 4 maisonette dwellings with 3/4 bedrooms each. It will be constructed using render and reconstituted stone for the walls and have a slate roof. When compared to the existing dwelling and neighbouring properties which are of a similar height, mass and form, the proposed *'scale, massing, density, height, fenestration and materials'* would not be harmful to its character or appearance. The replication of the existing fenestration, roof slope and to some extent the chimneys on the proposed building would largely preserve the existing character of the area. While the replacement building is more modern in appearance it does not detract from the character of the conservation area, diminish the significance of the property itself or that of its neighbours. The proposal is therefore in accordance with Policy D1 and Policy EN10 of the Local Plan.

As the proposal lies within the East Devon AONB/National Landscape it is also needs to comply with strategy 46 of the Local Plan. Strategy 46 states *'development will only be permitted where it conserves and enhances the landscape character of the area; does not undermine landscape quality; and is appropriate to the economic, social and well-being of the area'*. As the site lies within the town and built-up area boundary the addition of new residential development would continue to enhance its landscape character and not undermine landscape quality which is already characterised by a mixture of dense residential development. With regards to being appropriate to the economic, social and well-being of the area. The proposal would result in a +3 net increase in dwelling improving the local housing stock and providing employment during the construction phase. As such the proposal complies with Strategy 46 of the Local Plan.

Policy B2 of the neighbourhood plan adds that *'key views and vistas should be protected this includes any development or building which impacts on the skyline (e.g. public visible elevations) or removal of trees; of particular importance is the northern ridge and skyline of the town where this is the boundary to the conservation area'*. The proposal will be the same height as the existing building although the building line will be slightly further forward when compared to the existing, it would not have an adverse impact on the skyline.

On the basis of the above there are no design or landscape concerns associated with the proposal which complies with relevant development plan policies.

Heritage

The site lies in the Budleigh Salterton Conservation Area, with Marine Parade (and Lower Fore Street) being noted in the Conservation Area Appraisal for having an *'unashamedly seaside frontage with large villas, and flats but with low key evidence of commercial use'*. The appraisal also notes the *'cohesive townscape of walled gardens, mature landscaping and well*

set gardens'. In the interest of assessing its historic significance the conservation team have been consulted on the proposal. The conservation team initially raised objection to the scheme on account that the *'proposed replacement dwelling introduces a visually incompatible dwelling. The composition of the principal façade creates an awkward relationship between solid and void, disrupting the rhythm and balance evident in the existing streetscape'*. Adding that *'the inclusion of prominent canted bay dormers within the roofscape represents a significant departure from the traditional gabled forms characteristic of the area. These features dominate the upper elevation and erode the architectural coherence that underpins the setting's contribution to the Budleigh Salterton Conservation Area'*.

Subsequent amendments have been received which replace these canted bay dormers with more traditional gable features which complement the existing and surrounding roof profiles. Upon receipt of these amendments' conservation have stated he development proposals addresses previous concerns and would *'continue to preserve the setting and significance of Budleigh Salterton Conservation Area as a heritage asset'*. Policy EN10 of the Local Plan states *'proposals for development, including alterations, extensions and changes of use, or the display of advertisements within a Conservation Area, or outside the area, but which would affect its setting or views in or out of the area, will only be permitted where it would preserve or enhance the appearance and character of the area'*. Following conservations assessment, the proposal would preserve the character of the conservation area and therefore is in accordance with this policy.

Residential / Neighbour Amenity

There have been 47 letters of objection received in regards to proposal which raise concerns about the harm the works would have on residential amenity. Policy D1 states *'proposals will only be permitted where they do not adversely affect the amenity of occupiers of adjoining residential properties'*. These letters focus on the proposal being overbearing, causing overlooking, loss of light, increase in noise and poor living conditions for any future occupiers should the application be approved. Each of these will be assessed in turn below.

- Overbearing/Loss of Light -

In terms of width the proposed building would sit slightly further away from the side elevations of both number 1-7 Marine Court and number 11 Marine Parade, but the extension at the rear would put it much closer to the rear gardens of both numbers 1-7 Marine Court and 11 Marine Parade. In terms of height the building would remain at the same height as the existing building however similarly its rear projection would extend its vertical spread further towards the rear garden and bring the built form closer to numbers 1-7 Marine Court and 11 Marine Parade rear gardens. The design and access statement shows the rear projection in relation to the neighbouring properties and shows it would extend 2.5 metres beyond the rear wall of number 11 (see below):



As the height of the building will remain in keeping with its surroundings and match that of the abutting properties it would not raise overbearing/loss of light concerns. While the projection is deeper into the rear garden it only extends 2.5 metres beyond the rear of number 11 Marine Parade. As the rear gardens along Marine Parade extend all the way back to Maderia Walk there would still be plenty of outdoor amenity space away from the extension at number 10. The development would not be unduly overbearing nor would it result in a significant loss of light to neighbours.

- Overlooking -

In comparison to 24/1832/FUL the balconies have been removed from the rear elevation however the proposal still introduces multiple new windows in the rear elevation. As mentioned above as the proposal extends beyond the rear elevation of number 11 and 1-7 Marine Court it would not result in overlooking of the property itself but would result in some overlooking of the rear gardens, however the degree of overlooking would be no worse than the ability of number 11 or 1-7 to look into the rear garden of number 10 and is a typical relationship in built up areas. As for the side facing windows on the upper floors of the building these serve as windows for bathrooms and the stairwells. As such should the application be approved these could be conditioned to be obscure glazed.

Impacts on privacy/overlooking are therefore considered to be acceptable

- Noise -

To assess the noise implications of the proposal Environmental Health have been consulted on the proposal. With the exception of raising the submission of a CEMP should the application be approved they have raised no environmental health concerns. Policy EN14 of the local plan states *'permission will not be granted for development which would result in unacceptable levels, either to residents or the wider environment of noise and/or vibration'*. As no concerns have been raised by environmental health the proposal is in line with this policy.

- Unsuitable living conditions -

In response to the unsuitable living conditions for future occupiers have been raised on account of the lack of natural daylight particularly reaching the ground floor North facing rooms and the utilitarian staggered garden with extensive retaining walls. Policy D1 states that proposals should *'have due regard for important aspects of detail and quality and should incorporate features that maintain good levels of daylight and sunlight into and between buildings to minimise the need for powered lighting'*. While the three ground floor rooms to the North all serve as bedrooms the terracing of the garden would not prevent sunlight reaching these rooms particularly in the summer months.

All of the proposed dwellings meet Nationally Described Space Standards with maisonettes 1 & 2 having a floor area of 110 square metres, maisonette 3 with a floor area of 125 square metres and maisonette 4 with a floor area of 115 square metres. All of these exceed the minimum requirements for their respective bedrooms based upon maximum occupancy.

Highways, access and parking

The proposal is to reuse the existing access from Marine Parade but will add an island to the driveway and underground garage parking with cycle storage. County Highways have commented that *'the revised plans (44/2501/PL_1010) from the 24/1832/FUL application has set-back the dedicated parking spaces and removed the individual cycle parking units. Whilst still retaining a communal secure bike store. Therefore there is now sufficient space for*

vehicles to turn off-carriageway and avoid not upholding the through-flow of traffic'. They confirm that 'as such our response is now one of no objection'. Policy TC7 of the local plan requests 'planning permission for new development will not be granted if the proposed access, or the traffic generated by the development, would be detrimental to the safe and satisfactory operation of the local, or wider, highway network'. As traffic is able to safely enter and leave the site as confirmed by County Highways there are no highway safety concerns stemming from the proposal.

With regards to parking, Policy TC9 of the Local Plan asks 'spaces will need to be provided for Parking of cars and bicycles in new developments. As a guide at least 1 car parking space should be provided for one bedroom homes and 2 car parking spaces per home with two or more bedrooms. At least 1 bicycle parking space should be provided per home'. On the plans provided there are four garage parking spaces to serve 4, 3/4 bed maisonettes which falls below the parking requirements of Policy TC9. Nevertheless, Policy TC9 makes exceptions 'in town centres where there is access to public car parks and/or on-street parking lower levels of parking and in exceptional cases where there are also very good public transport links, car parking spaces may not be deemed necessary'. In this instance there is street parking available across from the site and furthermore, as the site is less than a 10 minute walk into the centre of Budleigh Salterton down paved and lit streets a car is not essential to access everyday services. As such there are no parking or highways concerns stemming from the proposal.

Ecology / biodiversity

As the proposal will impact over 25 metres squared of habitat with a baseline value greater than zero the proposal is subject to delivering the 10% uplift in biodiversity net gain. As such a small sites metric has been submitted with the proposal which shows that there will be a -64% loss in area habitats as a result of the proposal. EDDC Ecology 'acknowledge that offsite provision will be required to meet the biodiversity net gain objective and given the limited opportunities for onsite enhancement, this is considered acceptable'. They add that 'local (within East Devon or surrounding area) offsite BNG provision is committed to, in accordance with BNG Good Practice Principles for Development and Principle 8 of the Biodiversity Net Gain User Guide'. As required by law a biodiversity gain plan will be required before development commences.

As for the Impact on protected species the application is supported by an Ecological Impact Assessment (EIA) by Richard Green Ecology Ltd. The EIA states that 'the house is still considered to be of negligible suitability for roosting bats'. As for the garden 'given the size of the site and the prevalence of other favourable bat commuting and foraging habitat in the wider landscape, it is considered that the rear garden is of no more than local value for bats'. With regards to nesting birds 'much of the overgrown vegetation had been cleared since the first survey was undertaken, however, there were still areas of dense vegetation where birds could nest'. The presence of hedgehogs, amphibians and reptiles are considered unlikely.

In the interest of mitigation and compensation a list of ecological enhancement measures are recommended within the EIA including controlling lighting, installing bat and bird boxes and avoiding clearance works in the nesting season. Should the application be approved a condition complying with these measures could be added to the application.

The report also acknowledges the presence of Montbretia Crocosmia x crocosmiiflora- an invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981. To prevent its spread 'an invasive non-native invasive species (INNS) management plan should be produced and followed to avoid the spread of montbretia during the works'. This too can be conditioned

EDDC Ecology confirm 'the proposed mitigation and enhancement measures are considered

appropriate and proportional to the predicted impacts for the proposed scale of development, assuming they are fully implemented'. As such the proposal is acceptable from an ecological point of view in accordance with Strategy 47 and Policy EN5 of the Local Plan.

Trees

There are no trees on site that would be affected by the alterations and as such there are no tree concerns.

Drainage

The application form states that surface water and foul sewage is to be dealt with via means of the main sewer. Drainage into the combined sewer is the least preferred method of drainage in the NPPF's drainage hierarchy. South West Water have commented that *'having reviewed the applicant's current information as to proposed surface water disposal for its development (domestic roof and driveway run off only) Please note that discharging to the public combined sewerage network is not an acceptable proposed method of disposal, in the absence of clear evidence to demonstrate why the preferred methods listed within the Run-off Destination Hierarchy have been discounted by the applicant'*. No such evidence has been provided however as the applicant has appealed against non-determination a pre commencement condition requiring the use of soakaways or the submission of further details of an alternative means of surface water shall be imposed. As for foul drainage this too is to be dealt with via means of main sewer. No concerns have been raised from South West Water with regards to the sewer connection and as such there are no foul sewage concerns.

Flood risk

The site lies in flood zone 1 at the lowest risk of flooding, while close to flood zone 2 and 3 the alterations proposed would not increase flood risk on site or elsewhere.

Other Matters

Concerns have been raised by third parties regarding the extent of excavation and potential impact the works could have on the stability of nearby dwellings. Notwithstanding a grant of planning permission the developer would still need to comply with legislation under building regulations, guidance from the HSE (health and safety executive) alongside other relevant legislation.

CONCLUSION

As East Devon District Council is unable to demonstrate a five-year housing land supply the *'tilted balance'* applies provided there is no significant harm to the AONB/National Landscape and /or conservation area. It is concluded that there is no significant harm to either of these protected area and as such the titled balance in favour of sustainable development applies.

In this instance the design is appropriate in scale, height, mass and form and would not harm the conservation area. Highways and access, ecology and residential amenity impacts can be made acceptable through the implementation of appropriate conditions and it is recommended that the Council advise the Planning Inspectorate that the application be approved subject to the conditions listed below.

RECOMMENDATION

The Council advise the Planning Inspectorate that the application be approved subject to the conditions listed below.:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. Prior to the occupation of the maisonettes hereby approved the access, turning space, garaging and parking shown as shown on the approved plan will have been provided. These shall thereafter be retained and kept available for those purposes at all times.
(Reason - To ensure that adequate and safe provision is made for the occupiers and in the interests of highway safety in accordance with the requirements of Policy TC7 (Adequacy of Road Network and Site Access) of the Adopted East Devon Local Plan 2013-2031.)
4. Notwithstanding the submitted plans, a plan showing the excavation and redistribution of soil levels across the site and finished floor levels of the dwellings, relative to an identified datum shall be submitted to and approved in writing by the local planning authority prior to commencement. Such a plan shall illustrate the existing and proposed levels. Development shall take place in accordance with the approved details.
(Reason- A pre-commencement condition is required to ensure that the excavation needed will conserve and enhance the landscape character of the area and does not undermine the distinctive landscape associated with the East Devon AONB/National Landscape and Budleigh Salterton Conservation Area in accordance with Strategy 46 (Landscape Conservation and Enhancement and AONBs) and Policy EN10 (Conservation Areas) of the Adopted East Devon Local Plan 2013-2031).
5. Before installation of the items specified below, the following details and specification for these items shall be submitted to and approved in writing by the Local Planning Authority:
 - a) Roofing materials (all) including product details, sample and method of fixing.
 - b) Windows including sections, mouldings, profiles and colour. Sections through casements, frames and glazing bars should be at a scale of 1:2 or 1:5.
 - c) Doors including sections, mouldings, profiles and colour. Sections through panels, frames and glazing bars should be at a scale of 1:2 or 1:5.
 - d) External vents, flues and meter boxes.
 - e) Details of metal work to front canopy / porch and finish.

The works shall be carried out in accordance with the approved details and specification.

(Reason - In the interests of the architectural and historic character of the building in accordance with Policy EN9 (Development Affecting a Designated Heritage Asset) of the Adopted East Devon Local Plan 2013-2031.)

6. A Construction and Environment Management Plan must be submitted to and approved by the Local Planning Authority prior to any works commencing on site, and shall be implemented and remain in place throughout the development. The CEMP shall include at least the following matters : Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.

(Reason: A pre-commencement condition is required to ensure that the details are agreed before the start of works to protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance with Policies D1 – Design and Local Distinctiveness and EN14 – Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)

7. Works shall proceed strictly in accordance with the mitigation and enhancement measures detailed in Section 4.3 to 4.5 of the submitted Ecological Impact Assessment (Richard Green Ecology, Dec 2025). A written record shall be submitted to the local planning authority demonstrating compliance with the recommendations, to include photographs of the installed enhancement measures for bats and nesting birds prior to occupation of the development.

(Reason - In the interests of biodiversity enhancement in accordance with Policy EN5 (Wildlife Habitats and Features) of the adopted East Devon Local Plan 2013-2031.)

8. Under no circumstances should any external lighting be installed without prior consent from the local planning authority. Any lighting design should be fully in accordance with BCT/ILP Guidance Note 08/2023 to include the following:

- i. Maximum of one external LED downlighter above or beside each external door and below eaves height;
- ii. Colour Corrected Temperature not exceeding 2700K;
- iii. Every such light shall be directed downwards with a 0-degree tilt angle and 0% upward light ratio; and
- iv. Every such light shall be controlled by means of a PIR sensor with a maximum over-run time of 1 minute.

(Reason - In the interests of biodiversity enhancement in accordance with Policy EN5 (Wildlife Habitats and Features) of the adopted East Devon Local Plan 2013-2031.)

9. No development shall take place (including ground works) until a Construction and Ecological Management Plan (CECoMP) has been submitted to and approved in writing by the local planning authority. The CECoMP shall include the following:

- i. Risk assessment of potentially damaging construction activities.
- ii. Identification of "biodiversity protection zones".
- iii. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- iv. An invasive non-native species management plan to avoid the spread of Montbretia.

- v. The location and timing of sensitive works to avoid harm to biodiversity features.
- vi. The times during construction when specialist ecologists need to be present on site to oversee works.
- vii. Responsible persons and lines of communication, including reporting compliance of actions to the LPA.
- viii. Use of protective fences (including buffer distances), exclusion barriers and warning signs.

The approved CEcoMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

(Reason- A pre-commencement condition is required to ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the Adopted East Devon Local Plan 2013-2031).

10. Surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 45% for climate change unless details of an alternative means of surface water drainage are submitted to and approved in writing by the Local Planning Authority prior to installation. To adhere to current best practice and take account of urban creep, the impermeable area of the proposed development must be increased by 10% in surface water drainage calculations. The development hereby approved shall not be brought into use until the agreed drainage scheme has been provided and it shall thereafter be retained and maintained for the lifetime of the development.

(Reason - In the interests of adapting to climate change and managing flood risk, and in order to accord with Policy EN22 (Surface Run-Off Implications of New Development) of the adopted East Devon Local Plan 2013-2031.)

11. Prior to occupation of the maisonette dwellings hereby approved the windows on the East and West elevations on the upper ground floor and second floor shall be obscured glazed to Pilkington level 4 or equivalent standard, and non-opening below 1.7 metres and retained as such for the lifetime of the development.

(Reason- to protect the amenity of existing and future residents in accordance with Policies D1 – Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

12. Prior to occupation of the maisonette dwellings hereby approved the cycle parking and bin storage facilities indicated on proposed lower ground floor plan (44/2501/PL_1100 A) shall be provided. These facilities shall thereafter be permanently retained and maintained for those purposes.

(Reason - To ensure that adequate cycle storage and refuse facilities are available for future occupiers in accordance with Policy D1- Design and Local Distinctiveness and Policy TC2- Accessibility of New Development of the Adopted East Devon Local Plan 2013-2031.)

13. Prior to occupation of the maisonette dwellings hereby approved a landscaping scheme detailing hard and soft landscaping including details of retaining walls and boundary treatments to be used on site shall be submitted to an approved by the

Local Planning Authority. The landscaping scheme shall be carried out and maintained in accordance with the approved details.
 (Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policy D1- Design and Local Distinctiveness and Policy D2- Landscape Requirements of the Adopted East Devon Local Plan 2013-2031.)

Plans relating to this application:

44/2501/PL_1010 A	Proposed Site Plan	18.11.25
44/2501/PL_1100 A: Lower Ground Floor	Proposed Floor Plans	18.11.25
44/2501/PL_1101 A: Upper Ground Floor	Proposed Floor Plans	18.11.25
44/2501/PL_1102 A: First Floor	Proposed Floor Plans	18.11.25
44/2501/PL_1103 A: Second Floor	Proposed Floor Plans	18.11.25
44/2501/PL_1104 A	Proposed roof plans	18.11.25
44/2501/PL_1200 A: Sections and Elevation	Sections	18.11.25
44/2501/PL_1201 A	Sections	18.11.25
44/2501/PL_1202 A	Sections	18.11.25
44/2501/PL_1300 A: N&S	Proposed Elevation	18.11.25
44/2501/PL_1301 A: (W)	Proposed Elevation	18.11.25
44/2501/PL_1302 A: (E)	Proposed Elevation	18.11.25
44/2501/PL_1400 A	Landscaping	18.11.25

Biodiversity Net Gain Informative:

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The Local Planning Authority cannot add this condition directly to this notice as the condition has already been applied by law. This informative is to explain how the biodiversity condition applies to your development.

The BG conditions states that **development may not begin unless:**

- (a) a Biodiversity Gain Plan (BG plan) has been submitted to the planning authority, and
- (b) the planning authority has approved the BG plan.

In this case the planning authority you must submit the BG Plan to is East Devon District Council.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 applies (planning permission for development already carried out).
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Where there are losses or deterioration to irreplaceable habitats a bespoke compensation package needs to be agreed with the planning authority, in addition to the Biodiversity Gain Plan.

For information on how to prepare and submit a Biodiversity Gain Plan please use the following link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Community Infrastructure Levy (CIL):

Financially important information that may affect you.

If permission is granted for the development of any new dwelling(s), house extensions of least 100 square metres of new-build gross internal area (GIA) (including replacement of existing GIA), residential annexes and/or new retail floorspace over 100 sq m outside of a town centre, it will usually become liable for a Community Infrastructure Levy (CIL) payment under East Devon District Council's charging schedules. If your development is liable, you will be sent a liability notice that will provide details of the charge. This will be recorded to the register of Local Land Charges as a legal charge upon your property and will become payable upon commencement of development. Information on the payment process will be provided with the liability notice or upon request.

Please note that CIL paperwork needs to be completed before development commences, including any demolition, or penalties of 20% of the CIL amount due, up to a maximum of £2,500 for commencing without submitting a valid commencement notice and/or £50 for not assuming liability will be incurred and the facility to pay in 4 instalments over 24 months will be lost. If you are seeking to claim an exemption do not start work until you receive your grant of exemption as this would invalidate your claim and CIL would be payable in full. Further information about CIL is available at Community Infrastructure Levy (CIL) - East Devon

List of Background Papers

Application file, consultations and policy documents referred to in the report.

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

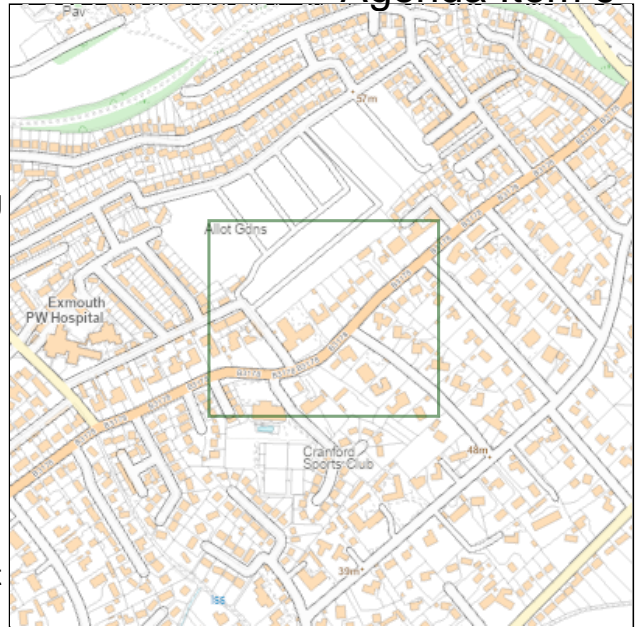
Ward Exmouth Littleham

Reference 24/2057/VAR

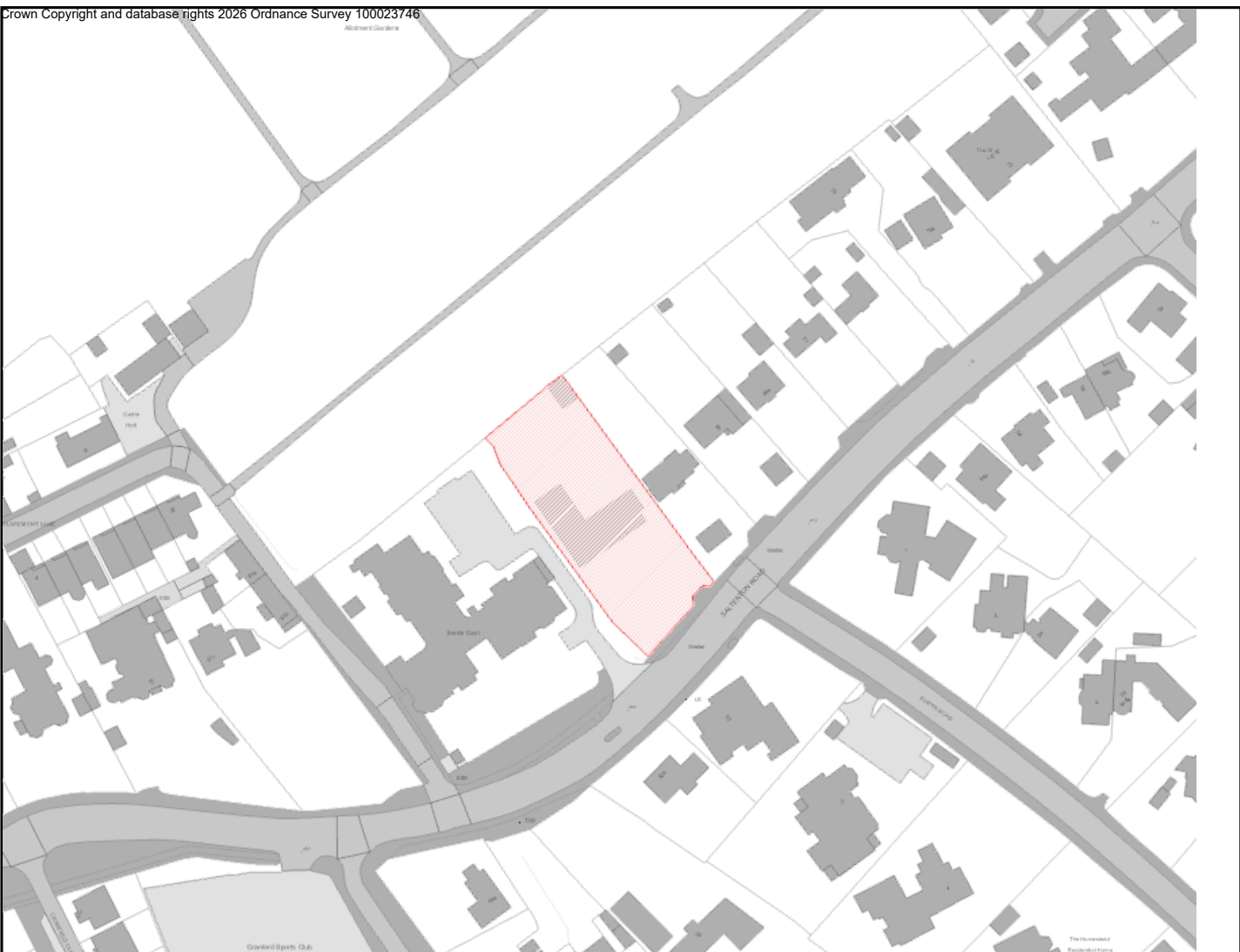
Applicant Mr David Crocker

Location Chestnuts 65 Salterton Road Exmouth EX8 2EJ

Proposal Variation of condition 2 (approved plans) of planning permission 23/0538/FUL (Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site) and condition 10 (parking layout) to allow the removal of east elevation chimney and alteration to approved windows on eastern elevation, the addition of ensuites at 1st floor, change to material finishes, re-positioning of bike and bin store, change to parking layout and retention of disability ramp, retention of front West wing roof and inclusion of 2no roof lights.



RECOMMENDATION: Approval with conditions



		Committee Date: 21.04.2026
Exmouth Littleham (Exmouth)	24/2057/VAR	Target Date: 30.12.2024
Applicant:	Mr David Crocker	
Location:	Chestnuts 65 Salterton Road	
Proposal:	Variation of condition 2 (approved plans) of planning permission 23/0538/FUL (Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site) and condition 10 (parking layout) to allow the removal of east elevation chimney and alteration to approved windows on eastern elevation, the addition of ensuites at 1st floor, change to material finishes, re-positioning of bike and bin store, change to parking layout and retention of disability ramp, retention of front West wing roof and inclusion of 2no roof lights.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

The application is before the planning committee as the officer recommendation of approval is contrary to comments received from the Ward Councillor and the Town Council.

The application seeks to regularise a number of amendments made during the construction of the previously approved scheme. The changes involve amendments to a couple of windows to the east elevation of the building, changes to the external materials, revisions to the proposed bike and bin storage, alterations to the proposed parking layout and the installation of an Air Source Heat Pump to serve the dwellings.

In comparison with the approved scheme, it is not considered that that proposal would give rise to any unacceptable impacts on the character or appearance of the area, or to the residential amenity of neighbours. Subject to the imposition of updated and revised conditions, the scheme would comply with policies contained with the East Devon Local Plan and the Exmouth Neighbourhood Plan and is therefore recommended for approval.

CONSULTATIONS

Local Consultations

Exmouth Littleham - Cllr Nick Hookway

I am writing to you to object to the above application for a variation in planning consent. I have concerns over the design and the scale of the proposed variation.

Parish/Town Council

19/11/2024 - No objection

Parish/Town Council

01/09/25 - No objection, subject to the following conditions being attached to any approval:

The window on the eastern elevation must be fitted with opaque, non-opening glazing to address concerns raised by neighbouring resident.

A low hedge should be planted at the front of the property to soften the visual impact of the brickwork and tarmac.

Parish/Town Council

01/04/2025 - Members did not wish to comment on the amended plans as they were unable to identify the revisions to the bay window design dated 21.03.25.

Parish/Town Council

05/01/26 - No objection subject to neighbours' privacy concerns being respected.

Parish/Town Council

02/ 02/ 26 - Objection: Members felt that the proposed window surround/screening intended to protect neighbours' privacy was out of keeping. They considered that no changes to the originally approved window design should be permitted.

Technical Consultations

EDDC Landscape Architect

27/02/2025 – Objection.

- Too little space left for landscaping at the edge of the rear of the pavement
- The cycle store has been moved to the rear of the site
- The proposed grasscrete is unlikely to survive.

26/08/2025 – Objection – the amendments do not address previous comments.

21/01/2026 – Objection

25/04/2025 - Objection

Private Sector Housing (EDDC) - Caravan Licensing

Private Sector Housing have no comments on the proposed variation as it would have no significant impact on the compliance with HMO licensing standards.

County Highway Authority

23/09/2025 - Observations:

The County Highway Authority (CHA) has visited the site and reviewed the planning application documents.

The repositioning of the bin store will still allow for a smooth bin collection process that does not unduly hold up the free-flow of traffic. The parking layout still allows for vehicles to turn off-carriageway and re-enter the carriageway in a forward facing motion.

The relocation of the bushes will also allow for visibility splays upon the inter-visibility of the adjoining accesses.

Therefore in summary the CHA has no objection to this planning application.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Addendum 23/09/2025

The CHA has reviewed the amended parking layout and is content with that the grasscrete finish, we are satisfied that no mud or debris will enter the carriageway.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Environmental Health

10.03.2026 - The separation distance between the ASHP and the nearest noise sensitive dwelling is insufficient. The Sound Power Level of the ASHP has been given as (64 dB) the distance attenuation reduces the sound pressure level to 39 dB(A) at the window therefore, higher than the 37 dB(A) level set within the guidance doc MCS 020a. To reach the required level the ASHP would need to be at a distance of at least 12m from the centre point of the window.

The solution here would be to either enclose it, or to build an acoustic barrier between the ASHP and the neighbouring property (ensuring no line of sight of the ASHP from the window) the barrier would need a solid mass of at least 12kg. An acoustic consultant would need to give further advise on this.

Environmental Health

23.03.2026 - I have reviewed the technical specification of the ASHP enclosure and I do not anticipate any environmental health concerns in relation to noise.

Other Representations

One third party representation has been received, in objection to the proposal. A summary of grounds for objection is as follows:

- The neighbours to the east of the site have had to put up with being overlooked from the window on the east elevation for over 18 months.

- The proposal shown on drawing 8601-02 Rev. P would be the preference in terms of the appearance of the building and the privacy provided.
- The original garage to the rear of the building has increased in height and depth in its conversion to a cycle store.
- The front of the property is not in keeping with rest of Salterton Road or the Avenues owing to the lack of screening to the car parking.

PLANNING HISTORY

Reference	Description	Decision	Date
81/P1550	Use Of Two Ground Floor Rooms As Ophthalmic Optical Consulting Rooms.	Approval	13.11.1981
86/P1098	Change Of Use To Hair & Beauty Centre	Refusal	02.09.1986
87/P0304	Change Of Use To Guest House.	Approval	23.03.1987
87/P2334	Change Of Use To Rest Home	Approval	26.01.1988
92/P1886	First Floor Extension & Alterations.	Approval	11.01.1993
94/P1507	Extension	Approval	24.10.1994
05/3285/MOUT	Demolition of existing building and erection of 14 flats	Refusal	27.02.2006
07/0392/MOUT	Demolish existing rest home and erect 12 two-bedroom flats	Refusal	01.06.2007
08/0055/MFUL	Demolition of existing nursing home and erection of ten 2 bedroom residential units with associated access & parking	Refusal	24.10.2008
08/3034/COU	Change of use of ground floor from residential care home to house in multiple occupation comprising 10no. units of residential accommodation	Approval	22.12.2008
20/0311/MFUL	Demolition of existing 10 unit house in multiple occupation and erection of a 9 unit apartment block and 1 no. detached dwelling with associated parking, cycle and bin stores together with two new accesses onto Salterton Road	Withdrawn	24.08.2020

20/2679/FUL	Change of use of 1st floor apartment to 4 no. HMO bedrooms (Retrospective application)	Approval	18.01.2021
21/0103/FUL	Demolition of existing buildings and construction of 9 no. apartments with associated parking, cycle and bin stores and creation of new vehicular access onto Salterton Road.	Refusal Allowed at Appeal	03.03.2022 13.02.2023
23/0538/FUL	Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site.	Approval	01.09.2023
23/2522/VAR	Variation of conditions 2, 7, 8 & 10 of planning consent 23/0538/FUL (Construction of ground floor and first floor extensions to create an additional 10 additional HMO bedrooms, creation of new vehicular access onto Salterton Road and provision of parking to the front of the site) to facilitate an increase area on the ground floor rear east wing, and first floor west wing, and to retain existing access with new parking arrangements	Approval	09.04.2024

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 6 (Development within Built-up Area Boundaries) Adopted

Strategy 22 (Development at Exmouth) Adopted

D1 (Design and Local Distinctiveness) Adopted

D2 (Landscape Requirements) Adopted

D3 (Trees and Development Sites) Adopted

EN5 (Wildlife Habitats and Features) Adopted

EN14 (Control of Pollution)

EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)
Adopted

EN22 (Surface Run-Off Implications of New Development) Adopted

TC2 (Accessibility of New Development) Adopted

TC7 (Adequacy of Road Network and Site Access) Adopted

TC9 (Parking Provision in New Development) Adopted

Exmouth Neighbourhood Plan (Made 2019)

- Policy EN1: Proposals for development within the Built-up Area Boundary (BUAB) will generally be supported.
- Policy EN5: The impact from any additional surface water resulting from development should be controlled and satisfactorily mitigated
- Policy EN6: Development proposals must incorporate Sustainable Urban Drainage Systems (SuDS) and a management plan for future maintenance of the drainage system.
- Policy EB2: New development should be mindful of surrounding building styles and ensure a high level of design.

Draft East Devon Local Plan 2020-2042 Policies

- Strategic Policy SP05 (Development inside Settlement Boundaries) Draft
- Strategic Policy SD01 (Exmouth and its development allocations) Draft
- Strategic Policy AR01 (Flooding) Draft
- Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft
- Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport) Draft
- Policy TR04 (Parking standards) Draft
- Strategic Policy OL01 (Landscape features) Draft
- Policy OL09 (Control of pollution) Draft
- Policy PB07 (Ecological enhancement and biodiversity in the built environment) Draft

Government Planning Documents

National Planning Policy Framework 2024 (as amended)

ANALYSIS

Site Location and Description

The application site is 65 Salterton Road, a large detached two storey early 20th century property 1.2 km east of the town centre of Exmouth. The house has been extended in the 1980's and 1990's to include two single storey rear projecting elements. The property is currently in use as a 20 bedroom House in Multiple Occupation. The house has a large parking area within the former front garden, and a retaining wall to the front boundary runs along the rear of the pavement along Salterton Road. The HMO sits on a large site with associated rear amenity space. On the ground floor the property consists of 14 HMO bedrooms with communal laundry, dining, lounge, hall, and kitchen facilities. On the first floor are a further 6 ensuite HMO bedrooms and 4 private bedrooms.

