

**Agenda for Planning Committee
Friday, 10th July, 2026, 10.00 am**



Members of Planning Committee

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

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(or group number 01395 517546)

Issued: Friday, 26 June 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, 30 June 2026 up until 12 noon on Friday, 3 July 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 for the applications** (Page 4)

The speakers' list will be available on Friday, 3 July 2026.

2 **Apologies**

3 **Declarations of interest**

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

4 **Matters of urgency**

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

5 **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.

Applications for Determination

6 **25/0965/MFUL (Major) WHIMPLE & ROCKBEARE** (Pages 5 - 87)

The Grange, London Road, Rockbeare.

7 **26/0213/VAR (Major) CLYST VALLEY** (Pages 88 - 116)

Winslade Park, Clyst St Mary, EX5 1DA.

8 **26/0201/FUL (Minor) BUDLEIGH & RALEIGH** (Pages 117 - 134)

Land adjacent to Oak Cottage, Behind Hayes, Otterton, EX9 7JQ.

9 **25/2614/FUL (Minor) DUNKESWELL & OTTERHEAD** (Pages 135 - 170)

Land to the west of Stockland C of E Primary School, Stockland.

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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](#)

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Speakers registered for the planning applications

Agenda item 6 Application number: 25/0965/MFUL (Major) Pages 5 - 87 Ward: Whimple & Rockbeare Address: The Grange, London Road, Rockbeare Ward Member: Councillor Todd Olive	
Ward Member	Councillor Todd Olive

Agenda item 7 Application number: 26/0213/VAR (Major) Pages 88 - 116 Ward: Clyst Valley Address: Winslade Park, Clyst St Mary Committee Ward Members: Councillor Mike Howe	
Objectors	Linda Trim

Agenda item 8 Application number: 26/0201/FUL (Minor) Pages 117 - 134 Ward: Budleigh & Raleigh Address: Land adjacent to Oak Cottage, Behind Hayes, Otterton Ward Members: Councillor Charlotte Fitzgerald / Councillor Melanie Martin / Councillor Henry Riddell	
Applicant	Michael Parkin Tel: 07468 302 332

Agenda item 9 Application number: 25/2614/FUL (Minor) Pages 135 - 170 Ward: Dunkeswell & Otterhead Address: Land to the west of Stockland C of E Primary School, Stockland Committee Ward Members: Councillor Colin Brown / Councillor Yehudi Levine	
Agent	Tamsyn Froom, Tamsyn Froom Architecture Tel: 01460 61735

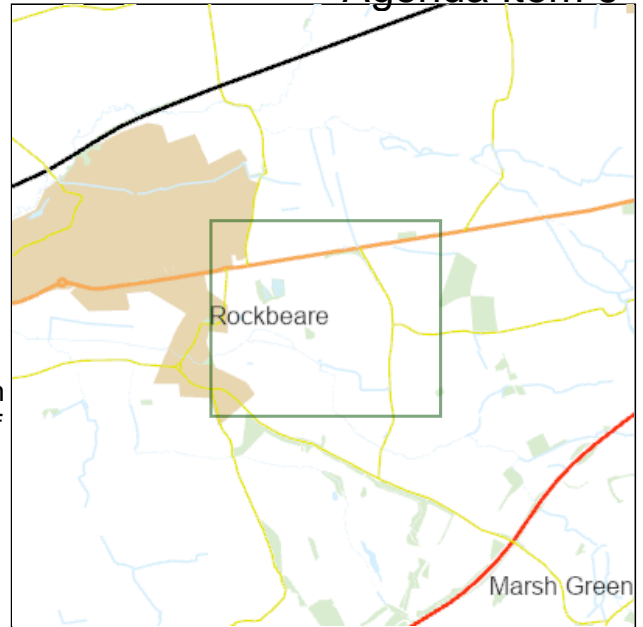
Ward Whimble And Rockbeare

Reference 25/0965/MFUL

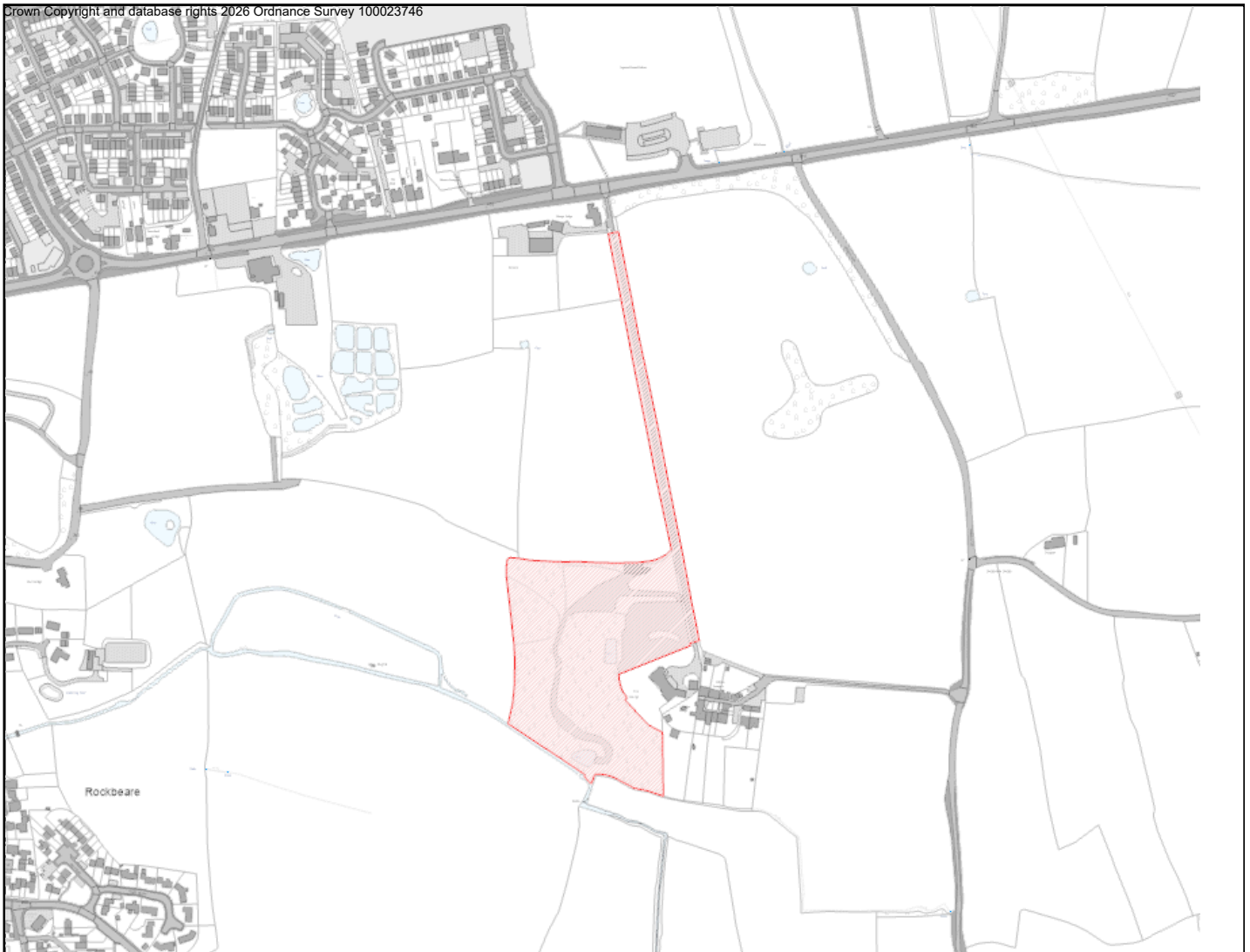
Applicant Mr N Shorland

Location The Grange London Road Rockbeare EX5 2FP

Proposal Full planning permission for the demolition of an existing storage building and the construction of 21 light industrial units (Use Class E (g) (iii)) with associated access, parking and landscaping.



RECOMMENDATION: APPROVE the application subject to a S106 legal agreement and conditions.



		Committee Date: 10.07.2026
Whimble And Rockbeare (Rockbeare)	25/0965/MFUL	Target Date: 01.10.2025
Applicant:	Mr N Shorland	
Location:	The Grange London Road	
Proposal:	Full planning permission for the demolition of an existing storage building and the construction of 21 light industrial units (Use Class E (g) (iii)) with associated access, parking and landscaping.	

RECOMMENDATION:

- a) **APPROVE** the application subject to a S106 legal agreement and conditions.

EXECUTIVE SUMMARY

This application is before Members because it represents a departure from the adopted Local Plan and a contrary view has been expressed by the Ward Member and Rockbeare Parish Council.

The application site is located to the north and west of Grange Hotel, South of London Road within the Rockbeare Parish of East Devon. The site comprises of an existing building, sparsely vegetated land and existing vegetation with land in the south western portion being mixed vegetation and scrub. Much of the site has been previously used as a plant nursery, and parts of the site have subsequently been used for car parking. The site was once part of the parkland associated with the existing Grange House now Hotel. The site is currently accessed from the private 'Grange Hotel Accommodation' driveway to the south of London Road and is located adjacent to the Grange Expansion Area (Policy CB5) of Cranbrook which is allocated for a mixed-use development of 800 residential dwellings.

The application seeks full planning permission for the demolition of an existing storage building and the construction of 21 light industrial units (Use Class E (g) (iii)) with associated access, parking and landscaping. The proposed units would each measure 100m² GEA (91m² GIA) and would be arranged around an internal highway and turning area. The buildings would be finished with a red brick plinth, juniper green cladding and grey windows and doors.

The proposal would be accessed via the existing private driveway from London Road and includes a larger right turn lane from London Road, a slightly widened entrance with widened pavement and crossing point as well as passing places and pedestrian and cycle connections from the driveway to land to the east (Grange Expansion Area) and west.

Within the southern portion of the site, the proposal includes a pathway from the industrial units to a recreational/leisure space within the emerging Clyst Valley Regional Park.

The application site is located outside of the Built-Up Area Boundary for Cranbrook and Rockbeare and would be located within the Green Wedge as defined by Strategy 8 of the adopted Local Plan, Policy Rock06 of the Rockbeare Neighbourhood Plan and Policy OL05

of the emerging Local Plan. The site would also be in the expanded Clyst Valley Regional Park under the emerging Local Plan. The proposed development is not supported from any adopted Local Plan or Neighbourhood Plan policy meaning that it would be contrary to Strategy 7 of the adopted Local Plan and Strategic Policy SP06 of the emerging Local Plan.

The proposal has some support from Strategy 3 of the Adopted Local Plan which supports sustainable development given its proximity to the Grange Expansion Area and use of previously developed land and Sections 6 and 11 of NPPF as the proposal would provide much needed employment land on a previously developed site adjacent to Cranbrook. The council's Economic Development Team support the application and have identified that the units proposed are in high demand and short supply with the proposal meeting an evidenced need in the district. This is given significant weight in the planning balance.

In relation to design, the proposed development would deliver a functional layout, and the scale and appearance of the units would be appropriate whilst respecting the character and landscape of the site. The proposal would not result in harm to any designated heritage assets and would result in less than substantial harm (at the lower end) to the setting and significance of The Grange Hotel, a non-designated heritage asset. This harm would be partially mitigated through design and landscaping measures as well as the reinstatement and management of the historic lime avenue along the driveway and the public benefits of the development are considered to outweigh the harm identified.

The proposal is considered to result in some harm to Grange Lodge through the increase in traffic movements and associated noise and disturbance impacts however the proposed use of the site and associated operational noise and disturbance as well as the proposed scale and siting of the buildings are acceptable in relation to amenity.

The proposed development would be acceptable in relation to transport and would include a safe and suitable vehicle access with no unacceptable impact on the local or strategic highway network identified by the County Highway Authority and National Highways. The proposal would be supported by junction improvements on London Road and passing places along the driveway itself. Whilst the current access by active and public transport is less than ideal due to the reliance on the unadopted driveway, this is mitigated through resurfacing and passing places and pedestrian and cycle connections to adjacent parcel of land and future development in the Grange Expansion Area considered to improve sustainable travel options over time.

In relation to Landscape and Arboricultural matters, the proposed development has been revised to respond to the site's landscape character, landform and Green Wedge context, with built development only proposed within the previously developed northern area of the site and mitigation provided through cladding colour, planting and the retention of vegetation such as Group A8. The submitted LVIA demonstrates that with mitigation the scheme would not result in significant adverse landscape or visual effects, with residual impacts assessed as neutral or minor from all key viewpoints. Although the proposals would involve a moderate loss of lower-quality trees and vegetation, this is mitigated by a replacement and enhancement strategy, including native tree, hedge and scrub planting and the restoration of the lime avenue resulting in overall Arboricultural and landscape betterment. The application has been reviewed by EDDC Trees and the Green Infrastructure Project Manager with no objections raised.

The proposal has been assessed in relation to sustainability and climate change, land contamination and flood risk and there are no technical objections subject to conditions. In relation to Ecology, the council's Ecologist recommended several conditions should the application be approved as well as a BNG monitoring contribution to be secured via a S106 Legal Agreement. The proposal would satisfy the BNG requirements and Natural England also consider that the proposed development will not have significant adverse impacts on

statutorily protected nature conservation sites or landscapes.

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development has been assessed against the Development Plan which includes the Rockbeare Neighbourhood Plan. The proposal would conflict with adopted and emerging policies relating to development in the Countryside, development within the Green Wedge and development outside of Built-Up Area Boundaries, however, the proposal also attracts material support from national and local policy for sustainable economic development by delivering light industrial employment land on a previously developed site adjacent to Cranbrook, meeting an evidenced shortfall and providing substantial economic and social benefits.

Whilst the development would result in some identified harms, including the policy conflicts as noted above and some amenity impacts to Grange Lodge, the harm would be mitigated through design, landscaping, access improvements and conditions and the proposal development would be otherwise acceptable in terms of design, transport, landscape, ecology and sustainability.

There is clearly a need to balance development in the countryside and green wedge against public benefits and sustainable development. When balancing the significant public benefits, including job creation, economic growth, use of previously developed land, access to the emerging Clyst Valley Regional Park and the Arboricultural and landscape betterment, it is concluded that those benefits represent a finely balanced planning judgement in which the material considerations are sufficient to justify a departure from the Development Plan and Rockbeare Neighbourhood Plan.

The proposed benefits of the development would significantly outweigh the harm and therefore the proposed development is recommended for approval subject to a S106 legal agreement and conditions.

CONSULTATIONS

Local Consultations

Whimble And Rockbeare - Cllr Todd Olive - 01 Sep 2025

I strongly object to this application and support the reasons given for objecting in commentary by Rockbeare Parish Council, Cranbrook Town Council, and EDDC's Green Infrastructure Project Manager.