A Horse Chestnut tree within the northwest corner of the rear garden is the subject of a tree preservation order. The east of the site is adjoined by a large detached property and its rear garden and to the west is a large McCarthy and Stone retirement home. To the rear of the site is a large area of allotments. The site is located within in built-up area boundary of Exmouth. The site lies opposite but not within the 'Avenues' area of Exmouth and is not subject to any landscape or townscape designations.

Proposed Development

A variation of condition 2 is sought for the planning permission of 23/0538/FUL. The original consent was for the construction of ground floor and first floor extensions to create an additional 10 HMO bedrooms, the creation of a new vehicular access onto Salterton Road and provision of parking to the front of the site.

The application is retrospective and seeks to regularise changes made during the construction period. The proposed changes are as follows:

- The removal of the chimney breast to the east elevation and the replacement of two approved windows with a single window.
- The replacement of the existing render with an eco rend in smoke grey colour and replacement of the tile hung areas with fibre cement cladding.
- The relocation of the bin store to the front boundary wall.
- The relocation of the bike store to the rear garden.
- Rearrangement of the parking arrangement to the front of the house.
- The installation of an air source heat pump

Principle of Development

The site is located within the Built-up Area Boundary of Exmouth in a highly sustainable location where the principle of residential development in location terms is considered to be acceptable under the provisions of Strategy 6 (Development within Built-Up Area Boundaries) and Strategy 22 (Development at Exmouth) of the East Devon Local Plan, subject to compliance with other policies contained within the plan.

As such the principle of development is acceptable, subject to an assessment of the impact of the proposal upon the character and appearance of the area and impacts upon residential amenity.

Consideration and assessment

Policy D1 (Design and Local Distinctiveness) of the Local Plan states that proposals will only be permitted where they respect the key characteristics and special qualities of the area in which the development is proposed and ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.

Policy EB2 of the NP states that new development should be mindful of surrounding building styles and ensure a high level of design as exemplified in the Avenues Design Statement (2005).

The report considers the impacts of the changes in turn.

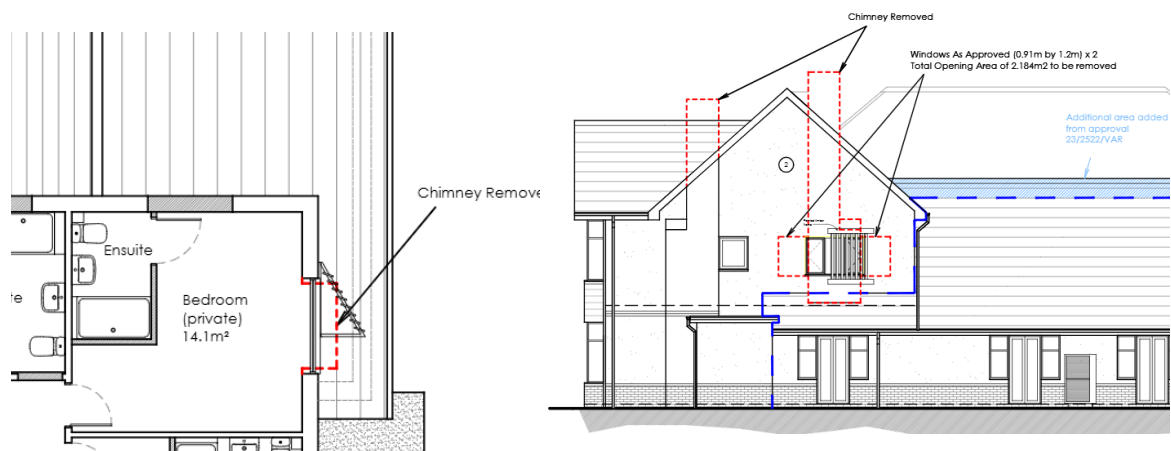
Chimney breast removal and replacement windows:

The original approval indicated two vertical windows either side of the existing chimney breast. The windows relate to a private bedroom within the dwelling and are the only source of light to the room as the former north facing windows have been blocked up to allow for the rear extension.



East elevation as approved under 23/0538/FUL

No changes were made to this arrangement in the later 23/2522/VAR application. This application seeks to regularise the works undertaken whereby the chimney breast has been removed and a single window has been installed in lieu of the approval scheme.



Proposed plan

Proposed elevation

The approved windows had a total area of 2.18 square metres (1.09sqm per window). The location of the chimney breast would have prevented overlooking of the adjacent neighbour from the left hand window.

The window as built has area of 1.92sqm. The submitted louvre screen has been proposed to prevent overlooking from the window into the neighbour's garden at No. 67 Salterton Road. A condition would be imposed upon any approval requiring the screen to be installed within three months of the date of the approval and requiring a screen to be retained in perpetuity in the interests of privacy and to reduce the impacts to the neighbouring garden at No. 67 Salterton Road. The above option (drawing no. 8601-02 Rev P) is the preferred option referred to in comments received from the neighbour.

The Town Council have objected to the proposed screen on the grounds that the design would be out of keeping, and that no changes to the originally approved window design should be permitted. However, the chimney breast which previously provided some screening has been removed and the proposal represents a pragmatic solution to prevent overlooking of the neighbour's garden. The proposed screen extends 800mm out from the east elevation but would be partially screened by the second chimney breast to the south of the east elevation which has only been removed down to eaves level. The screen would be set 7 metres back from the principal elevation and would therefore be unlikely to have a harmful impact upon the street scene.

There is no policy objection or objection on grounds of design and character to the removal of the two chimney stacks and the most northerly chimney breast.

The replacement render and replacement of tile hanging with fibre cement cladding

The house is not within a conservation area or within the 'Avenues' area of Exmouth. As such there are no objections to the replacement of the existing render with replacement render. There are other examples of fibre cement cladding seen locally so whilst the loss of the tile hung areas is regrettable given existing cladding seen locally the proposal would not have any adverse impact upon character or local distinctiveness and the proposal would comply with Local Plan Policy D1 and Exmouth Neighbourhood Plan Policy EB2.

The relocation of the bin store to the front boundary wall

The originally approved site plan indicated the proposed bin store being sited to the front of the house, approximately 3 metres behind the brick retaining wall to the rear of the pavement along Salterton Road, and the bin store was indicated as being set behind planting. No details were provided of the bin store but condition 9 required further details of the bin store. The condition stated:

Notwithstanding the submitted details, and prior to first occupation of the development hereby approved, the bin and cycle store shall be provided in accordance with details of the design, materials and finishes that shall have first

The bin store as constructed has concrete posts and is therefore considered sufficiently robust.

Planting to screen the bin store had not been undertaken at the time of the site visit. EDDC's Landscape Architect has stated that the store should have a roof, however this would increase the prominence of the bin store within the street scene. The bin store should be fitted with a secure door however. As such a condition would be imposed upon any approval requiring details of the door to the bin store to be submitted to and approved in writing by the LPA within two months of the decision and within six months of the decision the works to the bin store should be completed.

The relocation of the bike store to the rear garden

Condition 9 on the original approval also required details of the cycle storage to be submitted and approved prior to its construction.

As with the bin store, details of the cycle store were submitted on 24th October 2024 under a discharge of condition application. The submitted details showed a small open sided shed containing 3 Sheffield cycle stands, sufficient to store 6 bicycles. EDDC's Landscape Architect commented that the proposal would not provide sufficient security or space for the housing of bicycles and a minimum of 20 spaces should be provided for to reflect the fact that the accommodation would be capable of housing up to 47 people in 24 rooms.

No further information was submitted, therefore as with the bin store condition 9 has not been discharged. The condition was retained on the subsequent 23/2522/VAR approval.

EDDC's Landscape Architect has commented that the cycle store has been relegated to a far corner of the rear garden, contrary to best practice guidance to facilitate cycle use by making access to cycle stores as convenient as possible to building entrances. The consultee response recommends that the cycle store should be relocated to the front of the site.

The plans for the cycle store as submitted show cycle parking for 24 bikes, with 18 spaces secure and behind a lockable door, and with 6 spaces under a covered roof.

Whilst it may be preferable for the store to be at the front of the building from the perspective of the accessibility of bicycles, the scale and massing of the bike store for the requisite number of bikes means it could potentially be detrimental to the street scene for such a large structure to be located to the front of the site. The cycle store is accessed via a paved pathway allowing for relatively easy access to bikes.

The cycle store has been adapted from the existing garage on site, with a 3 metre long by 1.9 metre wide extension to the front of the building and a 2.4 metre wide by 7.1 metre long undercover terrace extension to the existing western elevation.

The extension to the front of the building abuts the boundary fence. The former garage / store has been reclad in fibre cement cladding with a corrugated metal roof.

As such, whilst the footprint of the proposed cycle store is slightly larger than the existing garage, the ridge and eaves are similar such that it is not considered the proposal would be unduly harmful to the character of the area or upon the residential amenity of the neighbours at 67 Salterton Road.

Rearrangement of the parking arrangement to the front of the house

Comments from EDDC's landscape architect raise concerns that the proposal allows insufficient space to support sustained healthy growth of trees and shrubs.

However the layout approved under 23/2522/VAR allowed no space between the parking and the retaining wall to the front of the site and in the interests of consistency it would be unreasonable to insist on reinstating soft landscaping to the rear of the retaining wall. A detailed soft landscaping scheme has been submitted with the application showing hedging plants in front of the bin store and ornamental planting in front of the house. A condition would be imposed upon any approval requiring the implementation of the proposed planting scheme. County Highways have confirmed that the proposed layout and materials including the grasscrete are acceptable. As such the proposal is considered to comply with local plan policies D1 and TC9.

The installation of an air source heat pump

The air source heat pump (ASHP) has been installed to the east elevation of the single storey projecting wing, and has dimensions of 0.940 metres wide, 1.42 metres tall by 0.33 metres deep. Environmental Health objected to the location of the ASHP as the separation distance between the ASHP and the nearest noise sensitive dwellings (both number 67 Salterton Road and the application site) is insufficient.

Following the objection the applicant has proposed an acoustic enclosure to the ASHP to ensure that the sound pressure level is below the levels set within the guidance document Microgeneration Certification Scheme (MCS) 020a.

Environmental Health have confirmed subject to the enclosure being fitted there are no anticipated environmental health concerns in relation to noise.

A condition would be imposed upon any approval requiring the acoustic enclosure to be fitted to the ASHP within three months of the date of any approval and requiring an acoustic screen of a similar specification to be maintained in perpetuity for the lifetime of this and any subsequent ASHP.

With the appropriately worded condition in place the proposal would comply with Local Plan Policy D1 and EN14.

Other matters

There are no listed buildings near the application site that could be affected by the proposal. The application would not be in scope of the requirement to provide a 10% uplift in BNG at the site as the application seeks to vary conditions to an original planning approval which was made prior to 12 February 2024, the commencement of

the statutory framework for biodiversity net gain. The proposal would have no impact upon the existing site trees including the Horse Chestnut to the rear of the site which is the subject of a tree preservation order. The original permission conditioned that surface water drainage would be via soakaway unless an alternative drainage scheme was approved by the LPA. The condition in respect of drainage would be retained on this new permission. The site is within flood zone 1 therefore there are no concerns in respect of flooding.

Conditions

To ensure that the new permission is in accordance with the original decision, the remainder of this section will address the conditions applied to the original approval and whether they need to be reapplied or modified.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.

Officer comment: As the development has commenced there is no need for a time condition.

2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.

Officer Comment: Standard condition, to be reapplied.

3. Notwithstanding the submitted details, no development above foundation level shall take place until samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Officer comment: This condition has not been discharged, however the application is retrospective and materials information has been provided on the submitted drawings. As such the proposed materials would be covered under the standard 'Plans' condition.

4. Prior to commencement of any hard landscaping works, a hard landscaping scheme to include samples and finishes of materials to be used in the construction of the hard surfaces shall be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, areas of external hard surfacing shall be constructed using porous materials, details of which shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also give details of any proposed walls, fences and other boundary treatment including details of materials and finishes. The development shall thereafter be carried out in accordance with the approved details.

Officer comment: The front garden area originally comprised a tarmac drive and parking area, which has been extended to provide further tarmac turning areas and

additional parking spaces laid out in grasscrete. The grasscrete provides the primary means of surface water management via infiltration. The scheme retains the original site boundary treatments, including the brick retaining wall to the rear of pavement, a low brick wall to the front boundary with No. 67 Salterton Road and a close boarding timber fence and planting to the boundary with Bronte Court. On the basis that the works have been completed and are considered satisfactory this condition is no longer required.

5. No landscaping shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme to identify trees and hedges to be retained and the planting of trees, hedges, shrubs, herbaceous plants and areas to be grassed. The scheme shall also give details of any proposed walls, fences and other boundary treatment. 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.

Officer comment: A soft landscaping scheme has been submitted. This condition shall become a compliance condition requiring the implementation and maintenance of the proposed scheme.

6. The development hereby approved shall be carried out in accordance with the ridge heights, finished floor levels and ground levels as shown on drawing no. 8601-09D.

Officer Comment: This is a compliance condition which is already covered under the plans condition above and therefore this condition will be removed.

7. In accordance with the details shown on drawing no 8601-09A visibility splays shall be provided, laid out and maintained for that purpose at the site access where the visibility splays shall provide intervisibility between any points on the X and Y axes at a height of 0.6 metres above the adjacent carriageway level and the distance back from the nearer edge of the carriageway of the public highway identified as X shall be 2.4 metres and the visibility distances along the nearer edge of the carriageway of the public highway (identified as Y) shall be 70 metres in a northerly direction and 70 metres in a southerly direction.

Officer comment: This condition shall be changed into a compliance condition.

8. Prior to first occupation of the development hereby approved, the existing vehicular access shall be stopped up in accordance with the details shown on drawing no 8601-09A.

Officer comment: This condition is no longer relevant as the access is being relocated into the original vehicular access point and therefore the access no longer requires stopping up.

9. Notwithstanding the submitted details, and prior to first occupation of the development hereby approved, the bin and cycle store shall be provided in accordance with details of the design, materials and finishes that shall have first been submitted to and approved in writing by the local planning authority. The bin stores and cycle stores shall thereafter be constructed in accordance with the agreed details prior to occupation of the new HMO units hereby permitted and remain in perpetuity for their intended use. The condition will be amended to reflect that further details are required in respect of the bin store. The cycle store details are acceptable and therefore shall be revised to a compliance condition.

Officer comment: The condition will be amended to reflect that further details are required in respect of the bin store. The cycle store details are acceptable and therefore shall be revised to a compliance condition.

10. No part of the development hereby approved shall be occupied until the access and parking shown on drawing no 8601-09D have been provided and shall be retained thereafter.

Officer Comment: Although the layout of this car park and its access have been changed, a similarly worded condition to maintain these elements will be applied.

11. The scheme hereby permitted shall be carried out in accordance with the Construction Management Plan (CMP) as agreed under condition 11 of 23/0538/FUL.

Officer comment: this is a compliance condition and will be retained on new approval.

12. The scheme hereby permitted shall be carried out in accordance with the Construction and Environmental Management Plan (CEMP) as agreed under condition 12 of 23/0538/FUL.

Officer comment - this is a compliance condition and will be retained on new approval.

13. Prior to the commencement of any development on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details. This condition will be revised to a compliance condition to reflect the

submitted tree protection measures.

Officer comment: This condition will be revised to a compliance condition to reflect the submitted tree protection measures.

14. Surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 45% for climate change.
- If demonstrated that the ground conditions are not suitable for soakaways or will result in an increased risk of flooding to surrounding buildings, roads and land, prior to any development above slab or ground level or creation of any new hardsurface, details of an alternative means of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details of the alternative means of surface water drainage shall include evidence of how surface water will be dealt with in order not to increase the risk of flooding to surrounding buildings, roads and land. The submitted means of surface water drainage shall ensure that all off site surface water discharges from the development must be limited to the "Greenfield" run off rate for the 1 in 10 year rainfall event with attenuation designed so as there is no risk of flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus a 45% allowance for climate change. On site all surface water shall be safely managed up to the "1 in 100 year critical rainfall event plus 45% allowance for climate change" conditions.
- The development shall not be utilised until the approved surface water drainage system has been completed as approved and it shall be continually retained and maintained thereafter.

Officer comment - this is a compliance condition and will be retained on new approval.

15. The development hereby approved shall be carried out in accordance with the recommendations and site enhancement measures contained within the 'phase 1 & 2 bat and nesting bird survey' report prepared by Devon and Cornwall Ecology dated June (updated August) 2021 as received in the planning application 23/0538/FUL, and the enhancement measures be maintained and retained for the lifetime of the development.

Officer comment - this is a compliance condition and will be retained on new approval.

Planning Balance

The application seeks to regularise a number of amendments made during the construction of the previously approved scheme. The changes involve amendments to a couple of windows to the east elevation of the building, changes to the external materials, revisions to the proposed bike and bin storage, alterations to the proposed

parking layout and the installation of an Air Source Heat Pump to serve the dwellings.

In comparison with the approved scheme, it is not considered that that proposal would give rise to any unacceptable impacts on the character or appearance of the area, or to the residential amenity of neighbours. Subject to the imposition of updated and revised conditions, the scheme would comply with policies contained with the East Devon Local Plan and the Exmouth Neighbourhood Plan and is therefore recommended for approval.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

2. The soft landscaping shall be undertaken in accordance with drawing no. 8601-10 C. The landscaping scheme shall be carried out in the first planting season after the date of this approval 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 - To ensure that the details are planned and considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements) of the adopted East Devon Local Plan 2013-2031.)

3. Visibility splays of 2.4 metres by 70 metres in either direction from the site access shall be maintained in perpetuity.

(Reason - To provide adequate visibility from and of emerging vehicles in accordance with policy TC7(Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan 2013-2031).

4. The bicycle store shall be constructed in accordance with the details shown on drawing no. 8601-18 Rev. A Cycle Store, within 6 months of the date of this permission and shall remain in perpetuity for its intended use.

(Reason - To ensure adequate provision of bicycle storage on the site in accordance with policy TC9 (Parking Provision in New Development) of the East Devon Local Plan 2013-2031).

5. Notwithstanding the submitted details, within two months of the date of this permission details of a door to the bin store shall be submitted and approved in writing by the Local Planning Authority. The works shall have been completed as per the approved details within six months of the date of approval of the details. The doors shall be retained as such for the lifetime of the development.

(Reason - To ensure adequate provision of bin storage on the site in accordance with Policy D1 (Design and Distinctiveness) of the adopted East Devon Local Plan 2013-2031).

6. The access and parking shall be provided in accordance with the details indicated on drawing no 8601-06 Rev. P Proposed site, and shall be retained thereafter for the lifetime of the development.

(Reason - To ensure that the adequate parking is provided for future occupiers of the development in the interests of highway safety in accordance with policies TC7 (Adequacy of Road Network and Site Access) and TC9 (Parking Provision in New Development) of the East Devon Local Plan 2013-2031).

7. The scheme hereby permitted shall be carried out in accordance with the Construction Management Plan (CMP) prepared by Myers Construction Design and Management dated October 2023.

(Reason - To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance and in the interests of highway safety in accordance with Policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) and TC7 (Adequacy of Road Network and Site Access) of the adopted East Devon Local Plan 2013 - 2031.)

8. The scheme hereby permitted shall be carried out in accordance with the Construction and Environmental Management Plan (CEMP) prepared by Myers Construction Design and Management dated October 2023.

(Reason - To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance with Policies D1 (Design and Distinctiveness) and EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013 - 2031.)

9. The development hereby approved shall be carried out in accordance with the tree protection details shown in drawing no. 8601-06 Rev. P Proposed Site Plan and the Tree Protection Plan and Arboricultural Method Statement prepared by Advanced Arboriculture dated 9th October 2023.

(Reason - To ensure retention and protection of trees on the site in the interests of amenity and to preserve and enhance the character and appearance of the

area in accordance with Policies D1(Design and Local Distinctiveness), D2 (Landscape Requirements) and D3 (Trees on Development Sites) of the adopted East Devon Local Plan 2013-2031).

10. Surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100 year storm event plus 45% for climate change.

If demonstrated that the ground conditions are not suitable for soakaways or will result in an increased risk of flooding to surrounding buildings, roads and land, prior to any development above slab or ground level or creation of any new hardsurface, details of an alternative means of surface water drainage shall be submitted to and approved in writing by the Local Planning Authority. The details of the alternative means of surface water drainage shall include evidence of how surface water will be dealt with in order not to increase the risk of flooding to surrounding buildings, roads and land. The submitted means of surface water drainage shall ensure that all off site surface water discharges from the development must be limited to the "Greenfield" run off rate for the 1 in 10 year rainfall event with attenuation designed so as there is no risk of flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus a 45% allowance for climate change. On site all surface water shall be safely managed up to the "1 in 100 year critical rainfall event plus 45% allowance for climate change" conditions.

The development shall not be utilised until the approved surface water drainage system has been completed as approved and it shall be continually retained and maintained thereafter.

(Reason - In the interests of adapting to climate change and managing flood risk, and in order to accord with the provisions of policy EN22 (Surface Run-Off Implications of New Development) of the adopted East Devon Local Plan 2013-2031).

11. The development hereby approved shall be carried out in accordance with the recommendations and site enhancement measures contained within the 'phase 1 & 2 bat and nesting bird survey' report prepared by Devon and Cornwall Ecology dated June (updated August) 2021 as received in the planning application 23/0538/FUL, and the enhancement measures be maintained and retained for the lifetime of the development.

(Reason - In the interests of biodiversity and ecology in accordance with policy EN5 (Wildlife Habitats and Features) of the adopted East Devon Local Plan 2013-2031).

12. The proposed louvre screen as shown on drawing no.s 8601-02 Rev P Proposed Floor Plans, 8601-15 Window Surround and 8601-04 Rev. P Proposed Elevations shall be installed within three months of the date of this approval and the screen shall be maintained and retained as such in perpetuity.

(Reason: In the interests of privacy and to reduce to impacts to residential amenity in accordance with Local Plan Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013-2031.)

13. The proposed acoustic enclosure to the Air Source Heat Pump as shown on drawing no.s 8601-02 Rev U Proposed Floor Plans, and 8601-04 Rev. Q Proposed Elevations shall be installed within three months of the date of the approval and an acoustic enclosure shall be retained in perpetuity for the lifetime of the Air Source Heat Pump.

(Reason: To prevent unacceptable levels of noise to nearby residents in accordance with Local Plan Policy D1 (Design and Local Distinctiveness) and Policy EN14 (Control of Pollution) of the adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Biodiversity Net Gain Informative:

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The Local Planning Authority cannot add this condition directly to this notice as the condition has already been applied by law. This informative is to explain how the biodiversity condition applies to your development.

The BG conditions states that development may not begin unless:

- (a) a Biodiversity Gain Plan (BG plan) has been submitted to the planning authority, and
- (b) the planning authority has approved the BG plan.

In this case the planning authority you must submit the BG Plan to is East Devon District Council.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will **not require the approval of a biodiversity gain plan** before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply.

In this case exemptions 3 (i) and (ii) from the list below are considered to apply:

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.

2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.

3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or

(ii) the application for the original planning permission to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

(i) the application for planning permission was made before 2 April 2024;

(ii) planning permission is granted which has effect before 2 April 2024; or

(iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

(i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

(ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the

Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- (i) consists of no more than 9 dwellings;
- (ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- (iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Plans relating to this application:

8601-06 P	Proposed Site Plan	29.01.26
8601-09 L :	Sections	29.01.26
proposed site		
8601-10 C	Landscaping	29.01.26
8601-18 A: cycle store	Other Plans	12.12.25
8601-02 U	Proposed Floor Plans	26.03.26
8601-04 Q	Proposed Elevation	26.03.26
	Location Plan	02.10.24

8601-15 :
window
surround

Other Plans

28.01.26

The historical planning application is referenced under 23/0538/FUL. All of the drawings under that application and the previous variation planning application have been superseded by the above drawings.

List of Background Papers

Application file, consultations and policy documents referred to in the report.

EDDC Landscape Architect

27/02/2025 - Thank you for consulting me on the above application. I object to the proposed scheme for the following reasons:

This stretch of Salterton Road is characterised by large houses set back from the street with a strong green frontage of trees and shrubs. Compared to the consented scheme (23/0538/FUL), the revised layout brings the carpark to within 750mm of the highway boundary. The intervening space between the boundary wall and parking bays is insufficient to support sustained healthy growth of trees and shrubs. The consequent lack of screening of the carpark from the road will adversely impact local amenity and character. The scheme should be revised to increase the planting width to the frontage to a minimum 1.5m to allow the establishment of trees and hedgerows.

The cycle store has been relegated to a far corner of the rear garden. This is not in accordance with best practice guidance to facilitate cycle use including by making access to cycle stores as convenient as possible to building entrances. The cycle store should be relocated to the front of the site.

The temporary tree protection fencing indicated on the site plan should be adjusted to take in the full canopy spread of trees and shrubs to be retained along the western boundary.

In view of the intensity of use of the parking spaces and the amount of manoeuvring required to get into many of the spaces it is unlikely that grass can thrive in the proposed grasscrete cells and it would be better for these to be filled with a suitable gravel instead.

EDDC Landscape Architect

26/08/2025 - Thank you for consulting me on the above application. The amendments made do nothing to materially address my previous comments in respect of the landscape issues and as such the submitted details remain unacceptable in this respect.

Due to the extent of parking within the plot frontage it appears that the only way these concerns can be satisfactorily addressed is to reduce parking numbers in

order to create an adequate planting margin of 1.5m minimum width to the roadside frontage of the site which can be planted with a suitable hedge and trees.

EDDC Landscape Architect

21/01/2026 - Having reviewed the latest amended details submitted in respect of the above scheme I find nothing to satisfactorily address my previous comments as per below email and therefore maintain my objection to the scheme.

EDDC Landscape Architect

25/04/2025 - Having reviewed the amended details uploaded to IDOX on 21 March I note no changes have been made to address my previous comments as per email below. As such I maintain my objection to the proposal for the reasons stated.

Private Sector Housing (EDDC) - Caravan Licensing

Private Sector Housing have no comments on the proposed variation as it would have no significant impact on the compliance with HMO licensing standards.

County Highway Authority

23/09/2025 - Observations:

The County Highway Authority (CHA) has visited the site and reviewed the planning application documents.

The repositioning of the bin store will still allow for a smooth bin collection process that does not unduly hold up the free-flow of traffic. The parking layout still allows for vehicles to turn off-carriageway and re-enter the carriageway in a forward facing motion.

The relocation of the bushes will also allow for visibility splays upon the inter-visibility of the adjoining accesses.

Therefore in summary the CHA has no objection to this planning application.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Addendum 23/09/2025

The CHA has reviewed the amended parking layout and is content with that the grasscrete finish, we are satisfied that no mud or debris will enter the carriageway.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

Environmental Health

The separation distance between the ASHP and the nearest noise sensitive dwelling is insufficient. The Sound Power Level of the ASHP has been given as (64 dB) the distance attenuation reduces the sound pressure level to 39 dB(A) at the window therefore, higher than the 37 dB(A) level set within the guidance doc MCS 020a. To

reach the required level the ASHP would need to be at a distance of at least 12m from the centre point of the window.

The solution here would be to either enclose it, or to build an acoustic barrier between the ASHP and the neighbouring property (ensuring no line of sight of the ASHP from the window) the barrier would need a solid mass of at least 12kg. An acoustic consultant would need to give further advise on this.

Environmental Health

I have reviewed the technical specification of the ASHP enclosure and I do not anticipate any environmental health concerns in relation to noise.

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

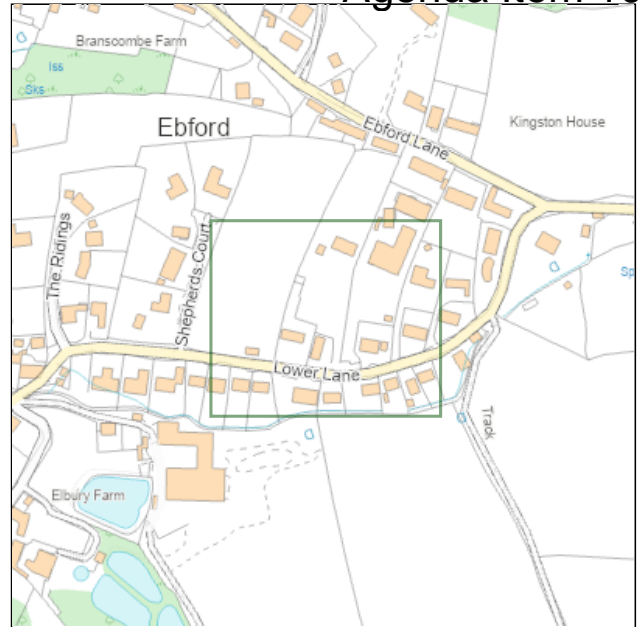
Ward Clyst Valley

Reference 26/0103/PIP

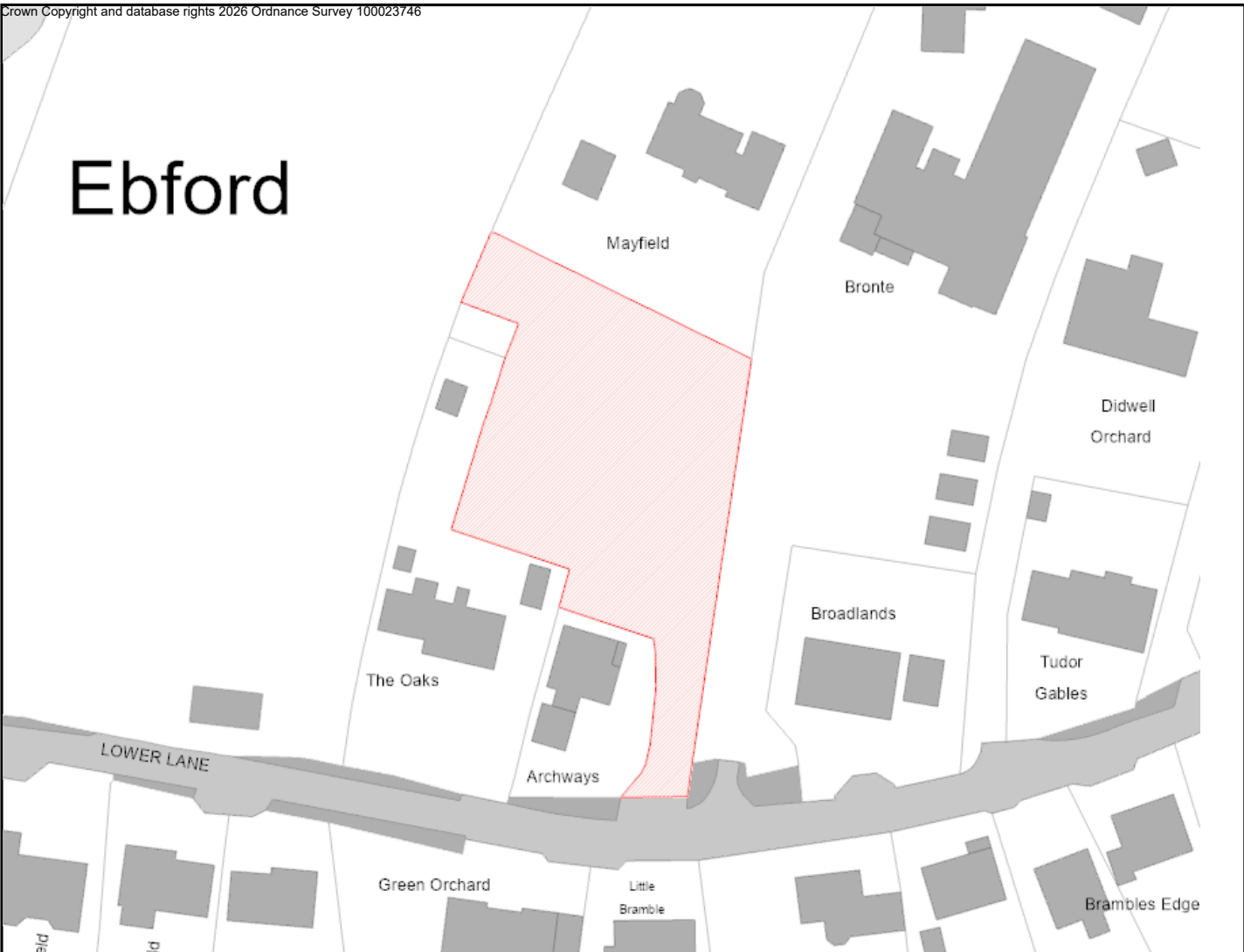
Applicant Mr & Mrs Mark & Anita Lavis

Location Mayfield Lower Lane Ebford Exeter EX3 0QT

Proposal Permission in principle for the erection of 1no. dwelling



RECOMMENDATION: Adopt The Appropriate Assessment and Approve



		Committee Date: 21.04.2026
Clyst Valley (Clyst St George)	26/0103/PIP	Target Date: 26.02.2026
Applicant:	Mr & Mrs Mark & Anita Lavis	
Location:	Mayfield Lower Lane	
Proposal:	Permission in principle for the erection of 1no. dwelling	

RECOMMENDATION: ADOPT THE APPROPRIATE ASSESSMENT AND APPROVE

EXECUTIVE SUMMARY

The application seeks Permission in Principle (PiP) for the erection of one dwelling on part of the garden at Mayfield, Lower Lane, Ebford. At PiP stage, the Council can only consider location, land use, and the amount of development; all design and technical matters are reserved for a later Technical Details Consent (TDC) application.

The application is before members as the proposal is a departure from the East Devon Local Plan strategic approach to residential development.

Notwithstanding this East Devon District Council cannot demonstrate a five-year housing land supply, meaning relevant Local Plan policies are considered out-of-date and the NPPF tilted balance is engaged. This requires granting permission unless harms significantly and demonstrably outweigh benefits.

Although the site lies outside any built-up area boundary and is technically within the countryside, recent appeal decisions have confirmed that some sites in Ebford can still be considered sustainable location for small-scale residential development. The application site, while slightly more remote than the appeal site at Branscombe Farm, still provides access to footways, bus stops on the A376, and services in Clyst St George and at Darts Farm. Accordingly officers find no conflict with Strategy 5b and Policy TC2 of the Local Plan.

Furthermore officers consider that:

- The site can accommodate a single dwelling without harming the character of Ebford, given surrounding low-density residential development.
- Amenity impacts on neighbours can be addressed at the TDC stage through suitable boundary treatment and layout.

- Access and parking can be appropriately managed and no arboricultural concerns have been raised.
- A required Appropriate Assessment has been completed, and the applicant has provided a S.111 contribution to secure habitat mitigation for impacts on protected European sites.

Given the modest scale of development, absence of identified significant harm, and the Council's housing land supply position, the proposal is considered to comply with national policy under the presumption in favour of sustainable development. The small contribution to local housing weighs in favour of approval.

CONSULTATIONS

EDDC Trees

No arb concerns.

Other Representations

None

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 34 (District Wide Affordable Housing Provision Targets)

TC7 (Adequacy of Road Network and Site Access)

Strategy 3 (Sustainable Development)

Strategy 5 (Environment)

Strategy 7 (Development in the Countryside)

Strategy 34 (District Wide Affordable Housing Provision Targets)

Strategy 48 (Local Distinctiveness in the Built Environment)

D1 (Design and Local Distinctiveness)

EN5 (Wildlife Habitats and Features)

EN22 (Surface Run-Off Implications of New Development)

TC2 (Accessibility of New Development)

TC9 (Parking Provision in New Development)

Clyst St George Parish Neighbourhood Plan 2015 – 2031

CSG1 (Sustainable Development)

CSG3 (Flood Risk)

CSG5 (Development Outside the Settlement Areas)

CSG6 (Protection of Trees and Woodlands)

CSG9 (Design Matters)

OFFICER REPORT

Procedure

The permission in principle (PiP) process was introduced through the Town and County Planning (Permission in Principle) Order 2017. It provides an alternative means of obtaining planning permission for housing-led development.