The proposal does not comply with the extant East Devon Local Plan - and specifically policies WS09 (CVRP) and Strategy 8 (Green Wedges), as well as a variety of other policies concerning landscape harm and preserving the quality of the area. It represents a significant encroachment in the green wedge, materially harming intrinsic and visual separation between Rockbeare and Cranbrook - and represents a fundamentally inappropriate site for the large amounts of traffic generated by an industrial/employment use.

Clerk To Rockbeare Parish Council - 18 Jul 2025

The planning application was discussed by the Members of Rockbeare Parish Council at its meeting of the 16th instant. Having considered the matter in depth, it was agreed that the Parish Council would object to the said application.

Reasons for the objection are:

This proposal encroaches the Green Wedge which exists between Cranbrook and the parish of Rockbeare. An undertaking was previously given by EDDC Planning Officers that the wedge would not be compromised.

The proposal is considered to be inappropriate for the site. The proposed entry/ egress is served by a narrow road that is not suitable for large vans and/ lorries. The use of the site presents a danger to both pedestrians and other road users.

The nature of the access would, it is believed, represent a difficulty to the emergency services, should their attendance be necessary.

Clerk To Cranbrook Town Council - 24 Apr 2026

The Town Council welcomes and supports development that will enrich the economic growth of the local area and raises no objection to the principle of development. However, it raises the following concerns;

1. The revised configuration of parking arrangements is an improvement, but it may not be possible to deter visitors from blocking the on-site roads, preventing access for delivery or blue-light vehicles.
2. The drainage arrangements to the site have been revised and the proposed redesign should be implemented to the satisfaction of Southwest Water.
3. The council notes the revised proposals for the private access drive as a shared space for pedestrians, cyclists and all road users but is concerned that it is not sufficient.
4. The Council notes the revised access strategy to the London Road, in particular to improve pedestrian/cycle movements crossing the access road. However, it considers that the overall layout is not sufficient given the number of larger delivery vehicles using this route.
5. The growing number of uncontrolled junctions along this section of London Road coupled with the anticipated level of vehicle movements once the town is built out is unacceptable. Traffic movements both along London Road and from the scale of the expansion parcels present an unacceptable level of danger to highway users and will result in traffic queues and driver frustration far in excess of those that currently exist at the Station Road junction. Access from this site will include larger delivery vehicles adding to the complexity of road users.

Clerk To Cranbrook Town Council - 09 Jul 2025

Cranbrook Town Council has been consulted as neighbouring parish in respect of application 25/0965/MFUL - the Grange London Road Rockbeare.

The Town Council welcomes and supports development that will enrich the economic growth of the local area and raises no objection to the principle of development. However, it raises the following concerns;

1. The proposed configuration of parking arrangements may not deter visitors from blocking the on-site roads preventing access for delivery or blue-light vehicles.
2. The existing drainage arrangements to the site appear inadequate and the proposed redesign should be implemented to the satisfaction of Southwest Water.
3. The proposals for the private access drive as a shared space for pedestrians, cyclists and all road users are not adequate, with insufficient width for safe passing of commercial vehicles.
4. The access strategy to the London Road is not satisfactory. The growing number of uncontrolled junctions along this section of London Road coupled with the anticipated level of vehicle movements once the town is built out is unacceptable. Traffic movements both along London Road and from the scale of the expansion parcels present an unacceptable level of danger

to highway users and will result in traffic queues and driver frustration far in excess of those that currently exist at the Station Road junction. Access from this site will include larger delivery vehicles adding to the difficulties for road users.

5. Despite many assurances the highway authority has not satisfied the Town Council that the proposed changes to London Road can deliver a safe highway environment.

6. For the reasons stated in item 4 above the Town Council raises an objection.

Summary of Technical Consultations (See Appendix 1)

DCC Waste Management	As no Waste Audit Statement has been submitted, a pre-commencement condition is required to secure an approved Waste Audit Statement to ensure construction and operational waste is minimised, reused where possible, and managed in accordance with the waste hierarchy and Policy W4 of the Devon Waste Plan.
County Highway Authority	No objection in principle to the development subject to conditions, noting that revised access arrangements are acceptable but require further detailed design, clarification of responsibilities, and highway works (including pedestrian, cycle, and EV provision) to be secured.
DCC Flood Risk (LLFA)	Our objection is withdrawn and we have no in-principle objections to the planning application at this stage.
DCC Historic Environment	The Historic Environment Team has no comments to make on this planning application.
Environmental Health Officer	No objection is raised subject to conditions controlling hours of operation, fixed plant noise limits, a Construction and Environmental Management Plan, and an approved external lighting scheme to protect residential amenity from noise, pollution and light spill.
Contaminated Land Officer	No development approved by this planning permission shall commence until a remediation strategy to deal with any identified risks associated with contamination of the site.
Green Infrastructure Project Manager	Overall acceptable from a Green Infrastructure/Landscape perspective, subject to requesting a higher resolution floor level plan and securing conditions for detailed planting and pre-commencement tree protection implementation.
EDDC Landscape Architect	I note and concur with the comments received from Paul Osborne [Green Infrastructure Project Manager] in respect of the above application.
EDDC Trees	Concerns regarding access widening and passing places affecting protected trees (notably T1 and T9), requires revisions to the tree survey and Tree Constraints Plan to clearly identify trees to be felled and replaced—particularly damaged lime trees along the driveway—together with detailed proposals for long-term tree protection, replacement planting, establishment and maintenance.
Economic Development Officer	The proposal would deliver 21 light industrial units on a previously developed rural site near Cranbrook and Rockbeare, providing 1,869 sqm of much-needed employment floorspace to meet a severe district-wide shortage, support start-up and growing businesses, and create up to 52 full-time equivalent jobs.
EDDC District Ecologist	No objection subject to conditions, the ecological impacts of the proposed 21 light industrial units are acceptable provided comprehensive pre-commencement and compliance conditions are secured to deliver mitigation, protected species licensing, sensitive lighting, long-term habitat management, and a minimum 10% on-site biodiversity net gain with a monitoring contribution.
EDDC Conservation	The proposal would cause slight but notable harm to the setting and significance of the nearby non-designated heritage asset (The Grange Court Hotel), particularly by reducing the openness of its historic garden, and is therefore

	objected to on heritage grounds.
Natural England	Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
Environment Agency	We have no objection to the proposed development.
Fire Authority	No objection in principle but advises that the scheme must ensure adequate fire and rescue access, water supply, and firefighting facilities around the buildings, with early consultation to confirm arrangements where access may be constrained.
South West Water	Surface water discharge to a watercourse is acceptable, foul drainage via a package treatment plant is supported, but occupation of the development should be restricted by condition until off-site potable water network upgrades on London Road are completed due to current capacity constraints.
National Highways	National Highways is satisfied that the traffic associated with the proposed development is unlikely to result in an unacceptable impact on the continued safe and efficient operation of the SRN.
Exeter Airport	This proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria.
Police Crime Prevention Officer	No objection is raised, subject to Secured by Design principles, with recommendations for certified fencing and gates, restricted rear access, vehicle mitigation measures, provision for alarms and CCTV, and secure bin and rainwater pipe design to reduce crime and antisocial behaviour.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 1 (Spatial Strategy for Development in East Devon)
 Strategy 3 (Sustainable Development)
 Strategy 5B (Sustainable Transport)
 Strategy 7 (Development in the Countryside)
 Strategy 8 (Development in Green Wedges)
 Strategy 10 (Green Infrastructure in East Devon's West End)
 Strategy 37 (Community Safety)
 Strategy 38 (Sustainable Design and Construction)
 Strategy 40 (Decentralised Energy Networks)
 Strategy 46 (Landscape Conservation and Enhancement and AONBs)
 Strategy 47 (Nature Conservation and Geology)
 Strategy 48 (Local Distinctiveness in the Built Environment)
 Strategy 49 (The Historic Environment)
 Strategy 50 (Infrastructure Delivery)
 E5 (Small Scale Economic Development in Rural Areas)
 EN5 (Wildlife Habitats and Features)
 EN8 (Significance of Heritage Assets and their setting)
 EN14 (Control of Pollution)
 EN16 (Contaminated Land)
 EN22 (Surface Run-Off Implications of New Development)
 D1 (Design and Local Distinctiveness)
 D2 (Landscape Requirements)
 D3 (Trees and Development Sites)
 TC2 (Accessibility of New Development)
 TC4 (Footpaths, Bridleways and Cycleways)
 TC7 (Adequacy of Road Network and Site Access)
 TC12 (Aerodrome Safeguarded Areas and Public Safety Zones)

Emerging East Devon Local Plan 2020-2042 Policies

Strategic Policy SP01 (Spatial strategy)
Strategic Policy SP04 (Employment provision and distribution strategy)
Strategic Policy SP06 (Development beyond Settlement Boundaries)
Strategic Policy SP07 (Delivery of infrastructure)
Strategic Policy WS09 (Clyst Valley Regional Park)
Strategic Policy OL01 (Landscape features)
Policy OL05 (Green wedges)
Policy OL07 (Contaminated land)
Strategic Policy DS01 (Design and local distinctiveness)
Strategic Policy HE01 (Historic environment)
Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport)
Strategic Policy CC02 (Moving toward Net-zero carbon development)
Strategic Policy CC05 (Heat networks)
Strategic Policy AR01 (Flooding)
Strategic Policy PB01 (Protection of internationally and nationally important wildlife sites)
Policy PB07 (Ecological enhancement and biodiversity in the built environment)
Policy PB08 (Tree, hedges and woodland on development sites)

Rockbeare Neighbourhood Plan (2018)

Policy No. Rock06 (Green Wedge)
Policy No. Rock07 (Development Limits)

Cranbrook Plan DPD (2022)

Policy CB5 (Grange Expansion Area)

Devon Waste Plan (2014)

Policy W4

Government Planning Documents

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

COMMITTEE REPORT

SITE LOCATION

The application site is located to the north and west of Grange Hotel, South of London Road within the Rockbeare Parish of East Devon. The site comprises of an existing building, sparsely vegetated land and existing vegetation with land in the south western portion being mixed vegetation and scrub. The site has been previously used as a plant nursery (use ceased in c.2006), and parts of the site have been used for car parking. The site was once part of the parkland associated with the existing Grange House now Hotel. The site is currently accessed from the private 'Grange Hotel Accommodation' driveway south of London Road.

The application site is not located within a Conservation Area and is located approximately 440m from The Old Rectory (Grade II Listed), 530m from Ford Farm (Grade II Listed), 640m from The Croft (Grade II Listed), 640m from Little Croft (Grade II Listed), 650m from St Marys Church (Grade II* Listed) and Grade II Listed monuments within the church and 660m from the Court (Grade II Listed) and Tudor Cottage (Grade II Listed).

There are several TPO protected trees and groups along the private driveway to the site as well as on the eastern boundary of the site.

The wider area includes the Grange Hotel and cottages to the south east of the site. The Grange Expansion Area is located to the north east of the site and application 19/1798/MOUT for residential development has a resolution to grant subject to a S106 Legal Agreement. To the south and west of the site is open countryside with the village of Rockbeare located further west of the site. To the north of the site is open countryside with Cranbrook including Ingrams Sports Pitches to the north of London Road.

PLANNING HISTORY

The site has the following relevant planning history:

- 82/P0838 | One Dwelling | REFUSED (3 August 1982) APPEAL DISMISSED
- 08/0247/COU | Change of use of existing nursery car park to hotel and airport car park | REFUSED (25 March 2008)
- 09/0660/MFUL | Change of use of land to form gypsy site involving 20 permanent residential pitches and ancillary day rooms and 10 transit pitches together with shower block, formation of new access road, internal driveways, vehicle parking areas, on-site sewage treatment plant and retention of associated engineering works | REFUSED (24 November 2009) APPEAL WITHDRAWN
- 11/0388/FUL | Change of use of 14 bedroom hotel to residential home , construction of extension to form lift shaft and conversion of garage to ancillary accommodation | APPROVED (13 April 2011)
- 14/0497/FUL | Conversion of lodge from storage to owners accommodation and change of use of part of grounds to parking area for use in conjunction with hotel | APPROVED (27 May 2014)

The following planning applications are relevant to this application:

- 19/1798/MOUT| Outline application for the construction of up to 180 dwellings and associated infrastructure, with all matters reserved apart from access. | Land West Of Gribble Lane Rockbeare | RESOLUTION TO GRANT SUBJECT TO S106 LEGAL AGREEMENT
- 26/0534/MOUT | Outline planning permission (with all matters reserved apart from access) for the construction of up to 140 residential dwellings including affordable housing, public open space and associated infrastructure; the application is accompanied by an Environmental Statement | Land South Of London Road Rockbeare | PENDING CONSIDERATION

APPLICATION

The application seeks full planning permission for the demolition of an existing storage building and the construction of 21 light industrial units (Use Class E (g) (iii)) with associated access, parking and landscaping. Use Class E (g) (iii) covers industrial processes/uses which can be carried out in a residential area without detriment to its amenity.

The proposal would be accessed via the private driveway from London Road and include a larger right turn lane from London Road, a widened entrance with widened pavement and crossing point as well as passing places and pedestrian and cycle connections from the private driveway to land to the east and west.

The proposed development would include seven buildings accommodating 21 units. The proposed units would measure 100m² GEA (91m² GIA) and would be arranged around the internal highway. The units have been designed to be single storey or include a mezzanine floor within them.

The buildings themselves would be approximately 30m in length and 10m in depth with an eave's height of 5m and ridge height of approximately 6.2m. The buildings shall be finished with a red brick plinth, juniper green cladding for the walls and roof and grey windows and doors. The proposals also include roof lights, PV panels and metal canopies.

The proposed development would include 47 vehicle parking spaces which includes 10 visitor spaces, 12 disabled spaces and 15 EV charging points. The proposal also includes bin storage and cycle storage as well as breakout spaces for staff.

To the south of the proposed buildings an attenuation basin is proposed for surface water attenuation.

Within the southern portion of the site, the proposals would include a pathway from the industrial units down to a recreational space within the emerging Clyst Valley Regional Park. The existing native tree/ scrub woodland and wildflower meadow would be retained.

NEIGHBOUR CONSULTATION

The application has received four objections. These are summarised below:

- Echo concerns from Cranbrook Council, Environment and existing provision for industry in and around Exeter Airport
- No consultation with new properties at Galileo 7 and opportunity to comment
- Concerns with the scale of the development
- Impact on existing vegetation and wildlife
- Impact on existing ponds within the site
- Concerns with a single access point along a long narrow driveway.
- Existing lane not suitable for heavy traffic
- Impact on traffic
- Safety concerns with the road junction on London Road
- Proposed development is of no architectural merit and does not harmonise with the Grange
- Existing vacant industrial units in the local area
- Concerns with the pre-application engagement
- Cumulative impact of sports facilities, play area, housing, hotel and the development on traffic and safety
- Concerns with larger vehicles and lorries accessing the site and lack of passing places
- Registered use of the land is horticulture not commercial. Existing uses involved potting and packing plants.
- Proposal not suitable for the existing access lane.
- Impact on disability access to existing dwelling
- Impact on boundary wall and hedgerow of Grange Lodge

PLANNING ASSESSMENT

A) THE PRINCIPLE OF DEVELOPMENT

Section 6 of the National Planning Policy Framework (2024) states that planning should give significant weight to supporting economic growth and productivity, recognising local business needs and that rural business sites may need to be located adjacent to or beyond existing settlements.

Strategy 1 (Spatial Strategy for Development in East Devon) of the adopted Local Plan (2016) sets out that East Devon will provide at least 17,100 new homes and around 150 hectares of employment land between 2013 and 2031.

Strategy 3 (Sustainable Development) of the adopted Local Plan (2016) states that development in East Devon must balance environmental protection, prudent resource use, social wellbeing, sustainable economic growth, and long-term decision-making.

Strategy 7 (Development in the Countryside) of the adopted Local Plan (2016) states that development outside built-up areas will only be permitted where explicitly supported by policy and where it does not harm landscape character, settlement patterns, or visual and environmental qualities.

Strategy 8 (Development in Green Wedges) of the adopted Local Plan (2016) states that development in Green Wedges will not be permitted where it increases sporadic development, harms settlement identity, or leads to settlement coalescence.

Policy E5 (Small Scale Economic Development in Rural Areas) of the adopted Local Plan (2016) states that small-scale rural economic development will be permitted where appropriately located, well designed, sustainable, and does not harm highways, amenity, landscape, wildlife, or heritage assets.

Policy No. Rock06 (Green Wedge) of the Rockbeare Parish Neighbourhood Plan (2018) states that development in the Green Wedge will only be supported where it causes no harm to its character or purpose and is limited to agriculture, park objectives, or proportionate development within existing sites.

Policy No. Rock07 (Development Limits) of the Rockbeare Parish Neighbourhood Plan (2018) states that development within Rockbeare's settlement boundary is supported, while development outside it is treated as countryside and only exceptionally permitted if justified, well related, and sensitively designed.

Strategic Policy SP01 (Spatial strategy) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that new development will be directed towards the most sustainable locations in East Devon.

Strategic Policy SP04 (Employment provision and distribution strategy) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that the Council is committed to achieving high quality, high value jobs in East Devon, close to people's homes.

Strategic Policy SP06 (Development beyond Settlement Boundaries) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that in locations outside of the defined settlement boundaries development will not be permitted unless it is in accordance with a specific Local or Neighbourhood Plan policy.

Policy OL05 (Green wedges) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that development in Green Wedges will not be permitted where it causes sporadic development, harms settlement identity, or encourages physical, visual, or perceived coalescence.

Strategic Policy WS09 (Clyst Valley Regional Park) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that development within or adjacent to the Clyst Valley Regional Park must support its masterplan objectives and integrate green infrastructure, or it will be refused.

LAND USE

The application seeks full planning permission for the construction of 21 light industrial units (Use Class E (g) (iii)) with access, parking and landscaping. The proposal would be accessed via the private driveway from London Road.

The application site is located outside of a Built-Up Area Boundary (BUAB) as defined within the adopted East Devon Local Plan (2016), Cranbrook Plan DPD (2022) or East Devon Villages Plan (2018) and therefore would be in the countryside. Strategy 7 of the Adopted Local Plan states that development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policies.

Under the Adopted Local Plan, the site is not specifically allocated for development and is located within the Green Wedge under Strategy 8 which does not permit development which could damage the individual identity of a settlement or encourage settlement coalescence. Under the Rockbeare Neighbourhood Plan (2018), the application site is located outside of the settlement boundary for Rockbeare and therefore contrary to Policy No. Rock07 (Development Limits). The proposal would also be located within the Green Wedge under Policy Rock. 06 which does not support development which would harm the character or purpose of the Green Wedge.

Policy E5 of the Adopted Local Plan supports small scale economic developments in rural areas subject to the development meeting the criteria set out in the policy. Whilst this does support development in the countryside especially if the site is previously development, the policy only applies to small scale development. Whilst the total floorspace is 2,100 m² and the scheme is subdivided into smaller individual units which aligns with the concept of supporting small businesses, the proposed development would be classed as a major development and therefore would be in conflict with Policy E5 and Strategy 7.

Under the emerging East Devon Local Plan (Regulation 19 November 2025), the site is not identified as an emerging allocation for development and would also be located within the countryside under Strategic Policy SP06. The site would be located within the Green Wedge under Policy OL05 which is consistent with the Adopted Local Plan and would also be located within the expanded Clyst Valley Regional Park (CVRP) under Strategic Policy WS09. The proposal would therefore be in conflict Strategic Policy SP06 of the emerging East Devon Local Plan.

Therefore, the proposed development in terms of land use is not supported by a specific Local or Neighbourhood Plan Policy and would be contrary to Strategy 7 of the Adopted Local Plan and Strategic Policy SP06 of the Emerging Plan. As such the proposed development is a departure from the development plan and permission should only be granted if materials considerations indicate in this case that the plan should not be followed.

GREEN WEDGE

In relation to the Green Wedge, the proposed construction of light industrial units within the Green Wedge between Rockbeare and Cranbrook would conflict with Strategy 8 of the adopted Local Plan, Policy Rock06 of the Rockbeare Neighbourhood Plan and Policy OL05 of the emerging Local Plan. These policies do not restrict all development but collectively seek to maintain the openness and strategic function of Green Wedges by preventing sporadic or isolated development, protecting the individual identity of settlements, and avoiding settlement coalescence. This is especially important as the site is located on higher ground compared to the village of Rockbeare meaning that the landscape impacts of the development must also be factor into any assessment on the impact on the Green Wedge. Strategy 8 and Policy OL05 restrict most development within Green Wedges unless it can be demonstrated that the proposal would not lead to sporadic development or harm the character and identity of Rockbeare whereas Policy Rock06 allows for limited development for

certain uses, where it is proportionate, within an existing curtilage, and demonstrably causes no harm to the Green Wedge.

The introduction of new light industrial units would represent a significant intensification of built form within the Green Wedge, and therefore an assessment must be made as to whether the development would risk eroding the visual and physical separation between Cranbrook and Rockbeare. Policy Rock06 sets out that that development in the Green Wedge will not be supported unless it can be demonstrated that no harm to the character or purpose of this area will occur as well as compliance with other criteria. The site is not for agriculture, horticulture or forestry and the proposal is not within an existing employment site therefore the proposal would not comply with the criteria listed under Policy Rock06.

The proposed development would be located on previously developed land (see below) and is bounded by existing vegetation which currently screens views from Rockbeare into the site which would help to mitigate the built form of the development and impact on Rockbeare and the Green Wedge. The built form of the proposal is only within the northern portion of the site and would be located on higher land within the Green Wedge with the ridgeline crossing the site to the south west of any built development. The application was supported by a Landscape Visual Assessment which informed the overall layout and design of the development. The overall built form of the development has been revised to reduce its overall impact, and additional landscaping has been proposed on the southern and western edges to soften the proposals. The proposed materials, height of buildings, site layout, levels and landscaping proposals have been revised as part of the application as well as the retention of existing vegetation to reduce the overall impact on the Green Wedge and to ensure the identity of Rockbeare is protected.

The proposed built form of the development would also be stepped back from the ridge line to mitigate the impact on lower ground to the south west of the site. Officers acknowledge that the proposal would impact the Green Wedge by being located within in however the overall scale and design would not significantly harm the Green Wedge and would not significantly erode the identity of Rockbeare. The overall design and landscape impact of the development is discussed in detail later in this report however the proposal would not result in any unacceptable long-term harm on landscape character and visual amenity. Officers conclude that whilst the proposal could conflict with Strategy 8, Policy OL05, and Policy Rock06 as a result of development in Green Wedge, the proposal would not fundamentally undermine the purposes of the remaining Green Wedge. A sense of openness would be retained, and the proposal would not lead to coalescence.

The application was reviewed by the Green Infrastructure Project Manager who noted from a Green Infrastructure/Landscape perspective they were satisfied that the proposals are generally acceptable subject to conditions.

In conclusion the proposed development, seen in the context of the residential land allocation immediately to the east, would not add to sporadic or isolated development nor would it damage the individual identity of Rockbeare nor, due to its scale, landscaping and location in the landscape, would it lead to settlement coalescence. The development is therefore in accordance with Strategy 8 of the Local Plan. As the development does not fall into any of the criteria within Policy Rock06 the proposed development would not be in accordance with the Neighbourhood Plan.

EMERGING CYLST VALLEY REGIONAL PARK

As noted above, the proposal would be located within the expanded Clyst Valley Regional Park (CVRP) as proposed by the emerging Local Plan under emerging Strategic Policy WS09. Strategic Policy WS09 sets out that development proposals within and adjacent to the CVRP will integrate Green Infrastructure and support the achievement of the objectives in the CVRP Management Plan.

The proposal would introduce light industrial units to a portion of the site within the CVRP however much of the sites landscaping would be retained as existing and the proposed creation of a pathway

from the industrial units down to the southern boundary providing recreational space for public use would be within land proposed within the expanded CVRP under the emerging Local Plan and would be considered in part to meet the objectives of the CVRP in those areas. As a result, this element of the scheme would also have some support from Policy No. Rock06 Green Wedge which supports developments in the Green Wedge that supports the objectives of the CVRP as well as Strategic Policy WS09. As the emerging plan is given limited weight, the benefits of this can only be given limited weight.

PREVIOUSLY DEVELOPED LAND

Section 11 of the NPPF (2024) sets out that planning decisions should promote an effective use of land in meeting the need for homes and other uses and prioritise and make the best use of previously development land.

The northern portion of the site is previously developed land as defined in Annex 2 of the NPPF and was previously used as a plant nursery and car parking for both the hotel and private parking for the airport albeit some of the car park uses on the site did not formally receive any planning approval. The submitted Ecological Impact Assessment defines the northern area as a mix of buildings, built features, sparsely vegetated urban land and modified grassland. Despite some natural regeneration, there remains clear physical evidence of former development and areas of hardstanding and associated infrastructure, and the site has not blended back into the surrounding landscape to an extent that would justify treating it as undeveloped land. The site could not currently be farmed or restored to parkland without intervention. In addition, national planning policy does not impose a time limit on previously developed land.

The reuse of a previously developed site for light industrial purposes is supported by Strategy 3 (a) of the EDLP and Paragraphs 124–128 of the NPPF, which promote the effective and efficient use of land to meet development needs while protecting the environment. These policies give substantial weight to bringing forward suitable brownfield land, encouraging the redevelopment of underutilised sites to support economic growth and reduce pressure on undeveloped land. Overall, redeveloping brownfield land for industrial use aligns with national policy by optimising land use, supporting economic objectives, and contributing to sustainable development. The proposed re-use of previously developed land is given substantial weight in the planning balance.

ECONOMIC & SUSTAINABLE DEVELOPMENT

The proposed development for light industrial units would provide for local jobs and economic development and would meet an identified need for employment land. The proposal would create between 40 and 52 full time jobs and due to the nature of the proposed development, the delivery of these units is likely to be quicker than some of the larger employment allocations in the West End. The Economic Development Needs Assessment (2023) set out that the West End of East Devon will continue to be the focus for major strategic developments and there is a need for Class E(g)(ii) (i.e. research and development) and (iii) (light industrial) and B8 Use Class (storage or distribution) employment land. The Economic Development Needs Assessment (2023) also set out that the current supply of industrial premises is low in East Devon, with a particular shortage of industrial premises close to the Airport. The site would be located approximately 40m from the Built-Up Area Boundary of Cranbrook and would be located approximately 1.85km from the end of the runway at Exeter Airport. The proposed development would include connections to Cranbrook to improve accessibility and integration with the town and would be considered development within a Sustainable Location. The supply constraints are highlighted within the comments from the Economic Development Team who highlight that the undersupply of industrial space has a clear, negative impact on East Devon's economic wellbeing.

In addition, the majority of the existing and planned employment uses for Cranbrook and the West End would be located to the west of the site within the Town Centre or Treasbeare Expansion Area or within the Skypark, Logistics Park or Exeter Science Park. The Eastern Expansion Areas would

both include a neighbourhood centre to include a mix of uses including community, retail and commercial uses however neither the Cobdens Expansion Area nor the Grange Expansion Area specifically include land for employment. The proposed development for light industrial units adjacent to the Grange Expansion Area and within the eastern portion of Cranbrook would help to meet the demand for employment land as well as provide land and jobs to future residents in the eastern half of the town. The proposal would also support the strategic aims for Cranbrook as set out within the Cranbrook Plan DPD (2022) to be as self-sustaining as realistically possible meaning that the proposal would be supported by Strategy 3 of the EDLP. The NPPF also recognises the need to support economic growth and states that this should be given significant weight in the planning balance. The NPPF also recognises that proposed development which aims to meet local business needs in rural areas may have to be found adjacent to or beyond existing settlements. Cranbrook Town Council have commented on the application and support the principle of development for economic purposes.

The application was reviewed by the council's Economic Development Officer who stated that East Devon faces a severe shortage of industrial space, with current unmet demand outstripping supply by 30:1, and allocated sites are unlikely to deliver the floor space required in the short term. The proposed development would address a critical need for small-scale units, supporting start-ups and growth businesses, and aligns with the Economic Development Strategy. The Economic Development Team also state that as a brownfield site, its redevelopment and intensification minimise the need to develop more environmentally sensitive rural areas, and the economic benefits of the proposal should be afforded significant weight given the significant supply constraints. Given the significant economic benefits and proximity to Cranbrook's expansion area, the Economic Development Team strongly supports the application, recommending permission be limited to E(g)(iii) uses. It is considered necessary to condition the use of the development to E(g)(iii) uses to ensure the use is suitable for the site and its context and to protect neighbour amenity.

SUMMARY

In relation to the principle of development there is need to balance the demand for employment space in this area, use of a previously developed land and supporting developments within sustainable locations against the policy designations within the Adopted Local Plan, Rockbeare Neighbourhood Plan and Emerging Local Plan which do not specifically support development on this site. The application through its design and retention of landscaping as well as landscaping proposals does demonstrate that whilst the proposals are within the Green Wedge, the proposals do not harm the strategic function of the Green Wedge and a suitable buffer to Rockbeare would be retained.