Local planning authorities can grant permission in principle to a site upon receipt of a valid application or by entering a site in Part 2 of its brownfield land register which will trigger a grant of permission in principle for that land providing the statutory requirements set out in Town and Country Planning (Permission in Principle) Order 2017 (as amended) and the Town and Country Planning (Brownfield Land Register) Regulations 2017 are met.

In this case, the application site is currently residential garden and therefore not considered brownfield land and as such, not listed on the Local Planning Authority's Register. Therefore, the applicant must undergo the two stage process. The first being the permission in principle stage and the second, technical details consent (TDC) stage.

At PIP stage the relevant considerations are limited to assessment of the **location, land use and amount of development proposed** with other matters reserved for consideration at TDC stage.

Material Planning Considerations

The Council is currently unable to demonstrate a five year land supply and therefore the provisions of paragraph 11d) of the National Planning Policy apply.

Furthermore, a recent appeal decision for an appeal lodged against the Council's refusal of planning permission at Land at Branscombe Farm, Ebford Lane for the construction of two dwellings was dismissed. The application was considered in context of paragraph 11d) and whilst dismissed the inspector found that the appeal site was in a sustainable location (See paragraphs 7 – 12 of APP/U1105/W/24/3347347 EDDC Ref 24/0110/FUL).

Recent approvals for residential development within Ebford include 25/1487/PIP, for five dwellings at the adjacent site of Land Adjoining Shepherds Court and 25/2593/PIP at Land Adjacent to A376 Exmouth Road, also for up to five dwellings. Both were determined at Planning Committee where members resolved to approve having considered the Planning Inspectorate's findings in the aforementioned appeal decision and the Council's Housing Land Supply Position. A site visit was also conducted for 25/2593/PIP in order to assess the site's access to nearby services and facilities.

Site Location and Description

Strategies 1 and 2 of the Local Plan set out the scale and distribution of residential development in the district for the period 2013-2031. Whilst the focus is on the West

End and the seven main towns, development in the smaller towns, villages and other rural areas is geared to meet local needs and represents a much smaller proportion of the planned housing development.

Strategy 7 (Development in the Countryside) of the East Devon Local Plan defines the countryside as all areas within the plan area that are outside of site-specific allocations or built-up area boundaries. On this basis, the site lies in open countryside and therefore the provisions of Strategy 7 apply which stipulate that '*Development shall only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development*'.

The Clyst St George Neighbourhood Plan was 'made' 10.01.2019 and therefore forms part of the Development Plan for East Devon. The proposals in this case concern residential development in the countryside, outside of any settlement boundary thereby conflicting with Strategy 7 of the local plan. Furthermore, the construction of five dwellings would not contribute to the sustainability of Ebford or reuse previously development land as required by NP Policy CSG1 (Sustainable Development).

The principle of the development is not supported by the development plan.

Location of the Site and Accessibility to nearby Services and Facilities

Strategy 5b (Sustainable Transport) of the Local Plan requires development to contribute to the objectives of promoting and securing sustainable modes of travel and transport, be at locations where it will encourage and allow for efficient, safe and accessible means of transport. Policy TC2 requires new development to be located so as to be accessible by pedestrians, cyclists and public transport and also well related to compatible land uses so as to minimise the need to travel by car.

In determining appeal APP/U1105/W/24/3347347 (24/0110/FUL – See figure 1 below) the inspector concluded the following:

7. With regards to local facilities and services, there are limited facilities within Ebford. The appellant has drawn my attention to local facilities to the north of the appeal site, in particular Darts Farm Shop, along with a number of local employment uses, a primary school and a pub. Access to these would be through the village and then along the A376.

8. The route through the village has no footpaths or streetlights. That said, the appeal site is not in an isolated location and the route through the village would involve passing existing dwellings and given this, motorists would be conscious of being within a village and therefore more prepared to encounter pedestrians. Such a route is not unusual within rural settlements, and it therefore does not automatically mean that it would deter future occupiers from walking the route to the extent that it would deter those living at the site from accessing those facilities by means other than a private vehicle.

9. In contrast to Ebford Lane, the A376 is a busy, heavily trafficked route. It is however served by footpaths on both sides and is lit. Whilst the route is not necessarily flat or straight and the footpaths are relatively narrow at points, I do not consider it to be of such a constraint as to deter future residents from using them to access nearby services. Neither do I consider the identified facilities to be of such a distance away as to act as a deterrent. There is also a pelican crossing to the south, which provides a safe crossing point. To the south, within a relatively short walk of the appeal site are bus stops, which from the information provided, offers a service between Exeter and Exmouth.

10. Whilst I find the appeal site to be in a location where future occupiers could at times walk or cycle to the surrounding services, due to the limited number of services locally, I find that it is likely that most trips to access employment, schools and other everyday needs, would be made by private vehicles.

11. I appreciate that in rural areas, the potential to provide for alternative means of transport is often limited, with paragraph 110 of the Framework recognising that opportunities to maximise sustainable travel choices will be different between rural and urban areas. Consequently, despite the countryside location of the appeal site, given the alternative options available, along with access to public transport, I do not find the appeal site to be so poorly located in terms of travel patterns and choices. Moreover, whilst I find that an increase in travel by private car would be a likely inevitable consequence of the proposal, given the limited size of the development, the likely trip generation is unlikely to have a notable impact on the level of traffic using the lane or road safety.

12. For the above reasons, I therefore conclude that, despite its location, the appeal site lies within a sustainable location in relation to access to services and facilities and, in this respect, accords with policies 5B, Strategy 7 and TC2 of the EDLP and the Framework.

The appeal site is located closer to the services and facilities located in Clyst St George and Darts Farm when compared to the application site. In order for prospective occupants of the proposal dwelling to access these, they would be required to walk along Lower Lane to get to the pedestrian footpaths along Exmouth Road. It is at this point where Lower Lane meets the A376 that there is also access to bus stops either side of the crossroad that provide regular services to nearby settlements including Exeter and Exmouth.

The inspector in the Branscombe Farm appeal acknowledges that the majority of trips shall be made by private modes of transport before factoring in the provisions of paragraph 110 of the National Planning Policy Framework that states:

*'The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. **However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.'***

Whilst it is acknowledged that the relationship between the appeal site and Mayfield to the nearest services and facilities are materially different due to their position within the village, it is not considered that they differ so substantially to warrant an alternative position to be taken when considered against Strategy 5b and Policy TC2 of the East Devon Local Plan. It is also relevant that the Council has very recently granted planning in principle for 5 dwellings on the site immediately adjacent to this one, accessed from the same road. As such, it is the view of officers that the proposal meets the objectives of these policies.

Impact on Character and Appearance of the Area

The site sits within an established pattern of low-density residential meaning that its introduction would read as a natural and proportionate addition to the existing settlement. The Planning Statement identifies that the site is an undeveloped parcel of land adjacent to residential properties, with built form to the west and agricultural land beyond, establishing a transitional character already influenced by neighbouring dwellings.

The application is supported by an indicative Site Layout Plan that shows the construction of a chalet style bungalow. It is considered that this approach, coupled with its position set back from Lower Lane behind The Oaks and Archways, would ensure that development would not materially alter the character of the road or, in a broader sense, disrupt the landscape setting of the village.

The Planning Statement emphasises that the dwelling would be designed at the Technical Details Consent stage to reflect the scale, form, and materials typical of Ebford, ensuring a sympathetic response to local distinctiveness and reinforcing the village's character rather than competing with it. The modest nature of the scheme enables opportunities to incorporate landscaping, which shall provide an opportunity to strengthen its integration within the semi-rural context. Given its siting alongside existing properties the development is not anticipated to result in any significant adverse visual impacts, nor would it erode the settlement's rural identity or sense of openness. As such, the proposal is assessed as having a neutral effect on the character and appearance of the area, subject to detailed design considerations at the subsequent Technical Details Consent Stage.

Overall, officers are satisfied that the development accords with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan and CSG9 (Design Matters) of the Bishops Clyst Neighbourhood Plan.

Impact on Neighbouring Amenity

The application has included an indicative Site Layout Plan that positions a chalet bungalow centrally within the plot. It is considered that this intended scale and form of development can be achieved without causing undue harm to the amenity enjoyed by the host property (Mayfield) but more importantly the properties of The Oaks and Archways. During an officer site visit it was observed that the garden of Archway is partially enclosed by a timber post and rail fence and therefore line of sight is possible from within the application site into their garden and vice versa. As such,

any application for Technical Details Consent shall need to submit a details landscaping scheme in order to provide an appropriate boundary treatment here.

The garden that serves the Oaks also has an odd form with a narrow strip of garden that would run along the west boundary of the application site which consists of a couple of outbuildings. The boundary here consists of intermittent shrubs, hedging and trees. Again, due to the patchy character of the vegetation that delineates this boundary, further landscaping should be considered here at TDC stage.

Fundamentally the size of the application site is adequate to facilitate development of a single dwelling whilst ensuring the amenity of neighbouring properties is not adversely impacted. The application is therefore compliant with Policy D1 of the East Devon Local Plan.

Appropriate Assessment

The nature of this application and its location close to the Pebblebed Heaths and the Exe Estuary their European Habitat designations is such that the proposal requires a Habitat Regulations Assessment. This section of the report forms the Appropriate Assessment required as a result of the Habitat Regulations Assessment and Likely Significant Effects from the proposal. In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in-combination have a detrimental impact on the Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of these designations. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential developments within 10km of the designations.

Whilst mitigation is normally secured through the CIL process and financial contributions (Non-infrastructure), the permission in principle legislation does not permit planning obligations to be secured. This is further explained within the PPG at paragraph 005 which states:

'Permission in principle must not be granted for development which is habitats development. From 28 December 2018 habitats development means development which is likely to have a significant effect on a qualifying European site or a European offshore marine site, referred to as habitats sites in the National Planning Policy Framework (either alone or in combination with other plans or projects); is not directly connected with or necessary to the management of the site, and; the competent authority has not given consent, permission, or other authorisation in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017. This means for sites where development is likely to have a significant effect on a qualifying European site or a European offshore marine site without any mitigating measures in place, the local planning authority should ensure

an appropriate assessment has been undertaken before consideration of the grant of permission in principle. If the local planning authority is satisfied, after taking account of mitigation measures in the appropriate assessment and concluding that the development will not adversely affect the integrity of the protected site, then, subject to compliance with other statutory requirements regarding the permission in principle process, it can grant permission in principle.'

Whilst planning obligations cannot be secured at this stage, financial contributions can be secured through S.111 agreements to facilitate the discharge of its planning function by securing up-front payments of money to help mitigate the impact of development on protected sites to enable the grant of planning permission especially when planning obligations cannot be secured at the permission in principle stage.

The applicant has provided a signed S.111 form and payment of the financial contribution has been made.

Other Matters

Trees – The development is likely to require removal of a couple of small trees within the garden of Mayfield. These appear to be of limited arboricultural value. The application has been reviewed by the Council's Tree Officer and no concerns have been raised.

Access- The development shall share the existing access with Mayfield onto Lower Lane. Given that the access has good visibility and already utilised for residential purposes officers are satisfied that the development would not cause undue harm to the safety of Lower Lane.

Parking – Given the lack of available on street parking or any car parks in close proximity to the application site, the development shall be required to provide parking in accordance with Policy TC9 (Parking Provision in New Development) of the East Devon Local Plan.

Conclusion

On 12 December 2024, the NPPF was updated, reverting to the more usual position whereby the Council is required to demonstrate a 5-year housing land supply. Changes to how this is to be calculated mean that the Council can now only demonstrate 3.5 years of supply. As such, and as explained in more detail below, the tilted balance is now engaged.

The National Planning Policy Framework (NPPF) published in December 2024 is a material consideration in the determination of planning applications. The NPPF states that plans and decisions should apply a presumption in favour of sustainable development. Paragraph 11 of the Framework, in the decision-taking section states:

For decision-taking this means:

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

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (footnote 8), granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance (footnote 7) provides a strong reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

As above paragraph makes clear that where the policies of the Local Plan are out of date, which is the case here, in the absence of a 5 year housing land supply, then the so called 'tilted balance' is applied, i.e. to grant consent unless any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Given the above, it is conceded that the council have a shortfall in the supply of required housing and that the tilted balance within the presumption of favourable development is engaged.

Having given due regard to the aspects of the development that can be considered at this stage, it is the view of officers that given the limited harm that has been identified and given the views of the inspector in the Branscombe Farm appeal, when viewing the proposals in context of the 'tilted balance' the application is considered acceptable and therefore recommended for approval.

RECOMMENDATION

1. Adopt the Appropriate Assessment
2. Grant Permission in Principle.

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District

Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

The applicant is advised that an application for approval of Technical Details Consent must be made and determined not later than the expiration of three years beginning with the date of this permission.

Community Infrastructure Levy (CIL) - Where CIL liable development is approved in permission in principle, the liability to pay CIL arises at the time of commencement of development following the grant of Technical Details Consent.

The application is subject to a signed S111 form and associated payment towards habitat mitigation - dated 22th July 2025 and received by the Council on the 15th July 2025.

Plans relating to this application:

SU.01	Location Plan	22.01.26
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List of Background Papers

Application file, consultations and policy documents referred to in the report.

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

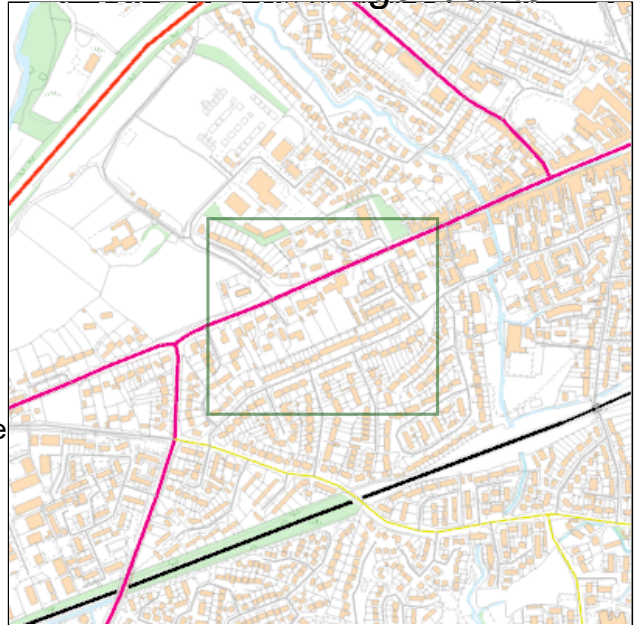
Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

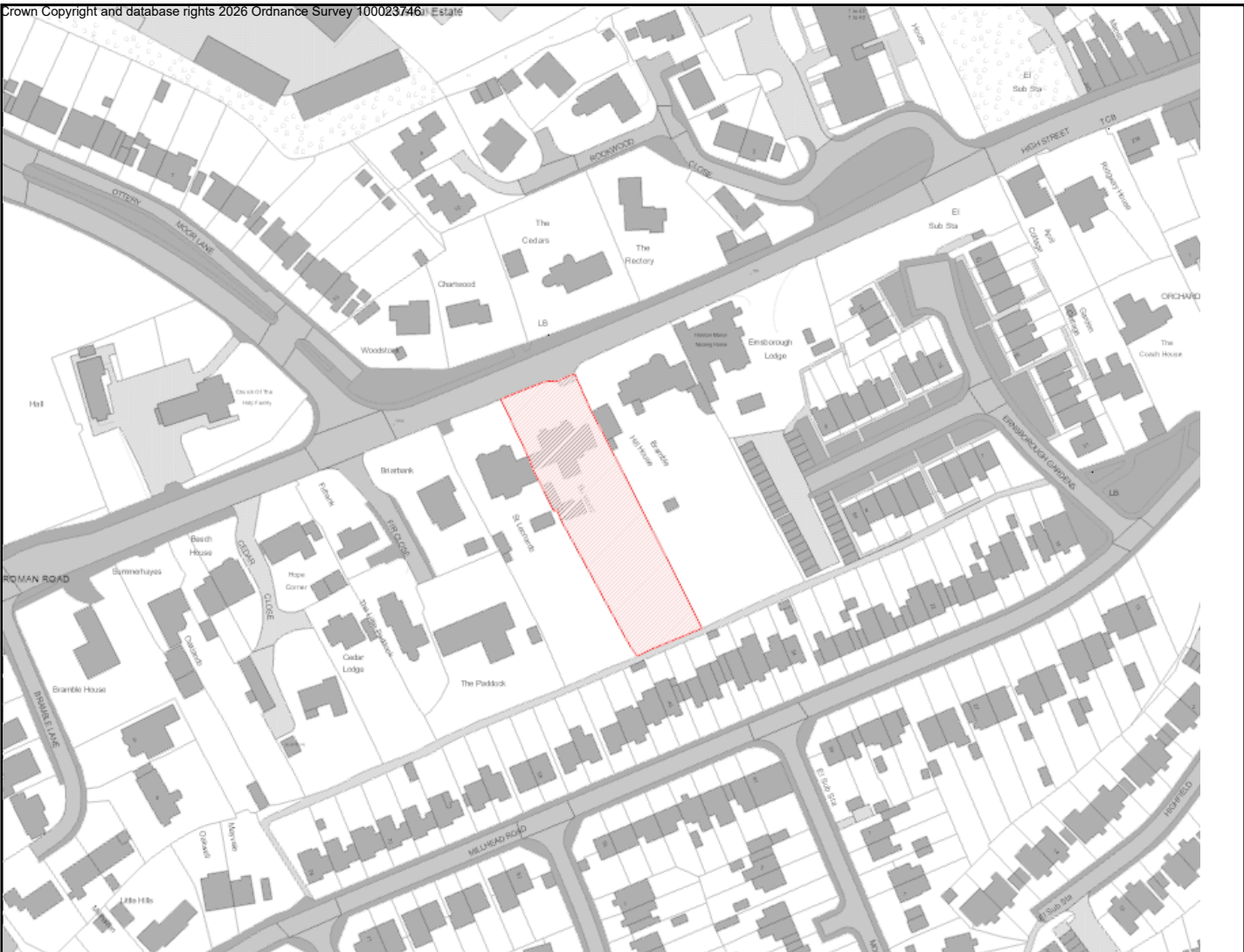
Ward Honiton St Michaels
Reference 26/0261/LBC
Applicant Colin and Jenny Brown and Wheatley-Brown

Location Burwood Exeter Road Honiton EX14 1AL

Proposal Retention of remedial works carried out to roof; including the removal, storage and reinstallation of all existing slates; supplementation of 200 like for like slates; installation of breathable membrane; replacement of battens and nails; and re-leading of failed flashing



RECOMMENDATION: Approval with conditions



		Committee Date: 21.04.2026
Sidmouth Town (Sidmouth)	26/0261/LBC	Target Date: 27.04.2026
Applicant:	Colin and Jenny Brown and Wheatley-Brown	
Location:	Burwood, Exeter Road, Honiton, EX14 1AL	
Proposal:	Retention of remedial works carried out to roof; including the removal, storage and reinstallation of all existing slates; supplementation of 200 like for like slates; installation of breathable membrane; replacement of battens and nails; and re-leading of failed flashing.	

RECOMMENDATION: Approval with Conditions

EXECUTIVE SUMMARY

The application is before members of the planning committee as the applicants are Councillors for East Devon District Council.

The application site comprises a Grade II listed building identified as Burwood, located at the western end of Honiton's main street, identified as Exeter Road/High Street.

The site is located adjacent / opposite the following listed buildings / heritage assets:

- St Leonards – Grade II Listed Building – adjoining Burwood to the west
- Bramble Hill House – Grade II Listed Building – neighbouring Burwood to east.

The site is also located within Honiton Conservation Area.

The character and appearance of the Conservation Area, is defined by early to mid-19th-century villas set within landscaped gardens, often bounded by chert stone walls. Architectural styles range from expressive Gothic cottages to more formal two-bay villas, creating a varied and historically rich environment.

Burwood as a 19th century villa forms an integral part of this setting, contributing to the architectural diversity and heritage significance of the wider conservation area.

The application seeks listed building consent for the retention of retrospective re-roofing works through the re-use of exiting slate, with any shortfall of slate

being made up of approximately 200 reclaimed slates using traditional methods of fixing with copper nails. In addition to introducing a new breathable membrane, followed by new tanalised timber battens positioned to match the original spacing. New lead flashing and reinstatement of the original ridge tiles to complete the works

The site lies within the main, Built-up Area Boundary of Honiton.

Given Burwood is a Grade II listed building, all works that impact on the character and appearance of the heritage asset, require listed building consent.

The proposal is recommended for approval and is deemed in accordance with the relevant policies listed below. There are no other material considerations to indicate or suggest that the proposal is unacceptable.

CONSULTATIONS

Local Consultations

No Ward Member representation received.

Parish/Town Council

Unanimous SUPPORT subject to the agreement of the Conservation Officer.

Other Representations

No third-party representation received.

RELEVANT PLANNING HISTORY / JUSTIFICATION

26/0043/ENQ – Listed Building Enquiry

LBC retention of works to roof

2021 emergency repairs were needed on the leaking roof due to water ingress and nail rot.

Works consisted of stripping roof, reusing existing slates and lead. Needed to replace 80 which were purchased from salvage yard to match.

POLICIES

National Planning Policy Framework
National Planning Policy Guidance

Local Plan 2013-2031

Strategy 49: The Historic Environment
Policy EN9 – Development Affecting a Designated Heritage Asset.

Policy EN8 - Significance of Heritage Assets and their setting.

Draft East Devon Local Plan (2020 – 2042) - Emerging

Policy HE01: Historic Environment

Policy HE02: Listed buildings.

Neighborhood Plan:

No Neighbourhood Plan available for Honiton

Site Location and Description

The application site identified as Burwood is situated at the western end of Honiton's main street referred to as both Exeter Road and High Street.

The surrounding townscape falls within Honiton Conservation Area, characterised by a varied mix of commercial ground-floor uses with residential or office accommodation above, exhibiting a broad range of architectural periods. This includes notable historic buildings set alongside modern structures.

In context of the surrounding conservation area, Burwood as a Grade II heritage asset through its unusual gothic design, contributes to the early to mid-19th century villas set in landscaped gardens, with some chert stone boundary walls. The dwellings range from expressive Gothic Cottages to formal two-bay villas.



Birds Eye View of Burwood (left) and adjoining Grade II listed St Leonards (right)

ANALYSIS

Significance

As a Grade II heritage asset Burwood comprises an early nineteenth-century Gothic Revival front facade distinguished by two prominent gables incorporating quatrefoil panels and decorative pinnacles. The façade includes two square bay windows and is enriched with ornamental buttresses and hood moulds that emphasise its verticality and stylistic intent. A pointed Gothic doorway forms the principal entrance, surmounted by an oriel window that adds further architectural interest. Overall, the

composition represents an unusual and distinctive example of early C19 Gothic design within the townscape.



Burwood Principal Gothic Elevation following roof repairs

Burwood House is attached to St Leonards via a link to the southwest, which is also a Grade II heritage asset, comprising a 19th century, 2 storey classical front, 3 sash windows, with glazing bars, at 1st floor. Balustraded parapet. Plaster architraves and consoles to 1st floor windows. Ground floor splay bay sash windows with Greek key pattern to frieze of entablature. Recessed central entrance with panelled reveals to case.

Proposed works

The main heritage issues to be considered through this application is the effect the development works have had on the significance of Burwood as a Grade II Listed heritage asset located in Honiton Conservation Area.

Impact of proposed works

This application is for the retention of emergency repair works undertaken to the principle roofscape of Burwood in 2021, justified on the need to address water ingress and nail rot.

The schedule of works provided in support of the repair works identifies the works undertaken resulted in careful removal of all existing slates and ridge tiles which were stored on-site for reuse. All reusable slates were cleaned and flipped so the weathered face is internal. The shortfall of slate being made up of approximately 200 reclaimed slates to replace broken and substitute tiles, ensuring a consistent match in colour and size, and reinstalled using traditional methods with copper nails.

Additional works included the installation a new breathable membrane, followed by new tanalised timber battens positioned to match the original spacing. New lead flashing and reinstatement of the original ridge tiles to complete the works.

In considering the setting and significance of the heritage asset the approach to the repair works as demonstrated through the condition and appearance of the current roof scape, have continued to preserve the significance and setting of the Burwood and in turn are acceptable to the conservation of the heritage asset and surrounding conservation area.

Conclusion

The Council has a statutory requirement under Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant consent for any works to have special regard to the desirability of preserving and or enhancing the historic and architectural interest and setting of Burwood, as a Grade II heritage asset.

Paragraph 212 of the National Planning Policy Framework [NPPF] explains that great weight should be given to the conservation of designated heritage assets. Paragraph 219 advises new development within the setting of heritage assets, should look for opportunities to enhance or better reveal their significance. In addition, Paragraph 215 states that any less than substantial harm to a designated heritage asset should be weighed against the public benefits of the proposal.

The development works undertaken at Burwood have continued to preserve the setting and significance of this Grade II building whilst ensuring its long-term repair and maintenance.

RECOMMENDATION

APPROVE subject to the following conditions:

PL2 – Plans

The works hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.

(Reason - For the avoidance of doubt.)

NOTE FOR APPLICANT

Informative:

In accordance with the aims of Article 35 of the Town and Country Planning In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant in the following ways to ensure that all relevant listed building concerns have been appropriately resolved:

Plans relating to this application:

Location Plan	11.02.2026
Proposed Site Plan - Emapsite	11.02.2026
Schedule of Works	11.02.2026

List of Background Papers

Application file, Design and Access Statement, consultations and policy documents referred to in the report.

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

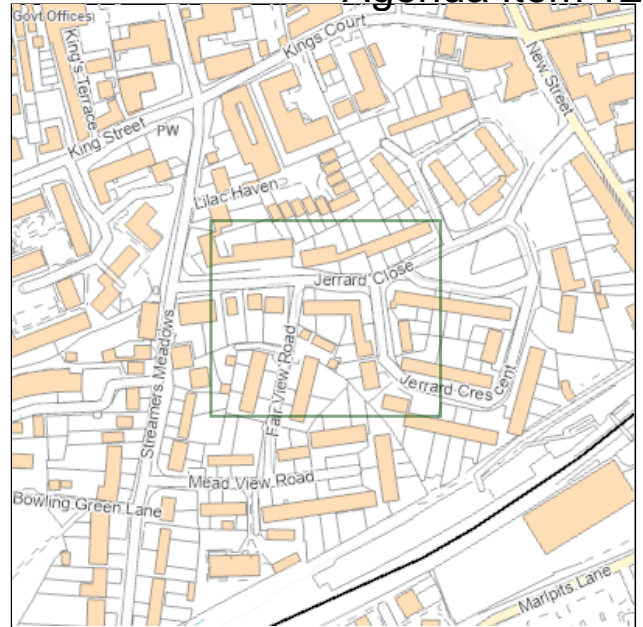
Ward Honiton St Michaels

Reference 26/0128/FUL

Applicant Ms Denise Fowle

Location 7 Eureka Terrace Honiton EX14 1DZ

Proposal Retrospective application for the raising of ground level of the upper front garden, partial excavation of front garden with retaining walls and installation of lift to enable disabled access to the property.



RECOMMENDATION: Approval with conditions



		Committee Date: 21.04.2026
Sidmouth Town (Sidmouth)	26/0128/FUL	Target Date: 27.04.2026 EOT Agreed: N/R
Applicant:	Mr I Mortimore (On Behalf Of EDDC)	
Location:	7 Eureka Terrace, Honiton, EX14 1DZ	
Proposal:	Retrospective application for the raising of ground level of the upper front garden, partial excavation of front garden with retaining walls and installation of lift to enable disabled access to the property.	

RECOMMENDATION: Approval with Conditions

EXECUTIVE SUMMARY

This application is submitted by Mr I Mortimore on behalf of East Devon District Council.

The application seeks retrospective consent for the raising of the ground level of the upper front garden, partial excavation of the front garden with retaining walls and installation of lift in order to enable disabled access to the property.

The building is owned by EDDC.

The retrospective works have introduced a functional and visually prominent structure within the front garden that results in some limited harm to the character and appearance of the street scene. However, the development facilitates step free access to the dwelling, providing a significant social and equality benefit that is afforded substantial weight.

On balance, the benefits of enabling accessible housing outweigh the identified visual harm. The proposal is therefore considered acceptable, subject to a condition securing the removal of the lift and reinstatement of the garden once it is no longer required for accessibility purposes.

CONSULTATIONS

Parish Council

No comments received.

Ward Member

Cllr Brown

Having looked at this application, I would say it was entirely necessary and the only alternative to allow the resident to stay in their home.

I support this retrospective planning application

Other Representation

1 x third party objection received.

PLANNING HISTORY

There is no planning history recorded on the site which is relevant to this particular application.

POLICIES

National Planning Policy Framework

National Planning Policy Guidance

Adopted East Devon Local Plan (2013 – 2031)

Strategy 6:	Development within Built-Up Area Boundaries
Strategy 23:	Development at Honiton
Policy D1:	Design and Local Distinctiveness
Policy EN22:	Surface Run Off Implications of New Development

Draft East Devon Local Plan (2020 – 2042) - Emerging

Strategic Policy SP05:	Development inside Settlement Boundaries
Policy HN07:	Householder annexes, extensions, alterations or outbuildings outside settlement boundaries
Strategic Policy DS01:	Design and local distinctiveness
Strategic Policy PB05:	Biodiversity Net Gain

CONSIDERATION

Site Description

The application site comprises a mid terraced two storey dwelling located within Eureka Terrace, Honiton. The property is set back and elevated above the adjoining highway, with a sloping front garden accessed via a stepped pathway from the street.

The site sits within the Honiton Built up Area Boundary but is not subject to any statutory or non statutory landscape or heritage designations.

The surrounding area is residential in character, comprising a short terrace of similar properties arranged in a consistent building line with generally open and landscaped front gardens enclosed by low boundary walls.

The front garden of the application property has been altered as part of the works subject of this retrospective application, including changes to ground levels, construction of retaining walls, and installation of an external platform lift structure.

Description of development

Retrospective planning permission is sought for engineering works comprising the raising of ground levels within the upper part of the front garden, partial excavation of the lower garden adjacent to the highway, construction of new brick retaining walls and hardstanding, and the installation of a platform lift to provide access to the principal entrance of the dwelling.

The works have been undertaken to enable improved accessibility for an occupant with mobility impairments.

The platform lift is sited centrally within the front garden, accessed from the public footway and rising to a new landing area adjacent to the entrance. Associated metal railings have also been installed.

Principal of development

Strategy 6 of the East Devon Local Plan states that development within built up area boundaries will be permitted if:

1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.
2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.
3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.
4. It would not involve the loss of land of local amenity importance or of recreational value;
5. It would not impair highway safety or traffic flows and
6. It would not prejudice the development potential of an adjacent site

and

Policy D1 of the East Devon Local Plan states that proposals will only be permitted where they respect the key characteristics and special qualities of the area in which the development is proposed, ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context, do not adversely affect the distinctive historic or architectural character of the area, nor the amenity of occupiers of adjoining residential properties.

Subject to compliance with the above criteria the principle of the development is acceptable.

Design and Landscape Impact

The introduction of the platform lift and associated engineering works has resulted in an intervention that differs noticeably from the original garden arrangement found within this short terrace. The form and finish of the lift structure, together with the extent of excavation and new brick retaining walls, results in an addition that appears functional in nature and somewhat incongruous when viewed within the established street scene of predominantly soft landscaped garden areas. Nevertheless, similar handrails, steps and level changes are present elsewhere along the terrace, and these existing features soften the visual contrast to an extent.

However, the proposed development responds to a specific accessibility need, and national policy places significant weight on enabling inclusive and adaptable homes.

On balance, while there is some limited harm arising from the visual impact of the lift and associated works, this is not considered to be so significant as to justify a refusal of the application, particularly given the social and equality benefits secured.

Residential Amenity

The works are confined to the front garden and do not result in any harmful overlooking, loss of privacy, overshadowing or overbearing impact to neighbouring residential properties. Concerns raised by the adjoining neighbour relate primarily to the manner in which the works were undertaken, including construction practices, disruption, and workmanship. These issues fall outside of the scope of planning and cannot be afforded significant weight in determining the application.

In terms of planning considerations, the development does not materially harm the living conditions of nearby occupiers and enhances the residential amenity of the occupiers of the development by affording access to their home.

Impacts on residential amenity are acceptable and accord with Policy D1 of the Local Plan.

Highways/Parking

There are no impacts on parking provision or on the highway.

Drainage

There are no notable impacts on drainage.

Ecology/Trees

There are no trees within the front garden area or vicinity upon which the changes made would impact.

Conclusion

The retrospective works have introduced a functional and visually prominent structure within the front garden that results in some limited harm to the character

and appearance of the street scene. However, the development facilitates step free access to the dwelling, providing a significant social and equality benefit that is afforded substantial weight.

On balance, the benefits of enabling accessible housing outweigh the identified visual harm. The proposal is therefore considered to be acceptable, subject to a condition securing the removal of the lift and reinstatement of the garden once it is no longer required for accessibility purposes.

RECOMMENDATION

APPROVE with conditions:

- 1.) The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)

- 2.) Within six months of the lift hereby approved no longer being required to meet the accessibility needs of an occupant of the dwelling, the lift, associated platform, railings and any ancillary structures shall be permanently removed from the site, and the land shall be reinstated to its condition prior to the implementation of the development, or to an alternative scheme of reinstatement that has first been submitted to and approved in writing by the Local Planning Authority.

(Reason - To ensure that the visual impact of the development on the character and appearance of the area is minimised once the accessibility needs it has been installed to address no longer exist, in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan and the provisions of the National Planning Policy Framework.)

PLANS RELATING TO THIS APPLICATION:

Location Plan
4141/02 : elevations
4141/03 : layout
Proposed layout
4141/02

Informatives

Article 35

In accordance with the aims of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 East Devon District Council works proactively with applicants to resolve all relevant planning concerns; however, in this case the application was deemed acceptable as submitted.

Biodiversity Net Gain

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The BG conditions states that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the Biodiversity Gain plan.

In this case the planning authority you should submit the Biodiversity Gain Plan to is East Devon District Council.

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These exemptions can be viewed in full using the following link: Biodiversity net gain - GOV.UK (www.gov.uk)

Householder applications are exempt from submitting a Biodiversity Gain Plan, so you do not need to take any further action in this regard.

Statement on Human Rights and Equalities Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equalities Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equalities Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

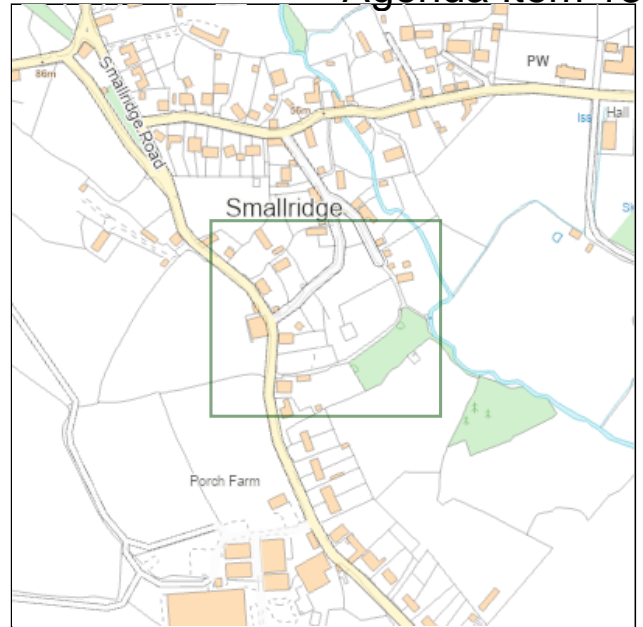
Ward Yarty

Reference 25/2454/OUT

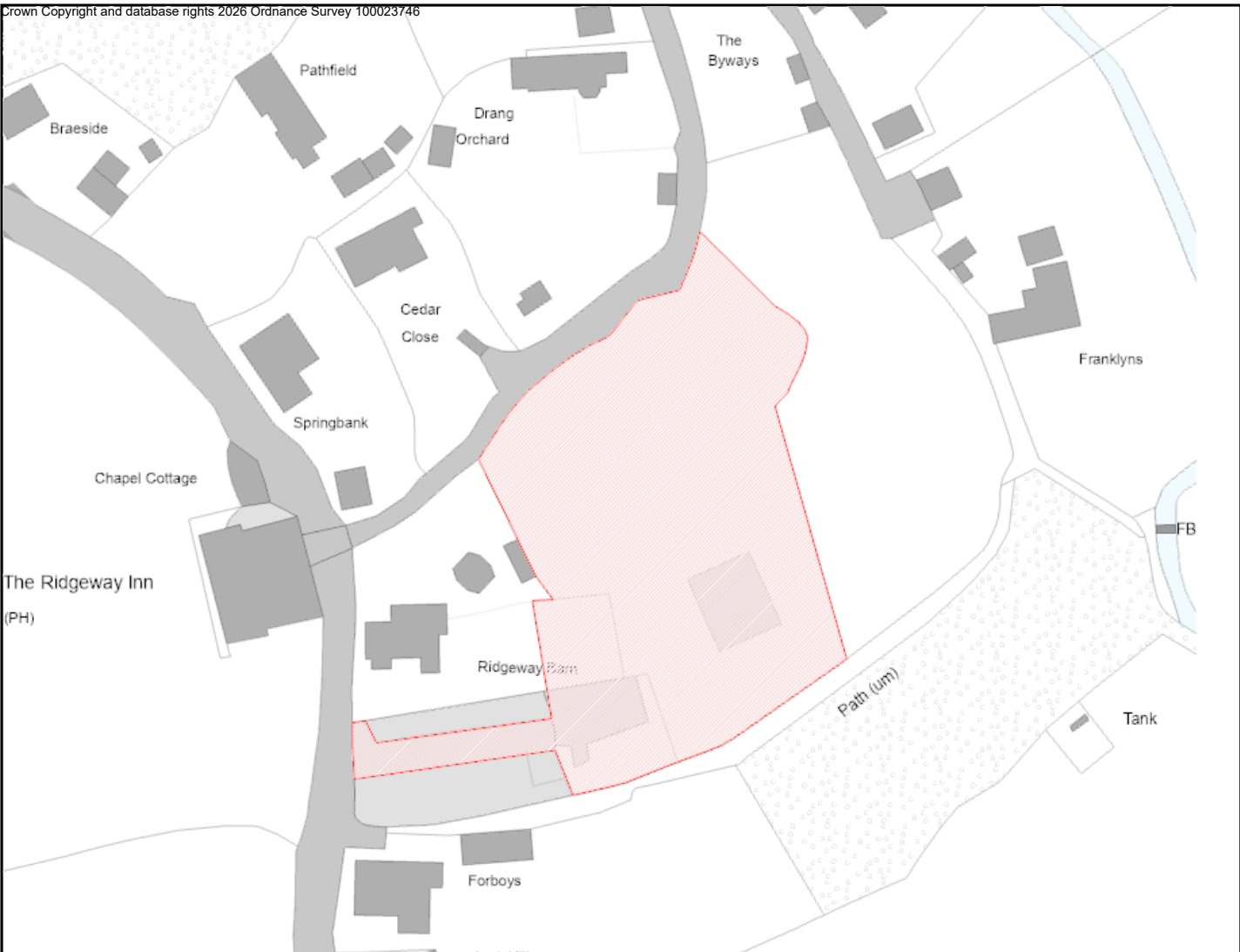
Applicant James Regnard (Concept 360)

Location Land Opposite Ridgeway Inn Smallridge

Proposal Outline planning permission for five dwellings, all matters reserved apart from access



RECOMMENDATION: Adopt the Appropriate Assessment and Approve with conditions and a S106 agreement to secure BNG and nutrient mitigation measures.



		Committee Date: 21.04.2026
Yarty (All Saints)	25/2454/OUT	Target Date: 30.01.2026
Applicant:	James Regnard (Concept 360)	
Location:	Land Opposite Ridgeway Inn	
Proposal:	Outline planning permission for five dwellings, all matters reserved apart from access	

RECOMMENDATION: Adopt the Appropriate Assessment and Approve with conditions and a S106 agreement to secure BNG and nutrient mitigation measures.

EXECUTIVE SUMMARY

This application seeks outline permission for five dwellings with access for determination. It is before the Planning Committee because the proposal represents a departure from the Local Plan and the Ward Member has objected.

The main issue concerns the location of the site outside any Built-up Area Boundary, meaning the scheme conflicts with Strategies 1, 2 and 7, which direct new housing toward sustainable settlements. Smallridge has limited facilities and no public transport provision, and therefore cannot meet the plan's expectations for accessibility. These factors weigh against the development.

However, as set out in the report, the site is not entirely without locational merit. Several key village services, including the primary school, church, village hall and public house, are within walking or cycling distance, and many day-to-day trips to Axminster are relatively short. In a rural context, where the NPPF recognises that opportunities for sustainable travel are more limited, this provides some mitigation to the accessibility concerns.

Given the Council's housing land supply position (around 3.5 years), the tilted balance in paragraph 11(d) of the NPPF applies. The proposal has therefore been assessed against the Framework as a whole. The report concludes that, although policy conflict and accessibility limitations carry weight, the site can accommodate development without unacceptable impacts on landscape, heritage, ecology, trees, drainage, amenity or highway safety, subject to appropriate mitigation. The contribution to housing supply and other benefits are considered to outweigh the identified harms.

Accordingly, the recommendation is that outline planning permission should be granted.

CONSULTATIONS

Local Consultations

DCC Axminster Division – Cllr Paul Hayward

Whilst this application is not in my EDDC ward (being a Yarty ward application), I wish to comment in my capacity as the Devon County Councillor for Axminster division which includes All Saints parish. For the purpose of transparency, I was also the Clerk of the Parish Council when this application last came before the Council for consideration and comment.

The notion that routine day-to-day car access to the site is possible via Pub Lane is simply ridiculous, without adding in the need for refuse deliveries, emergency vehicles, delivery vehicles, larger HGV type traffic and suchlike.

The access from Smallridge is similarly poor. The estate traffic would discharge onto Smallridge Road via an uphill slope through a private car park, meeting two-way traffic on a narrow almost single track rural lane, whilst having to accelerate to counter the uphill slope, whilst also edging into traffic for which visibility would be almost impossible given the residential property (and hedges) to the left of the exit point (Forboys) and the fencing and telegraph pole to the right.

There are multiple other reasons that the development of this site is not practicable or sensible and this is why the Parish Council and local residents have campaigned against the site build-out for over a decade; however, on the grounds of highway safety (both to existing villagers and potential new residents) I believe (as the current elected DCC member with local responsibility for roads and highways) that this application should be refused.

Yarty - Cllr Duncan Mackinder

10/01/2026

I agree with the many detailed objections raised by local residents and the All Saints Parish Council and therefore recommend this application be REFUSED.

I believe the most important reasons to refuse this application are the it fails to meet the requirements of the following strategies and policies from the East Devon Local Plan, namely

- Strategy 7 'Development in the Countryside' (Smallridge is an 'unsustainable' village with no BAUB so requiring application to conform to requirements of Strategy 7)
- Policy TC7 "Adequacy of Local Road Network and Site Access', access to plots 2, 3 & 4 is via Pub Lane is very narrow with poor surface and only entrance to Pub Lane via the junction with School Lane is severely constricted. Access for emergency vehicles such as fire engines is unlikely to be possible. Access to plots 1 & 5 is via the existing Ridgeway Inn car park which reduces usable parking which is turn will force patrons of the Ridgeway

Inn to attempt to find parking elsewhere on roads which are single track with no suitable parking places.

The location lies within the Axe SAC and thus the application must demonstrate nutrient neutrality. The proposed treatment plant can only assure such neutrality if properly maintained by all future owners of the properties something which will be hard to enforce.

13/02/2026

Could the planning officer ask County Highways clarify the comment they made on 11 Feb 2026 as it reads as through the entire site access will be via the public house carpark. The document labelled INDICATIVE SITE shows clearly there are two totally separate site access points. Access to Plot 1 and Plot 5 will be via the public house carpark, whereas access to Plots 2, 3 and 4 will be via Pub Lane. The document labelled TRANSPORT STATEMENT describes access points in para 1.1.3 i) and ii) (end of page 1 and top of page 2). The last sentence of 1.1.3 i) states 'There is not envisaged to be any vehicular linkages between the two sites internally,' and is repeated again in 3.2.1 and 3.2.2 on page 7 in which para 3.2.2 states 'There is not proposed to be any vehicular linkages between the two parts of the site due to the level difference, and also to ensure that there is no unnecessary traffic passing through the site.'. It is therefore critical that highways assess the suitability for vehicles, cyclists and pedestrians comprising 3/5 of the traffic volume expected for the whole development to occur via Pub Lane and out past The Old Post Office. Note the end of Pub Lane by the Ridgeway Inn is too steep and narrow for vehicles and thus only usable by pedestrians as a site visit will confirm.

Parish/Town Council

The Parish Council does not support this application for the following reasons:-

During the Public Forum at our Ordinary Meeting on 6th January 2026, a number of concerns were raised by residents, particularly those who live in the area surrounding the proposed development. These include:-

- Inaccuracies on the plans in relation to adjoining properties boundaries.
- Inaccuracies in relation to Land Registry.
- Pub Lane at the top and at the bottom are not viable access routes.
- Construction vehicle access to the site and construction noise.
- Sewage and water treatment issues.
- Design and non-affordability.
- Impact on the village in relation to extra traffic.
- Impact on the area in relation to water leaks, already a major problem in that area and would be exacerbated by heavy machinery.
- Environment impact on natural water courses during construction.
- Access for waste removal and emergency vehicles is not viable.
- Natural England ban on all new builds until 2030 in relation to nitrates in the Axe River.
- More considered information is required with regard to this application.

Other Representations

20 Representations raise the following principal concerns:

- Highway safety and access: Pub Lane is described as too narrow, poorly surfaced and unsafe for refuse trucks, emergency vehicles, construction traffic or additional daily vehicle movements; visibility at the Smallridge Road access is also considered inadequate. Increased traffic is said to endanger pedestrians due to the absence of footways.
- Flooding and drainage: Objectors cite existing springs, surface-water problems and poorly maintained watercourses, with fears that additional hard surfacing and foul drainage infrastructure could increase flood risk to neighbouring properties and the nearby stream/River Axe.
- Environmental and ecological impacts: Concerns include alleged premature site clearance, presence of protected species (slow worms, bats, buzzards), invasive species (Japanese knotweed and Himalayan balsam), and risks to wildlife habitats and adjacent watercourses.
- Landscape, character and design: The dwellings are considered too large, urban in appearance, and out of keeping with the small-scale, linear village pattern; concerns also raised about loss of tranquillity and visual intrusion.
- Heritage: Several objectors argue that the development would harm the setting, privacy and outlook of the adjacent Grade II listed Franklyns.
- Amenity: Fears of overlooking, overbearing massing, loss of privacy, construction noise and disruption, and impacts on neighbouring holiday accommodation.
- Loss of affordable housing: Many note that earlier permissions for the site included affordable dwellings, and express disappointment that the current proposal does not.
- Accuracy of submitted plans and process concerns: Some objectors dispute boundary accuracy, access rights, or land registry details, and raise issues regarding inconsistent consultation dates and missing documents.

Technical Consultations

County Highway Authority

11/02/2026

I have visited the site and reviewed the planning application documents.

A similar planning application has been approved on the site previously, 13/0923/OUT, although not enacted, the trip generation will be similar.

Furthermore, the site has the former use of the public house car park, which would have also produced a similar trip generation, therefore in reflection of guidance policy, the National Planning Policy Framework (NPPF) would not present a highway severity reason for refusal.

TRICS® data also reinforces this point, with a trip generation estimation of 44 return trips in a 12-hour period, equating to less than 4 trips in an hour.

The existing access is to be utilised. Our recorded collision data, a running 5-year period, currently January 2020 - December 2025, shows no collisions within this vicinity, therefore I am satisfied that a Highway safety issue also is not present.

I do recommend that secure cycle storage per dwelling is provided to help encourage sustainable travel, especially to the local school, parish hall and church and help mitigate vehicle trip generation.

I also recommend that a Construction and Environment Management Plan (CEMP) is produced in order to minimise the effects of construction upon the local highway network.

11/03/2026

I am the Highway Development Management officer who attended the site and can confirm I viewed both proposed access points, I did reference the historic application (13/0923/OUT) for the same number of dwellings, which highlights two separate points of access and was aware that there are two separate points of vehicular access in question for this application.

The difference between the two applications is that for this latest application 3 dwellings would be served off Pub Lane and 2 from the existing pub car park (the previous application was the reverse).

I have given consideration to what the access off Pub Lane is also already accommodating and have confirmed that refuse vehicles are already serving residential dwellings along this road and have stated that an additional dwelling and the associated daily vehicular movements using the Pub Lane access/junction would not give sufficient reason to object to the proposed development. According to our records, there are no recent recorded accidents associated with the accesses in question, which also supports my decision not to recommend refusal.

EDDC Trees

The application is for outline application with all matters reserved apart from access. The application includes indicative site plans and is supported by a tree survey by Jack Pine Tree LTD which includes a TCP and AIA. The information indicates that the proposal will not have a significant impact on any important trees, which in the main appear to be located on neighbouring land with only minor crown overhang of the site. Small low value trees will require removal and some of the hedges are recommended to be pruned to facilitate the proposal. Tree loss can be mitigated with suitable replacement planting.

Therefore in principle I do not object to the proposal. Detailed matters can be dealt with at reserved matters.

Conservation

The Conservation Officer advises that the site forms part of an open area contributing to the wider setting of two nearby Grade II listed buildings — Franklyn's to the east and All Saints Church to the west. The openness of the land allows longer views between these assets and contributes to their significance.

Under the statutory duty in Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and relevant NPPF guidance, great weight must be given to the conservation of designated heritage assets. The Officer concludes that the proposed development, due to its location, scale and suburban character, would

erode the existing open setting and result in a low level of less than substantial harm to the significance of Franklyn's, with no clear heritage benefits.

This harm must therefore be weighed against the scheme's public benefits in the overall planning balance. The Conservation Officer objects on heritage grounds.

Devon County Archaeologist

Historic mapping shows a former dwelling ("House and Orchard") on the site, recorded in 1838 and likely with earlier origins, demolished in the early 20th century. Groundworks for the development therefore have potential to expose or destroy archaeological deposits relating to this former dwelling or earlier activity.

To safeguard the archaeological resource, the Historic Environment Team advises that a Written Scheme of Investigation (WSI) should be submitted, setting out a programme of archaeological work. If this is not provided before determination, any permission should include a pre-commencement condition requiring approval and implementation of a WSI.

They also recommend a further pre-occupation condition to secure completion of post-excavation analysis, reporting, publication and archive deposition.

The envisaged work would comprise archaeological supervision of topsoil stripping and ground reduction, with investigation and recording of any deposits encountered. A full report and archive deposition would then be required. The Team is available to advise the applicant further if needed.

Blackdown Hill National Landscapes

Having viewed the detail of this proposal online and in view of the location, setting and previous similar permission on this site, we do not wish to comment on this occasion, and look to the planning authority to apply national planning policy and its own development plan policies to the consideration of this proposal.

PLANNING HISTORY

Reference	Description	Decision	Date
13/0923/OUT	Outline consent for construction of 5 no dwellings (including 3 no affordable units) and associated access (details of access and layout to be considered)	Approval with conditions	07.11.2013

16/2317/RES	Application for reserved matters pursuant to outline consent 13/0923/OUT, details of appearance, landscaping and scale to be considered; 5 no. dwellings including 3 no. affordable dwellings	Approval with conditions	12.04.2017
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POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 1 (Spatial Strategy for Development in East Devon) Adopted
 Strategy 2 (Scale and Distribution of Residential Development) Adopted
 Strategy 3 (Sustainable Development) Adopted
 Strategy 5B (Sustainable Transport) Adopted
 Strategy 7 (Development in the Countryside) Adopted
 Strategy 46 (Landscape Conservation and Enhancement and AONBs) Adopted
 Strategy 47 (Nature Conservation and Geology) Adopted
 Strategy 48 (Local Distinctiveness in the Built Environment) Adopted
 D1 (Design and Local Distinctiveness) Adopted
 D3 (Trees and Development Sites) Adopted
 EN5 (Wildlife Habitats and Features) Adopted
 EN7 (Proposals Affecting Sites which may potentially be of Archaeological Importance) Adopted
 EN9 (Development Affecting a Designated Heritage Asset) Adopted
 EN14 (Control of Pollution) Adopted
 EN22 (Surface Run-Off Implications of New Development) Adopted
 TC2 (Accessibility of New Development) Adopted
 TC7 (Adequacy of Road Network and Site Access) Adopted
 TC9 (Parking Provision in New Development) Adopted

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP01 (Spatial strategy) Draft
 Strategic Policy SP03 (Housing requirement by Designated Neighbourhood Area) Draft
 Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft
 Strategic Policy CC02 (Moving toward Net-zero carbon development) Draft
 Strategic Policy AR01 (Flooding) Draft
 Strategic Policy AR02 (Water efficiency) Draft
 Policy HN04 (Accessible and adaptable Housing) Draft
 Strategic Policy DS01 (Design and local distinctiveness) Draft
 Policy DS02 (Housing density and efficient use of land) Draft
 Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport) Draft
 Policy TR04 (Parking standards) Draft
 Policy TR06 (Digital connectivity) Draft
 Strategic Policy OL01 (Landscape features) Draft
 Strategic Policy OL02 (National Landscapes (Areas of Outstanding Natural Beauty)) Draft

Policy OL09 (Control of pollution) Draft
Strategic Policy PB01 (Protection of internationally and nationally important wildlife sites) Draft
Strategic Policy PB04 (Habitats Regulations Assessment) Draft
Strategic Policy PB05 (Biodiversity Net Gain) Draft
Policy PB07 (Ecological enhancement and biodiversity in the built environment) Draft
Policy PB08 (Tree, hedges and woodland on development sites) Draft
Policy PB09 (Monitoring requirements for new planting scheme) Draft
Policy OS02 (Sport, recreation and open space provision in association with development) Draft
Policy HE02 (Listed buildings) Draft
Policy HE04 (Archaeology and Scheduled Monuments) Draft

Government Planning Documents

National Planning Policy Framework 2024 (as amended)
National Planning Practice Guidance

Other Guidance

All Saints Parish Plan and Village Design Statement (July 2005)

Site Location and Description

The site extends to approximately 0.36 hectares and comprises a mix of previously developed land, including remnants of former structures, with lower areas historically in agricultural use. It is served by two existing access points: one from Smallridge Road through the Ridgeway Restaurant car park, and another from Pub Lane to the north. The land slopes steeply from west to east and is enclosed on three sides by surrounding development within the village.

The site lies outside, but on the edge of, the Blackdown Hills National Landscape and falls within Flood Zone 1. It is also within the catchment of the River Axe Special Area of Conservation. Nearby designated heritage assets include the Grade II listed Methodist Chapel on Smallridge Road and Franklyn's to the east. The site is not within a conservation area, and there are no tree preservation orders within the boundary.

ANALYSIS

Proposed Development

The application seeks outline permission for five dwellings, with access for consideration at this stage and all other matters reserved. The scheme would utilise two existing access points: one from Smallridge Road via the Ridgeway Restaurant car park, and a second from Pub Lane. Indicative plans show five detached, two-storey houses with associated parking and garden areas. The layout suggests removal of low-quality trees within the centre of the site, while boundary trees and hedgerows would be retained.

Background

Earlier outline and reserved matters permissions for five dwellings on this site have now lapsed. However, they remain a material consideration, demonstrating that the site has previously been judged capable of accommodating five dwellings and that the two proposed access points are acceptable in principle. Unlike the earlier approval, the current proposal comprises entirely market housing.

Main Issues

1. Principle
2. Accessibility
3. Character and Landscape
4. Heritage
5. Highways and Parking
6. Amenity
7. Nutrient Neutrality

Principle

Smallridge does not have a Built-up Area Boundary, meaning the site is classed as countryside for the purposes of Strategy 7 of the Local Plan. Consequently, open-market housing in this location conflicts with Strategies 1, 2 and 7. The Council's most recent housing land supply position, however, shows only around 3.5 years of supply. This activates paragraph 11(d) of the NPPF, which states that the most important policies for determining the application are to be treated as out of date and that the "tilted balance" is engaged.

Paragraph 11(d) requires decision-makers to consider whether the proposal should be approved when assessed against the policies of the Framework taken as a whole, with particular regard to policies seeking to direct development to sustainable locations, to make effective use of land, to secure well-designed places and to provide affordable homes, individually or in combination.

The NPPF also identifies specific circumstances in which the tilted balance does not apply, including where policies protecting designated heritage assets or habitats sites provide a clear reason for refusal. Whether such circumstances arise in this case, particularly in respect of nearby listed buildings and the River Axe SAC, is addressed later in the report. In accordance with paragraph 12 of the NPPF, the statutory starting point remains the development plan, and the proposal clearly conflicts with Strategies 1, 2 and 7. The principle of development must therefore be considered in the context of this policy conflict, alongside the operation of paragraph 11(d) and all other relevant material considerations.

Accessibility

Smallridge contains several local facilities, including a primary school, church, village hall and a restaurant/public house, all within walking or cycling distance of the site via existing village lanes. Although the lanes do not benefit from street lighting or continuous footways, they are short, lightly trafficked and provide informal refuge points. In a rural context, this means that local amenities remain reasonably accessible by non-car modes, consistent with Strategy 5B, which seeks to promote

sustainable travel opportunities, including walking and cycling, wherever these can realistically be achieved.

Wider services in Axminster, such as the secondary school, GP surgery, railway station and supermarkets, lie approximately 0.9 to 2.2 miles from the site. Many daily journeys are therefore likely to be relatively short. While private car use will remain the main mode of travel, the NPPF acknowledges that the scope for sustainable transport solutions in rural areas is inherently more limited than in urban settings and that development should nonetheless exploit the opportunities available.

Paragraph 83 of the NPPF also recognises that rural housing can support the vitality of local communities and help sustain services in neighbouring settlements.

Policy TC2 (Accessibility of New Development) requires proposals to be accessible by pedestrians, cyclists and public transport, and to minimise the need to travel by car. In this case, the presence of several day-to-day services within walking and cycling distance means that the development can achieve a degree of compliance with TC2, and the provision of secure cycle storage (as recommended by the Local Highway Authority) will further assist in encouraging sustainable travel choices.

However, Smallridge is not identified as a sustainable settlement in the emerging Local Plan because it does not contain the number or range of facilities required for a Built-up Area Boundary. The village is also not served by public transport. These factors mean that the settlement cannot be regarded as highly accessible in policy terms and that reliance on the private car will remain significant.

Overall, therefore, while the proposal benefits from walkable access to key village amenities and relatively short car journeys to Axminster, the absence of public transport and the village's position outside the settlement hierarchy weigh against the scheme to some degree. Notwithstanding this, the proposal still performs reasonably well against Strategy 5B and Policy TC2 insofar as can be expected in a rural location, particularly given the low level of trip generation associated with five dwellings and the opportunities for local walking and cycling trips.

Character and Landscape

The site lies outside any Built-up Area Boundary and therefore falls within the open countryside for the purposes of Strategy 7 (Development in the Countryside). Strategy 7 permits development only where it is explicitly supported by a Local or Neighbourhood Plan policy and where it would not harm the distinctive landscape, amenity or environmental qualities of the area, including landform, settlement pattern, traditional field boundaries and important public views. Although this application is for outline consent, with layout, scale, appearance and landscaping reserved, the site's landscape context and sensitivity remain key considerations.

The land forms part of the wider setting of the Blackdown Hills National Landscape and is experienced in close association with it. Public rights of way run along three sides of the site, allowing filtered views through existing hedgerows. There are also views from Pub Lane, and longer-range but tree-filtered views from the vicinity of All Saints Church, where the site is seen in the context of existing built form. These

visual connections require careful design to avoid adverse disruption of views or visual intrusions contrary to Strategy 7.

Strategy 46 (Landscape Conservation and Enhancement and AONBs) requires development to conserve and enhance the natural and historic landscape character of East Devon, including areas affecting the National Landscapes, and to avoid undermining landscape quality. Great weight must be given to conserving the natural beauty of the National Landscape. In this case, the site's relative containment within a shallow valley, together with the ability to retain and reinforce existing hedgerows, provides a basis on which visual effects can be moderated. Subject to design considerations at reserved matters stage, development would not undermine the landscape qualities valued within the National Landscape setting.

The All Saints Parish Plan and Village Design Statement (VDS) further emphasises the importance of traditional landscape features - hedgerows, small fields, rural lanes - and seeks to maintain the loose-knit, informal settlement pattern, avoiding suburbanising layouts. It also highlights the need for modest building scales, traditional vernacular materials, varied building lines and the retention of key boundary features. These principles echo Strategy 48 (Local Distinctiveness in the Built Environment), which places strong emphasis on respecting local forms, materials and design traditions, and using Village Design Statements as guidance in shaping development.

In addition, Policy D1 (Design and Local Distinctiveness) requires proposals to respect the key characteristics and special qualities of their surroundings, ensure scale and massing relate well to context, protect important topographical and landscape features, and secure high quality, locally distinctive design. It also requires development to avoid adverse effects on landscape character, trees, settlement form, views and residential amenity.

Having regard to the relevant policies and guidance, the introduction of built form on the site would inevitably alter its immediate character. However, the indicative plans show that a sensitively designed scheme reflecting the informal settlement pattern, the site's subtle topography and the area's rural vernacular could assimilate into the landscape without causing unacceptable harm. At reserved matters stage, detailed control over building height, massing, materials and landscaping would enable a scheme that conserves local character, reinforces hedgerow boundaries and protects key views, in accordance with Strategies 7, 46 and 48 and Policy D1, and consistent with the landscape and design expectations of the Local Plan and Village Design Statement.

Heritage

The nearest listed buildings are Franklyns (Grade II), located immediately east of the site, and the Methodist Chapel (Grade II) on Smallridge Road. The proposal has the potential to affect the setting of Franklyns in particular. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving the setting and significance of listed buildings.

Franklyns derives the majority of its significance from its vernacular architectural form and historic fabric. Its rural setting contributes positively to its character, reinforcing the traditional, dispersed settlement pattern and providing an appreciation of its historic origins. The application site currently forms part of this wider rural context and allows some degree of intervisibility between Franklyns and the rising land to the east, including the area around All Saints Church.

The Conservation Officer considers that the introduction of five dwellings, even at outline stage, would result in a low level of less than substantial harm to the setting of Franklyns. This arises from the change to the existing undeveloped character of the site and the perceived encroachment of built form into an area that contributes to the asset's rural surroundings. While this conclusion is noted, the principal significance of Franklyns lies in its built form and vernacular character rather than in long or commanding views, and the contribution of the site to its wider setting, while appreciable, is not fundamental to understanding the building's historic or architectural interest.

Under NPPF paragraphs 212–215, great weight must be given to the conservation of designated heritage assets, and any harm, whether substantial or less than substantial, must be clearly and convincingly justified. Where harm is less than substantial, paragraph 215 requires that it be weighed against the public benefits of the proposal.

Policy EN9 (Development Affecting a Designated Heritage Asset) similarly requires that substantial harm or total loss of significance should only be permitted in exceptional circumstances, and that any less than substantial harm must be weighed against the public benefits of the proposal, including securing its optimum viable use.

The proposal would deliver public benefits, notably in contributing to the district's housing supply. As layout, scale, appearance and landscaping are reserved matters, the detailed design would be subject to further scrutiny, allowing opportunities to secure a sensitive form of development that respects the listed building's setting. Measures such as reinforcing hedgerows, controlling building heights, and using locally appropriate materials would help moderate visual impacts and maintain the rural character of the surroundings.

Taking these matters together, and applying the policy tests in NPPF paragraph 215 and Policy EN9, the low level of less than substantial harm identified is judged to be outweighed by the public benefits of the proposal. Subject to careful design at reserved matters stage, the development is considered acceptable in heritage terms.

Highways and Parking

The application is supported by a Transport Statement (TS) which provides an assessment of the anticipated traffic generation and the suitability of the two proposed access points. Trip-rate modelling using the TRICS database indicates that the development would generate approximately four two-way movements in each peak hour and around 44 two-way movements over a 12-hour day, representing a *de minimis* level of impact on the local and wider highway network. This scale of traffic generation is comparable to the previously approved scheme (13/0923/OUT).

Access to Plots 1 and 5 would utilise the existing access through the Ridgeway Inn car park onto Smallridge Road. Access to Plots 2, 3 and 4 would be taken from Pub Lane, a narrow rural lane already serving a number of existing dwellings. The Transport Statement confirms that there is no proposed internal vehicular linkage between the two parts of the site, reflecting level differences and minimising unnecessary traffic movements within the development.

The Local Highway Authority (LHA) has visited the site and reviewed the submitted information. It notes the historic approval on the site for the same number of dwellings and concludes that trip generation would be similar. The LHA's collision data (2020–2025) identifies no recorded accidents in the vicinity of either access, and the authority is satisfied that neither access arrangement would give rise to an unacceptable highway safety risk. While acknowledging the constraints of Pub Lane, the LHA observes that it already accommodates refuse and delivery vehicles serving existing properties. It concludes that the additional movements associated with three further dwellings would not be sufficient to justify refusal on highway grounds. The LHA therefore raises no objection, subject to conditions including the provision of secure cycle storage and the submission of a Construction Management Plan.

Policy TC7 (Adequacy of Road Network and Site Access) requires that development should not result in detriment to the safe and satisfactory operation of the highway network and that any necessary off-site improvements can be secured. In this case, the LHA's professional advice confirms that the development would not give rise to severe residual impacts, nor would it compromise highway safety. No off-site improvement works are deemed necessary. The proposal therefore complies with the requirements of TC7.

Policy TC9 (Parking Provision in New Development) requires at least two parking spaces for dwellings with two or more bedrooms and the provision of secure cycle storage. The indicative layout demonstrates that each dwelling can be served by an appropriate level of on-plot parking in accordance with TC9, with full details to be secured at reserved matters stage. The LHA's recommended condition for cycle storage will ensure adequate provision for sustainable travel.

The Ward Member and Parish Council raise concerns regarding the suitability of Pub Lane as an access for three of the proposed dwellings, including its width, surface condition, use for emergency vehicles, and the potential for increased traffic through the constrained junction with School Lane. They also reference parking pressures associated with the Ridgeway Inn. These concerns are noted and reflect long-standing local issues. However, the LHA has specifically considered both access points, viewed the local network on site, and confirmed that the modest trip generation would not materially worsen conditions or significantly increase risks. While access to Plots 1 and 5 would be taken through the Ridgeway Inn's existing car park, the current application does not remove or reconfigure any of the pub's existing parking spaces, nor would it result in any further reduction compared with the situation that has evolved over the past decade as areas of land have become private parking. As such, the proposal would have no impact on the amount of parking available to the Ridgeway Inn.

On the basis of the Transport Statement and the formal advice of the Local Highway Authority, it is concluded that the proposal would not result in an unacceptable impact on highway safety or give rise to a severe residual cumulative impact, consistent with paragraph 116 of the NPPF. Subject to appropriate conditions, the development complies with Local Plan policies TC7 and TC9.

Amenity

Given the outline nature of the application, with layout, scale and appearance reserved for later consideration, the key issue at this stage is whether a scheme could be designed that would protect the amenity of both neighbouring residents and future occupiers. The site adjoins Ridgeway Barn to the west, with other dwellings positioned at greater distances. The indicative layout demonstrates that meaningful separation from Ridgeway Barn and other existing properties can be achieved, and that any concerns relating to overlooking, loss of light, or overbearing impact can be addressed through detailed design at the reserved matters stage. It is also material that a comparable scheme was approved in 2016 (ref. 16/2317/RES), confirming that five dwellings can be accommodated on the site in a manner that preserves neighbour amenity.

Concerns have been raised regarding potential overlooking, window numbers, balconies and the perceived scale of the dwellings when viewed from Franklyns. These matters relate to appearance, layout and detailed design, all of which are reserved for future consideration. The outline application does not fix the final built form, and full assessment of massing, window placement, privacy relationships and visual impact on the listed building's setting will take place at the reserved matters stage, where the Council will retain full design control.

In relation to future occupiers, the indicative plans show that each dwelling would benefit from a private garden and that adequate spacing between units can be achieved to ensure a good standard of outlook, privacy and natural light. Detailed internal layouts will be assessed at reserved matters stage, at which point the Nationally Described Space Standard will be applied to ensure that all dwellings provide acceptable levels of internal space, storage, and functional living arrangements. Policy D1 (Design and Local Distinctiveness) requires development to safeguard the amenity of both existing and future residents, and to ensure that buildings are designed and arranged to avoid harm arising from issues such as loss of privacy, overshadowing or poor living conditions. On the basis of the above, and given the flexibility available at reserved matters stage, it is considered that a scheme can be delivered which would comply with Policy D1 and would provide an acceptable standard of amenity for all residents.

Nutrient Neutrality

The application site lies within the hydrological catchment of the River Axe Special Area of Conservation (SAC), a designated European site that is in an unfavourable condition due to elevated phosphorus levels. In line with the Conservation of Habitats and Species Regulations 2017 (as amended), the Council, as Competent Authority, is required to undertake a Habitats Regulations Assessment (HRA) to

determine whether the proposal, either alone or in combination with other plans or projects, would adversely affect the integrity of the River Axe SAC.

The Council has undertaken a Stage 1 Screening and subsequently a Stage 2 Appropriate Assessment, which identifies that the proposed development, in its unmitigated form, would give rise to a phosphorus surplus and therefore has the potential to result in a Likely Significant Effect. In accordance with relevant guidance, including the Council's published nutrient neutrality advice for the River Axe, the applicant has submitted a Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS).

The NNAMS demonstrates that nutrient neutrality can be achieved through a combination of:

- installation of an August AT Oval Package Treatment Plant fitted with a PhosClear phosphorus-removal filter, reducing treated effluent to approximately 0.0438 mg/l TP,
- a multi-stage SuDS treatment train, including rainwater harvesting, permeable paving, SPEL filtration, vegetated interception zones and gravel traps, delivering substantial phosphorus removal in surface water, and
- long-term maintenance and operational requirements secured by a legal agreement.

In considering foul drainage, Policy EN19 (Adequacy of Foul Sewers and Sewage Treatment Systems) is relevant. The policy requires that new development is not permitted unless a suitable foul sewage treatment system of adequate capacity and design is available, or will be provided in time to serve the development. It also requires that private treatment systems are only accepted where ground conditions and plot size are adequate to accommodate them. In this case, the proposed package treatment plant, its associated phosphorus-removal unit, and the secured maintenance regime provide a foul drainage solution of sufficient capacity and technical robustness to satisfy the requirements of EN19.

With regard to surface water, Policy EN22 (Surface Run-Off Implications of New Development) requires that run-off implications are fully considered, that appropriate remedial and maintenance measures are secured for the lifetime of the development, and that where off-site measures are necessary, the developer is able to secure them. The proposed SuDS strategy, including attenuation, permeable surfacing and filtration, ensures that surface water discharge will not exceed greenfield rates and that ongoing maintenance can be secured, thereby complying with EN22.

The Appropriate Assessment concludes that, with these measures secured, the development would result in an overall net betterment of phosphorus loading (-0.08 kg TP/year) and therefore no adverse effect on the integrity of the River Axe SAC would occur.