Therefore, whilst the proposal would sit outside of the Built-Up Area Boundary and would be located within the Green Wedge as well as the Clyst Valley Regional Park under the Emerging Local Plan, the proposal has some support from Strategy 3 of the EDLP and Section 6 of NPPF and would provide much needed employment space on a previously developed site adjacent to Cranbrook which is given significant weight in the planning balance. The site's location in the Green Wedge and conflict with Strategy 8 of the adopted Local Plan, Policy Rock06 of the Rockbeare Neighbourhood Plan and Policy OL05 of the emerging Local Plan would weigh negatively in the planning balance and is also given significant weight. The balance between unregulated development in the countryside and supply of employment land must be weighed with regard to the need for employment space, the proximity to Cranbrook, the previously developed nature of the site, the proposed design and mitigation measures included to reduce the impact on the function of the Green Wedge and other public benefits associated with the development, the material considerations in this instance could on balance justify a departure from the adopted Local Plan subject to the satisfactory resolution of all other material planning issues.

B) DESIGN, SCALE, LAYOUT AND HERITAGE

Section 12 (Achieving well-designed places) of the National Planning Policy Framework (NPPF)

(2024) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Development should establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and development that is not well designed should be refused.

Strategy 48 (Local Distinctiveness in the Built Environment) of the adopted Local Plan (2016) states that local distinctiveness and the importance of local design standards in the development process will be of critical importance to ensure that East Devon's towns and villages retain their intrinsic physical built qualities. Where towns or villages are or have been despoiled we will seek to have qualities reinstated through good design. Use of local materials and local forms and styles will be essential to this distinctiveness.

Policy D1 (Design and Local Distinctiveness) of the adopted Local Plan (2016) requires that all new developments and refurbishments demonstrate high-quality, locally distinctive design through a Design and Access Statement, ensuring proposals respect local character, scale, and context, safeguard amenity and environmental features, incorporate sustainable and secure design measures, and mitigate adverse impacts.

Policy D2 (Landscape Requirement) of the adopted Local Plan (2016) requires that landscaping for new development preserves and enhances existing natural features, integrates nature conservation, ensures accessibility and long-term maintenance, includes appropriate planting, and positively contributes to the design and setting of roads and boundaries.

Strategic Policy DS01 (Design and local distinctiveness) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that new development, including the refurbishment of existing buildings should be of a high-quality design and locally distinctive. The layout and design of building curtilages, roads, parking, paving, open space, site furniture, footpaths and boundary treatments should make a positive contribution to the street scene / public realm and the integration of the development with its surroundings and setting. This emerging policy carries limited weight at the time of determination.

LAYOUT

The proposed development would include the construction of 21 light industrial units arranged in seven buildings with a single primary vehicular access from the eastern boundary of the site. The internal estate road extends from the eastern boundary westwards into the site with two short spurs that extend to the south. The built form of the development is located at the southern end of the driveway with a new access point from the driveway into the development.

To the north of the internal estate road, the proposal includes three buildings arranged parallel to the site's northern boundary forming a continuous linear block of units which establishes a strong built edge. These units are served by parking and servicing provision immediately south to the buildings and would be broken up with tree planting and landscaping. Units 1, 3, 4 and 9 include side facing windows and canopies to add visual interest to the side elevations of these units. To the south of the internal estate road, the proposal includes buildings arranged in a series of regular, rectilinear blocks orientated north-south. Units 10, 15, 16 and 21 include side facing windows and canopies overlooking the internal estate road. These blocks are separated by access drives, parking bays and servicing areas. The layout of the site does result in a regular and utilitarian pattern across much of the site however the buildings were arranged to make the most efficient use of land, reduce the need for retaining structures, retention of existing landscaping and to ensure the overall built form was minimised.

The internal road network would include a 6m wide carriageway designed to accommodate commercial vehicles, delivery vans and refuse vehicles. The size of junction radii within the site are designed to accommodate larger commercial vehicles. Pedestrian routes are indicated within the

site, and these generally follow the alignment of vehicular routes and include shared surfaces. Vehicle parking would be distributed throughout the site through a combination of off-street parking and visitor parking. Servicing yards and loading areas are generally positioned directly in front of the building elevations reflecting the operational requirements of units.

The layout includes areas of landscaping and open space. A larger landscaped area is located toward the southern part of the site, shown as green infrastructure that includes planting, surface water basin and footpath connection to the southern portion of the site. The proposal includes street trees and trees between buildings to help soften the overall appearance as well as landscaping around the perimeter of the built development. This would also help soften the appearance of built form and provide visual separation from adjoining buildings and other land uses.

Overall, the layout is considered to be suitable and in accordance with policy as set out above..

SCALE

The site comprises of an area of flatter ground within the north and north eastern portion of the site (approximately 50m AOD) with land falling steeply towards the central and southwestern parts of the site (approximately 40m AOD). The site comprises of a single storey building, sparsely vegetated land and existing vegetation.

The proposed development would be constructed in the north and north eastern portion of the site and would be constructed on a level platform with small retaining walls required on the western and southern edges. The floor levels of all buildings would be constructed at 49.33m AOD.

The proposed light industrial units would be approximately 6.2m in total height and would be single storey which could accommodate a mezzanine level if required. This would generally sit below the height of existing vegetation on the northern boundary being between 8m and 13m in height, vegetation on the west being 7.5m in height and retained vegetation to the south being between 12m and 14m in height. The scale of the buildings being below existing vegetation also helps to screen the development from the wider area.

The overall height of the industrial units would be suitable in this location.

APPEARANCE AND MATERIALS

The proposed buildings would be approximately 30m in length and 10m in depth with an overall height of approximately 6.2m. The buildings would be finished with a red brick plinth, juniper green cladding for the walls and roof and grey windows and doors. The proposals also include roof lights, PV panels and metal canopies.

The proposed buildings would be rectangular in form with a simple and functional design reflecting the use of the building. The buildings would have a series of repeating bays and windows providing some rhythm. The elevations would be a mixture of cladding and red brick with limited detailing. The use of green cladding seeks to mitigate for any landscape harm by ensuring that the proposal blends into existing vegetation. The use of canopies over entrances and at key corners adds visual interest.

The buildings are finished with a shallow low-pitched roof with roof lights and PV panels, with a consistent and simple eaves line that reinforces the horizontal emphasis of the overall design.

In relation to hardstanding materials, the proposal would include a concrete internal road, grasscrete parking spaces and block paving pathways. Subject to further details secure via a condition, these are considered to be acceptable.

Overall, the proposed buildings adopt a pragmatic design approach, using a limited palette of materials and simple detailing. The appearance is considered to be appropriate for its industrial function and accords with policy as set out above.

HERITAGE AND ARCHAEOLOGY

Strategy 49 (The Historic Environment) of the adopted Local Plan (2016) states that the physical and cultural heritage of the district, including archaeological assets and historic landscape character, will be conserved and enhanced and the contribution that historic places make to the economic and social well-being of the population will be recognised, evaluated and promoted.

Policy EN8 (Significance of Heritage Assets and their Setting) of the adopted Local Plan (2016) states that when considering development proposals, the significance of any heritage assets and their settings, should first be established to understand the potential impact of the proposal on the significance of the asset.

Strategic Policy HE01 (Historic Environment) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that proposals for new development that may affect heritage assets should take account of the desirability of sustaining and enhancing the significance of those assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.

The application site is not located within a Conservation Area and is located approximately 440m from The Old Rectory (Grade II Listed), 530m from Ford Farm (Grade II Listed), 640m from The Croft (Grade II Listed), 640m from Little Croft (Grade II Listed), 650m from St Marys Church (Grade II* Listed) and Grade II Listed monuments within the church and 660m from the Court (Grade II Listed) and Tudor Cottage (Grade II Listed).

Given the separation distances to the designated Heritage Assets set out above this application was not required to be supported by a Heritage Assessment. The nearest listed building is around 440m from the site and because of the presence of existing buildings, highways, vegetation and changes to the topography/landscape, officers consider that the proposal is not considered to result in harm to any listed building or the setting off any listed buildings.

The site is located within the former parkland of The Grange, and the tree lined driveway would be used for access. The house, now hotel constructed between 1844 and 1889 is not a listed building and is not included on the East Devon Local List. The associated parkland is not designated and is partially allocated under the Grange Expansion Area. The application for Gribble Lane (ref. 19/1798/MOUT) on part of the former parkland was approved with no objections in relation to the impact on the Grange included as part of the Historic Assessment or Committee Report.

During the application process, application 26/0534/MOUT, located immediately to the north of the site, was submitted to the Local Planning Authority and supported by a Heritage Assessment which identified The Grange as a non-designated heritage asset of Victorian origin. The assessment concluded that the significance of The Grange derives in part from its historic setting within former parkland and its experience as a relatively isolated building at the end of a long private driveway, where a sense of quietude and limited activity contributes positively to its heritage value. The council's Conservation Team have also confirmed that the Grange is considered a non-designated heritage asset and an asset that retains many of its original period features including a generous garden benefitting from the tranquillity of its semi-rural location.

As a result, the applicants for this application submitted a Heritage Assessment as part of a revised Planning Statement which set out that the proposal lies within the setting of The Grange, a non-designated heritage asset, but has been designed to preserve its historic landscape relationships

and results in no harm to its significance or setting. The proposal would positively enhance heritage value through the reinstatement of the historic Lime tree avenue.

The proposed development would encroach upon the northern part of the garden and would re-introduce development to this part of the site and parkland. This encroachment would erode the legibility of the garden's historic extent and diminish the contribution this makes to the asset's setting and in turn its historic and architectural interest. In addition the proposal would result in increased activity of the site, including an increased use of the private drive which has the potential to slightly alter the historic experience of approaching the building. Visibility along the driveway and views toward and from The Grange are key considerations in assessing harm, however, the only alterations to the drive would be the inclusion of passing places as well as tree removal and planting and the proposed industrial units would be set back from the driveway and would be partially screened by existing and proposed landscaping. The main impact would be seen when travelling past the entrance to the site which at present does not add value to the experience of the driveway due to industrial fencing and overgrown vegetation. The proposed enhancement and management of the lime tree avenue would assist in reinforcing the historic character of the driveway and partially re-establishing its parkland function.

The council's Conservation Team reviewed the application and confirmed that the proposal would result in less than substantial harm (at the lower end) to the Grange as the proposal fails to preserve the contribution the openness and setting of the northern part of the garden. The Conservation Team have also stated that while the level of harm is slight, it is nonetheless identified harm that must be weighed against public benefits within the wider planning balance.

In relation to public benefits, the proposed development would result in job creation, economic growth, development on a previously developed site, access to the emerging Clyst Valley Regional Park and the biodiversity net gain as well as replacement lime tree planting. These benefits are considered to outweigh the slight harm identified

In relation to Archaeology, DCC Historic Environment Team made no comments on this planning application.

Overall, in relation to design and heritage the proposed development is considered to be acceptable and would comply with Policy D1 and D2 and Strategic Policy DS01. The less than substantial harm (at the lower end) found to the setting of the Grange is considered to be outweighed by public benefits.

C) AMENITY

Section 12 (Achieving Well-Designed Places) of the NPPF (2024) outlines that planning policies and decisions should ensure that development create places with a high standard of amenity for existing users.

Strategy 37 (Community Safety) of the adopted Local Plan (2016) states that through the East and Mid Devon Community Safety Partnership the Council will work to reduce crime and the fear of crime in the District. The Council will encourage new development that has been designed to minimise potential for criminal activity and incorporates the principles of 'Secured by Design' and will support development proposals aimed specifically at improving community safety.

Policy D1 (Design and Local Distinctiveness) of the adopted Local Plan (2016) states that proposals will only be permitted where they do not adversely affect the amenity of occupiers of adjoining residential properties and the amenity of occupants of proposed future residential properties.

Policy EN14 (Control of Pollution) of the adopted Local Plan (2016) states that permission will not be granted for development which would result in unacceptable levels, either to residents or the wider environment of: 1. Pollution of the atmosphere by gas or particulates, including. smell, fumes,

dust, grit, smoke and soot. 2. Pollution of surface or underground waters including: a) Rivers, other watercourses, water bodies and wetlands. b) Water gathering grounds including water catchment areas, aquifers and groundwater protection areas. c) Harbours, estuaries or the sea. 3. Noise and/or vibration. 4. Light intrusion, where light overspill from street lights or floodlights on to areas not intended to be lit, particularly in areas of open countryside and areas of nature conservation value. 5. Fly nuisance. 6. Pollution of sites of wildlife value, especially European designated sites or species. 7. Odour

Strategic Policy DS01 (Design and local distinctiveness) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that new developments will only be permitted where they do not adversely affect the amenity of occupiers of adjoining residential properties. This emerging policy carries limited weight at the time of determination.

The proposed development involves the construction of 21 light industrial units (Use Class E (g) (iii)) of which Use Class E (g) (iii) covers industrial processes that are suitable in residential areas. The site at present is within open countryside however there is an existing hotel and residential cottages to the south and south east and as noted above, the site is adjacent to the Grange Expansion Area meaning that new residential properties are to be developed near the site in the future.

The application was supported by a Noise Impact Assessment which set out that the noise levels arising because of probable operations are predicted to be Low Impact at the closest off-site noise-sensitive receptors. The council's Environmental Health Officer reviewed the assessment and stated that the sound levels must be recalculated with the roller doors open as this is more likely to occur than the doors being closed. Following the submission of an updated Noise Impact Assessment, the Council's Environment Health Officer recommended that the application be approved with conditions in relation to operations on site, noise levels of plant, submission and approval of a CEMP and submission and approval of a Lighting Scheme.

The proposed buildings would be located between 33m and 35m from proposed dwellings in the Grange Expansion Area (ref. 19/1798/MOUT), located approximately 32m from the Grange Hotel and approximately 59m from the Grange Cottages (nos. 1 to 10). The proposed buildings would be located within the site which is bounded by existing vegetation which would help to screen the buildings. The proposed front and roller doors of the units would also not directly face existing buildings or properties and activity from the service areas would be screened by the buildings themselves.

The proposed access road is adjacent to an existing dwelling (Grange Lodge) who have amongst other matters have raised concerns regarding large vehicles using the driveway for access. As the junction to and from the site is adjacent to this dwelling, noise and disturbance from vehicles as well as possible impacts from head lights/brake lights are likely to result in some additional harm to this dwelling over and above existing traffic movements. Vehicles entering and exiting the site will pass by this dwelling and may often have to wait on the driveway to exit leading to some additional noise and disturbance especially from larger vehicles. It is acknowledged that London Road does result in noise and disturbance to this dwelling and vehicles currently access the private drive adjacent to this property which does lead to some noise and disturbance and light impacts. It is considered necessary to attach a condition to the application in relation to operations and deliveries on site to mitigate harm to this dwelling as a result of the increase passing traffic however it is acknowledged that the proposal would lead to some harm to Grange Lodge compared to the existing situation.

The proposed development would also include a number of elements for future users such as cycle parking, external amenity spaces for staff and natural light in the form of windows and roof lights. The proposal would also include access to the southern portion of the site allowing access to the emerging Clyst Valley Regional Park.

In summary, the proposal is considered to result in some harm to Grange Lodge albeit to an acceptable level through the increase in traffic movements and associated noise and disturbance impacts. The proposed use of the site and associated operational noise and disturbance as well as the proposed buildings are overall considered to be acceptable in terms of amenity and safety, and no objections have been raised by the Environment Health Officer. The proposal would comply with the NPPF and Strategy 37 and Policy D1 of the adopted Local Plan.

D) TRANSPORT, ACCESS, MOVEMENT AND WASTE

Strategy 5B (Sustainable Transport) of the adopted Local Plan (2016) states that development proposals should contribute to the objectives of promoting and securing sustainable modes of travel and transport. Development will need to be of a form, incorporate proposals for and be at locations where it will encourage and allow for efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.

Policy TC2 (Accessibility of New Development) of the adopted Local Plan (2016) states that new development should 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.

Policy TC4 (Footpaths, Bridleways and Cycleways) of the adopted Local Plan (2016) states that development proposals will be required to include measures to provide, improve and extend facilities for pedestrians and cyclists commensurate with the scale of the proposal.

Policy TC7 (Adequacy of Road Network and Site Access) of the adopted Local Plan (2016) states that 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.

Policy TC12 (Aerodrome Safeguarded Areas and Public Safety Zones) of the adopted Local Plan (2016) states that planning permission will not be granted for development that would prejudice the safe operation of protected aerodromes or give rise to public safety concerns.

Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that walking, wheeling, cycling and public transport should be the natural first choice for short local journeys, or as part of a longer journey. This emerging policy carries limited weight at the time of determination.

PUBLIC TRANSPORT, WALKING AND CYCLING

The proposed development would be located approximately 400m to the south of London Road which is an important route providing east to west connectivity across Cranbrook and accommodates existing public and active travel routes. The proposed development would be located approximately 1km from an existing Bus Stop on London Road (served by 44/44A roughly every 30 mins), approximately 650m from a proposed Bus Stop at between the Grange and Cobdens Expansion Areas and approximately 3.6km from Cranbrook Train Station. The distance to the existing bus stop (c. 1km) would be further than the recommended distance to bus stops which would deter some users however the proposed Bus Stops at the Grange/Cobdens on London Road would be closer to the site and more attractive. The proposed bus stops (approximately 650m north of the site), approved under applications 19/1798/MOUT and 22/0406/MOUT, are required to be installed prior the first occupation of a dwelling accessed from London Road.

The proposed development itself would be served from an existing unlit private driveway from London Road to the Grange Hotel. The driveway itself is currently single carriageway and does not include a dedicate pedestrian or cycling infrastructure acting as a shared surface. However, as a

result, walking and cycling along the driveway is not ideal especially in winter months which would increase the reliance on private vehicles to and from the site. As previously noted, the site is adjacent to the Grange Expansion Area which includes indicative pedestrian and cycle links to the private driveway and should these be constructed, these links would provide a safer and more attractive route for walking and cycling to the site. The proposed development therefore includes pedestrian and cycling connections to the boundary of the site to the Grange Expansion Area in accordance with Policy CB5 of the Cranbrook Plan to the east and land to the west and it would be necessary to secure further details via of these via a condition to ensure these connections are delivered in a timely manner.

The applicants informally explored the possibility of including a dedicated pedestrian path along the private driveway however it would have required several TPO protected trees to be removed and construction within the RPAs of other TPO protected trees which would have further altered the experience of the driveway and unjustified Arboricultural harm. The existing driveway does function as shared surface with access to an existing residential dwelling, the site and the Grange Hotel. This arrangement is proposed under this application.

It is acknowledged that the proposed development would result in an increase in vehicles using the driveway however the proposal would include passing places which could act as a refuge for pedestrians and cyclists and the visibility along the driveway is acceptable allowing sufficient time for different modes of transport to stop and allow other uses to pass by. In addition, the entire driveway would be resurfaced to improve quality and ease of walking and cycling. The proposed use of the driveway for pedestrians and cyclists would be a short to medium term solution as once connections through to the Grange Expansion Area and to the west are constructed, pedestrians and cyclists would be able to use these connections to access the site providing a direct and safe access. Devon County Council Highway Authority have no objections to the scheme regarding pedestrian and cycling access.

VEHICLE AND CYCLE PARKING

The proposed development would include 47 vehicle parking spaces of which 10 of these would be visitor spaces, 12 of these would be disabled spaces and 10 would be served with EV charging stations. The development would also include a loading bay for each unit. The adopted Local Plan does not include any specific standards for parking for employment developments whereas Policy TR04 of the emerging Local Plan sets out that 1 space should be provided per 30 sqm of Class E (g) floor space. The proposed development would be 2100m² which would require 70 car parking spaces. However, the emerging Local Plan carries limited weight at present, and the evidence submitted Transport Assessment sets out that an overall average of two spaces per unit (plus loading bay and visitor spaces) would be suitable for this development given the number of staff proposed (between 40 and 52) and the proposed use of the development. This would also be similar to application 21/3125/MRES at the Skypark whereby each unit (around 93m² GIA) was provided by 2 vehicle spaces and 1 loading bay. In line with the Transport Assessment, the level of vehicle parking is suitable especially as the site is in close proximity to Cranbrook and the Grange Expansion Area.

It is recognised that parking has been raised as a concern however no objections were received by the County Highway Authority in relation to parking and visitor spaces would help to ensure spill out parking does not occur on the driveway. As noted above the level of car parking would be comparable to similar developments and public and active travel will improve with development to the east coming forward.

The proposal would include 5 cycle stores with capacity for 30 bicycles. Further details of cycle storage would be secured via a condition.

ACCESS AND IMPACT ON ROAD NETWORK

As noted above, the site is accessed from London Road via a private drive. There is an existing right turn lane on London Road allowing access from the west of the site. It is noted that previous planning applications have been refused regarding access arrangements and neighbour consultees have raised access as a concern.

The proposed access point on London Road would be slightly widened to accommodate vehicles entering and exiting the site. The works to the access point are within Highway Maintained at Public Expense (HMPE) Land and does not require any third-party land. The proposed access point would also include additional and/or widen footways to the west and east with the eastern footway connecting into the Toucan Crossing Points approved as the Grange Expansion Area. This would help to provide a safe crossing point across London Road to access the site. Devon County Highways have highlighted the need to improve the existing right-turn arrangement from London Road before determination. In response, the applicants revised the access arrangement to include a longer right turn arrangement. Devon County Council Highways have not raised any concerns subject to the detailed design stage and have stated that the applicant will be required to enter into a legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development.

In relation to the driveway, concerns have been raised regarding the suitability of the driveway for the development. It is noted that the driveway is an existing route which accommodates a range of vehicle sizes. The proposal would include two sets of passing places along the driveway to allow for vehicles to pass each other. These passing places have been included to the north and centre of the drive and have been designed to accommodate the existing trees along the drive. The location of the passing places would align with guidance which indicates that they should be around 200m apart and as noted above the drive will remain as private. As the drive does not bend, visibility along the drive is acceptable and there is an existing 5 mph sign at the entrance to promote slow vehicle speeds along the drive. The inclusion of passing places would provide a betterment for all users.

In relation to the impact on the road network, the Transport Assessment sets out that the proposed development is not considered to generate unacceptable levels of traffic, parking demand, or impacts to the safe operation of the Local Highway Network. The Transport Assessment set out that the anticipated two-way traffic generation would be up to 41 vehicles in the AM and 26 movements in the PM peak.

It is noted that Rockbeare Parish Council and Cranbrook Town Council have raised concerns with the access and junction and the growing number of uncontrolled junctions along this section of London Road. These concerns are noted however the junction is existing rather than a new junction, the proposal includes measures to widen the junction and increase the length of the right turn lane and Devon County Highways have reviewed the application and not raised any concerns with the access or traffic impact.

The application was reviewed by National Highways who raised no objection to the scheme and considers the development unlikely to result in an unacceptable impact on the safe operation of the Strategic Road Network, while advising consideration of sustainable transport measures and compliance with Local Plan and national carbon reduction policies.

The application was also reviewed by Devon County Council Highway Authority who raises no objection in principle to the proposed 21 light industrial units.

The application was supported by swept paths to demonstrate that the site could accommodate servicing and refuse vehicles up to 10.6m in length.

In relation to the existing dwelling (Grange Lodge), the proposal would not alter the access to this dwelling from the private drive as it would only amend the access from London Road into the driveway, and this dwelling would continue to use the shared drive for access and turning. It is acknowledged that this neighbour has raised concerns regarding access and parking on the shared

drive however this would remain private and a civil matter. Grange Lodge does benefit from a driveway which could be used for access, parking, drop-off and pick up if required. The report does assess the amenity impacts of the increase in traffic on this dwelling and identified that the proposal would result in some harm to Grange Lodge through the increase in traffic movements and associated noise and disturbance impacts.

IMPACT ON AIRPORT

The application has been reviewed by Exeter Airport who stated that the proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria but due to location and installation of PV a condition is to be applied for the submission of a Glint and Glare assessment. The applicants submitted a Glint and Glare Assessment as part of the application.

Exeter Airport subsequently confirmed that the proposal had been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria.

SUMMARY

In relation to transport, access, movement and parking, the development is considered to be acceptable and would not result in significant harm to public or highway safety. The proposal would use an existing access and driveway with improvements proposed to facilitate the development. Whilst access to the site via public and active transport is not ideal, development nearby would improve the situation and improve access to the development. Subject to conditions the proposal would accord with adopted policies.

E) LANDSCAPE AND VISUAL IMPACT

Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the adopted Local Plan (2016) states that development will need to be undertaken in a manner that is sympathetic to and helps conserve and enhance the quality and local distinctiveness of, the natural and historic landscape character of East Devon, in particular in Areas of Outstanding Natural Beauty. Development will only be permitted where it:

1. conserves and enhances the landscape character of the area;
2. does not undermine landscape quality; and
3. is appropriate to the economic, social and wellbeing of the area.

Policy D2 (Landscape Requirement) of the adopted Local Plan (2016) states that existing features of landscape or nature conservation value should be incorporated into the landscaping proposals and where their removal is unavoidable provision for suitable replacement should be made elsewhere on the site. Provision for the planting of trees, hedgerows, including the replacement of those of amenity value which have to be removed for safety or other reasons, shrub planting and other soft landscaping. The layout and design of roads, parking, footpaths and boundary treatments should make a positive contribution to the street scene and the integration of the development with its surroundings and setting.

Strategic Policy OL01 (Landscape features) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) requires all developments to protect and enhance landscape character by demonstrating, through a proportionate Landscape Appraisal, that it safeguards valued landscape features (such as landforms, water, natural and built features, settlement patterns, views, tranquillity and dark skies) and avoids harm to landscape, amenity and environmental qualities, having regard to up to date Landscape Character Assessments and tree and woodland guidance.

The application site is within the Devon Redlands National Character Area, Clyst Lowlands Farmlands Devon Character Area and 3E Lowland Plains Landscape Character Area. The

application is not located within any designated landscape with the East Devon National Landscape (formerly known as the Area of Outstanding Natural Beauty) approximately 3.5km to the south east. The most prominent landforms in the local area include Beacon Hill, Ashclyst Forest and the East Devon Pebblebed Heaths. As previously noted, the site was previously parkland for the Grange House (now hotel), and the site is located within the Green Wedge as defined by the adopted Local Plan, Neighbourhood Plan and Emerging Plan as well as the emerging Clyst Valley Regional Park.

The site comprises of an area of flatter ground within the north and north eastern portion of the site (approximately 50m AOD) with land falling steeply towards the central and southwestern parts of the site (approximately 46m AOD to 34m AOD). The northern portion of site itself comprises of a single storey building, hardstanding and existing vegetation. The boundaries of the site are home to trees and hedgerows. The wider area includes the Grange Hotel and cottages to the south east of the site. To the south and west of the site is open countryside with the village of Rockbeare located further west of the site. To the north of the site is open countryside with Cranbrook including Ingrams Sports Pitches to the north of London Road.

The application proposes industrial buildings within the northern portion of the site which is on flatter ground and screened by existing vegetation. Within the southern portion of the site, the application proposes an area of open or recreational space with more limited intervention. The development within the northern portion would result in the loss of an existing building, existing hardstanding and vegetation to facilitate the development. Within the northern portion of the site and despite some natural regeneration, there remains clear physical evidence of former development and areas of hardstanding. The areas of natural regeneration and naturally seeded vegetation would be lost as part of the development.

The application has been supported by a Landscape and Visual Impact Assessment (LVIA) by Westley Design. The assessment assesses landscape character at national, county and local levels, identifies valued landscape features and special qualities and evaluates potential effects on landform, settlement pattern, views, tranquillity and landscape character. The assessment demonstrates that with proposed mitigation and enhancement measures, the development would avoid significant harm to distinctive landscape visual amenity and environmental qualities.

The LVIA includes five viewpoints from the local area including Parsons Lane, Silver Lane, Road past Lions Farm and Road from Westfield to Cotties Farm. Viewpoints RV2 and RV3 would be the most impacted by the development especially in the construction and early operation phases due to the removal and replanting of vegetation however Tree Group A8 is retained which should screen the development to the south east. The LVIA concludes that with the proposed mitigation in place, the development would not result in significant adverse landscape or visual effects at RV2 and RV3 with residual impacts at both viewpoints considered to be neutral. In addition, at viewpoints RV1, RV4 and RV5, the LVIA concludes that any visual effects would be minor or neutral and not significant with mitigation ensuring the development is well integrated into its landscape setting.

The overall built form of the development has been revised during the application process to reduce its overall impact, and additional landscaping has been proposed on the southern and western edges to soften the proposal. The proposed materials, height of buildings, site layout, levels and landscaping proposals have been revised as part of the application as well as the retention of existing vegetation to reduce the overall impact. In addition, the proposed built form of the development would also be stepped back from the ridge line to mitigate the impact on lower ground to the south west of the site. The application includes an extensive planting strategy with the removal of non-native planting, new tree, hedgerow, devon banks and scrub planting, A key element of the strategy sets out that non-native planting would be selectively thinned and interplanted with native deciduous tree planting.