Natural England has been consulted on the Appropriate Assessment as required under Regulation 63. Natural England confirms that it has reviewed the assessment, concurs with its conclusions, and advises that the Council may be satisfied that

adverse effects on site integrity can be ruled out, provided that all mitigation measures are fully secured in any planning permission granted.

These measures will therefore be secured by appropriately worded planning conditions, requiring the installation, operation and long-term maintenance of the foul water treatment system and full SuDS treatment train prior to first occupation, in accordance with CIRIA C753/C808 guidance and the manufacturer's specifications. The development must be implemented exactly as assessed to ensure nutrient neutrality is maintained for the lifetime of the scheme.

Representations refer to existing springs, boggy ground conditions and localised flooding affecting properties downslope. However, the surface water management proposed, when detailed at reserved matters stage and secured through conditions, will ensure that runoff does not exceed greenfield rates and that no worsening of existing drainage conditions occurs, in line with Policy EN22.

Having regard to the submitted NNAMS, the completed Appropriate Assessment, Natural England's agreement, and the requirements of Policies EN19 and EN22, together with the Council's nutrient neutrality guidance for the River Axe catchment, it is concluded that the proposal will not adversely affect the integrity of the River Axe SAC and therefore satisfies the requirements of the Habitats Regulations and relevant national and local policy.

Other Matters

Biodiversity Net Gain - A statutory Biodiversity Net Gain (BNG) Assessment has been submitted using the Statutory Biodiversity Metric (July 2025), covering both the development site and adjacent land within the applicant's ownership. Baseline habitats consist mainly of bramble scrub, sparsely vegetated ground and a small individual tree, alongside several species-rich hedgerows, all of which have been surveyed and assessed in accordance with UKHab methodology. No irreplaceable habitats are present and all hedgerows, including those of very high distinctiveness, will be retained outside residential curtilage.

To address unavoidable habitat loss, the BNG Strategy proposes a combination of on-site creation, including 0.0377ha of Other Neutral Grassland and four new native trees, and off-site enhancement within adjoining land, including 0.1ha of grassland enhanced to good condition, 0.147ha of mixed scrub creation, and 0.05km of new species-rich hedgerow. These works will be secured and managed for at least 30 years through an appropriate management plan.

The combined on-site and off-site measures deliver a net gain of +17.63% Area Units and +16.16% Hedgerow Units, exceeding the 10% statutory requirement and meeting all trading rules. Additional species-specific enhancements (bat and bird boxes, bee bricks, log piles and hedgehog access) are also proposed, though outside the metric.

Subject to conditions securing delivery and long-term management of the BNG measures, the proposal is acceptable in BNG terms.

Ecology - A suite of ecological reports has been submitted, including a Preliminary Ecological Appraisal, reptile survey, bat activity surveys and a Biodiversity Net Gain (BNG) assessment, all of which provide a proportionate level of information for a site of this scale. The site consists mainly of unmanaged bramble scrub and ruderal vegetation, with a series of species-rich hedgerows forming the principal ecological features. All boundary hedgerows are to be retained, maintaining ecological connectivity in accordance with Strategy 47 and Policy EN5. The reptile survey identified a small, spatially confined low-level population of slow-worms, for which avoidance-led, supervised clearance methods are sufficient. Bat activity surveys recorded only light foraging and commuting by common pipistrelle, soprano pipistrelle, noctule and brown long-eared bat, with no roosting features identified on site and no anticipated loss of key commuting habitat given hedgerow retention and a commitment to sensitive lighting. The PEA confirms that nesting birds, hedgehog and common amphibians may use the site and that standard seasonal safeguards and precautionary working practices will adequately address these risks; it also identifies Japanese knotweed and Himalayan balsam, both of which require standard invasive species management protocols.

One objector raised concerns about a supposed “biodiversity deadlock,” claiming that the presence of both slow-worms and Japanese knotweed in the northern part of the site would make lawful mitigation impossible. The applicant has provided a detailed rebuttal demonstrating that no such conflict exists. Non-intrusive herbicide-based knotweed treatment methods, such as stem injection, do not involve ground disturbance and therefore do not risk spreading the plant, while reptile mitigation for a low-density population does not rely on strimming or mechanical clearance and can instead follow an avoidance-based approach under ecological supervision. These measures can be implemented concurrently within a Construction Environmental Management Plan and an Invasive Species Management Plan, both of which are routinely used on sites with overlapping biosecurity and ecological considerations. There is therefore no technical basis for concluding that mitigation is unachievable or that the presence of knotweed prevents lawful reptile safeguards from being implemented.

The proposal incorporates biodiversity enhancements such as bat boxes, bird boxes, bee bricks, hedgehog connectivity measures and insect features. Overall, subject to conditions securing species safeguards, invasive species control, hedgerow protection and sensitive lighting, the development is considered to comply with Strategy 47 and Policy EN5, and no outstanding ecological issues remain.

Trees - An Arboricultural Impact Assessment (AIA) has been submitted which identifies that the site contains mainly low-category boundary trees and hedgerow specimens, with two higher-value A1 trees (T19 and T20) located within neighbouring land, including a protected oak (TPO 97/0014/TPO). The AIA confirms that the development will require the removal of several low-value trees (G13, T16, T17 and T34), with minor pruning to hedgerows and adjacent trees needed to facilitate access and ensure construction clearance. These works are limited in scope and will not affect any important or protected trees.

The Tree Protection Plan sets out appropriate measures to safeguard retained trees and an Arboricultural Method Statement will be secured to address detailed grading, service routing and protection measures as required.

The Council's Tree Officer notes that the proposal will not have a significant impact on any important trees, that the majority of affected vegetation is low-value, and that any losses can be mitigated through replacement planting. They raise no objection in principle, with detailed matters appropriately deferred to the reserved matters stage. Overall, the development is consistent with Policy D3, as it retains higher-value trees, avoids impacts on protected trees, provides for suitable tree protection before, during and after construction, and allows for replacement planting to ensure no net loss of tree quality.

Construction impacts - Concerns relating to construction-phase impacts - including vibration affecting nearby older buildings, safeguarding of culverts and underground utilities, temporary construction vehicle routing, management of heavy plant within constrained lanes, and controls to prevent mud and debris being deposited on the highway - are noted. These matters fall within the scope of the Construction Traffic and Environmental Management Plan (CTEMP), which will be required by condition. The CTEMP will ensure that detailed construction logistics and vehicle controls are agreed with the Local Planning Authority prior to commencement.

Planning Balance and Conclusion

The proposal conflicts with Strategies 1, 2 and 7 of the Local Plan, as the site lies in the countryside outside any Built-up Area Boundary. This weighs against the development and remains an important consideration. However, the Council can currently demonstrate only around 3.5 years of deliverable housing land supply, meaning that the "tilted balance" in paragraph 11(d) of the NPPF is engaged and the most important policies for determining the application are to be treated as out of date. In these circumstances, planning permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, or unless specific Framework policies indicate refusal.

An earlier outline permission on the site included three affordable dwellings, but that scheme has lapsed. The current application is not presented as a rural exception site and therefore does not qualify for an affordable housing-led approach. Instead, the proposal stands to be considered on its merits within the context of the Council's substantial housing land supply shortfall. The delivery of five additional market dwellings therefore carries meaningful weight.

While the countryside location and limited public transport availability count against the scheme, the site is not wholly without locational merit. Several day-to-day facilities within Smallridge, including the primary school, church, village hall and public house, are accessible on foot or by cycle, and many journeys to Axminster are relatively short. The NPPF recognises that opportunities for sustainable travel are inherently more limited in rural areas, and that rural housing can play an important role in supporting local services and community vitality.

Balanced against the identified harms are a number of benefits. The proposal would contribute to housing supply, generate economic activity during construction, support local services, and provide long-term economic uplift through household expenditure. Environmental benefits include measurable Biodiversity Net Gain, ecological enhancement measures and a comprehensive nutrient-neutrality strategy which secures a small net betterment in phosphorus loading to the River Axe SAC. Subject to the recommended conditions, no unacceptable impacts have been identified in relation to landscape character, the setting of the Blackdown Hills National Landscape, highway safety, residential amenity or the water environment. The low level of less-than-substantial heritage harm identified to the setting of Franklyns is judged to be outweighed by the public benefits of housing delivery.

Taking all matters into account, and applying the tilted balance, the policy conflict and limited accessibility do not significantly and demonstrably outweigh the cumulative benefits of the development when assessed against the NPPF as a whole. The proposal therefore satisfies the tests of sustainable development set out in the Framework, and the presumption in favour of sustainable development indicates that planning permission should be granted.

RECOMMENDATION

ADOPT the Appropriate Assessment

and

APPROVE subject to a S106 agreement to secure BNG and nutrient mitigation measures and the following conditions:

1. Details of the appearance, landscaping, layout, and scale ("the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
(Reason - The application is in outline with one or more matters reserved.)
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
(Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended.)
3. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.
(Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended.)
4. No dwelling shall be occupied until the approved vehicular access serving that dwelling has been constructed and made available for use in accordance with approved drawing No. ST03A. The western access from Smallridge Road shall serve no more than two dwellings, and the northern access from Pub Lane shall serve no more than three dwellings. No internal vehicular connection shall be provided between the two accesses within the site. For the avoidance of doubt,

all other aspects of the site layout shown on the submitted plans are considered indicative only.

(Reason - In the interests of highway safety in accordance with Policy TC7 - Adequacy of Road Network and Site Access of the Adopted East Devon Local Plan 2013-2031.)

5. No development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the following information:
 - a) A timetable of the works;
 - b) Daily hours of construction;
 - c) Details of any proposed road closures;
 - d) Hours during which delivery and construction traffic will travel to and from the site, with all such vehicular movements restricted to 08:00-18:00 Monday to Friday and 09:00-13:00 Saturdays, with no movements on Sundays or Bank/Public Holidays unless previously agreed in writing by the Local Planning Authority;
 - e) The number, size and frequency of vehicles visiting the site in connection with the development;
 - f) The location of the construction compound and areas for the storage of all building materials, products, parts, crates, packing materials and waste;
 - g) Details of on-site loading/unloading areas for construction traffic, together with confirmation that no construction or delivery vehicles will park on the public highway for loading or unloading unless otherwise agreed in writing by the Local Planning Authority;
 - h) Hours during which no construction traffic will be present at the site;
 - i) Details of the means of enclosure and security of the site during the construction period;
 - j) Proposals to promote car-sharing amongst construction staff to minimise off-site parking;
 - k) Details of wheel-cleaning/washing facilities and related obligations;
 - l) The proposed routeing of all construction traffic exceeding 7.5 tonnes;
 - m) Details of the amount and location of construction worker parking;
 - n) Photographic evidence of the condition of the adjacent public highway prior to commencement of any work.

The development shall be carried out strictly in accordance with the approved CMP for the duration of the construction period.

(Reason - A pre-commencement condition is required to ensure that adequate facilities are available for construction and other traffic attracted to the site in accordance with Policy TC7 - Adequacy of Road Network and Site Access of the Adopted East Devon Local Plan 2013-2031.)

6. No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan, has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall include:
 - a) a non-technical summary;
 - b) details of the roles and responsibilities of the persons or organisations responsible for delivering the HMMP;

- c) details of the planned habitat creation and enhancement works required to achieve the approved biodiversity net gain;
- d) management measures for the ongoing maintenance of the created and/or enhanced habitats for a period of 30 years from the completion of development; and
- e) the monitoring methodology and frequency for all created or enhanced habitats.

The Local Planning Authority shall be notified in writing when:

- a) the approved HMMP has been implemented; and
- b) all habitat creation and enhancement works identified within the HMMP have been completed.

No occupation shall take place until:

- a) all habitat creation and enhancement works set out in the approved HMMP have been completed; and
- b) a completion report—evidencing the approved habitat creation and enhancement works—has been submitted to and approved in writing by the Local Planning Authority.

The created and/or enhanced habitats shall be managed and maintained thereafter in full accordance with the approved HMMP for a period of 30 years from the completion of development.

Monitoring reports shall be submitted to the Local Planning Authority in writing in accordance with the monitoring methodology and frequency set out in the approved HMMP.

(Reason - To ensure the development delivers the required measurable biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.)

7. Before any development commences details of final finished floor levels and finished ground levels in relation to a fixed datum 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 - A pre-commencement condition is required to ensure that adequate details of levels are available and considered at an early stage in the interest of the character and appearance of the locality in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)
8. No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme as agreed in writing by the Local Planning Authority.
(Reason - To ensure, in accordance with Policy EN6 - Nationally and Locally Important Archaeological Sites of the Adopted East Devon Local Plan 2013-

2031 and paragraph 218 of the National Planning Policy Framework (2024), that an appropriate record is made of archaeological evidence that may be affected by the development. This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.)

9. (a) Prior to the commencement of any works on site (including demolition and site clearance or tree works), a scheme for the protection of the retained trees, hedges and shrubs shall be produced in accordance with the principles embodied in BS5837 :2012, which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, [including trees which are the subject of a Tree Preservation Order currently in force], shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
- (b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
- (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

(Reason - A pre-commencement condition is required to ensure retention and protection of trees on the site during and after construction. The condition is required in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D3 - Trees and Development Sites of the Adopted East Devon Local Plan 2013-2031.)

10. No development shall commence until a detailed Foul Water Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be fully compliant with, and shall demonstrate performance equal to or exceeding, the measures and mitigation set out in the Nutrient Neutrality Assessment and Mitigation Strategy (Enviren, 09/02/2026) and the Drainage Strategy and Water Quality Assessment (Enviren, 09/02/2026).

The submitted details shall include:

Arrangements for foul water collection, conveyance and discharge;

Evidence that foul drainage design will not exceed the nutrient loading levels assessed within the approved Nutrient Neutrality Assessment;
Measures to prevent any deterioration in receiving watercourses or groundwater quality; and
A management, monitoring and maintenance plan for the lifetime of the development.

The development shall thereafter be carried out, implemented, and maintained in full accordance with the approved foul water drainage strategy.

(Reason - To ensure adequate foul drainage, safeguard water quality and secure nutrient neutrality in accordance with Policy EN19 - Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems of the Adopted East Devon Local Plan 2013-2031.)

11. No development shall commence until a detailed Surface Water Drainage Strategy, incorporating Sustainable Drainage Systems (SuDS), has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be fully compliant with, and shall demonstrate performance equal to or exceeding, the design principles and standards contained in the Nutrient Neutrality Assessment and Mitigation Strategy (Enviren, 09/02/2026) and the Drainage Strategy and Water Quality Assessment (Enviren, 09/02/2026).

The strategy shall include:

A detailed SuDS design incorporating porous paving, rainwater harvesting, attenuation, flow control and water-quality filtration;

Evidence that surface water discharge rates will be restricted to greenfield run-off rates for all storm events up to and including the 1 in 100 year event plus climate-change allowance;

Water-quality protection measures to avoid deterioration of receiving watercourses or groundwater; and

A long-term management and maintenance plan for all SuDS components.

The development shall thereafter be carried out, implemented, and maintained in full accordance with the approved surface water drainage strategy.

(Reason - To ensure sustainable surface water management, protect water quality and mitigate flood risk in accordance with Policy EN22 - Surface Run-Off Implications of New Development of the Adopted East Devon Local Plan 2013-2031.)

12. Reserved Matters applications shall be accompanied by an Ecological Update Report. The Report shall:

Review the validity of the Preliminary Ecological Appraisal (BN Ecology, 2025), the Reptile Survey Report (ROAVR Group, 19/09/2025), and the Bat Survey Report (ROAVR Group, 19/09/2025);

Confirm whether site conditions or species presence/use have changed; and

Provide updated ecological surveys and revised mitigation, compensation and enhancement measures where any original survey is more than 24 months old or otherwise no longer reliable.

The development shall be carried out in full accordance with the avoidance, mitigation, compensation and enhancement measures set out in the most up-to-date ecological documents specified within the Ecological Update Report. (Reason - To ensure ecological information is current at reserved matters stage and in the interests of wildlife conservation and enhancement, in accordance with the Policy EN5 - Wildlife Habitats and Features of the Adopted East Devon Local Plan 2013-2031.)

13. No development above foundation level shall take place until details of secure, covered cycle and scooter storage facilities for each dwelling have been submitted to and approved in writing by the Local Planning Authority. The approved storage serving each individual dwelling shall be fully installed prior to the occupation of that dwelling and shall thereafter be retained for its intended purpose. (Reason - To promote sustainable travel in accordance with Policy TC9 - Parking Provision in New Development of the Adopted East Devon Local Plan 2013-2031.)

14. The Biodiversity Gain Plan shall be prepared in accordance with the Biodiversity Net Gain report dated October 2025 and prepared by BN Ecology Ltd. (Reason - To ensure that the development delivers the required measurable Biodiversity Net Gain in accordance with the submitted Biodiversity Net Gain report and the requirements of the Environment Act 2021.)

15. The landscaping details to be submitted as part of the landscaping reserved matter required under Condition 1 of this outline planning permission shall include the following:

Soft Landscaping Details

- o Detailed soft landscaping layouts for all public areas, including any soft landscaping within private plots that front the public realm.
- o A planting specification including plant species, planting sizes, densities, planting matrices (where relevant), numbers of each species, and implementation notes.
- o Sections (minimum of two) demonstrating how the proposed landscape integrates with existing site levels and the surrounding context, where significant level changes are proposed.

Hard Landscaping Details

- o Detailed layouts of all hard landscape elements, including paths and any areas of hard surfacing on plot frontages.
- o A material specification for all hard landscape works.
- o Details of all proposed walls, fences and other hard or soft boundary treatments.
- o Construction details for tree pits and/or Devon bank features.

Levels

- o Proposed site levels across all landscape areas and interfaces with existing ground levels.

Implementation and Maintenance

- o A schedule for the implementation of the landscaping scheme.
- o A management and maintenance schedule for a minimum of five years following completion.

The approved landscaping scheme shall be implemented in the first planting season following completion of the groundworks and the building construction works, or prior to first occupation of the development (whichever is the earlier), unless otherwise agreed in writing by the Local Planning Authority. The scheme shall thereafter be maintained in accordance with the approved management schedule. Any trees or plants that die, are removed or become seriously damaged or diseased within the five-year maintenance period shall be replaced in 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, in accordance with Strategy 46 - Landscape Conservation and Enhancement and AONBs and Policy D2 - Landscape Requirements of the East Devon Local Plan 2013-2031.)

16. No dwelling hereby permitted shall be occupied until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall be confirmed in writing to, and approved by, the Local Planning Authority.
(Reason - To comply with Policy EN6 - Nationally and Locally Important Archaeological Sites of the Adopted East Devon Local Plan 2013-2031 and Paragraph 218 of the National Planning Policy Framework (2024), which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.)

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in determining this application, East Devon District Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Biodiversity Net Gain Informative:

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The Local Planning Authority cannot add this condition directly to this notice as the condition has already been applied by law. This informative is to explain how the biodiversity condition applies to your development.

The BG conditions states that **development may not begin unless:**

- (a) a Biodiversity Gain Plan (BG plan) has been submitted to the planning authority, and
- (b) the planning authority has approved the BG plan.

In this case the planning authority you must submit the BG Plan to is East Devon District Council.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 applies (planning permission for development already carried out).
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:

- i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
- ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

- i) consists of no more than 9 dwellings;
- ii) is carried out on a site which has an area no larger than 0.5 hectares; and
- iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Where there are losses or deterioration to irreplaceable habitats a bespoke compensation package needs to be agreed with the planning authority, in addition to the Biodiversity Gain Plan.

For information on how to prepare and submit a Biodiversity Gain Plan please use the following link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Plans relating to this application:

ST03A : indicative site	Other Plans	05.12.25
ST04 A	Location Plan	01.12.25

List of Background Papers

Application file, consultations and policy documents referred to in the report.

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.

The Conservation of Habitats and Species Regulations 2017 –

East Devon District Council

Regulation 63 – Habitats Regulations Assessment

Stage 1: Habitats Regulations Assessment - Screening of likely significant effect on a European site

Part A: The proposal

1. Type of permission/ activity	Outline planning permission for five dwellings, all matters reserved apart from access
2. Application reference no	25/2454/OUT
3. Site address	Land opposite Ridgeway Inn, Smallridge, Axminster
4. Brief description of proposal	Outline planning permission for five dwellings, all matters reserved apart from access

Part B: The European site(s)

5. European site name(s), and 6. Qualifying Features	<p>River Axe Special Area of Conservation (SAC).</p> <p>The Qualifying Features for the River Axe SAC are:</p> <ul style="list-style-type: none"> • H3260 Water courses of plain to montane levels with <i>R. fluitantis</i> • S1095 Sea lamprey, <i>Petromyzon marinus</i> • S1096 Brook lamprey, <i>Lampetra planeri</i> • S1163 Bullhead, <i>Cottus gobio</i> <p>The Conservation objectives of the River Axe SAC are:</p> <p>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</p> <ul style="list-style-type: none"> • The extent and distribution of qualifying natural habitats and habitats of qualifying species • The structure and function (including typical species) of qualifying natural habitats • The structure and function of the habitats of qualifying species • The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely • The populations of qualifying species, and, • The distribution of qualifying species within the site. <p>The Conservation Objectives for the River Axe SAC state that ‘the natural nutrient regime of the river should be protected, with any anthropogenic enrichment above natural/background concentrations should be limited to levels at which adverse effects on characteristic biodiversity are unlikely’.</p>
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<p>7. Ecological survey results for the application site</p>	<p>Ecological surveys confirm that the site comprises mainly dense bramble scrub and unmanaged vegetation with species-rich boundary hedgerows. A low but breeding population of slow-worm was recorded in localised areas of the site during targeted reptile surveys (multiple age classes detected). Bat activity surveys recorded light foraging and commuting use by several species (Common and Soprano Pipistrelle, Brown Long-eared, and Noctule), with no roosts identified and only negligible roost potential in the small on-site structure. The PEA found no evidence of badger, dormouse, otter, water vole or great crested newt, with only occasional use by common amphibians and hedgehog considered possible. Habitat for nesting birds is present within hedgerows and scrub, and invasive species (Himalayan balsam and Japanese knotweed) were recorded on site.</p> <p>Sources: Preliminary Ecological Appraisal, BN Ecology Ltd, 2025 Nocturnal Emergence Bat Surveys, Roavr Group, 19/09/2025 Reptile Survey Report, Roavr Group, 19/09/2025</p>
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Part C: Screening assessment for likely significant effect

<p>8. Is this application necessary to the management of the site for nature conservation?</p>	<p>No. The proposal is not required for the conservation management of the River Axe SAC.</p>
<p>9. The identified ways in which the Qualifying Features of the European site could be affected by the proposal</p>	<p>Degradation or changes to water quality resulting from increased nutrients entering watercourses which are hydrologically linked to the SAC</p> <p>The occurrence of excessive nutrients in the waterbody can impact on the competitive interactions between high plant species and between higher plant species and algae, which can result in a dominance in attached forms of algae, and a loss of characteristic plant species. Changes in plant growth and community composition can have implications for the wider food web, and the species present. Increased nutrients and the occurrence of eutrophication can also impact on the dissolved oxygen levels in the waterbody, also impacting on biota within the river.</p> <p>Recent water quality measurements for the River Axe within the SAC show phosphorus concentrations to be exceeding the targets for all units. Any nutrients entering the catchment upstream of the locations which are exceeding their nutrient targets, will make their way downstream and have the potential to further add to the current exceedance. Hence the catchment map for the River Axe includes the entire catchment upstream.</p> <p>The key sources of phosphorous, commonly assessed in the form of phosphates, derive from diffuse water pollution (such as agricultural leaching) and point discharges (such as from sewage effluent) within the catchment.</p>

<p>10. Assessment of risks without avoidance or reduction measures</p>	<p>Without mitigation, the proposed development would:</p> <ul style="list-style-type: none"> • Generate phosphorus through foul water discharges from five dwellings. NNAMS identifies 0.32 kg TP/yr from foul water. • Decrease phosphorus export through land use change from shrub/commercial land to residential with SUDS (net change -0.1 kg TP/yr). • Lead to a total annual phosphorus load to mitigate of 0.27 kg TP/yr, including a 20% buffer. <p>Without mitigation, a Likely Significant Effect (LSE) on the River Axe SAC cannot be ruled out.</p>
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<p>11. Conclusion of Screening stage (Is the proposal likely to have a significant effect 'alone' or 'in combination' on a European site?)</p>	<p>Degradation or changes to water quality:</p> <p>The application site is located within the hydrological catchment of the River Axe SAC.</p> <p>The submitted Nutrient Neutrality Assessment demonstrates that the unmitigated development would produce a phosphorus surplus to mitigate of 0.27kgTP/yr.</p> <p>East Devon District Council concludes that, in the absence of mitigation measures, a Significant Effect on the River Axe SAC either 'alone' or 'in-combination' with other plans and projects cannot be ruled out.</p> <p>An Appropriate Assessment of the proposal will therefore be necessary.</p>
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Stage 2: Habitats Regulations Assessment – Appropriate Assessment

Part D: Appropriate Assessment

NB: In undertaking the appropriate assessment, the LPA must ascertain whether the project would adversely affect the integrity of the European site. The Precautionary Principle applies, so to be certain, the authority should be convinced that no reasonable scientific doubt remains as to the absence of such effects.

The Appropriate Assessment considers the impacts on the integrity of the international site, either alone or in combination with other plans and projects, with regard to the site's structure and function and its conservation objectives. Where there are adverse impacts, an assessment of potential mitigation is carried out to determine if there is an overall adverse effect on the integrity of the site. If these mitigation options cannot avoid adverse effects, then development consent can only be given if stages 3 and 4 are followed.

Based on the assessment, the proposed development would give rise to a phosphate surplus of 0.27 kg TP/year and therefore additional mitigation is required to achieve phosphate neutrality.

Mitigation

the development includes the following embedded mitigation measures:

1. Foul Water Mitigation

- Installation of an August AT Oval Package Treatment Plant with a PhosClear filter, achieving effluent TP of 0.0438 mg/l, resulting in a Wastewater TP load of 0.02 kg TP/yr.

2. Surface Water Mitigation (SuDS)

The scheme uses a multi-stage SuDS treatment train including:

- Rainwater harvesting (100% roof runoff capture)
- Permeable paving with 39–55% TP removal efficiency
- SPEL filter (76% TP removal)
- Vegetated interception zones & gravel traps providing 100% removal for treated areas.

Existing land use results in an annual phosphorus export of 0.14 kg TP/yr. This would increase to 0.78 kg TP/yr as a result of land use change. However, the SuDS measures collectively would remove approximately 0.74 kg TP/yr, ensuring a final annual phosphorus export of 0.04 kg TP/yr, resulting in a net nutrient betterment of -0.1 kg TP/yr from land use/SuDS. Factoring in the wastewater TP load, there would be an overall betterment of -0.08 kg TP/yr after mitigation.

3. Mitigation Security

The SuDS, PTP and PhosClear systems will be secured via planning condition requiring:

- Installation before first occupation
- Long-term maintenance per manufacturer and CIRIA C753/C808 standards

Summary

The Nutrient Neutrality Assessment demonstrates that the proposed development **would not have an adverse effect** on the integrity of the River Axe SAC **if the mitigation measures are secured.**

Part E: Conclusion of Appropriate Assessment - The Integrity Test	
18. List of avoidance/ mitigation/ compensation measures and safeguards to be covered by condition or planning obligations (Unilateral Undertaking or S106)	<p>To be conditioned or secured via obligations:</p> <ul style="list-style-type: none"> • Installation of August AT Oval PTP and PhosClear Filter (certified phosphorus removal). • Full SuDS treatment train including: <ul style="list-style-type: none"> ○ Rainwater harvesting units ○ Permeable paving ○ SPEL phosphorus filter ○ Vegetated interception and gravel traps • Long-term maintenance of all SuDS and wastewater infrastructure per CIRIA C753/C808 and manufacturer O&M manuals. • Requirement that no occupation occurs until the foul system and SuDS infrastructure are installed and operational.
19. Conclusion of integrity test.	With the above mitigation secured, the proposal will <i>not</i> have an adverse effect on the integrity of the River Axe SAC.
20. Completed by: Date:	Andrew Digby Senior Planning Officer 17/02/2026
21. Natural England consultation response	

Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS)

Ridgeway, Smallridge

Reference: 2500196-ENV-S1-SW-TR-E-0001

Date: 09/02/2026

DOCUMENT PRODUCTION RECORD	
AUTHOR:	Chang Gao PhD
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COMPANY DETAILS:	Enviren Ltd, Programme, The Pithay, Bristol, BS1 2NB
ISSUED TO:	Tadman Planning Consultants Ltd.
REPORT REFERENCE:	2500196-ENV-S1-SW-TR-E-0001
DOCUMENT STATUS:	Revised

DOCUMENT REVISION RECORD			
Issue	Date	Author	Revision Details
1.1	17/10/2025	Chang Gao PhD	First issue
1.2	09/02/2026	Chang Gao PhD	Revised based on comments received by East Devon Council.

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Executive Summary

This report has been compiled for the support of the development of five dwellings at Ridgeway in Devon (Grid reference: ST 30290 00933). The proposals are for five dwellings along with associated infrastructure.

This report demonstrates that the development will achieve Nutrient Neutrality through the introduction of an August AT Oval package treatment plants (PTPs), followed by a PhosClear filter, in conjunction with Sustainable Drainage Systems (SuDS).

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1. Introduction

- 1.1. This report has been compiled for the support of the development of five dwellings at Ridgeway in Devon (Grid reference: ST 30290 00933). The proposals are for five dwellings along with associated infrastructure. This report demonstrates that through the introduction August AT Oval package treatment plants (PTPs), followed by a PhosClear filter, in conjunction with Sustainable Drainage Systems (SuDS), the development will achieve Nutrient Neutrality. The site is approximately 0.370 Hectares when considering the areas outlined in the site plan.
- 1.2. The existing site currently consists of commercial/industrial urban land and shrub. The construction of the new dwellings would result in an increase in phosphorus discharging into the surrounding water network due to foul water and surface water from the proposed dwellings; however, through suitable mitigation proposals the development will achieve nutrient neutrality (see **Appendix 1**).

Table 1.1 – Site Specific Information	
Category	Site Specific Information
Site Name	Ridgeway, Smallridge
Site Location	Smallridge, Devon
Grid reference	ST 30290 00933
Local Authority	
Overall Site Area	0.370 Hectares
Nutrient(s) Considered	Phosphorus
Catchment (Surface Water)	River Axe
Catchment (Foul Water)	River Axe
Receiving Wastewater Treatment Works (WwTW)	Onsite Treatment Train
Existing land use	Commercial/Industrial urban land and Shrub

2. Local Context to Nutrient Neutrality

- 2.1. Following the ruling on the “Dutch N” (Case C-293/17 and C-294/17)¹ in November 2018 through the Court of Justice of the European Union (CJEU), as well as several other lower profile cases in Ireland, Natural England wrote a letter² to a number of local authorities and councils in March 2022 identifying unacceptable phosphorus levels within the waterways of the River Axe SAC and requesting greater scrutiny of planning applications going forward which would increase nutrient loads into the water system³, resulting in the Protected Area (SAC, SPA or Ramsar Site) reaching a point where the ability to return the site to favourable conditions would be compromised or necessarily limit the conservation objectives of the area. Mitigation measures are to be put in place that would result in “Nutrient Neutrality”.
- 2.2. As identified the site benefits from a pathway into the River Axe, which is hydraulically connected to the River Axe SAC, this area is protected as a European Site under the Habitat Regulations 2017, as well as comprising a SSSI (Sites of Special Scientific Interest) in the lower reaches of the Axe valley. This protection is ratified by UK planning law under paragraph 176 of the NPPF. The SAC forms part of the UK’s national site map with SACs constituting protected habitats and species that are considered of European interest. This is shared as a Designated Feature underpinning multiple SSSIs.

¹ C-293/17 - Coöperatie Mobilisation for the Environment and Vereniging Leefmilieu ([Link-to-source](#))

² Natural England Letter to LPA Chief Executives – Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites.

³ Reg. 63 of the Habitats Regulations 2017.

3. Background Information

Site Location

- 3.1. The site is located on the southeastern side of Smallridge along Smallridge Road. Approximately 0.230 kilometres from the centre and approximately 2.600 kilometres north of Axminster. The exact location can be found in **Figure 3.1**:

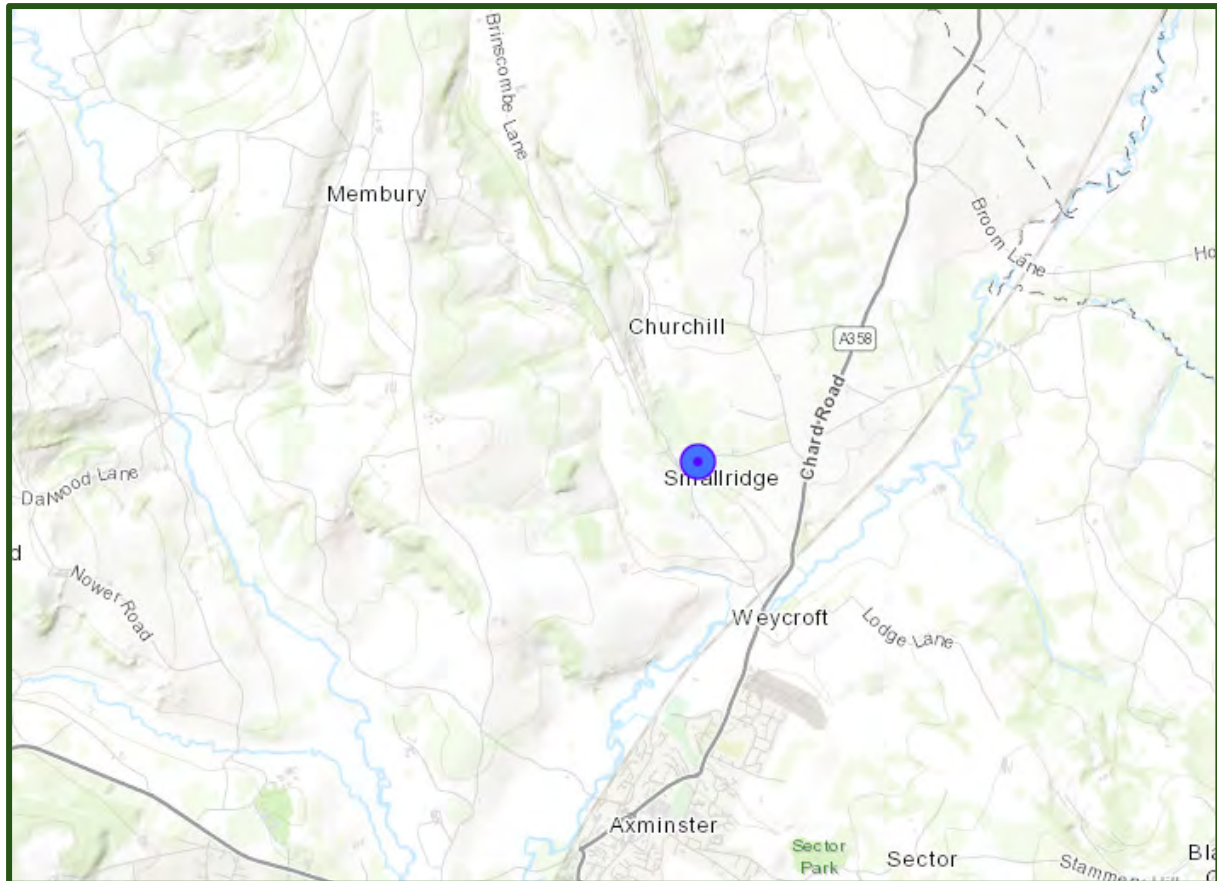


Figure 3.1 – Site Location

Outline Site Hydrology

- 3.2. Interrogation of local topographical information around the development parcel identifies that runoff from the site flows east towards the neighbouring unnamed watercourse to the east which flows south discharging into the River Axe, which continues south eventually discharging into the sea (**Figure 3.2**).
- 3.3. Statutory Undertaker mapping (**Appendix 2**) also indicates that there are no surface or foul water sewers located within close proximity of the site.

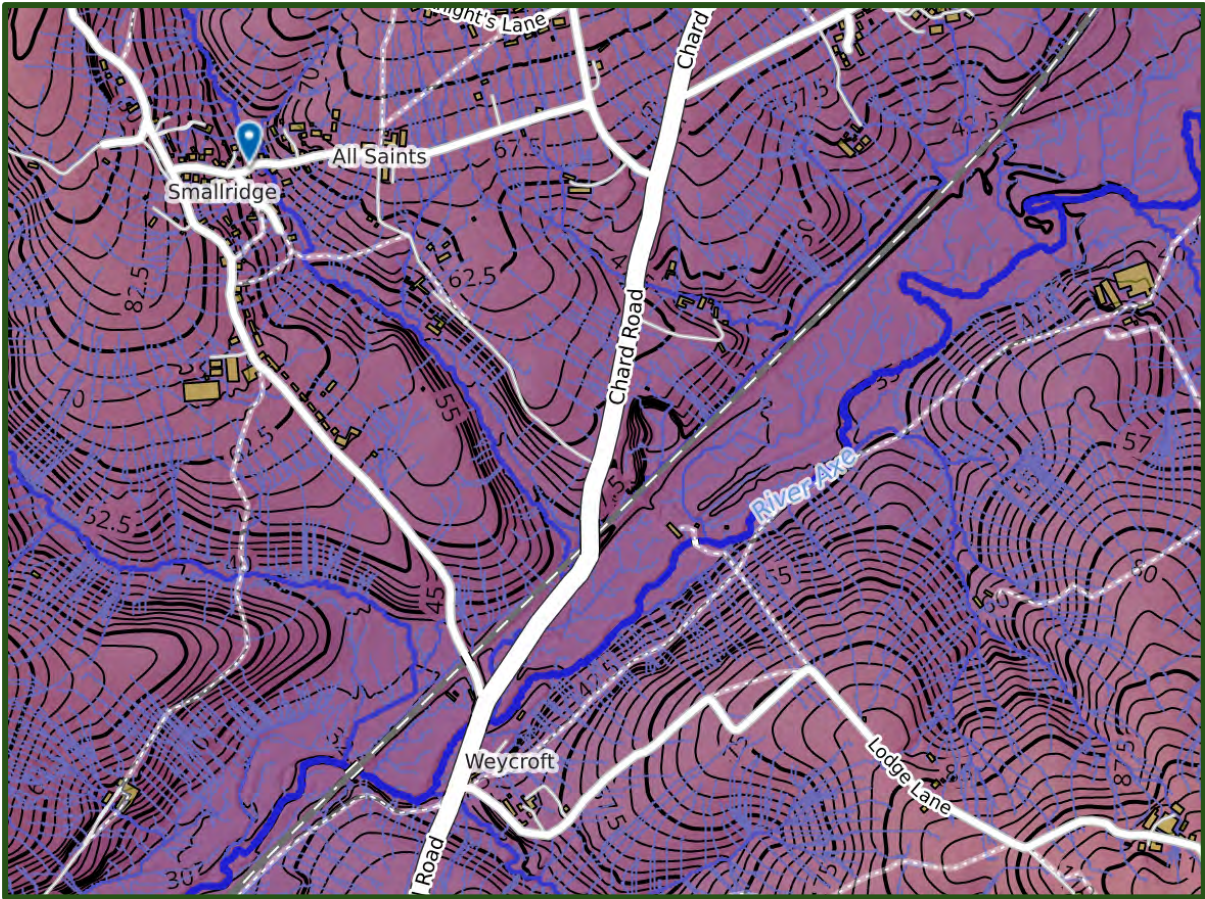


Figure 3.2 – SCALGO Topographic Data – Site Hydrology

3.4. The development sits within the hydrological catchment of the River Axe SAC as indicated in **Figure 3.3**.

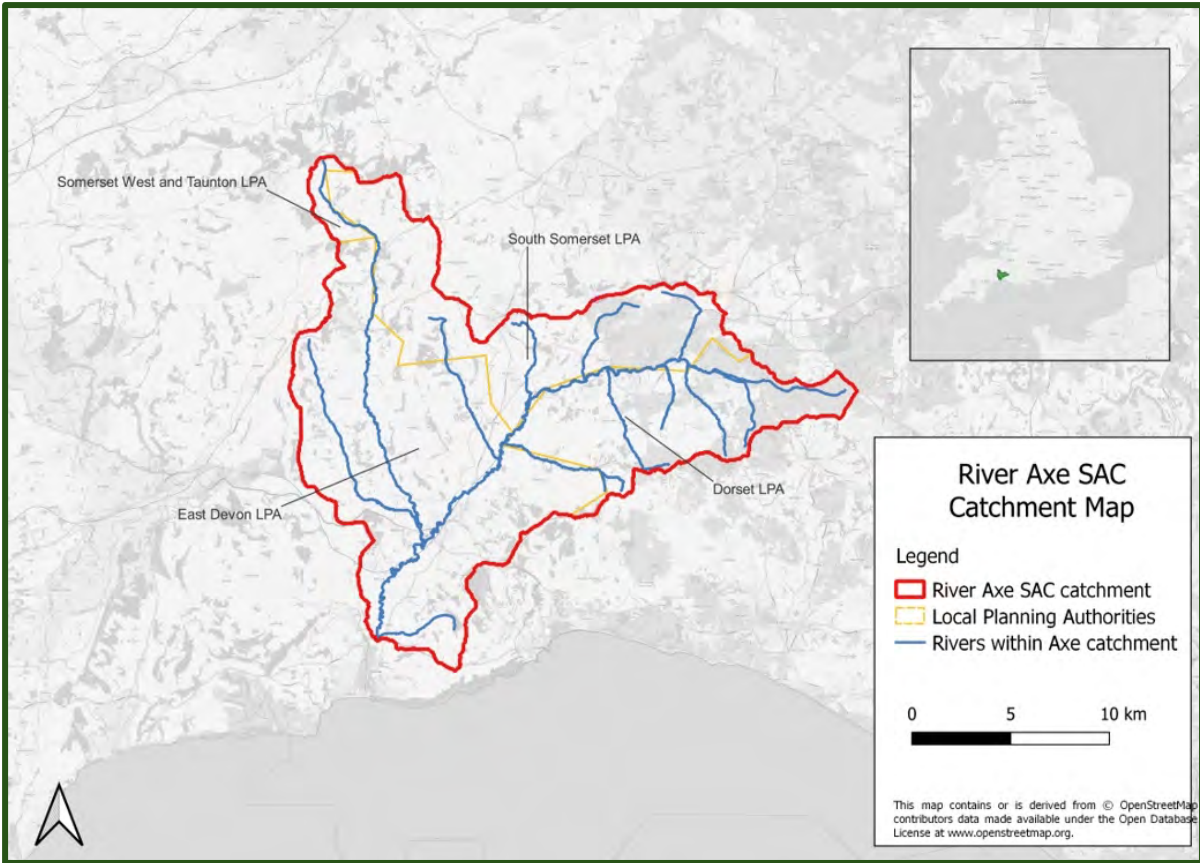


Figure 3.3 – Hydrological Catchment Plan

Existing Site Description

3.5. The area to be developed currently constitutes commercial/industrial urban land and shrub of approximately 0.370 hectares in size when considering the areas in the site plan (see **Appendix 3**). The site parcel is bordered to the east by an unnamed watercourse, to the south by further greenspace and to the north and west by dwellings.



Figure 3.4 – Aerial Reconnaissance Photography

4. Development Proposals

- 4.1. The development is to consist of five dwellings with associated infrastructure (see **Appendix 3**).

Foul Water Drainage

- 4.2. The intention of the applicant is to install an August AT Oval Package Treatment Plant (PTP), followed by a PhosClear Filter, serving the proposed dwellings (see **Appendix 4** and **Appendix 5**). Following discussion with Tricel, the PhosClear Filter is suitable and can be constructed for developments with a population equivalent (PE) of up to 300 (**Appendix 13**).
- 4.3. The TP load of treated effluent discharging from the August AT Oval PTP is 0.6mg/l, the PhosClear Filter has a TP removal efficiency of 92.7%.
- 4.4. The treatment efficiency is therefore $0.6 \times (1 - 0.927) = 0.0438\text{mg/l}$.
- 4.5. A servicing contract will be entered into with a responsible contractor to ensure the system can be appropriately maintained.

Surface Water Drainage

- 4.6. The discharge of surface water from the site shall be to the adjacent watercourse and it has conservatively been assumed that tactical discharge of surface water to ground from roofs and hardstanding will not be possible. The proposed surface water shall be treated by a series of specifically designed Sustainable Drainage System (SuDS) components which shall maximise phosphorus removal and achieve nutrient neutrality.
- 4.7. Runoff from roofs shall be discharged into rainwater harvesting systems. The rainwater harvesting systems will be designed to capture and store 100% of roof runoff as per CIRIA 808. The runoff from paved areas and the remaining site will be treated through porous paving, followed by a SPEL filter (see **Appendix 6**) before being discharged to the adjacent watercourse.
- 4.8. Interception shall take place on areas of vegetation, including vegetated gardens and other neutral grassland, as shown in **Appendix 11**. Interception is defined as the capturing of the initial rainfall to prevent runoff and pollution. In this instance, interception shall take place through infiltration for sub 1-1 year storms. Interception is specifically outlined in CIRIA C808 in the examples (see Part 3.4.1). Interception calculations can be found in **Appendix 12**. Gravel traps will be placed on the eastern boundary and low points of the site to capture and infiltrate any overland flows that are not captured by the vegetated areas.
- 4.9. Maintenance requirements of the SuDS features can be found in **Appendix 7** with measures based on the associated schedules contained in CIRIA C753 and CIRIA 808. SuDS considerations outlined in CIRIA C808 are reviewed in **Appendix 8**. The design life for the SuDS measures are 100 years and will all remain in perpetuity.
- 4.10. A servicing contract will be entered into with a responsible contractor to ensure the system can be appropriately maintained.

Table 4.1 – Phosphorus Removal Efficiency of Various SuDS Components (as per CIRIA C808)

SuDS Component	Swale	Detention basin	Retention basin	Pond	Floating wetland	Bioretention zone	Tree pit	Filter strip	Filter drain	Willow bed	Permeable pavement	Vortex grit separator	Oil water separator	Stormwater filter	Granular media	Rainwater capture
Particulate Phosphorus Removal (%)	28	28	28	39	39	44	44	22	22	55	39	28	28	44	44	55
Dissolved Phosphorus Removal (%)	0*	5	23	23	TBC	0*	0*	0*	0*	45	0*	0*	0*	41		45
Total Phosphorus Removal [average] (%)	28	33	51	62	≥39	44	44	22	22	100	39	28	28	≤85	≤85	100

*Can be increased providing specific, referenced media is used.

- 4.11. The phosphorus removal efficiencies of the onsite treatment trains are outlined in **Table 4.1**. As per CIRIA C808, the particulate phosphorus removal of the SuDS components is already pre-weighted to accommodate the proportion of Total Phosphorus (TP) that is in solid form (55%) and Phosphorus that is in soluble form (45%).
- 4.12. The SPEL filter has a Total phosphorus removal efficiency of 76%. This has been factored into Particulate Phosphorus (55%) and Dissolved Phosphorus (45%).

Table 4.2 – Total Phosphorus Removal Percentage of Treatment Train

Treatment Train	Phosphorus Removal Efficiency of SuDS Component (Average between Dissolved and Particulate Phosphorus)													Calculated Phosphorus Removal Efficiency
	Interception		Rainwater Harvesting		Permeable Paving		SPEL Filter		Gravel Traps		Cumulative Removal**			
	PP	DP	PP	DP	PP	DP	PP	DP	PP	DP	PP	DP		
Treatment Train A: Rainwater Harvesting	N/A	N/A	55	45	N/A	N/A	N/A	N/A	N/A	N/A	55	45	100	
Treatment Train B: Permeable Paving + SPEL Filter	41	34	N/A	N/A	39	0	21	34.2	N/A	N/A	48.25	37.76	86.01	
Treatment Train C – Interception of Vegetated Areas and gravel traps to stop overland flow	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	55	45	55	45	100	
100% Removal Considered			50% Removal Considered						Not Applicable					

4.13. The methodology for calculating the values in the proposed treatment trains can be found in **Appendix 9** and is based on influent concentrations and effluent concentrations from the preceding component.

5. Development Nutrient Calculator Calculations

5.1. The direct output of the Natural England Budget Calculator can be found in **Appendix 1**. This section shall outline the observations made on the site and shall discuss the results generated by the Natural England Budget Calculator. The figures for the inputs utilised in this section can be found in the **Figures** section to the rear of the report.

Table 5.1 – Development Nutrient Budget Calculations		
Stage 1 – Foul Water Arisings from dwellings		
Number of dwellings	5	
Average occupancy rate	2.40	
Water usage	120	
Wastewater treatment works	Package Treatment Plant User Defined	
Wastewater treatment works TP permit (mg/litre)	0.0438	
Annual wastewater TP load	+0.02 kg/year	
Stage 2 – Existing Land Use		
Catchment	River Axe	
Soil drainage type	Impeded Drainage	
Annual average rainfall (mm)	1000.1-1100	
Within Nitrate Vulnerable Zone	No	
Former Land Use	Land Use	Area (hectares)
	Shrub	0.29
	Commercial/Industrial Urban Land	0.08
Annual nutrient export (kg TP)	-0.14 kg/year	
Stage 3 – Proposed Land Use		
Proposed Land Use	Land Use	Area (hectares)
	Residential Urban	0.37
SuDS removal amount	Treatment Train A - 100% (0.06Ha)	
	Treatment Train B - 76.56% (0.13Ha)	
	Treatment Train C - 100%% (0.18Ha)	
Annual nutrient export (kg TP)	0.04 kg/year	
Stage 4 – Final Nutrient Budget		
The total annual nutrient load generated	-0.08 kg/year	

6. Alternative Mitigation

- 6.1. The client has stated that there is an openness to achieve Neutrality through alternative means, without the inclusion of such a highly efficient Foul Water Treatment Train.
- 6.2. An alternative method would be to install an August AT OVAL without the PhosClear secondary treatment. The budget for this scenario is found within **Table 6.1.**
- 6.3. To achieve neutrality, the client will seek the replacement of a septic tank or the acquisition of credits from a third-party marketplace (should one become available). The value of mitigation required will be -0.27 kg/year.

Table 6.1 – Development Nutrient Budget Calculations		
Stage 1 – Foul Water Arisings from dwellings		
Number of dwellings	5	
Average occupancy rate	2.40	
Water usage	120	
Wastewater treatment works	Package Treatment Plant User Defined	
Wastewater treatment works TP permit (mg/litre)	0.6	
Annual wastewater TP load	+0.32 kg/year	
Stage 2 – Existing Land Use		
Catchment	River Axe	
Soil drainage type	Impeded Drainage	
Annual average rainfall (mm)	1000.1-1100	
Within Nitrate Vulnerable Zone	No	
Former Land Use	Land Use	Area (hectares)
	Shrub	0.29
	Commercial/Industrial Urban Land	0.08
Annual nutrient export (kg TP)	-0.14 kg/year	
Stage 3 – Proposed Land Use		
Proposed Land Use	Land Use	Area (hectares)
	Residential Urban	0.37
SuDS removal amount	Treatment Train A - 100% (0.06Ha)	
	Treatment Train B - 76.56% (0.13Ha)	
	Treatment Train C - 100%% (0.18Ha)	
Annual nutrient export (kg TP)	0.04 kg/year	
Stage 4 – Final Nutrient Budget		
The total annual nutrient load generated	0.27 kg/year	

7. Conclusion

- 7.1. As can be seen in this report, the phosphorus arisings associated with the development have been extensively considered. The applicant will introduce SuDS onsite to significantly reduce phosphorus arisings. Additionally, the applicant will an on-site August AT Oval package treatment plant (PTP), followed by a PhosClear filter, which shall make a connection to the adjacent watercourse. The applicant shall achieve Nutrient Neutrality through the proposals and therefore phosphorus arisings should not prevent planning permission being granted.

Figures

For convenience – press “Alt + Left Arrow” to return to the section of the report



Figure 1 – Soil Type

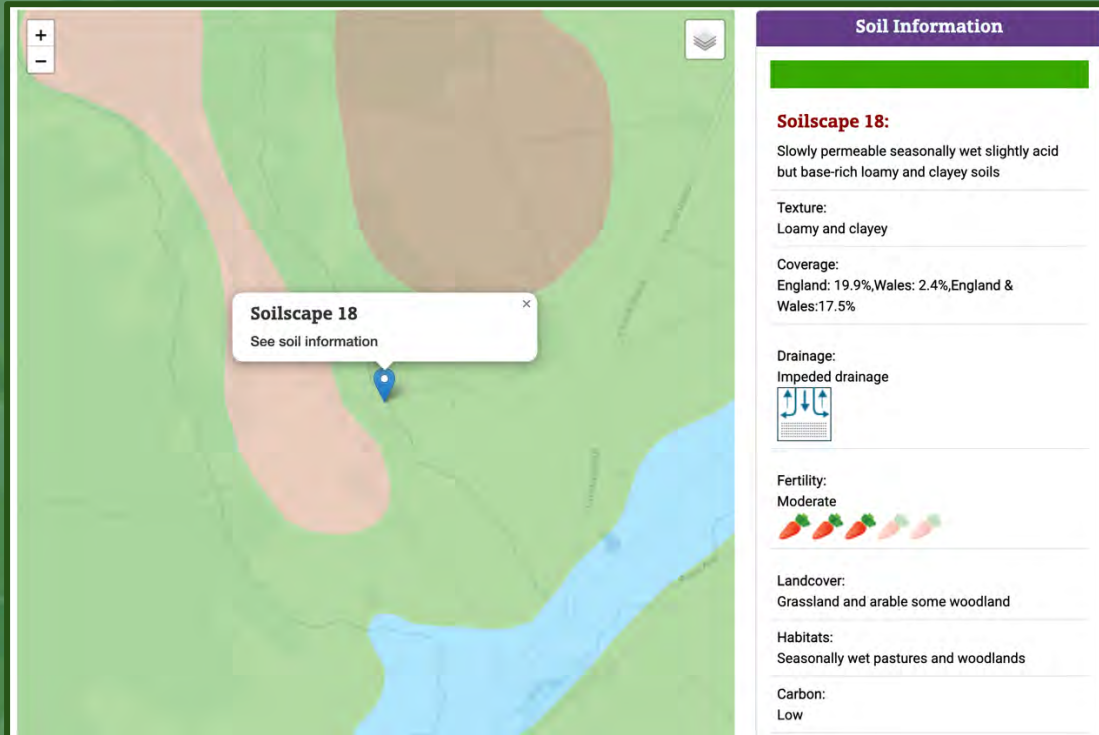
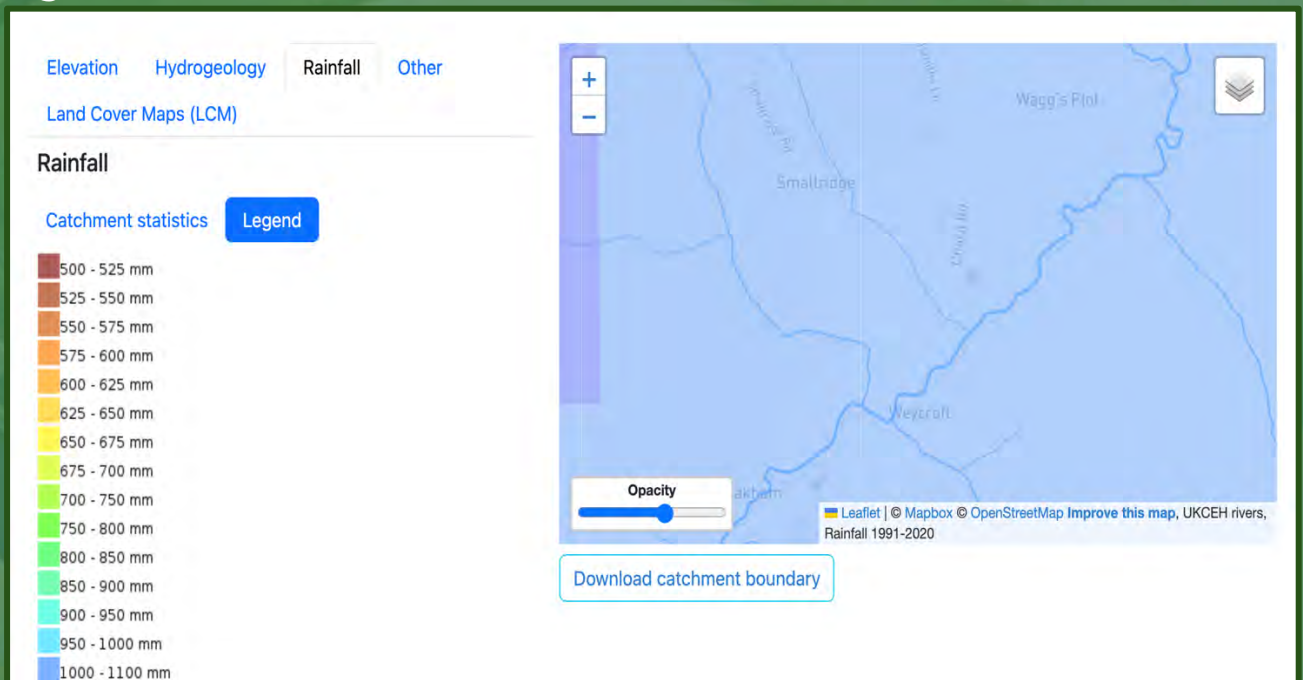


Figure 2 – Annual Rainfall



Appendix 1 – Development Nutrient Budget Calculations

For convenience – press “Alt + Left Arrow” to return to the section of the report



1.1 Development Nutrient Budget Calculations with PhosClear Filter

Nutrients from wastewater		
<p>This sheet contains 2 tables. The tables are separated by a heading, which describes the following table.</p> <p>Note: You will need to fill in cells B5 to B9 in the first table 'Water infrastructure information'. Cells B10 is automatically calculated and will state '0.00' unless the user inputs have been entered. Cells A11 to A12 and B11 to B12 are automatically generated and will state 'Not applicable' depending on the inputs to cells B5 and B9. You may need to fill in cell C10 depending on the information you entered in cell B9. Cells C5 to C9 and cells C11 to C12 are intentionally blank cells.</p> <p>You do not need to fill in any cells in the second table 'Final calculation of nutrient load from wastewater'. Cells B16 to B18 are automatically calculated and will state '0.00' unless the user inputs have been entered to the first table 'Water infrastructure information'. Cells A19 to A22, cells B20 and B22 are automatically generated and will state 'Not applicable' depending on the user inputs to the first table 'Water infrastructure information'. Cell B15, cell B19 and cell B21 are intentionally blank cells.</p> <p>How to fill in the table 'Water infrastructure information'</p> <p>Cell B5: Enter the date of first occupancy.</p> <p>Cell B6: Enter the average occupancy rate of the development. The default rate is 2.4, this should not be edited without sufficient evidence.</p> <p>Cell B7: Enter the water usage. This value should be kept at 120 unless other efficiency measures are used.</p> <p>Cell B8: Enter the total number of dwellings or units that will be within the development site as of the project completion date.</p> <p>Cell B9: Choose the receiving wastewater treatment works (WwTW) from the dropdown list.</p> <p>If you select 'Package Treatment Plant user defined' or 'Septic Tank user defined', you must enter their certified value of total phosphorus (TP) in cell C10. Otherwise the default values will be used in the calculation of the nutrient load associated with wastewater.</p> <p>Nutrient permits may be changing for the WwTW you select, from 01/01/2025, or 01/04/2030. If the date of first occupancy is in-between changing permit dates, multiple permit limits may be automatically generated in cells B10 to B12. If applicable, up to 3 values for the nutrient loading associated with wastewater will be presented in cell B18, B20 or B22.</p>		
Water infrastructure information		
Description of required information	Data entry column - user inputs required	Additional data entry column - user inputs may be required
Date of first occupancy (dd/mm/yyyy):		
Average occupancy rate (people/dwelling or people/unit):	2.40	
Water usage (litres/person/day):	120	
Development proposal (dwellings/units):	5	
Wastewater treatment works:	Package Treatment Plant user defined	
Current wastewater treatment works P permit (mg TP/litre):	Enter value in cell C10	0.042
Not applicable	Not applicable	
Not applicable	Not applicable	
Final calculation of nutrient load from wastewater		
Description of values generated	Values generated	
Wastewater nutrient loading		
Additional population (people):	12.00	
Wastewater by development (litres/day):	1440.00	
Annual wastewater TP load (kg TP/yr):	0.02	
Not applicable		
Not applicable	Not applicable	
Not applicable		
Not applicable	Not applicable	

Nutrients from future land use

This sheet contains one table.

Note: You will need to fill in cells A5 to A21 and B5 to B21. Cells B22 and C5 to C22 are automatically generated calculations and will state '0.00' unless the user inputs have been entered. Row 22 is a Total Row. The Total Row states 'Totals:' in cell A22 and automatically calculates the total sum of cells B5 to B21 in cell B22 and C5 to C21 in cell C22.

How to fill in the table 'Future land uses'

Cells A5-A21: Choose the future (post-development) land use type(s) of landcover present on the new site from the dropdown list
 Cells B5-B21: Enter the area in hectares of each land use type.

The nutrient load from future land uses is shown in cells C5 to C21 for total phosphorus (TP).

The total nutrient load from future land uses is shown in cell C22 for TP.

Future land uses

New land use type(s) - user inputs required	Area (ha) - user inputs required	Annual phosphorus export (kg TP/yr)
Residential urban land	0.37	0.78
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
Totals:	0.37	0.78

Final nutrient budgets

This worksheet contains one table. This table is automatically populated using the outputs from the previous worksheets.

Note: You do not need to fill in any cells in the table.

Cells B5 to B8 and cells B10 are automatically calculated and will state '0.00' unless the user inputs have been entered to all of the required worksheets.

Cells A11 to A14, cell B12 and cell B14 are automatically generated and will state 'Not applicable' depending on the user inputs to the worksheet 'Nutrients_from_wastewater'.

Cell B9, B11 and B13 are intentionally blank.

This table presents calculations that underpin the final annual nutrient budget for the development site. Up to 3 values for the nutrient budget may be presented in cells B10, B12 and B24 for total phosphorus (TP).

Total nutrient budget calculations

Description of values generated	Values generated
Wastewater TP load (kg TP/year):	0.02
Net land use TP change (kg TP/year):	-0.10
TP budget:	-0.08
TP budget + 20% buffer:	-0.08
Annual nutrient budget	
The total annual phosphorus load to mitigate is (kg TP/yr):	0.00
Not applicable	
Not applicable	Not applicable
Not applicable	
Not applicable	Not applicable

1.2 Development Nutrient Budget Calculations without PhosClear Filter

Nutrients from wastewater		
<p>This sheet contains 2 tables. The tables are separated by a heading, which describes the following table.</p> <p>Note: You will need to fill in cells B5 to B9 in the first table 'Water infrastructure information'. Cells B10 is automatically calculated and will state '0.00' unless the user inputs have been entered. Cells A11 to A12 and B11 to B12 are automatically generated and will state 'Not applicable' depending on the inputs to cells B5 and B9. You may need to fill in cell C10 depending on the information you entered in cell B9. Cells C5 to C9 and cells C11 to C12 are intentionally blank cells.</p> <p>You do not need to fill in any cells in the second table 'Final calculation of nutrient load from wastewater'. Cells B16 to B18 are automatically calculated and will state '0.00' unless the user inputs have been entered to the first table 'Water infrastructure information'. Cells A19 to A22, cells B20 and B22 are automatically generated and will state 'Not applicable' depending on the user inputs to the first table 'Water infrastructure information'. Cell B15, cell B19 and cell B21 are intentionally blank cells.</p> <p>How to fill in the table 'Water infrastructure information'</p> <p>Cell B5: Enter the date of first occupancy.</p> <p>Cell B6: Enter the average occupancy rate of the development. The default rate is 2.4, this should not be edited without sufficient evidence.</p> <p>Cell B7: Enter the water usage. This value should be kept at 120 unless other efficiency measures are used.</p> <p>Cell B8: Enter the total number of dwellings or units that will be within the development site as of the project completion date.</p> <p>Cell B9: Choose the receiving wastewater treatment works (WwTW) from the dropdown list.</p> <p>If you select 'Package Treatment Plant user defined' or 'Septic Tank user defined', you must enter their certified value of total phosphorus (TP) in cell C10. Otherwise the default values will be used in the calculation of the nutrient load associated with wastewater.</p> <p>Nutrient permits may be changing for the WwTW you select, from 01/01/2025, or 01/04/2030. If the date of first occupancy is in-between changing permit dates, multiple permit limits may be automatically generated in cells B10 to B12. If applicable, up to 3 values for the nutrient loading associated with wastewater will be presented in cell B18, B20 or B22.</p>		
Water infrastructure information		
Description of required information	Data entry column - user inputs required	Additional data entry column - user inputs may be required
Date of first occupancy (dd/mm/yyyy):		
Average occupancy rate (people/dwelling or people/unit):	2.40	
Water usage (litres/person/day):	120	
Development proposal (dwellings/units):	5	
Wastewater treatment works:	Package Treatment Plant user defined	
Current wastewater treatment works P permit (mg TP/litre):	Enter value in cell C10	0.6
Not applicable	Not applicable	
Not applicable	Not applicable	
Final calculation of nutrient load from wastewater		
Description of values generated	Values generated	
Wastewater nutrient loading		
Additional population (people):	12.00	
Wastewater by development (litres/day):	1440.00	
Annual wastewater TP load (kg TP/yr):	0.32	
Not applicable		
Not applicable	Not applicable	
Not applicable		
Not applicable	Not applicable	

Nutrients from future land use

This sheet contains one table.

Note: You will need to fill in cells A5 to A21 and B5 to B21. Cells B22 and C5 to C22 are automatically generated calculations and will state '0.00' unless the user inputs have been entered. Row 22 is a Total Row. The Total Row states 'Totals:' in cell A22 and automatically calculates the total sum of cells B5 to B21 in cell B22 and C5 to C21 in cell C22.

How to fill in the table 'Future land uses'

Cells A5-A21: Choose the future (post-development) land use type(s) of landcover present on the new site from the dropdown list
 Cells B5-B21: Enter the area in hectares of each land use type.

The nutrient load from future land uses is shown in cells C5 to C21 for total phosphorus (TP).

The total nutrient load from future land uses is shown in cell C22 for TP.

Future land uses

New land use type(s) - user inputs required	Area (ha) - user inputs required	Annual phosphorus export (kg TP/yr)
Residential urban land	0.37	0.78
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
		0.00
Totals:	0.37	0.78

Final nutrient budgets

This worksheet contains one table. This table is automatically populated using the outputs from the previous worksheets.

Note: You do not need to fill in any cells in the table.
 Cells B5 to B8 and cells B10 are automatically calculated and will state '0.00' unless the user inputs have been entered to all of the required worksheets.
 Cells A11 to A14, cell B12 and cell B14 are automatically generated and will state 'Not applicable' depending on the user inputs to the worksheet 'Nutrients_from_wastewater'.
 Cell B9, B11 and B13 are intentionally blank.

This table presents calculations that underpin the final annual nutrient budget for the development site. Up to 3 values for the nutrient budget may be presented in cells B10, B12 and B24 for total phosphorus (TP).

Total nutrient budget calculations

Description of values generated	Values generated
Wastewater TP load (kg TP/year):	0.32
Net land use TP change (kg TP/year):	-0.10
TP budget:	0.22
TP budget + 20% buffer:	0.27
Annual nutrient budget	
The total annual phosphorus load to mitigate is (kg TP/yr):	0.27
Not applicable	
Not applicable	Not applicable
Not applicable	
Not applicable	Not applicable

Appendix 2 – Statutory Undertaker mapping

For convenience – press “Alt + Left Arrow” to return to the section of the report





ENVIREN LTD



**UNDERGROUND ASSET
INFORMATION**

PUBLIC DRAINAGE & WATER

Location: RIDGEWAY INN, SMALLRIDGE, AXMINSTER EX13 7JJ

Report Reference: GIS/TRW/RID/12082025/3

Your Reference: ENVIREN - RIDGEWAY, SMALLRIDGE -

Date: 12 August 2025

For the Attention of: LEONARDO COSTA

Further to your request for information dated 05 August 2025, the Company's apparatus for the above site is shown herewith. South West Water Limited has made all reasonable efforts to ensure the accuracy of this information, but provides it subject to the following conditions:

- Service pipes and drainage connections may not be shown.
- No liability whatsoever is accepted for any inaccuracies or omissions in the information.
- If no reference is made in the information to any interest or right of the Company on any land, this is not to be taken as conclusive evidence that no such interest or right exists.

These reservations are in addition to any statutory regulations which apply.