The application was reviewed by the Green Infrastructure Project Manager who noted from a Green Infrastructure/Landscape perspective they were satisfied that the proposals are generally acceptable subject to conditions.

It is also noted that the Site, from longer views such as Beacon Hill, Ashclyst Forest and the East Devon Pebblebed Heaths would be considered in context with the Grange Hotel and associated accommodation and as a result of the expansion of Cranbrook, the site over time would be read in context with Cranbrook which would limit its overall landscape harm.

The landscape and visual impacts of the proposals have been reviewed, and it is considered that the development could be accommodated without a significant adverse impact to the landscape character of the area. The scheme could be a success in marrying built form within the landscape in this location and the proposed development in this instance and subject to conditions, would not result in any unacceptable long-term harm on landscape character and visual amenity.

F) TREES, GREEN INFRASTRUCTURE AND LANDSCAPING

Strategy 10 (Green Infrastructure in East Devon's West End) of the adopted Local Plan (2016) states that we will ensure that the Green Infrastructure Strategy for East Devon's West End dovetails with comparable work being undertaken in Exeter to provide a green framework within which strategic development occurs. All development proposals of the West End will individually and collectively contribute to the implementation and long-term management of green infrastructure initiatives through appropriate contributions and/or on site provision, and Green Infrastructure initiatives should feature in all developments. Where the likelihood of significant effects on European wildlife sites cannot be ruled out from developments in the West End, the Council will undertake an appropriate assessment of impacts and will only support and approve proposals where it can be demonstrated that adverse effects on site integrity can be prevented.

Policy D2 (Landscape Requirement) of the adopted Local Plan (2016) requires that landscaping for new development preserves and enhances existing natural features, integrates nature conservation, ensures accessibility and long-term maintenance, includes appropriate planting, and positively contributes to the design and setting of roads and boundaries.

Policy D3 (Trees and Development Sites) of the adopted Local Plan (2016) states that permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development. The development should deliver a harmonious and sustainable relationship between structures and trees. The recommendations of British Standard 5837:2012 (or the current revision) will be taken fully into account in addressing development proposals.

Strategic Policy WS09 (Clyst Valley Regional Park) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that development proposals within and adjacent to the CVRP will integrate GI and support the achievement of the objectives in the CVRP Masterplan. Any schemes that do not contribute to these objectives, or which would frustrate their implementation, will be refused planning permission.

Policy PB08 (Tree, hedges and woodland on development sites) of the East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) sets out that development proposals must prioritize the retention and protection of existing high-quality trees, hedgerows, and woodland—especially those with ecological, visual, or heritage value—integrating them into site design, and where loss is unavoidable, provide appropriate compensation and replacement planting in line with BS 5837 standards and biodiversity net gain principles.

The application was supported by an Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement (version 1.3) by Advanced Arboriculture Ltd. The existing site contains three individual trees, ten areas and one group. The driveway from London Road contains an additional eight trees, five groups, two areas, four hedges and one woodland.

The Tree Appraisal sets out that the site and its access comprise of individual trees, groups, hedges, areas and woodland of differing quality and value. Much of the site is dominated by overgrown Cypress hedging of limited Arboricultural merit (Category C) alongside areas of Pine (A7) of moderately higher quality (Category B). The Cypress hedging provides screening benefits, and the areas of Pine are identified as having a limited life expectancy due to dense, etiolated growth. The driveway is lined by numerous Lime features, many historically pollarded, ranging from Category B groups with reasonable amenity value to poorer Category C specimens, and several Category U trees (including T3, T5, G2a and T7) exhibiting significant decay or mortality and limited safe useful life expectancy. Notable higher-quality features include veteran Oak trees (G5) and off-site woodland (W1) both Category A due to their significant landscape and Arboricultural value, together with several Category B trees and hedges providing screening and townscape contribution along the access and frontage. Along the driveway multiple Tree Preservation Orders (TPO) are in place including W1, A12, T11, H3, G1, G2, G3, G4, T6, T8 and A11 however no trees within the site itself are protected by Tree Preservation Orders, and the site is not within a Conservation Area.

The proposed development involves the removal of several low quality or Category C and U trees and hedgerows primarily Cypress, Pine, Lime, Spruce and Sycamore stems with limited Arboricultural value or safe useful life expectancy with key higher value trees are largely retained. The removal of non-native trees would help to protect the existing native trees along the driveway. The proposal has undergone design refinements, including adjusted passing places and a narrower site entrance which minimises the potential impact on existing vegetation. The Arboricultural Impact Assessment recognises a moderate overall loss of trees however it is noted that a number of tree removals have been agreed in consultation with EDDC Trees (see below) in order to result in an overall Arboricultural betterment at the site.

In relation to existing trees along the driveway and upon review as part of a site inspection, there was evidence of damage to several trees whereby it is assumed that trees have been poisoned although this cannot be confirmed, meaning that a number of the existing lime trees are unlikely to survive. As a result, the Council's Tree Officer has agreed for these trees to be removed and replanted. This would enable the restoration of a Lime Avenue along the driveway and delivery of a robust replacement planting scheme of higher long term ecological, landscape and Arboricultural value. The proposal would include 37 replacement lime trees along the driveway as set out in the Planting Masterplan and Arboriculture Report. Given the importance of the replacement planting for both historical and Arboricultural matters, a condition is required to confirm that the trees have been planted in accordance with the approved plans.

The application has been reviewed by EDDC Trees who stated that the proposal is broadly acceptable in principle but requires further Arboricultural assessment and design adjustments to address potential impacts on protected trees from the entrance and passing places, alongside mitigation through a detailed landscape scheme.

Following updated information, EDDC Trees stated that the updated Arboricultural advice raises ongoing concerns about access widening and encroachment into RPAs (notably T1 and T9) which requires revisions to the tree survey and TCP to clearly identify multiple damaged or low value trees proposed for felling and replacement (including lime avenues and spruce groups), and seeks comprehensive details of long term tree protection, replacement planting, establishment methods, and a 5 year maintenance strategy to address the significant damage and potentially deliberate poisoning to existing trees along the eastern side of the driveway.

The applicant has submitted revised plans with a narrower site access from London Road, replacement planting plan and details of maintenance of the trees along the driveway which are considered to address the comments from EDDC Trees.

The application has also been reviewed by the Green Infrastructure Project Manager who initially raised concerns because the scale, layout, and design would be visually prominent and out of character with the sensitive landscape, heritage setting, and policy constraints of the Clyst Valley

Regional Park and Rockbeare, and it is insufficiently supported by landscape, design, and technical information to demonstrate policy compliance. EDDC's Landscape Architect agreed with these comments. Following revised information which included design and layout changes, a LVIA and planting plans, the Green Infrastructure Project Manager raised no fundamental objections, but stated that there are inconsistencies between the Arboricultural and landscape plans, unresolved conflicts around tree protection and levels, and further detailed information on site levels, drainage works, and landscape reinstatement is required before conditions can be agreed.

In response, additional information was submitted and the Green Infrastructure Project Manager stated that the proposal would be overall acceptable from a Green Infrastructure/Landscape perspective, subject to a higher resolution floor level plan and securing conditions for detailed planting and pre-commencement tree protection implementation.

In summary, it is acknowledged that the proposed development would result in a moderate overall loss of trees however some tree removals and proposed replacement planting would result in an overall Arboricultural betterment at the site and driveway. The application has been reviewed by EDDC Trees and the Green Infrastructure Project Manager of which no objections have been raised. Therefore, the proposed development would be acceptable and accords with Policy D2 and D3 of the Adopted Local Plan and Policy PB08 of the Emerging Local Plan.

G) SUSTAINABILITY AND CLIMATE CHANGE

Strategy 38 (Sustainable Design and Construction) of the adopted Local Plan (2016) states that encouragement is given for developments to demonstrate, through a Design and Access Statement, how they will incorporate sustainable design and construction (including material reuse, renewable energy, and local materials), ensure climate resilience, mitigate adverse impacts, enhance biodiversity, meet high sustainability standards (CSH Level 4 or BREEAM 'Very Good'), and promote water harvesting and renewable energy integration in refurbishments.

Strategy 40 (Decentralised Energy Networks) of the adopted Local Plan (2016) states that decentralised Energy Networks will be developed and brought forward. New development (either new build or conversion) with a floor space of at least 1,000m² or comprising ten or more dwellings should, where viable, connect to any existing, or proposed, Decentralised Energy Network in the locality to bring forward low and zero carbon energy supply and distribution.

Strategic Policy CC02 (Net-zero carbon development) of the Emerging East Devon Local Plan 2020 to 2042 (Regulation 19 Plan February 2025) states that all developments will be required to demonstrate at the application stage that the relevant standards will be achieved and that minimising the carbon footprint of the proposed development has informed the design and layout of the development. This emerging policy carries limited weight at the time of determination.

Strategic Policy CC05 (Heat networks) of the Emerging East Devon Local Plan 2020 to 2042 (Regulation 19 Plan February 2025) states that for all major developments proposed within 1km of an existing heat network connection to the existing heat network should be provided.

The application would involve the construction of 21 light industrial units with associated access, highway and hard and soft landscaping. The proposed development was supported by a Sustainability Statement which covers energy, water, materials, waste, and biodiversity considerations of the development and states that the proposal would include LED lighting, solar PV panels and Air Source Heat Pumps. The proposal would also use FSC certified timber, low embodied carbon materials, off site prefabrication and would implement a waste management plan.

These elements would align with the majority of the requirements of Strategy 38 however the development does not set out whether a BREEAM rating of Very Good can be achieved which is a requirement of Strategy 38. It is therefore considered necessary to include a condition requiring confirmation that the development can achieve BREEAM Very Good.

Strategy 40 of the Adopted Local Plan and Strategic Policy CC05 of the emerging Local Plan set a requirement for major developments to connect to the district heating network unless it is not viable to connect. The application site is located adjacent to the Grange Expansion Area and the proposed expansion of the district heat network. The application fails to mention whether the proposal would connect into to expanded network which will serve land directly north east of the site. As no information regarding viability has been submitted, the LPA would expect a connection to the DHN to be secured to comply with Strategy 40. Whilst the site would be poorly related to the existing network to enable an early connection, interim or alternative renewable energy provision would be required. To meet the expectation of this policy, it is expected that in the event of approval, a condition is attached which secure a connection to the Heat Network but that in the event that this is not possible, alternative renewable energy solutions are delivered to serve the proposed development.

In relation to waste and recycling, bin stores are provided to encourage waste and recycling and receptacles. Details of the waste collection body have not been submitted however it is likely that this would be via a private collection. Devon County Council have requested that a Waste Audit Statement is secured via a condition should the application be approved to accord with Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan.

In relation to sustainability and climate change, the proposed development is considered to comply with Strategies 38 and 40 subject to a conditions would be required secure a BREEAM rating of 'Very Good' and to connect to the District Heating Network.

H) LAND CONTAMINATION

Policy EN16 (Contaminated Land) of the adopted Local Plan (2016) states that where it is anticipated that contamination may be present on or near to a development site, a contaminated land assessment will be required. The assessment must be agreed with the Council and must: a) Identify and characterise the contamination; b) Identify the risks; and c) Identify remediation and/or mitigation measures. Where identified as necessary, the agreed measures must be taken to remediate the site prior to or during the development. Development on or in close proximity to active or former waste sites will only be permitted where it can be demonstrated that there will be no harm to future occupiers of the site from leachate or landfill gas or other waste arisings.

Policy OL07 (Contaminated land) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that where it is anticipated that contamination may be present on or near to a development site, planning applications should be supported by a proportionate contaminated land assessment. The assessment must: A. Identify and characterise the contamination; B. Identify the risks; and C. Identify remediation and/or mitigation measures if required. Where identified as necessary, agreed measures must be taken to remediate the site prior to or during development. Ongoing monitoring may also be required. This emerging policy carries limited weight at the time of determination.

The proposed development is sensitive to contamination and as part of the application the District Council's Land Contamination Officer reviewed the application and requested a condition in relation to a Remediation Strategy. The proposal would therefore be acceptable subject to a condition.

I) DRAINAGE AND FLOOD RISK

Policy EN22 (Surface Run-Off Implications of New Development) of the adopted Local Plan (2016) states that planning permission for new development will require that: 1. The surface water run-off implications of the proposal have been fully considered and found to be acceptable, including implications for coastal erosion. 2. Appropriate remedial measures are included as an integral part of the development, and there are clear arrangements in place for ongoing maintenance over the lifetime of the development. 3. Where remedial measures are required away from the application

site, the developer is in a position to secure the implementation of such measures. 4. A Drainage Impact Assessment will be required for all new development with potentially significant surface run off implications. 5. Surface water in all major commercial developments or schemes for 10 homes or more (or any revised threshold set by Government) should be managed by sustainable drainage systems, unless demonstrated to be inappropriate.

Strategic Policy AR01 (Flooding) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that all development should minimise the impact and mitigate the likely effects of climate change on existing and future occupants, together with the wider community and environment, through the delivery of developments and communities which are resistant and resilient to future floods. This emerging policy carries limited weight at the time of determination.

The application is supported by a Flood Risk Assessment and Drainage Strategy, and the majority of the site is within Flood Risk Zone 1 and has no identifiable risk of flooding. A portion of the site at the very south is located within Flood Zone 2 and Flood Zone 3 and at risk of flooding from the Ford Stream and surface water. As a result of the ridge line within the southern portion of the site, the areas at risk of flooding are located at least 16 metres below the level of any proposed building. In line with Paragraph 175 of the NPPF, as no built development is located within the flood zone, a Sequential Test is not required.

In relation to surface water, the proposed impermeable area would be 5658m² and surface water from the proposed units, highway and impermeable areas would be attenuated into two underground storage tanks both being 26m in length, 5m in width and 1.2m in depth with flow control rates of 17.2 l/s or 5.3 l/s before entering into attenuation basin to the south of the buildings. The attenuation basin has a volume of 518.9m³ with a discharge rate of 4.0 l/s to the Ford Stream to the southwest of the site. The proposal also includes areas of permeable paving and tree pit soakaways.

Foul water drainage from the site will discharge to a private foul water treatment package plant and then combine with the surface water pipe to discharge into the Ford Stream. A bespoke Environment Permit is required from the Environment Agency to enable a discharge from the package plant to the receiving surface waters.

The Flood Risk Assessment submitted with the application sets out that the proposed development would not create any increase in flood risk to the local area or downstream or indeed to the proposed development.

The application was reviewed by Devon County Council Flood Risk as Lead Local Flood Authority and objected to the scheme due to insufficient information on the surface water drainage strategy; additional details are required on pollution treatment, groundwater considerations, attenuation tank design, catchment data, existing pond function, and opportunities for above-ground features such as rain gardens and tree pits to ensure a comprehensive and compliant drainage plan.

As a result, revised information and a revised FRA was submitted and Devon County Council Flood Risk who requested that the applicant submit the FEH catchment descriptors for the site. Following the submission of FEH catchment descriptors, Devon County Flood Risk removed their objection and recommended a pre-commencement condition should the application be approved.

In addition, a water conservation strategy would be required by condition to include the provision of water butts within the development.

The application was also reviewed by South West Water who stated that surface water discharge to a watercourse would be acceptable but raised there would be insufficient potable water capacity until reinforcement works on London Road are completed (expected before 2028), so a condition is requested to restrict occupation until these upgrades are in place. South West Water also stated

that foul drainage via a package treatment plant is supported, and South West Water advises that land drainage, highway drainage, and natural watercourse flows must not connect to its network.

Therefore, subject to conditions, including a Grampian style condition relating to occupancy, the development is considered to be acceptable in relation to Flood Risk and Drainage.

J) NATURE CONSERVATION AND BIODIVERSITY

Strategy 47 (Nature Conservation and Geology) of the adopted Local Plan (2016) states that all development proposals will need to:

1. Conserve the biodiversity and geodiversity value of land and buildings and minimise fragmentation of habitats.
2. Maximise opportunities for restoration, enhancement and connection of natural habitats.
3. Incorporate beneficial biodiversity conservation features.

Policy EN5 (Wildlife Habitats and Features) of the adopted Local Plan (2016) states that wherever possible sites supporting important wildlife habitats or features not otherwise protected by policies will be protected from development proposals which would result in the loss of or damage to their nature conservation value, particularly where these form a link between or buffer to designated wildlife sites. Where potential arises positive opportunities for habitat creation will be encouraged through the development process. Where development is permitted on such sites mitigation will be required to reduce the negative impacts and where this is not possible adequate compensatory habitat enhancement or creation schemes will be required and/or measures required to be taken to ensure that the impacts of the development on valued natural features and wildlife have been mitigated to their fullest practical extent.

Strategic Policy PB01 (Protection of internationally and nationally important wildlife sites) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that international followed by nationally designated wildlife sites are of greatest importance and must be given upper most protection. This emerging policy carries limited weight at the time of determination.

Policy PB07 (Ecological enhancement and biodiversity in the built environment) of the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that in addition to features required as part of biodiversity net gain, mitigation or compensation, all proposals are required to incorporate features of biodiversity value tailored to the specific proposals, relevant local receptors and in accordance with best practice to maximise potential benefits. This emerging policy carries limited weight at the time of determination.

The application was supported by an Ecological Impact Assessment (EclA) by Ecologic Consultant Ecologists LLP which sets out that the site comprises of modified grassland, scrub, hedgerows, tree lines and an existing building and lies within a wider ecological network which supports or is connected to habitats suitable for protected species including bats, dormice, reptiles, amphibians and nesting birds, with additional constraints arising from nearby great crested newt records and the presence of invasive non-native plants.

The site is around 8.8km from the Exe Estuary SPA and Ramsar sites and around 3.6km from the East Devon Pebblebed Heaths SSSI, SAC and SPA. The site is located approximately 2.1km from the Beautiport Farm County Wildlife Site, 2.9m from the Withybed Copse County Wildlife Site and 3.1km from the Hellings Park Fen County Wildlife Site. The Exeter Airport OSWI (Other Sites of Wildlife Interest) is around 2.1km from the site and the Grange, Rockbeare Unconfirmed Wildlife Site is adjacent to the site. The Carradale Farm Unconfirmed Wildlife Site, Rockbeare House Lawn Unconfirmed Wildlife Site and Home Covert Unconfirmed Wildlife Site are all within 1.3km of the site.

The proposed development would involve the demolition of an existing building and redevelopment of the site to provide 21 light industrial units. The proposal would result in the loss of habitats and bat roosts, increased lighting and disturbance, and potential harm to protected species including bats (roosting, foraging and commuting), dormice, nesting birds, reptiles (slow worm and grass snake), amphibians, hedgehog and invertebrates, with several impacts assessed as significant at a site level without mitigation.

Surveys for this site were undertaken in between February 2024 and November 2024. The findings are summarised by species below:

Badgers - There were no signs of badger identified on site during the field survey. However, it is considered possible that badger/s may frequent the site when dispersing and/or foraging. Badgers were observed within the site during summer 2025, confirming the presence of badgers at the site and the immediately surrounding area. Precautionary mitigation measures should be employed to ensure no badgers are harmed or injured during the construction period.

Bats - Emergence surveys determined that the existing building supports a common pipistrelle and soprano pipistrelle bat day roost, brown long-eared bat night and day roost and lesser horseshoe bat night roost. A European protected species licence (EPSL) will be required for the demolition of the building. Bat activity surveys determined the site supports a minimum of 9 species, including light averse long-eared and myotis bats and Annex II (Habitats Directive, 1992) barbastelle and lesser horseshoe bats. The EclA considers the hedges and treelines are regularly used by foraging and commuting bats. A sensitive lighting plan will be required and should be secured by condition. Bat lofts are included within the proposals such as Units 9 and 10 and integrated bat boxes (1 per unit) shall be installed across the site.

Birds - The building, bramble scrub, tree lines, native hedgerow and individual tree provide foraging and nesting habitat for birds. New tree and hedgerow planting and native scrub planting in excess of that lost will take place on site in compensation for the loss of grassland and bird boxes are proposed to enhance nesting opportunities.

Dormice - Nest tube surveys confirmed the presence of dormice onsite. The removal of several tree lines, 30 m of native hedgerow and several areas of bramble and mixed scrub will result in the loss of dormouse foraging and nesting habitat and could result in the killing, injury, or disturbance of any dormice present. Therefore, the works will require a dormouse mitigation licence from Natural England.

Reptiles and Amphibians - The site lies within a Great Crested Newt (GCN) Consultation Zone, with confirmed records of GCN approximately 200 m to the north-west and west of the application area. Ordnance Survey mapping identifies a pond within the northern portion of the site as well as an additional pond located approximately 90 m to the south, however, the EclA does not reference either waterbody. The applicants Ecologist has confirmed that the ponds previously shown on OS maps no longer exist meaning there is no suitable on-site aquatic habitat, but the Ecology Report recommends a great crested newt method statement. Refugia surveys confirmed the presence of a good population of slow worms and a low population of grass snakes.

Invertebrates - The bramble scrub, mixed scrub, sparsely vegetated urban land, native hedgerow, tree lines and modified grassland within the site are considered to support suitable habitat for invertebrate species. Habitat creation and wildlife provisions have been incorporated within the proposals to ensure opportunities for invertebrates are available post-development.

Mammals - The bramble scrub, modified grassland and hedgerow provide suitable habitat for hedgehog. The implementation of mitigation and compensation measures and habitat creation the proposed development will have a positive impact on mammals/hedgehog.

Invasive, Non-native Plants - Non-native, and/or invasive plant species were found on site namely Buddleia, bamboo, cherry laurel and montbretia. These plants should be removed from the site and disposed of responsibly.

Overall, several mitigation and enhancement measures are proposed under Section 6 and Appendix 11 of the Ecological Impact Assessment (ECIA) including ecological licensing (bats and dormouse), timing and supervision of works by licensed ecologists, sensitive lighting design, reptile translocation, habitat protection measures, and significant on-site habitat creation and enhancement (native hedgerows, scrub, grassland, bat lofts, nest boxes and hibernacula).

It is recognised that for Bats and Dormice (and GCN if present), the proposed works would require a European Protected Species Licence from Natural England. In these circumstances the Local Planning Authority (LPA) has a statutory duty under Regulation 3(4) to have regard to the requirements of the Habitats Directive in the exercise of its functions when dealing with cases where a European Protected Species (EPS) may be affected. The species protection provisions of the Habitats Directive, as implemented by the Habitats Regulations, contain three 'derogation tests' which must be applied by Natural England when deciding whether to grant a licence to a person carrying out an activity which would otherwise lead to an offence under provisions protecting species in the Habitats Regulations. The Woolley Court Judgment makes it clear that the Local Planning Authority must apply these same three tests when determining a planning application.

The three tests are:

- i. the activity must be for imperative reasons of overriding public interest or for public health and safety;
- ii. there must be no satisfactory alternative
- iii. favourable conservation status of the species must be maintained

In this case it is considered that there is public interest as the proposal would result in employment provision within a sustainable location and there are other associated social, economic and environmental benefits of the development.

In considering whether there is a satisfactory alternative, it is noted that the trees and hedgerows as well as an existing building providing the habitat is required to be lost to facilitate the development however in many cases the existing vegetation is low quality and replacement provides a betterment. To facilitate the development there are no other suitable alternatives. Alternative layouts could have been provided to retain existing planting, but this would have resulted in other planning concerns.

To mitigate for the loss of habitats, significant additional (new) habitat is being created across the site to provide new and enhanced foraging opportunities. The full suite of mitigation measures would be secured via a condition. As part of the scheme a 10% Biodiversity net gain has been demonstrated which can support habitat creation for the protected species and therefore further secure their ecological status on the site.

With appropriate conditions to secure details of the mitigation, it is considered that the ecological status of the protected species can be maintained in a favourable condition. Having regard to the above assessment, Officers consider that the three tests would be met, and that Natural England are likely to grant an EPS licence.

The District Council's Ecologist reviewed the application and initially raised a holding objection pending further information, particularly regarding Great Crested Newts (GCN). The District Council's Ecologist stated that the development requires multiple ecological safeguards with confirmed bat day/night roosts meaning an EPS licence is needed, dormice present and affected hedgerows/scrub removal also requiring a Natural England mitigation licence and reptile surveys reveal a good population of slow worms, requiring a full translocation rather than habitat

manipulation. The site lies within a GCN consultation zone, but the Ecological Impact Assessment does not reference two ponds on site.

The applicant submitted further information which stated that the ponds previously shown on OS maps no longer exist meaning there is no suitable on-site aquatic habitat for great crested newts however because nearby records exist and surveys cannot confirm the presence or absence, the Ecology Report recommends a great crested newt method statement alongside sensitive habitat clearance measures.

The District Council's Ecologist subsequently removed the objection and stated that the project ecologist confirms that the two ponds previously shown on OS maps no longer exist and that, although great crested newts may still pass through the site, most of the area is sub optimal habitat, so precautionary working methods must be implemented and secured within the CEcoMP to manage any residual risk during construction.

EDDC Ecology recommended the following conditions:

- Compliance with Section 6 and Appendix 11 of the Ecological Impact Assessment (ECIA) (Ecologic, July 2025).
- A detailed lighting scheme prior to the first installation of external lighting
- A Badger Survey prior to commencement
- Construction and Ecological Management Plan (CEcoMP) including any licence requirements, i.e., for great crested newts, dormice and bats.
- Reptile Translocation Strategy
- Habitat Management and Monitoring Plan (HMMP)/Landscape Ecological Management Plan (LEMP)

Natural England were consulted on the application and stated that based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

BIODIVERSITY NET GAIN (BNG)

This application was submitted in May 2025 and as a result the legal requirements under the Environment Act 2021 do apply to this application.

The BNG Assessment indicates the development would meet the minimum 10% net gain objective entirely onsite with all trading rules satisfied resulting in a net increase of 27.44% in area habitats and 13.93% in hedgerow habitats. This would be through the enhancement of hedgerows, and planting of suitable species rich grassland and scrub/shrub areas within the landscape design.

The District Council's Ecologist reviewed the application and stated that the scheme appears to achieve 10% Biodiversity Net Gain onsite with significant enhancements, the final metric submitted with the Biodiversity Gain Plan should provide a separate entry for each hedge or line of trees and the long-term management must be secured by a Habitat Management and Monitoring Plan. A BNG monitoring contribution of £8,030.02 would be required and would be secured by S106 agreement. BNG monitoring contributions were agreed at Cabinet on 5 March 2025.

The applicant will need to enter into a S106 Legal Agreement with the Local Planning Authority to secure the BNG monitoring contribution.

K) PLANNING OBLIGATIONS

Strategy 50 (Infrastructure Delivery) of the adopted Local Plan (2016) states that the Council produced and consulted (in June/July 2013) on an Infrastructure Delivery Plan to set out how the implementation of Local Plan policies and proposals will be supported through the timely delivery of

infrastructure improvements. It identifies schemes, sets out how much they will cost, indicates potential funding sources and establishes a funding gap. Developer contributions will be sought to ensure that the necessary infrastructure improvements are secured to support the delivery of development and mitigate any adverse impacts.

Strategic Policy SP07 (Delivery of infrastructure) the Emerging East Devon Local Plan 2020 to 2042 (Second Regulation 19 Publication Draft; November 2025) states that new development proposals must be supported by appropriate infrastructure, delivered in a timely manner to support the needs of the development and the wider community. Where appropriate, the Council will use planning conditions or planning obligations to secure the provision of infrastructure and its ongoing maintenance. This emerging policy carries limited weight at the time of determination.

As noted throughout this report and in order to make the development acceptable in planning terms, the development would be subject to the following obligations:

- a. Legal and Monitoring Fees
- b. Highway Works on London Road to be delivered prior to first occupation.
- c. BNG Monitoring Fee of £8,030.02

CONCLUSION AND PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The made Rockbeare Neighbourhood Plan (2018) forms part of the development plan for this part of the district in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004.

The application site is located outside of the Built-Up Area Boundary for Cranbrook and Rockbeare and would be located within the Green Wedge as defined by Strategy 8 of the adopted Local Plan, Policy Rock06 of the Rockbeare Neighbourhood Plan and Policy OL05 of the emerging Local Plan. The site would also be in the expanded Clyst Valley Regional Park under the emerging Local Plan. The proposed development is not supported by any adopted Local Plan or Neighbourhood Plan policy meaning that it would be contrary to Strategy 7 of the adopted Local Plan and Strategic Policy SP06 of the emerging Local Plan.

The proposal has some support from Strategy 3 of the Adopted Local Plan given its proximity to the Grange Expansion Area which supports sustainable development and Sections 6 and 11 of NPPF as the proposal would provide much needed employment land on a previously developed site adjacent to Cranbrook. The Economic Development Team support this application and have identified that the light industrial units proposed are in high demand and short supply with the proposal meeting an evidenced need in the district. These benefits are given significant weight in the planning balance.