Source for Searches - A South West Water Service contactus@sourceforsearches.co.uk 0845 330 3401

**ASSETS NOT SHOWN? THEY MAY BE PRIVATE
HOMEOWNERS RESPONSABILITY**

USEFUL CONTACTS:
LEAKS / PIPE COLLAPSE 0344 346 2020
NEW CONNECTIONS 0800 083 1821
SOUTH WEST WATER 0344 346 2020

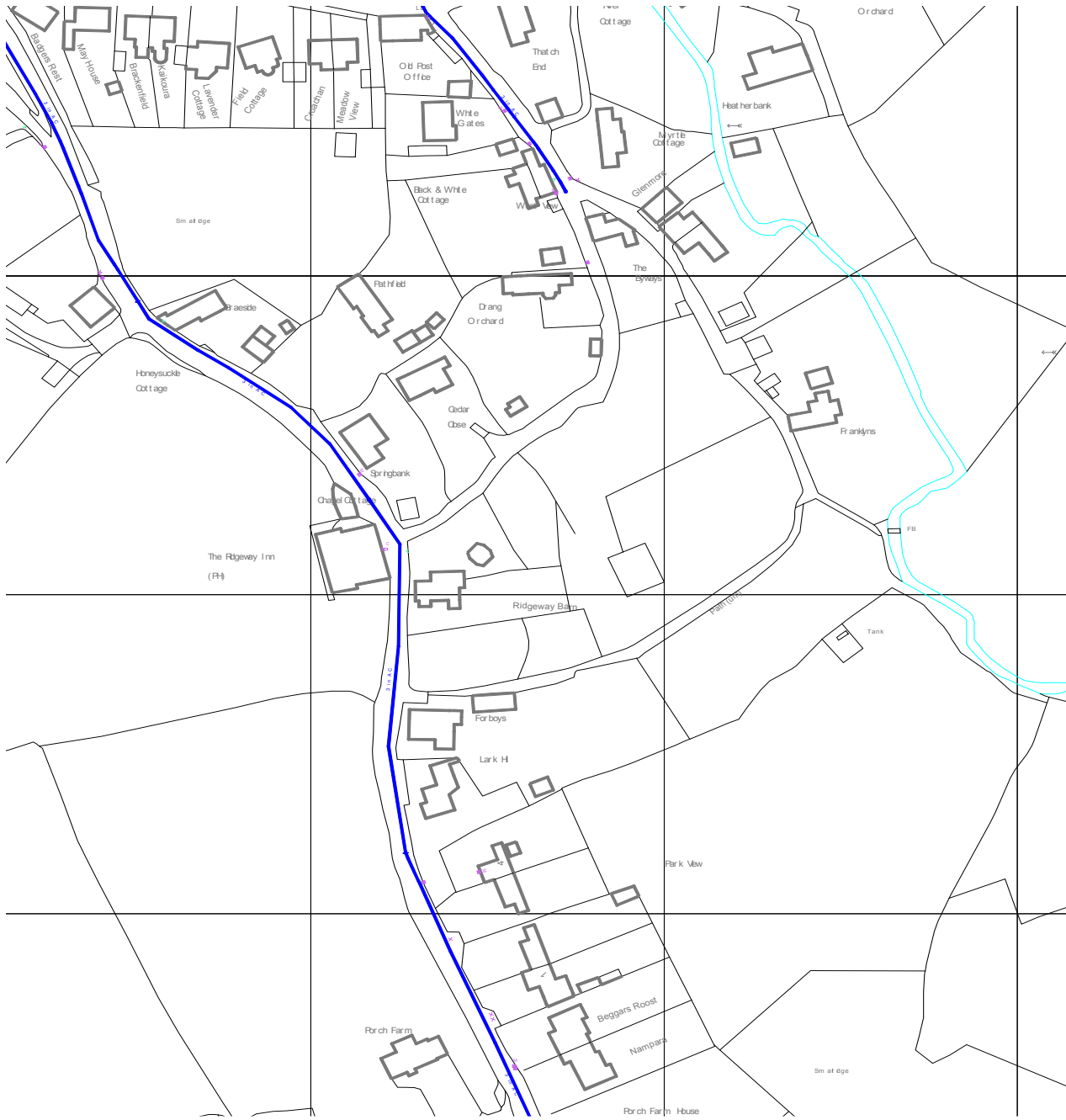
SOUTH WEST WATER LIMITED. REGISTERED IN ENGLAND No. 2366665 - A SUBSIDIARY OF PENNON GROUP PLC.
REGISTERED OFFICE: PENINSULA HOUSE, RYDON LANE, EXETER EX2 7HR





WATER

RIDGEWAY INN, SMALLRIDGE, AXMINSTER EX13 7JJ



Reproduced from the Ordnance Survey map by South West Water Ltd by permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office.
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Water Pipe Details

Distribution	
Trunk	
Communication	
Untreated	
Private	
Abandoned	

Common Materials

Cast Iron	CI	High Density Polyethylene	HDPE
Spun Iron	SI	Medium Density Polyethylene	MDPE
Ductile Iron	DI	Polyethylene	PE
Steel	ST	High Pressure Polyethylene	HPPE
Asbestos Cement	AC		
Plastic	UPVC		

Water Features

Washout		Hatchbox		Customer Meter	
Hydrant		Pump		Mains Meter	
Washout Hydrant		Sluice Valve Open (AC)		Relief Valve	
Air Valve (Single)		Sluice Valve Closed		Pressure Reducing Valve	
Air Valve (Double)		Sluice Valve (CC)		Pressure Sustaining Valve	
Stop Tap		Non Return Valve / Reflex		Relief Valve	



South West Water has no record of drainage in this area

Reproduced from the Ordnance Survey map by South West Water Ltd by permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office.
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Sewer Pipe Details		Common Shapes				Sewerage Structures					
Public - Foul		Circular	C	Barrel	B	U Shaped	US	Manhole Foul		Manhole Surface	
Public - Surface		Rectangular	R	Trapezoidal	T	Horseshoe	H	Manhole Combined		Manhole Private	
Public - Combined		Unknown	U	Egg Shape	E	Oval	OV	Soakaway	SK	Catchpit	CP
Public - Treated		Common Materials									
Pumping Main		Vitrified Clay	VC	Alkathene	AK	Medium Density Polyvinylchloride	MDPE	Washout	WO	Hatchbox	HB
Elevated		Pre Cast Concrete	PCO	Asbestos Cement	AC	Unplasticised Polyvinylchloride	UPVC	Buried	BU	Unable to Locate	UL
Unverified		Concrete	CO	Polyvinylchloride	PVC	Unknown	U				
Abandoned											
Highway											

In accordance with the provisions of Clause 26 of South West Water's Code of Practice, you are advised that in order to maintain adequate future access to the pipeline and to avoid interference with it, it is necessary to ensure that the following guidelines are observed:

1. Buildings And Permanent Structures

Clear working strip:

A clear working strip along the pipe is required between buildings and permanent structures and this must be:-

Pipes up to 150mm diameter	6.0 metres
Pipes 151-600mm diameter	7.0 metres
Pipes 601mm diameter and over	9.0 metres

If a building or permanent structure is planned within these limits please contact our Development Planning team as Build Over consent may be required. Development Planning developerservices@southwestwater.co.uk.

Proximity of buildings:

No buildings or permanent structures should be placed within 3 metres of pipes below 300mm in diameter or within 3.5 metres of pipes of 300mm or over in diameter (distances measured from the centre of the pipe), and in addition, buildings and permanent structures must be constructed so as to ensure that no additional loads are transmitted to the pipe.
(N.B: Pipe sizes refer to the internal diameter / bore of the pipe).

2. Trees And Shrubs

Roots can damage pipelines over time and extensive root systems will limit access to the pipeline in breach of the Company's right to access for repair or replacement. As a rule of thumb, the root spread of a tree is approximately the same as its eventual canopy spread. To help you avoid damage or interference to the pipeline, the Company suggests the following guidelines:

- No large or forest trees should be planted with 7 metres of the pipeline (examples include Oak, Ash, Beech, Douglas Fir, Sitka Spruce etc.)
- Medium to small sized trees should always be planted in such a way as to ensure that the eventual root spread reaches no closer than 1 metre of the pipeline, in practice, if trees are planted a distance of 5 metres away from the pipeline, this should be sufficient.
- Bushes and shrubs should never be planted closer than 2 metres from the pipeline.
- Closer than 2 metres either side of the pipeline may be planted with hedge plants and ground cover only.
- The measurements and distances set out are for guidance only and there will always be exception, for example: Poplars and Willows, which have a particularly invasive root system. If you are unsure of any individual case, then specialist advice should always be sought prior to planting.
- The guidelines set out above are based on the Company's standard access requirements for its apparatus. If, for engineering reasons, the distances set out need to be varied at particular locations, you will be advised of this before compensation for works is finalised. If you need to know the precise underground location of a new water main / sewer after its installation, please contact any of the Company's local offices, and Company staff will be pleased to mark out the position of the pipeline within your land.
- If the Company finds any infringement of its legal rights of access, or any damage being caused to the pipeline, the Company reserves the right to take appropriate action to ensure that there is no interference with its statutory apparatus.

Requirements to be met by persons carrying out works near to water mains and sewers:

1. The precise position of water mains and sewers must be ascertained by hand digging trial holes after first contacting South West Water, who will give such information as is available regarding the general location of the mains and sewer in the area. No liability is accepted for the accuracy of any information given as to the position or existence of water mains and sewers. In particular, service pipes and drainage connection are not generally shown on mains records, but their presence should be anticipated and precautions taken to avoid damage.
2. Notices of intent must be given to South West Water before any works are carried out in the vicinity, except in cases of emergency when our Operations Centre should be contacted as soon as possible.
3. Unless prior written approval has been obtained, mechanical excavation may not be permitted around, or within, 3 metres of the water main or sewer. Excavation may be necessary by hand.
4. Concrete haunches or surrounds to sewers must not be disturbed without prior written consent from South West Water.
5. Before backfilling, the mains and sewers will be inspected and any flaws or damage to the pipe or wrapping, if found, will be repaired by South West Water. All such flaws or damage must be immediately reported to the Company as soon as they are discovered. The carrying out of such repairs by South West Water shall not affect the question of liability, should any damage found to have resulted from the acts of those undertaking the works, their contractors, servants or agents.
6. Approved backfill will be used immediately around or over the mains and sewers to a minimum cover of 300mm and the remainder of the backfill shall be to the appropriate Highways Authority Specification for the Reinstatement of Openings in Highways.
7. Both the existing main or sewer and the new works shall be suitably supported to prevent future settlement and any subsequent damage to equipment.
8. Ground adjacent to concrete thrust blocks supporting the main(s) and sewer(s) must not be disturbed.
9. Adequate support must be given to all water mains and sewers where these are likely to be undermined, and to all trenches in the vicinity of these, during the process of the works.
10. No apparatus shall be laid on or over any land within 300mm measured horizontally from any part of a water main or sewer or other apparatus belonging to the Company. Provided always that this clause shall not prevent any pipe, cable or conducting medium being laid at an angle of between 45 and 90 degrees across the line of the Company's apparatus, with a vertical clearance in excess of 300mm. In exceptional circumstances this clause may be varied or deleted with the prior written consent from South West Water.
11. South West Water must be consulted before any work representing an increased risk to the integrity of the mains or sewers (e.g., piling, using explosives, thrust boring, pipe bursting etc.) is carried out.
12. Facilities for inspecting all work carried out shall be given to South West Water with adequate notice

IN THE EVENT OF A LEAK OR PIPE COLLAPSE PLEASE CONTACT SOUTH WEST WATER IMMEDIATELY ON 0344 346 2020 (24 HOURS)

Appendix 3 – Proposed Site Plan

For convenience – press “Alt + Left Arrow” to return to the section of the report





Appendix 4 – August AT Oval Package Treatment Plant Performance Certificate

For convenience – press “Alt + Left Arrow” to return to the section of the report



PERFORMANCE RESULTS

“August ir Ko” UAB

Juodasis kelias 104A, 11307 Vilnius, Lithuania

EN 12566-3

Small wastewater treatment systems for up to 50 PT

Small wastewater treatment system AT

Suspended growth activated sludge process in continuous-flow in a
polypropylene tank

Test report – No PIA2014-215B38

Nominal organic daily load	0.35	kg BOD ₅ /d	
Nominal hydraulic daily load	0.90	m ³ /d	
Material	Polypropylene		
Treatment efficiency (nominal sequences)		Efficiency	Effluent
	COD	94.4 %	45.0 mg/l
	BOD ₅	98.2 %	7.0 mg/l
	SS	97.2 %	12.0 mg/l
	NH ₄ -N*	99.5 %	0.2 mg/l
	N _{tot} *	93.2 %	5.6 mg/l
	P _{tot}	93.3 %	0.6 mg/l
Electrical consumption	1.0	kWh/d	

*determined for temperatures $\geq 12^{\circ}\text{C}$ in the bioreactor

Performance tested by:

PIA – Prüfinstitut für Abwassertechnik GmbH
(PIA GmbH)
Hergenrather Weg 30
52074 Aachen, Germany

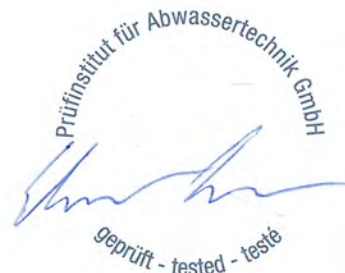
This document replaces neither the declaration
of performance nor the CE marking.



Notified Body
No.: 1739



Certified according to
ISO 9001:2008



Elmar Lancé

September 2014

Appendix 5 – PhosClear filter Performance Certificate

For convenience – press “Alt + Left Arrow” to return to the section of the report



Prüfinstitut für Abwassertechnik GmbH

Prüfeinrichtung des Prüf- und Entwicklungsinstituts
für Abwassertechnik an der RWTH Aachen

PIA

Prüfinstitut für
Abwassertechnik
GmbH



**Report on the treatment efficiency test
according to EN 12566-7 of the small
tertiary wastewater treatment plant**

Fosforfilter Polonite®

Biotech AB

Test report – No PIA2015-T7-265S13.02

Aachen, November 2015, revised December 2015

Dipl.-Ing. Elmar Lancé

PIA GmbH
Prüfinstitut für Abwassertechnik
Hergenercher Weg
52074 Aachen



Table 1: Treatment efficiencies under nominal loading conditions (100%)

Efficiency [%]	Mean*	Minimum	Maximum	Standard deviation
COD	25.4	0	53.1	15.9
BOD ₅	68.0	0	90.0	24.8
P _{tot}	92.7	71.3	99.1	8.5
SS	12.9	0	50.0	17.2

Table 2: Treated effluent characteristics under nominal loading conditions (100%)

Effluent	Mean	Minimum	Maximum	Standard deviation
COD [mg/l]	31	< 15	55	11
BOD ₅ [mg/l]	2	< 3	6	1
P _{tot} [mg/l]	0.7	0.1	2.4	0.7
SS [mg/l]	17	6	48	11
Settleable solids [ml/l]	0.1	< 0.1	0.2	0.1

Table 3: Bacterial results from 8 weeks consecutive sampling

Test schedule	Test sequence		1	5
	Loading		100 %	100 %
	Date		21.05.2015	16.07.2015
Air Temperature min/max	[°C]	5 / 14	17 / 24	
Influent:				
Total Coliforms	[1/100ml]	98.000	8.600	
E.coli	[1/100ml]	1.000	3.100	
Enterococci	[1/100ml]	1.800	311	
Effluent:				
Total Coliforms	[1/100ml]	1.000	< 1	
E.coli	[1/100ml]	< 1	< 1	
Enterococci	[1/100ml]	320	116	

Appendix 6 – SPEL Filter Performance Certificate

For convenience – press “Alt + Left Arrow” to return to the section of the report



Certification of Confidence

Based on an academic review of available SPELFilter design and performance literature, this document hereby confers confidence in the performance values reported below [1]. Laboratory SPELFilter performance testing was carried out at field scale by both the *Water Research Laboratory of the University of New South Wales* and *Drapper Environmental Consultants*. Applied test methodologies were based on established test protocols, expertise and published studies relevant to the assessment of proprietary runoff water treatment devices. With respect to the capture of sediments and metals, test methodologies broadly fell within the specifications of the *CIRIA SuDS Manual 2015* and thereby, the *British Water Code of Practice for the Assessment of Manufactured Treatment Devices Designed to Treat Surface Water Runoff*. Further to the requirements of the code, capture efficiencies relative to total nitrogen and total phosphorus were also determined. Where differences of approach were apparent, these were not considered to undermine the overall practical reliability of the performance values reported.

Surface Runoff Water Treatment Device:	SPELFilter	
Connectable Area:	Full height [850 mm]	400 m ² per filter
	Half height [550 mm]	200 m ² per filter
Treatment Flow Rate:	Full height	3 L/s per filter
	Half height	1.5 L/s per filter
Max. Installation Flow Rate:	As above; multiplication of the number of filters needed to treat the required flow.	

Capture Efficiencies

Total Suspended Sediment:	91%
Total Phosphorous:	76%
Total Nitrogen:	58%
Dissolved Metals:	63%*
Total Metals (dissolved and sediments):	84%**

Note: This document does not replace the academic review report [1].

Review Conducted by:



16/07/2021

Dr David Ward PhD, MSc(Res), BEng(Hon), AMIChemE

Senior Lecturer in Energy Systems & Sustainability, Faculty of Science & Engineering, University of Chester, UK.

* Average based on reported efficiencies for copper, zinc and lead [1]. Efficiencies were determined relative to inlet concentrations that were even lower than those specified by the British Water Code of Practice.

** Assumes total metals fraction to be 75% sediments and 25% dissolved and hence, efficiency is determined by weighted summation [2].

[1] Ward D (2021), SPELFilter Design & Performance Review: Requirements for Application within the United Kingdom, Faculty of Science and Engineering, University of Chester, UK.

[2] British Water How To Guide; Applying the CIRIA SuDS manual Simple Index Approach to Proprietary/Manufactured Stormwater Treatment Devices, Section 4.3 (British Water 2019, under review).

Appendix 7 – Maintenance Requirements

For convenience – press “Alt + Left Arrow” to return to the section of the report



Table A7.1 – SuDS Maintenance Requirements – Permeable Paving		
CIRIA C753 Maintenance Requirement		
Maintenance schedule	Required action	Typical Frequency
Regular Maintenance	Annually	Brushing and vacuuming (standard cosmetic sweep over whole surface)
Occasional Maintenance	As necessary	Stabilise and mow contributing and adjacent areas
	As necessary	Removal of weeds
Remedial Actions	As necessary	Remediate any landscaping which, through vegetation maintenance or soil slip, has been raised to within 50 mm of the level of the paving
	As necessary	Remedial work to any depressions, rutting and cracked or broken blocks considered detrimental to the structural performance or a hazard to users, and replace lost jointing material
	Every 10-15 years	Rehabilitation of surface and upper substructure by remedial sweeping
CIRIA C808 Maintenance Requirement		
It is unlikely that the permeable paving will be lifted to replace the subsurface layers. The only maintenance activity that is required is sweeping the surface when needed.		

Table A7.2 – SuDS Maintenance Requirements – Rainwater Harvesting System

CIRIA C753 Maintenance Requirement

Maintenance schedule	Typical Frequency	Required action
Regular Maintenance	Annually (and following poor performance)	Inspection of the tank for debris and sediment buildup, inlets/outlets/withdrawal devices, overflow areas, pumps, filters
	Annually (and following poor performance)	Cleaning of tank, inlets, outlets, gutters, withdrawal devices and roof drain filters of silts and other debris
Remedial Actions	Three monthly (or as required)	Cleaning and/or replacement of any filters
Monitoring	As required	Repair of overflow erosion damage or damage to tank
		Pump repairs

Appendix 8 – Phosclear Filter Maintenance Requirements

For convenience – press “Alt + Left Arrow

Alt



TRICEL

GENERATIONS OF INNOVATION

Tricel PhosClear

Installation and Service Manual

Phosphorus Removal in Packaged Wastewater Treatment

Tricel PhosClear 6-8PE and 10-12PE

Ensuring Compliance and Peace of Mind



Representation of a Tricel Novo sewage treatment plant followed by a Tricel PhosClear unit.

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2	Precautions when working with wastewater	4
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3.3	Features	7
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6.5	Recommended Spare Parts List for PhosClear – 6-8PE.....	19
6.6	Recommended Spare Parts List for PhosClear – 10-12PE.....	19
6.7	Operation Without Wastewater for up to 6 Months.....	19

This manual concerns procedures and guidelines for installation, commissioning, operation, trouble shooting and maintenance of the Tricel PhosClear post treatment. Instructions for pre-treatment and other equipment included in the specific project are found in separate manuals.



Picture 1 – Representation of a Tricel Novo sewage treatment plant followed by a Tricel PhosClear unit.

1 Introduction

The PhosClear system is designed to treat ordinary household wastewater. Only treated domestic wastewater is permitted to enter the wastewater treatment plant unless specifically approved by Tricel.

1.1 Maximum load

The Tricel PhosClear systems allow for fluctuations in both concentrations and volume of the incoming water. However, if the average daily load exceeds the capacity of the designed system, a larger system must be installed.

1.2 Operation cost

System operation settings and power consumptions can be seen in the project specific commissioning, operation and maintenance manual.

2 Precautions when working with wastewater

Protecting Workers from Infection

Along with “good” micro-organisms that break down sewage, wastewater contains disease-causing bacteria, viruses, fungi and parasites. When workers can't avoid contact with sewage, management should provide the following protective equipment and services:

- Elbow-length rubber gloves
- Protective clothing
- Goggles
- Disposable mask to be worn in dusty sludge areas or areas with heavy aerosols
- Commercial high temperature washing machines for work clothing

Workers should also take the following precautions:

- Wash gloves before removing them.
- Wash hands before smoking and eating.
- Keep protective clothing and equipment out of eating areas.
- Keep work clothes and street clothes in separate lockers.
- Shower and change into street clothes before going home.
- Consider all cuts or abrasions to be infected. Flush them with large amounts of clean, running water and soap, and bandage them with a sterile dressing.
- Workers should have a tetanus booster every 10 years and workers, who have never been vaccinated for polio, should consult a physician about getting a vaccination.
- Workers should receive the hepatitis A vaccination. Workers working in sewers that may contain fresh blood or come into regular contact with used syringes or body parts should receive the hepatitis B vaccination.
- Trucks that carry materials contaminated with sewage should be washed frequently.
- Records should be kept of workers' major and minor illnesses and complaints of irritation and discomfort.

Seek medical attention when you have diarrhea or are ill. Since doctors are often unaware of the connections between occupation and disease, be sure to inform your personal physician of job exposure to sewage.

3 System

3.1 Configurations

PhosClear for single households comes in two different standard versions, PhosClear 6-8PE and PhosClear 10-12PE. In addition to the two sizes, there's also possible to include a riser, to increase the inlet depth by 250mm.

The riser can be installed on site in case a deeper inlet is required.

Customized sizes can be offered upon request.

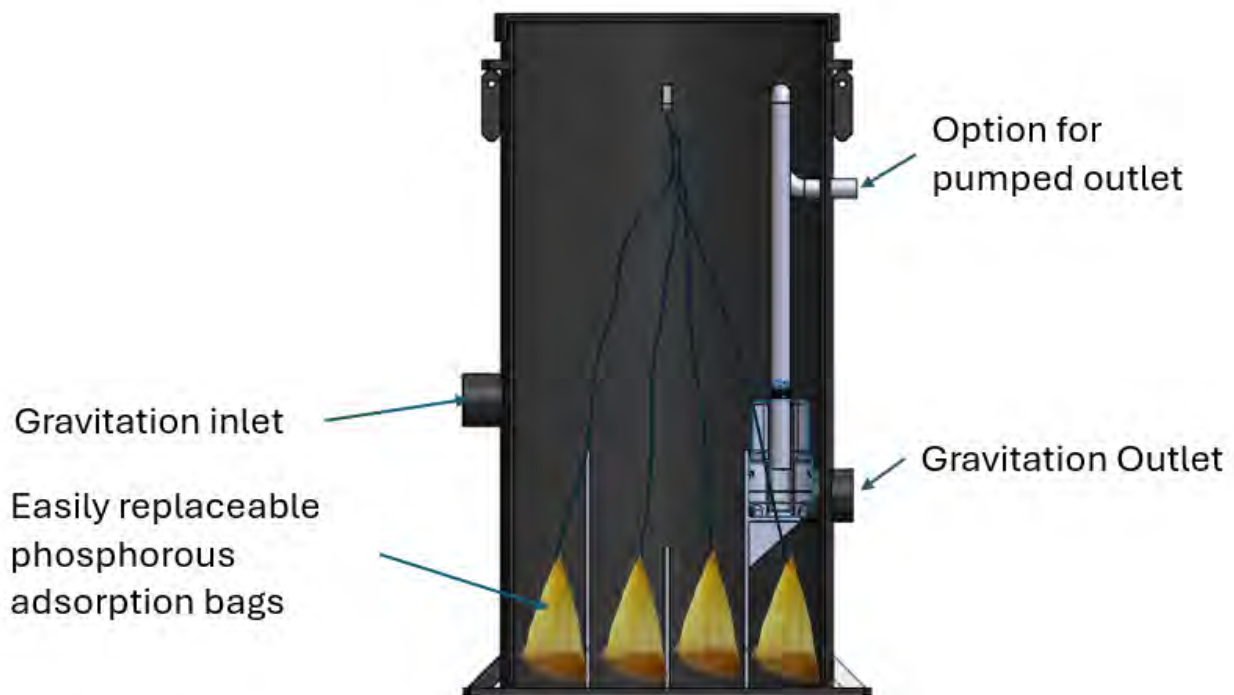
For sizes, capacities etc. see separate PhosClear brochure.



Picture 2 – Possible combinations of PhosClear w. and wo. riser

3.2 Process

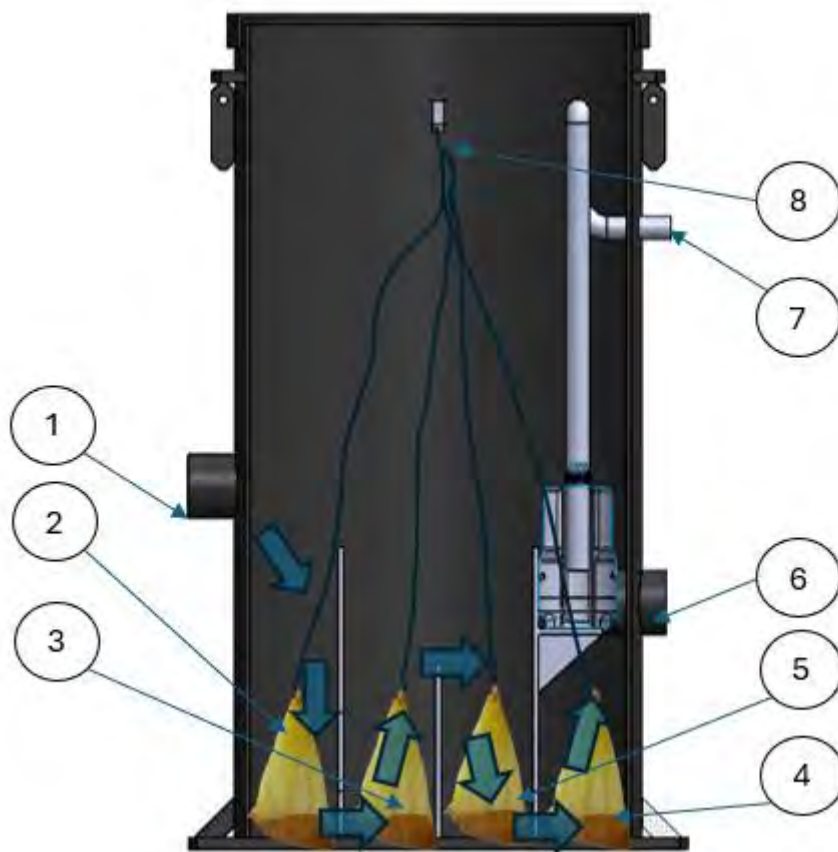
1. The treated water from the Tricel Novo system enters the PhosClear treatment unit with gravitation through the inlet.
2. In PhosClear 6-8PE 4x 6,25kg bags with Polonite are placed in each of the four treatment chambers, and the water passes through the chamber alternately from top to bottom, and bottom to top.
In PhosClear 10-12PE 6x 6,25kg bags with Polonite are placed in each of the four treatment chambers.
3. For a house with a nominal load, with PhosClear 6-8 PE, each year the eight bags in the first two chambers are removed, and the bags in the other chambers are moved two chambers forward.
With PhosClear 10-12 PE, each year the 12 bags in the first two chambers are removed, and the bags in the other chambers are moved two chambers forward.
4. The bags remove phosphorous through adsorption, and will also disinfect the treated water removing remaining E.coli bacteria.
5. In the final chamber the treated water gravitates out of the system to the recipient. If it's required to lift the water out of the system, an optional outlet pump can be installed.



Picture 3 – How does a PhosClear unit work (the process)?

3.3 Features

Item #	Function
1	Inlet
2	Treatment chamber 1
3	Treatment chamber 2
4	Treatment chamber 3
5	Treatment chamber 4
6	Gravitation outlet
7	Pumped outlet
8	Hook for polonite bag cords



Picture 4 – How does a PhosClear unit work (the features)?

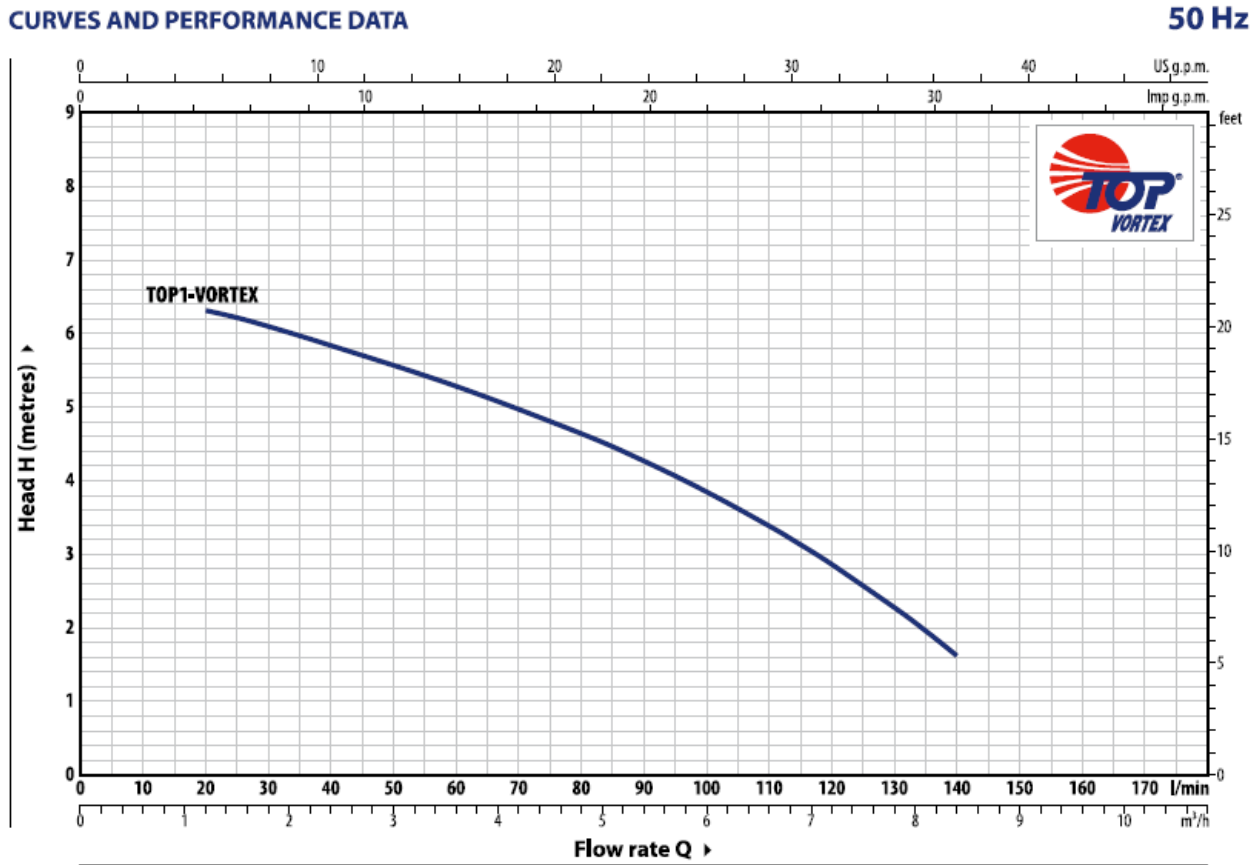
3.4 Pumped Outlet

A pumped outlet option available for all population.

A non-return valve installed on the pumped outlet will prevent backflow into the plant.

Outlined below is the standard pump specification. Other pump options are available to customer specifications if required; please contact your Tricel supplier.

3.4.1 Standard pump specification:



Picture 5: Pump specification

For greater pump distance requirements, contact Tricel.

4 Installation

4.1 Foundation


Civil works can be completed prior to the arrival of the PhosClear system, which will make the installation faster when the equipment is delivered.

The foundation must be leveled. Local norms and standards apply when determining design loads, material strength and dimensions of concrete and reinforcement.

The leveled load bearing surface with a maximum level variation of +/- 0,5 cm high per 1 meter across. Surface must consist of either (i) stable compressed gravel, (ii) concrete slab built on stable soil, or (iii) a checker plate capable of handling the load.

4.1.1 Concrete specifications

Semi-dry concrete 25n grade with a ratio of 4.5/1 parts aggregate to cement.

Important: 

- Standard concrete mixes should not get used where sulphates or similarly aggressive chemicals are present in the groundwater.
- Lift height (rate of rise): Determine the lift height (m), or rate of rise (m/h) for the specific concrete type used, to ensure that a design pressure (P max) of 15kN/m² on the tank does not get exceeded.
- Vibration: The tank design assumes minimal compaction of the surrounding concrete. Where necessary, this may be extended to include internal light vibration. Never use deep revibration which will substantially increase the pressure on the tank, possibly causing failure.
- Impact of concrete on discharge: Under no circumstances should concrete be discharged directly onto the tank.

4.2 Unloading the PhosClear unit

The system will normally be shipped to site on a standard trailer. It is important that precaution is taken during unloading to avoid impact and damage on the tanks and equipment. Tank dimensions are found on the PhosClear brochure.



Tricel do not accept liability for any damage caused during the offloading procedure.

4.2.1 Recommended handling tools (not included)

It is important that precautions are taken during unloading to avoid impact and damage on the equipment.

The system comes with pre-installed lifting straps, installed in the lifting eyes on the side of the tank. This makes it easy to handle the units when installing the equipment, see Picture 6 – Eyes for lifting straps. The low weight of the unit makes it easy to handle with a forklift or a small excavator.



Picture 6 – Eyes for lifting straps



Notice: Do not lift the PhosClear units with water inside.

4.3 Control of packing list

Always check that the components and parts received are in accordance with your order and packing list. Also ensure that the goods are without visible damages or faults.

All pipe dimensions in this manual are external diameter.

4.4 Inspection of vital components

Treatment Plant: Tricel PhosClear

Check all tanks and filters are not damaged in any way.

All equipment is installed internally in the PhosClear unit, so only connections are in- and outlet and main power to the control box.

Polonite bags

Check that Polonite bags are undamaged and correctly installed in the bottom of the four treatment chambers.

Outlet pump System (if included)

If the system is delivered with an integrated pump system, check components for pump system are in accordance with the check list in this manual.

Float Switch System (for outlet pump system if included)

The float switch system is installed directly on the outlet pump and will operate on a water level of $\pm 5\text{cm}$.

Other parts

Check that all remaining parts are undamaged and according to parts list.

4.5 Installation of PhosClear

The system must be installed according to guidelines described in this manual or the project specific layout drawings approved by Tricel.

4.5.1 Placing the units

The unit is placed on a flat and leveled load bearing surface with a maximum level variation of +/- 0,5 cm high per 1 meter across. Surface must consist of either (i) stable compressed gravel, (ii) cast concrete slab built on stable soil, or (iii) a checker plate capable of handling the load, see Picture 7 - Backfill example

If the groundwater table is high, i.e. covers more than 300mm from the bottom of the plant, it's important that the ground around the unit is drained and sufficient groundwater lowering is done.

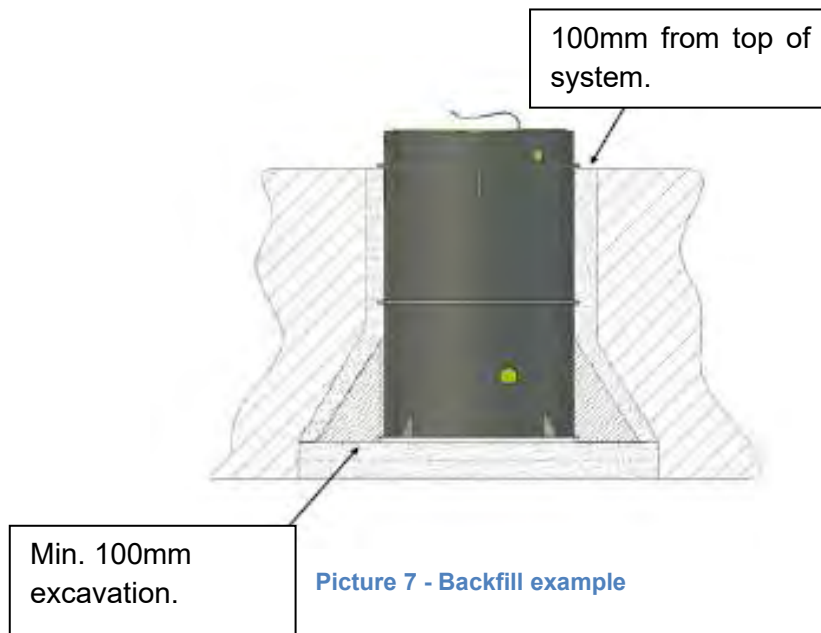
Before backfilling with gravel around the plant, the tank must be filled with water. The gravel that is backfilled with should be compacted by watering every 20 cm.

The filling around the pipes and PhosClear unit is done with gravel suitable for installing pipes in-ground. The rest of the backfill is done with suitable soil or friction material without stones.

The PhosClear unit is a very strong and rigid tank, but it's not recommended to use heavy compaction methods e.g. vibrators.



Note! The PhosClear must as standard not be installed above ground. Should this be a requirement, please contact Tricel.



4.6 Gravel specification

Primary backfill specification

- Primary backfill material should be free-flowing granular material.
- Compaction should be by lightweight rollers or vibratory plate. Compact gravel evenly to ensure proper support for the tank. Ensure the vibrating machine does not come in contact with the shell of the tank.
- Tanks must get installed with primary backfill only within the region immediately surrounding the tanks. This primary backfill must extend a minimum of 250mm outward from the tank, and directly beneath it.
- Backfill material shall not be frozen or contain lumps of frozen material at any time during installation.
- Use of other than specified backfill and bedding materials will void the tank warranty.

The following materials have approval as primary backfill:

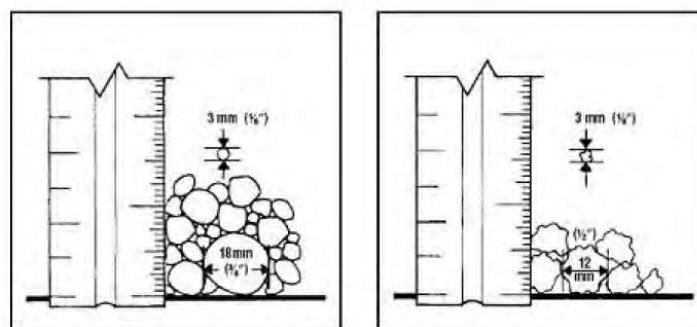
Rounded pea gravel

- Minimum particle size 3mm, maximum 18mm, compacted to a relative density of >70%.
- Gravel shall be clean and free flowing, free from large rocks, dirt, sand, roots, organic materials or debris.
- Upon screening analysis, the backfill material shall have no more than 5% by weight passing 2.36mmsieve.

Or

Crushed or processed stone

- Minimum particle size 3mm, maximum 12mm, compacted to a relative density of >40%
- Dry Gravel density must be at least 1500 kg/m³. The material should be washed or screened to remove fine particles.
- Upon screening analysis, the backfill material shall have no more than 5% by weight passing 2.36mm sieve.



Pea Gravel

Crushed Stone

Picture 8 - Gravel specifications

4.7 Concrete specification



Semi-dry concrete 25n grade with a ratio of 4.5/1 parts aggregate to cement.

Important

- Standard concrete mixes should not get used where sulphates or similarly aggressive chemicals are present in the groundwater.
- **Lift height (rate of rise):** Determine the lift height (m), or rate of rise (m/h) for the specific concrete type used, to ensure that a design pressure (P max) of 15kN/m² on the tank does not get exceeded.
- **Vibration:** The tank design assumes minimal compaction of the surrounding concrete.

Where necessary, this may be extended to include internal light vibration. Never use deep revibration which will substantially increase the pressure on the tank, possibly causing failure.

- **Impact of concrete on discharge:** Under no circumstances should concrete be discharged directly onto the tank.

4.8 Topsoil requirements

Clean native topsoil shall not contain rocks larger than 36mm on largest dimension.

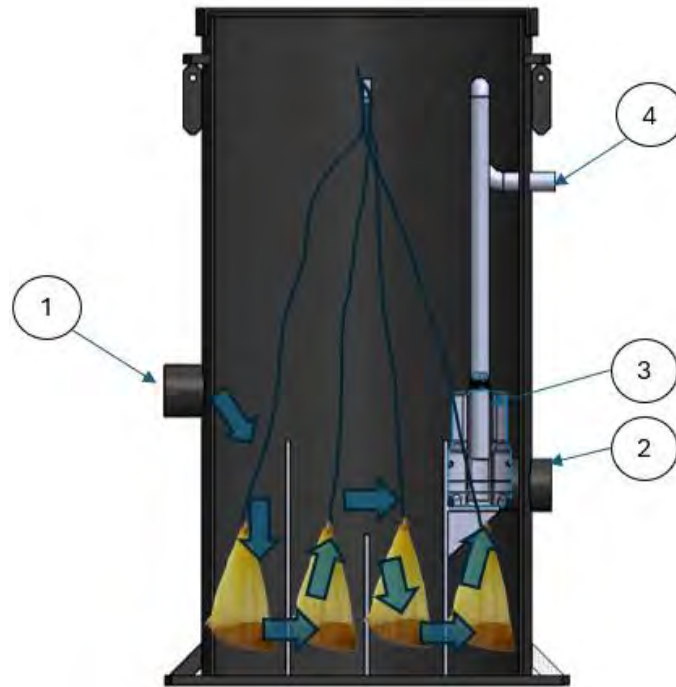
Note: The use of geotextile barrier fabrics surrounding the primary backfill material is considered good installation practice. This fabric must be chosen to allow the flow of water in and out of the excavation but to prevent the movement of fine soil particles into the primary backfill material.

4.9 Connections

The PhosClear system comes as a complete plug and play unit, and therefore as standard only has two connections, inlet and outlet, and for the optional pump versions also an electrical power supply.

- Inlet pipe from Tricel Novo or other treatment plants: Ø110 PVC.
- Outlet pipe for treated water: Ø110PVC for gravitation, Ø40mm for pumped outlet.
- Power cable (only for versions wit included outlet pumps) – For dimensions see electrical specifications.

Ensure that the in- and outlet pipes are fixed, and that the water flows freely to and from the system.



Picture 9 - Flow through a PhosClear unit

Item #	Connection
1	Inlet – Ø160 PVC
2	Outlet for gravitation outlet – Ø160 PVC
3	Power cable – See electrical specification
4	Outlet for pumped outlet – Ø40mm

Picture 10 - Item list (describing the flow through a PhosClear unit)

4.10 Electrical specifications

If there's a pumped outlet installed, the system must be powered directly from HMI with a single phase 230V connection. The cable size must be 3 x 1,5mm² and the maximum load will be 5A.

4.11 Control scheme - installation

ID (SECTION)	TASK	REFERENCE DOCUMENTS	ACCEPTANCE CRITERIA
4	Follow instructions in section 3.1 prior to installing the equipment	Project specific layout drawings	Civil works is made according to project specific layout and no cracks or similar deviations are observed
4.3	Follow instructions in section 4.3 after equipment has arrived to customer	Project specific parts list and packing list	Supplied equipment is according to Specific parts list and packing list
4.4	Follow instructions in section 4.4 after equipment has arrived to customer	Project specific parts list and packing list	No damages or errors are observed on the supplied equipment
4.5	Follow instructions in section 4.5 when installing the system	Project specific detail drawings	the system is installed according to detail drawings and this manual

5 Commissioning

When commissioning the PhosClear system must be filled with water.

After commissioning the system, the following is observed (normal operation):

It is found that the water gravitates unobstructed from the inlet, under and over the divider plates to the outlet.

If an outlet pump is installed the activation of the pump is controlled by lifting the integrated float switch.

After the system has been commissioned, it must be ensured that the system is securely locked and sealed, see Picture 11 - Example of a sealed PhosClear unit.



Picture 11 - Example of a sealed PhosClear unit

6 Operations and Maintenance

6.1 Water Samples

To ensure that the plant performs according to specification, it is important to measure the water quality at the outlet.

To take samples that are as accurate as possible, make sure the sample bottles are clean and the sample is obtained in the last settling zone 10 cm below the surface. Water samples must be stored cold until they are analyzed, preferably in a freezer or alternatively in a refrigerator. Analysis must be done in a certified laboratory. Samples must be obtained as the first part of the maintenance procedure prior to functionality control.

The oxygen level shall be $> 70\%$ in all chambers and is expected to increase through the system. The pH shall be > 6.5 and < 8.5 in all chambers and is expected to fall only a little through the plant.

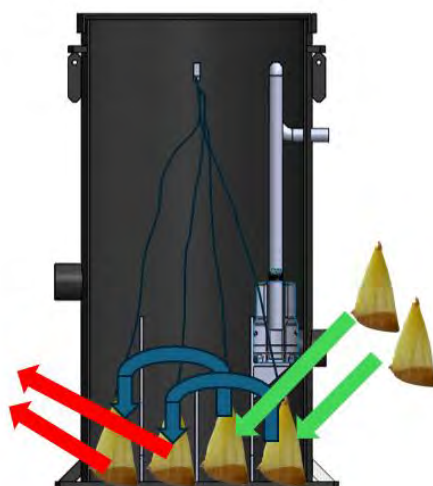
6.2 Confirmation of Connections

Confirm that connections are assembled according to the description in section 4.9 Connections.

6.3 Polonite bags

At annual service the condition of the Polonite bags is controlled. At normal load, for a PhosClear 6-8 PE, a total of eight bags in the first two chambers must be removed, and bags in the third and fourth chambers are moved two chambers forward, see below.

At normal load, for a PhosClear 10-12 PE, a total of twelve bags in the first two chambers must be removed, and bags in the third and fourth chambers are moved two chambers forward, see below.



Picture 12 - Replacement of Polonite bags

6.4 Outlet pumps



Prior to performing any maintenance on the pump, un-plug the pump to ensure that it is not accidentally powered during maintenance.

Assess the pump at each ordinary service. Confirm that the piping is safely fastened to the wall of the pump well.

Pull up the pump and confirm the following:

- Pump is intact and undamaged.
- Impeller is intact.

If the pump or impeller appears damaged or worn, the pump should be replaced. Confirm that all wires are intact and are not affected by weathering. If there is any doubt replace the wires.

6.5 Recommended Spare Parts List for PhosClear – 6-8PE

Component*	Expected Component replacement frequency
Polonite bags	8 x 6,25kg bags - 1 years (only from first two chamber)
Inlet pump and float switches	7 years

*For specific brand and model; see project specific parts list

6.6 Recommended Spare Parts List for PhosClear – 10-12PE

Component*	Expected Component replacement frequency
Polonite bags	12 x 6,25kg bags - 1 years (only from first two chamber)
Inlet pump and float switches	7 years

*For specific brand and model; see project specific parts list

6.7 Operation Without Wastewater for up to 6 Months

If limited or no wastewater is flowing to the PhosClear system for days or weeks at a time, Tricel recommends continually operating the system as normal.

For any questions not clarified in this instruction please contact Tricel directly.



Tricel Environment UK, Tricel Weston, Winterstoke Road, Weston-super-Mare, BS24 9AN, United Kingdom
Tel: 44 (0) 1934 422 311 | Email: customerservice@tricelwater.co.uk | www.tricel.co.uk

In accordance with Tricel's normal policy of product development these specifications are subject to change without notice.

Appendix 9 – SuDS Considerations

For convenience – press “Alt + Left Arrow” to return to the section of the report



Table A9.1 – SuDS Considerations

Consideration	Site Relevance
Previous land use	The existing superficial soils shall be replaced with hardstanding and repurposed topsoil.
The influent to the system or device must contain phosphorus in adequate levels to achieve the anticipated treatment. If the TP level in the influent is too low, then the anticipated level of treatment may not be met.	The influent to the system will have adequate levels of phosphorus.
Treatment flow rate or volume to be treated by the nutrient removal devices	To be covered within Civil Engineers Drainage Design.
TP removal by infiltration to the ground	N/A – Infiltration not possible
The SuDS management train should be designed to manage both particulate phosphorus and dissolved phosphorus. The design should demonstrate which of the devices capture particulate P, DP, or both and the quantity of TP captured.	The SuDS management train has been designed to manage particulate and dissolved phosphorus.
The nature of treatment media and growth media in devices will have significant consequences for the level of phosphorus removal that the device can achieve.	Treatment media will be selected to specifically capture phosphorus.
DP is bioavailable and represents a significant concern for receiving water quality.	Components have been selected to reduce both DP and PP.
Maintenance requirements of new, innovative treatment devices cannot always be defined so regular inspection and monitoring may be needed until adequate data and experience is gathered.	SuDS measures deployed on-site are well studied, however they will need to be monitored and regularly inspected to ensure performance.
Routine maintenance of SuDS devices to remove sequestered forms of phosphorus before they become bioavailable again is a critical factor in effective phosphorus removal (Clary et al, 2020)	SuDS will be maintained in accordance with CIRIA C753 and CIRIA C808.
If maintenance requires removal of vegetation, it must be removed from site and has the potential to be used as commercial or municipal compost feed.	SuDS will be maintained in accordance with CIRIA C753 and CIRIA C808.
Runoff from surrounding land	Drainage from surrounding land will not enter SuDS treatment train.
Capture or by-pass large rainfall events for sedimentation devices.	Civil Engineering Drainage Plan will include exceedance paths for large storm events, in order to not 'flush' and resuspend particulate phosphorus.

Sustainability of materials.	The treatment media is quarried stone and selected treatment media, which would have otherwise been/could have been installed if the development were not affected by nutrient neutrality.
Effectiveness of 2 nd and 3 rd devices needs to be considered carefully.	SuDS treatment trains have been factored accordingly.
Despite this process being for the reduction of phosphorus pollution, the SuDS management train should still satisfy the requirement of CIRIA C753 and deliver all four ' Pillars of SuDS'	The proposed SuDS are designed to enhance water quality and reduce flood risks by minimising surface water runoff.
Sediment capture upstream of ponds, basins and wetlands.	There will be sediment capture devices prior to the SuDS features to capture sediment.

Appendix 10 – SuDS Removal Calculations

For convenience – press “Alt + Left Arrow” to return to the section of the report



Treatment train B		
PP		
Initial PP	PP removal	Final PP removal
55.00%	41.00%	41.00%
14.00%	39.00%	5.46%
8.54%	21.00%	1.79%
6.75%	0.00%	0.00%
6.75%	0.00%	0.00%
	Total	48.25%

Treatment train B		
DP		
Initial DP	DP removal	Final DP removal
45.00%	34.00%	34.00%
11.00%	34.20%	3.76%
7.24%	0.00%	0.00%
7.24%	0.00%	0.00%
7.24%	0.00%	0.00%
	Total	37.76%

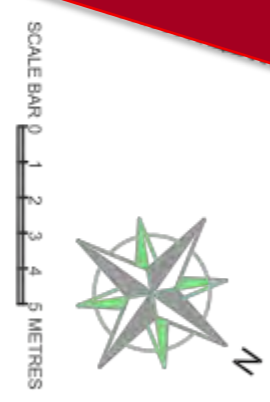
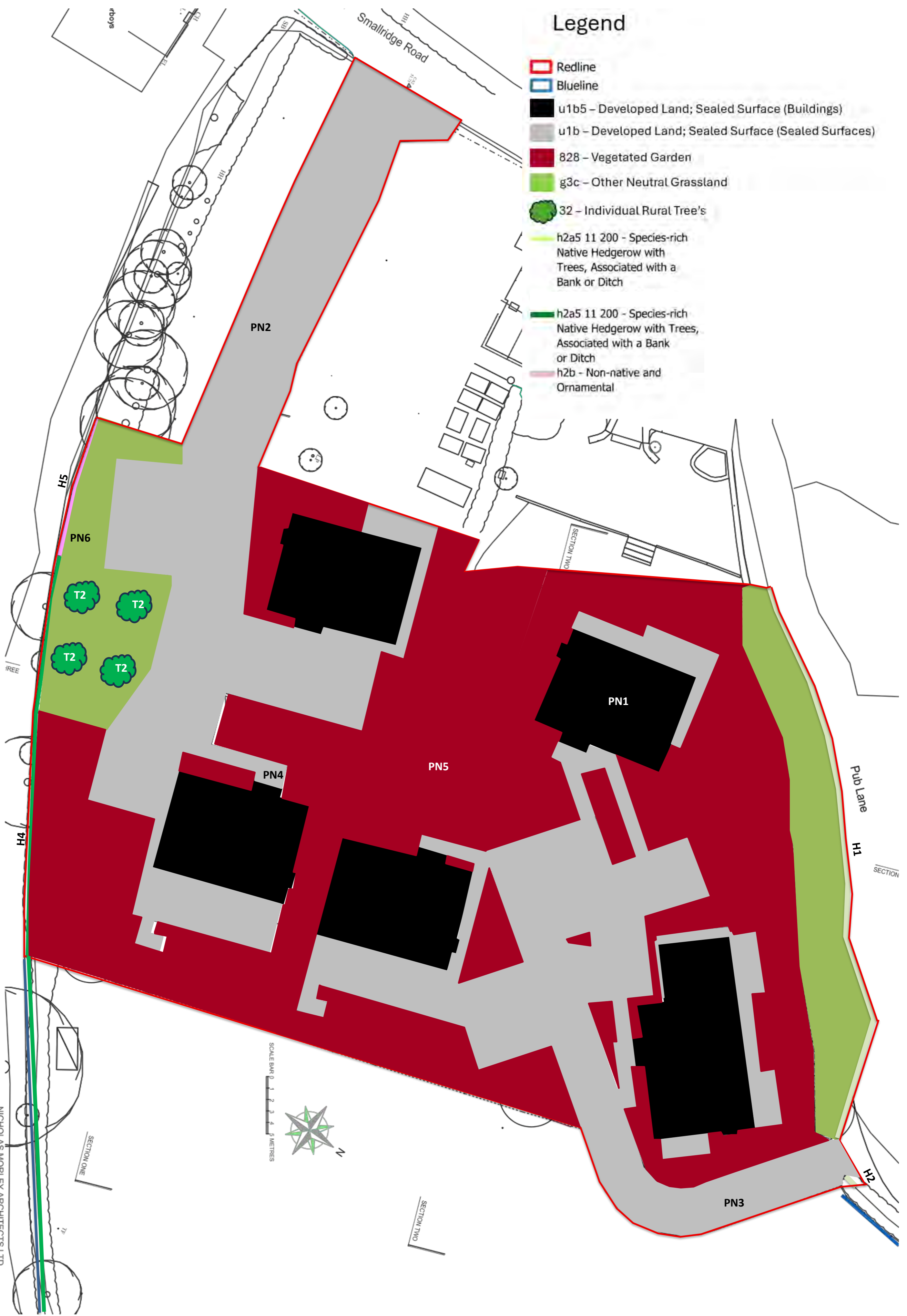
Appendix 11 – Vegetated Areas Mapping

For convenience – press “Alt + Left Arrow” to return to the section of the report



Legend

- Redline
- Blueline
- u1b5 – Developed Land; Sealed Surface (Buildings)
- u1b – Developed Land; Sealed Surface (Sealed Surfaces)
- 828 – Vegetated Garden
- g3c – Other Neutral Grassland
- 32 – Individual Rural Tree's
- h2a5 11 200 - Species-rich Native Hedgerow with Trees, Associated with a Bank or Ditch
- h2a5 11 200 - Species-rich Native Hedgerow with Trees, Associated with a Bank or Ditch
- h2b - Non-native and Ornamental



SECTION ONE

SECTION TWO

LAND OPPOSITE TO RIDGEWAY, SMALLRIDGE NR. AMMINSTER. PROPOSED GROUND FLOOR SITE PLAN. SCALE 1:100 @ A0 DRAWING SIZE

NICHOLAS MORLEY ARCHITECTS LTD
Suite 10 Corum 2, Corum Office Park, Crown Way Warrley, Bristol BS30 8FJ
Email: nm@nicholasmorleyarchitects.co.uk
www.nicholasmorleyarchitects.co.uk

Appendix 12 – Interception Calculations

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Enviren		Interception Calculator						
Return Period	Occurrences over development design life	Maximum design return period	Z2 factors	Runoff volume (m3) per hectare per event*	Runoff volume litres per hectare per event	Event Phosphorus (mg) per hectare @ 0.41 mg/l	Event Phosphorus per hectare (kg)	Phosphorus load per hectare over design life (kg)
<5mm	7800.00	100	N/A	8.850	8850.00000	3628.50000	0.00363	28.30230
1 (>5mm)	7800.00	100	N/A	34.400	34400.00000	14104.00000	0.01410	110.01120
1	100.00	100	0.64	114.441	11444.69903	46920.68660	0.04692	4.69207
2	50.00	100	0.81	144.839	14483.90971	59383.99398	0.05938	2.96920
3	33.33	100	0.90	160.932	16093.23301	65982.21553	0.06598	2.19941
4	25.00	100	0.97	173.449	17344.91847	71114.16563	0.07111	1.77785
5	20.00	100	1.03	184.178	18417.80000	75512.98000	0.07551	1.51026
6	16.67	100	1.07	191.688	19168.81708	78592.15006	0.07859	1.30987
7	14.29	100	1.11	199.198	19919.83475	81671.32012	0.08167	1.16673
8	12.50	100	1.16	206.709	20670.85126	84750.49017	0.08475	1.05938
9	11.11	100	1.20	214.219	21421.88350	87829.66023	0.08783	0.97589
10	10.00	100	1.24	221.729	22172.85437	90908.83029	0.09091	0.90909
11	9.09	100	1.26	225.484	22548.83981	92448.41532	0.09245	0.84044
12	8.33	100	1.28	229.239	22923.90254	93988.00035	0.09399	0.78323
13	7.69	100	1.30	232.994	23294.11068	95527.58538	0.09553	0.73483
14	7.14	100	1.32	236.749	23674.91912	97067.17041	0.09707	0.69334
15	6.67	100	1.35	240.504	24050.42815	98606.75544	0.09861	0.65738
16	6.25	100	1.37	244.259	24425.93699	100146.34047	0.10015	0.62591
17	5.88	100	1.39	248.014	24801.44524	101685.92550	0.10169	0.59815
18	5.56	100	1.41	251.770	25176.95378	103225.51052	0.10323	0.57348
19	5.26	100	1.43	255.525	25552.46230	104765.09555	0.10477	0.55140
20	5.00	100	1.45	259.280	25927.97087	106304.68058	0.10630	0.53152
21	4.76	100	1.47	263.035	26303.47941	107844.26561	0.10784	0.51354
22	4.55	100	1.49	266.790	26678.98796	109383.85064	0.10938	0.49720
23	4.35	100	1.51	270.545	27054.49650	110923.43567	0.11092	0.48228
24	4.17	100	1.53	274.300	27430.00504	112463.02070	0.11246	0.46860
25	4.00	100	1.56	278.055	27805.51359	114002.60573	0.11400	0.45601
26	3.85	100	1.58	281.810	28181.02213	115542.19076	0.11554	0.44439
27	3.70	100	1.60	285.565	28556.53068	117081.77579	0.11708	0.43364
28	3.57	100	1.62	289.320	28932.03923	118621.36082	0.11862	0.42365
29	3.45	100	1.64	293.075	29307.54777	120160.94584	0.12016	0.41435
30	3.33	100	1.66	296.831	29683.05631	121700.53087	0.12170	0.40567
31	3.23	100	1.67	297.762	29776.24089	122082.58752	0.12208	0.39981
32	3.13	100	1.67	298.694	29869.42547	122464.64417	0.12246	0.39270
33	3.03	100	1.68	299.626	29962.60995	122846.70081	0.12285	0.37226
34	2.94	100	1.68	300.558	30055.79453	123228.75746	0.12323	0.36244
35	2.86	100	1.69	301.490	30148.97911	123610.81411	0.12361	0.35317
36	2.78	100	1.69	302.422	30242.16369	123992.87076	0.12399	0.34442
37	2.70	100	1.70	303.353	30335.34827	124374.92740	0.12437	0.33615
38	2.63	100	1.70	304.285	30428.53285	124756.98405	0.12476	0.32831
39	2.56	100	1.71	305.217	30521.71743	125139.04070	0.12514	0.32087
40	2.50	100	1.71	306.149	30614.90199	125521.09734	0.12552	0.31380
41	2.44	100	1.72	307.081	30708.08657	125903.15399	0.12590	0.30708
42	2.38	100	1.72	308.013	30801.27115	126285.21064	0.12629	0.30068
43	2.33	100	1.73	308.945	30894.45573	126667.26729	0.12667	0.29458
44	2.27	100	1.73	309.876	30987.64031	127049.32394	0.12705	0.28875
45	2.22	100	1.74	310.808	31080.82489	127431.38058	0.12743	0.28318
46	2.17	100	1.74	311.740	31174.00947	127813.43723	0.12781	0.27786
47	2.13	100	1.75	312.672	31267.19405	128195.49387	0.12820	0.27276
48	2.08	100	1.75	313.604	31360.37863	128577.55052	0.12858	0.26787
49	2.04	100	1.76	314.536	31453.56321	128959.60716	0.12896	0.26318
50	2.00	100	1.73	309.348	30934.75156	126832.48097	0.12683	0.25366
51	1.96	100	1.74	310.279	31027.93604	127214.53762	0.12721	0.24944
52	1.92	100	1.74	311.211	31121.12052	127596.59427	0.12760	0.24538
53	1.89	100	1.75	312.143	31214.30501	127978.65091	0.12798	0.24147
54	1.85	100	1.75	313.075	31307.48949	128360.70756	0.12836	0.23771
55	1.82	100	1.76	314.007	31400.67397	128742.76421	0.12874	0.23408
56	1.79	100	1.76	314.939	31493.85845	129124.82085	0.12912	0.23058
57	1.75	100	1.77	315.870	31587.04293	129506.87750	0.12951	0.22721
58	1.72	100	1.77	316.802	31680.22741	129888.93415	0.12989	0.22395
59	1.69	100	1.78	317.734	31773.41189	130270.99079	0.13027	0.22080
60	1.67	100	1.78	318.666	31866.59637	130653.04744	0.13065	0.21776
61	1.64	100	1.79	319.598	31959.78085	131035.10409	0.13104	0.21481
62	1.61	100	1.79	320.530	32052.96533	131417.16074	0.13142	0.21196
63	1.59	100	1.80	321.462	32146.14981	131799.21739	0.13180	0.20921
64	1.56	100	1.80	322.393	32239.33429	132181.27404	0.13218	0.20653
65	1.54	100	1.81	323.325	32332.51877	132563.33068	0.13256	0.20394
66	1.52	100	1.81	324.257	32425.70325	132945.38732	0.13295	0.20143
67	1.49	100	1.82	325.189	32518.88773	133327.44397	0.13333	0.19900
68	1.47	100	1.82	326.121	32612.07221	133709.50062	0.13371	0.19663
69	1.45	100	1.83	327.053	32705.25670	134091.55727	0.13409	0.19434
70	1.43	100	1.83	327.984	32798.44118	134473.61391	0.13447	0.19211
71	1.41	100	1.84	328.916	32891.62566	134855.67056	0.13486	0.18994
72	1.39	100	1.84	329.848	32984.81014	135237.72721	0.13524	0.18783
73	1.37	100	1.85	330.780	33077.99462	135619.78385	0.13562	0.18578
74	1.35	100	1.86	331.712	33171.17910	136001.84050	0.13600	0.18379
75	1.33	100	1.86	332.644	33264.36358	136383.89715	0.13638	0.18185
76	1.32	100	1.87	333.575	33357.54806	136765.95379	0.13677	0.17996
77	1.30	100	1.87	334.507	33450.73254	137148.01044	0.13715	0.17811
78	1.28	100	1.88	335.439	33543.91702	137530.06709	0.13753	0.17632
79	1.27	100	1.88	336.371	33637.10150	137912.12374	0.13791	0.17457
80	1.25	100	1.89	337.303	33730.28598	138294.18038	0.13829	0.17287
81	1.23	100	1.89	338.235	33823.47046	138676.23703	0.13868	0.17121
82	1.22	100	1.90	339.167	33916.65494	139058.29368	0.13906	0.16958
83	1.20	100	1.90	340.098	34009.83942	139440.35032	0.13944	0.16800
84	1.19	100	1.91	341.030	34103.02390	139822.40697	0.13982	0.16646
85	1.18	100	1.91	341.962	34196.20838	140204.46362	0.14020	0.16495
86	1.16	100	1.92	342.894	34289.39286	140586.52027	0.14059	0.16347
87	1.15	100	1.92	343.826	34382.57734	140968.57692	0.14097	0.16203
88	1.14	100	1.93	344.758	34475.76182	141350.63357	0.14135	0.16063
89	1.12	100	1.93	345.689	34568.94630	141732.69022	0.14173	0.15925
90	1.11	100	1.94	346.621	34662.13078	142114.74687	0.14211	0.15791
91	1.10	100	1.94	347.553	34755.31526	142496.80352	0.14250	0.15659
92	1.09	100	1.95	348.485	34848.50074	142878.86017	0.14288	0.15530
93	1.08	100	1.95	349.417	34941.68522	143260.91682	0.14326	0.15404
94	1.06	100	1.96	350.349	35034.86970	143642.97347	0.14364	0.15281
95	1.05	100	1.96	351.281	35128.05418	144025.03012	0.14403	0.15161
96	1.04	100	1.97	352.212	35221.23866	144407.08677	0.14441	0.15042
97	1.03	100	1.97	353.144	35314.42314	144789.14342	0.14479	0.14927
98	1.02	100	1.98	354.076	35407.60762	145171.20007	0.14517	0.14813
99	1.01	100	1.99	355.008	35500.79210	145553.25672	0.14555	0.14702
100	1.00	100	2.03	362.992	36299.47658	148826.55282	0.14883	0.14883
RUNVOL Calc per Hectare					2986488.09	12245257.3	12.2452573	183.657
based on:					load generated per hectare per year (no SUBS)			1.837
M5-60mm						Percentage reduction - no SUBS (Excl. <5mm)		15.41%
U Value						Percentage reduction - no SUBS (Excl. 1 year)		75.31%

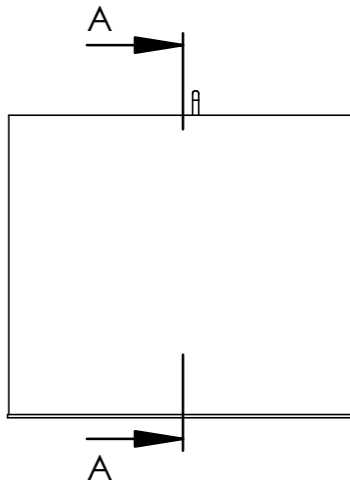
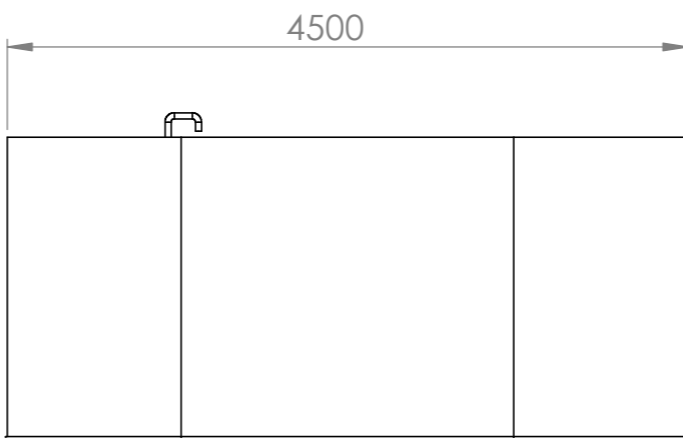
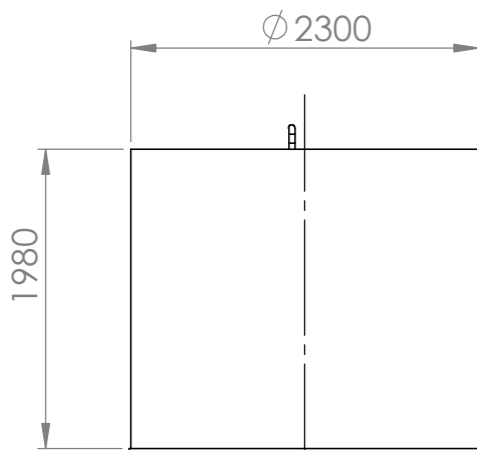
Appendix 13 – Tricel Phosclear PE

For convenience – press “Alt + Left Arrow” to return to the section of the report



8 7 6 5 4 3 2 1

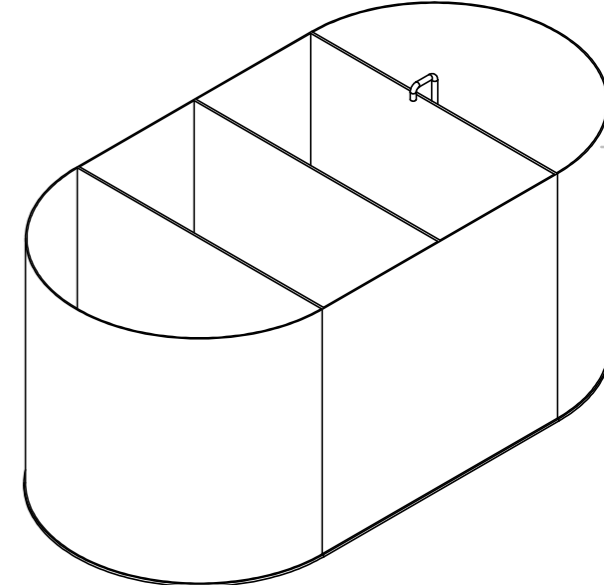
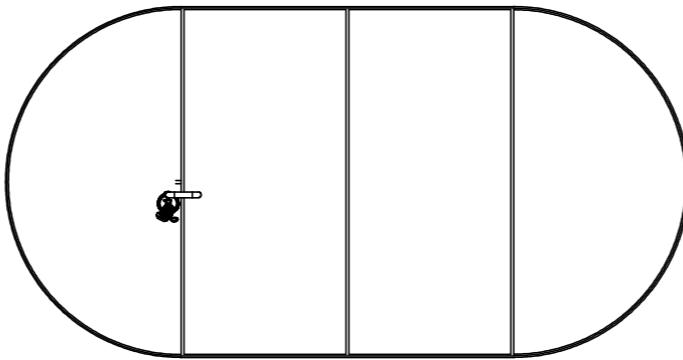
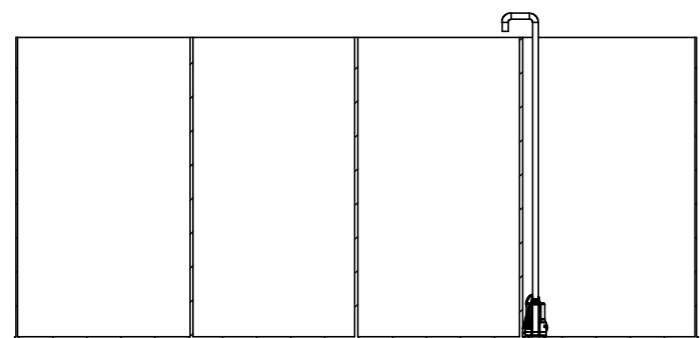
F F



E E

D D

SECTION A-A



C C

Pumped for pumped inlet

B B

UNLESS OTHERWISE SPECIFIED: DIMENSIONS ARE IN MILLIMETERS SURFACE FINISH: TOLERANCES: LINEAR: ANGULAR:				FINISH:		DEBURR AND BREAK SHARP EDGES		DO NOT SCALE DRAWING		REVISION 0.0	
								TITLE: PhosClear 150-300PE			
DRAWN		HB		SIGNATURE		DATE		20-08-2025		DWG NO. PhosClear 150-300PE - OL drawing	
CHK'D		HB		SIGNATURE		DATE		20-08-2025		A3	
APPV'D		PS		SIGNATURE		DATE		20-08-2025		MATERIAL: PP	
MFG				SIGNATURE		DATE				WEIGHT:	
Q.A				SIGNATURE		DATE				SCALE:1:50	
				SIGNATURE		DATE				SHEET 1 OF 1	

① Weight with bags: 3.000kg
Weight with bags and water: 10.000kg

8 7 6 5 4 3 2 1

ISO 19650 Filing Notation

Project	
0XXX	Project Number
Originator	
ENV	Enviren
Functional Breakdown	
S1	Planning submission
S2	Technical submission
S3	Construction Information
S4	As built details
Spatial Breakdown	
SW	Southwest
EE	East of England
SE	South East
WM	West Midlands
EM	East Midlands
YO	Yorkshire
NW	North West
NE	North East
LO	London
OT	Other
Form	
DR	Drawing
GR	Diagram
TR	Textual Report
Discipline (relevant)	
C	Civil Engineering
E	Environmental Engineering
G	Ground Engineering
O	Other Discipline
T	Town and Country Planning and Building Control
W	Water Engineering
Z	Multiple Discipline
Number	
000X	Report number



Enviren

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