In relation to design, the proposed development would deliver a functional layout, and the scale and appearance would respect the character and landscape of the site through the siting and height of the buildings, palette of materials and landscaping scheme. In heritage terms, the proposal would not result in harm to any designated heritage assets but would result in less than substantial harm (at the lower end) to the setting and significance of The Grange Hotel, a non-designated heritage asset. This harm would be partially mitigated through design and landscaping measures as well as the reinstatement and management of the historic lime avenue along the driveway. The public benefits of the development are considered to outweigh the heritage harm identified.

The proposal is considered to result in some harm to the amenity of users of Grange Lodge albeit to an acceptable level, through the increase in traffic movements and associated noise and disturbance impacts. The proposed use of the site and associated operational noise and

disturbance as well as the proposed buildings are overall considered to be acceptable in relation to amenity.

The proposed development would be acceptable in transport terms, providing a safe and suitable vehicle access with no unacceptable impact on the local or strategic highway network identified and would include junction improvements and passing places along the driveway. Whilst the current access by public transport, walking and cycling is less than ideal due to reliance on the driveway, this is mitigated to some extent through resurfacing, adding passing places and pedestrian and cycle connections to adjacent land parcels with future development in the Grange Expansion Area expected to improve sustainable travel options.

In relation to landscape and Arboricultural matters, the proposed development would respond to the site's landscape character, landform and Green Wedge context, with built development confined to the previously developed northern area of the site and mitigation provided through planting and the retention of vegetation. The submitted LVIA demonstrates that with mitigation the scheme would not result in significant adverse landscape or visual effects, with residual impacts assessed as neutral or minor from all key viewpoints and no fundamental concerns have been raised by the council's Green Infrastructure Project Manager. Although the proposals would involve a moderate loss of lower-quality trees and vegetation within the site, this is offset by a comprehensive replacement and enhancement strategy, including native tree, hedge and scrub planting and restoration of the lime avenue resulting in overall Arboricultural and landscape betterment.

The proposal has been assessed in relation to sustainability and climate change, land contamination and flood risk and there are no statutory objections subject to conditions. In relation to Ecology, the council's District Ecologist recommended several conditions should the application be approved as well as a BNG monitoring contribution. The proposal would satisfy the BNG requirements and Natural England also considered that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

In relation to public benefits, the proposal would have support from Strategy 3 and the NPPF being adjacent to Cranbrook and a previously developed site, the proposal offers economic benefits including job creation (up to 52 FTE jobs) and employment land to meet an evidenced need. The proposal would also allow access to the southern portion of the site and emerging Clyst Valley Regional Park and include connections points along the driveway to connect with the Grange Expansion Area.

There is clearly a need to balance development between unregulated development in the countryside and Green Wedge and the supply of employment land, and the proposal represents a finely balanced planning judgement. The conflicts with adopted and emerging Countryside, Green Wedge and Settlement Boundary policies weigh negatively in the planning balance however the proposed development would be acceptable in relation to design, amenity, transport, landscape harm, flood risk and ecology and would deliver public benefits that are given significant weight in the planning balance.

In this instance and having regard to all planning issues, officers consider that the provision of much needed employment space on previously developed land in a sustainable location adjacent to Cranbrook as well as a carefully designed proposal that limits landscape, visual, heritage and ecological harm would justify a recommendation for approval. Therefore, subject to appropriate planning conditions and S106 Legal Agreement, the material considerations in this instance are considered sufficient to justify a departure from the Adopted and Emerging Development Plan and Neighbourhood Plan.

RECOMMENDATION

a) Approval subject to conditions and S106 Legal Agreement (with Final Wording Delegated to the Development Manager)

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. Drainage

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

- (a) A detailed drainage design for foul and surface water based upon the approved Drainage Strategy and appendices including details of the foul water treatment package plant.
- (b) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.
- (c) Proposals for the adoption and maintenance of the permanent surface water drainage system and foul water treatment package plant.
- (d) A plan indicating how exceedance flows will be safely managed at the site.

No unit shall be occupied until the approved drainage infrastructure that relates to that unit has been implemented in accordance with the details under (a) - (e) above.

Reason: The above conditions are pre-commencement to ensure the proposed drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG.

4. Construction and Environment Management Plan (CEMP)

Prior to any works commencing on an approved phase, a Construction and Environment Management Plan (CEMP) relating to that phase of development shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented and remain in place throughout the construction period. The CEMP shall include at least the following matters:

- 1) Air Quality
- 2) Dust control
- 3) Lighting
- 4) Noise and vibration
- 5) Pollution Prevention and Control, including an emergency plan
- 6) Monitoring Arrangements
- 7) Waste Management
- 8) Water Quality
- 9) A detailed soil resources management plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites - DEFRA September 2009.

Construction working shall not take place outside the hours of 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: To protect the amenities of nearby occupiers and to protect the ecology/protected species in the locality to accord with Policy EN14 (Control of Pollution) and EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031. The CEMP needs to be approved and implemented at the start of development operations as risks to the environment, amenity and ecology will be present from this point.

5. Construction Traffic Management Plan (CTMP)

No development shall take place within an approved phase of the development until a detailed Construction Traffic Management Plan (CTMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall detail:

- a) The timetable of the works;
- b) Any road closure required (and a time table for this);
- c) Hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements being restricted to between 8:00am and 6:00pm Mondays to Fridays Inc.; 9.00am to 1.00pm Saturdays, and no such vehicular movements taking place on Sundays and Bank/Public Holidays unless agreed in writing by the Local planning Authority in advance;
- d) The number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits;
- e) The compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;
- f) Areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County Highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;
- g) Hours during which no construction traffic will be present at the site;
- h) The means of enclosure of the site during construction works;
- i) Details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site
- j) Details of wheel washing facilities and obligations.
- k) The proposed route for all construction traffic.
- l) Details of the amount and location of construction worker parking.
- m) Photographic evidence of the condition of adjacent public highway prior to commencement of any work;

The approved Plan shall be implemented in accordance with the approved details.

Reason: This is pre-commencement to ensure that adequate measures are put in place to manage construction traffic during the development in accordance with Policy D1 (Design and Local Distinctiveness) and E14 (Control of Pollution in New Development) of the adopted East Devon Local Plan (2016).

6. Habitat Management and Monitoring Plan (HMMP)/Landscape Ecological Management Plan (LEMP)

A Habitat Management and Monitoring Plan (HMMP)/Landscape Ecological Management Plan (LEMP) for a minimum 30-year period following completion of the development shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The Plan shall be prepared in accordance with the submitted Ecological Impact Assessment (EcoLogic, July 2025), the approved Biodiversity Gain Plan, and the approved hard and soft landscape plans and associated details and shall include the following:

- a. Details of the body or organization responsible for implementation of the plan accompanied by a site plan showing areas to be adopted; maintained by management company or other defined body; and areas to be privately owned/ maintained.
- b. Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ bodies responsible for its delivery.
- c. A condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
- d. The planned habitat creation works to create and/or enhance habitat to achieve the biodiversity gain in accordance with the approved Biodiversity Gain Plan.
- e. The management measures to maintain created, enhanced, and retained habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development.
- f. Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works (including an annual work plan capable of being rolled forward over a minimum 30-year period) in relation to:
 - i. Existing trees, woodland and hedgerows/banks.
 - ii. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgelink guidance.
 - iii. New trees, woodland areas, hedges and amenity planting areas.
 - iv. Grassland, wildflower and any other habitat areas proposed.
- g. The location and design of biodiversity features including integrated bird boxes, integrated bat boxes, insect bricks, and other features, e.g., to be shown clearly on accompanying plans.
- h. Boundary structures, drainage swales, water bodies and other infrastructure/ facilities within public/ communal areas.
- i. The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,
- j. Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.
- k. The Plan shall also set out (where the results from monitoring show that its conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved Plan shall be implemented in accordance with the approved details.

- o Notice in writing shall be given to the Council when the HMMP works have started.
- o Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason: This is pre-commencement 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 that the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with 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.

7. Reptile Translocation Strategy

No development shall commence (including any vegetation clearance, soil stripping, or groundworks) until a detailed Reptile Translocation Strategy in accordance with .GOV advice and Herpetofauna Groups of Britain and Ireland (HGBI) Evaluating local mitigation/translocation: best practice and lawful standards guidance has been submitted to

and approved in writing by the Local Planning Authority. The strategy shall be informed by the findings of the approved reptile survey and shall include:

- a. A plan showing the location and extent of all areas to be fenced for translocation, including soil stripping, storage, and construction compound zones;
- b. Specifications for reptile fencing, including installation method, dimensions, and maintenance schedule;
- c. Details of the receptor site located within East Devon, including habitat suitability, enhancement measures, and long-term management;
- d. A timetable for the erection of fencing, placement of refugia, and duration of translocation (minimum 60 suitable days);
- e. Capture and release protocols, including weather and seasonal constraints;
- f. Procedures for destructive search and site clearance following translocation; and
- g. Monitoring and reporting arrangements, including criteria for completion of translocation and submission of a closure report to the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved strategy.

Reason: This is pre-commencement to that the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the East Devon Local Plan (2016).

8. Construction and Ecological Management Plan (CECoMP)

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.

- a. Risk assessment of potentially damaging construction activities;
- b. Identification of "biodiversity protection zones";
- c. 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);
- d. The location and timing of sensitive works to avoid harm to biodiversity features.
- e. The times during construction when specialist ecologists need to be present on site to oversee works;
- f. Responsible persons and lines of communication, including reporting compliance of actions to the LPA;
- g. The role and responsibilities on site of an ecological clerk of works (ECoW), including any licence requirements, i.e., for great crested newts, dormice and bats; and
- h. 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: This is pre-commencement to ensure that the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the East Devon Local Plan (2016).

9. Badger Survey

No development (including groundworks or vegetation clearance) shall commence until a badger survey has been undertaken by a suitably qualified ecologist and the findings submitted to and approved in writing by the Local Planning Authority. The survey shall be carried out no more than six months prior to the start of works and shall include:

- a. Confirmation of the presence or absence of badger setts within or adjacent to the site;
- b. An assessment of potential impacts from the proposed development; and
- c. Details of any mitigation measures required to safeguard badgers during construction, including timing of works and any necessary exclusion or protection measures.

The development shall thereafter be carried out in accordance with the approved mitigation strategy.

Reason: This is pre-commencement to ensure that the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the East Devon Local Plan (2016).

10. External Lighting

No external lighting shall be installed on the site unless a detailed lighting scheme based on Section 6.4.1 of the EclA (Ecologic, July 2025) has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate, through appropriate modelling and specification, that the proposed lighting will not result in adverse impacts on nocturnal wildlife, particularly bats and dormice, and shall be fully compliant with the most recent guidance from the Institution of Lighting Professionals (currently GN08/23: Bats and Artificial Lighting at Night).

The lighting scheme shall include:

- a. Details of all proposed luminaires, including type, location, height, orientation, and light levels;
- b. Measures to minimise light spill onto key habitats, including hedgerows, scrub, and the traditional orchard;
- c. Specifications for motion-activated lighting, timers, and shielding to reduce unnecessary illumination;
- d. Confirmation that all luminaires lack UV elements and use warm white light sources (2700K or lower); and
- e. A plan showing the location of sensitive ecological features and how they will be protected from light intrusion.

The scheme must cover the impact of the lighting on the nearest sensitive receptors including the provision of any mitigation (shielding) measures. The lamps used shall not be capable of reflecting light laterally, upwards or off the ground surface in such a way that light pollution is caused.

Once approved, the lighting shall be installed and maintained strictly in accordance with the approved scheme. No variation shall take place without prior written consent from the Local Planning Authority.

Reason: To ensure the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with 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.

11. Access and Passing Places

No development shall take place until detailed plans for the following highway works have been submitted to and approved in writing by the Local Planning Authority in conjunction with the Local Highway Authority:

1. Alterations to the access point onto and on London Road relating to lines, levels, layouts, widths, radii, tactile paving, kerbing and any necessary visibility splays, as indicatively shown on the following drawings:

- C-GA-202 P5
- C-GA-201 P7

2. Proposed passing places on the private driveway approach road (Grange Hotel access), as indicatively shown on the following drawing:

- C-GA-200 P8.

The proposed works shall be constructed in accordance with the agreed plans and delivered in full prior to the first occupation of any unit/building.

Reason: This is pre-commencement to ensure the access onto London Road and to the site is acceptable in accordance with Policy TC7 - Adequacy of Road Network and Site Access of the Adopted Local Plan.

12. Waste Audit Statement

Prior to any works commencing on site, a Waste Audit Statement shall be submitted to and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The following points shall be addressed in the statement:

- o Identify measures taken to avoid all waste occurring.
- o Demonstrate the provisions made for the management of any waste generated to be in accordance with the waste hierarchy.
- o The amount of construction, demolition and excavation waste in tonnes, set out by the type of material.
- o Identify targets for the re-use, recycling and recovery for each waste type from during construction, demolition and excavation, along with the methodology for auditing this waste including a monitoring scheme and corrective measures if failure to meet targets occurs.
- o The details of the waste disposal methods likely to be used, including the name and location of the waste disposal site, and justification as to why this waste cannot be managed more sustainably.
- o The predicted annual amount of waste, in tonnes, that will be generated once the development is occupied.
- o Identify the main types of waste generated when development is occupied.

The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. This information is required pre-commencement to ensure that all waste material is dealt with in a sustainable way from the outset of the development including any groundworks, demolition, construction and operation.

13. Remediation Strategy

No development approved by this planning permission shall commence until a remediation strategy to deal with any identified risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - I. all previous uses
 - II. potential contaminants associated with those uses
 - III. a conceptual model of the site indicating sources, pathways and receptors
 - IV. potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

5. In the event that unexpected contamination is found at any time during the approved development works that was not previously identified, the findings must be reported in writing immediately to the Local Planning Authority. A new investigation and risk assessment must be undertaken in accordance with the requirements of condition 1 & 2 and where remediation is necessary a new remediation scheme must be prepared in accordance with the requirements of condition 3. This must be subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification plan must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

6. Where long term monitoring and maintenance has been identified as necessary, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the LPA, and the provision of plans on the same must be prepared, both of which will be subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency Land Contamination Risk Management (LCRM) guidance.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EN16.

14. Tree Protection Measures

I. Prior to any ground preparation works (excluding ecological or topographical surveys), the tree protection measures as identified in the submitted Arboricultural Impact Assessment & Method Statement (version 1.3) shall have been completed:

- (a) The tree protection fencing and / or ground protection shall be in place and in accordance with the agreed specification and retained intact for the full duration of the development.
- (b) The installed tree protection shall have been inspected and signed off by an appropriately experienced and qualified Arboricultural Consultant and the initial site inspection findings shall be submitted to and approved in writing by the Local planning Authority.

II. During the development hereby approved, the following tree protections measures will be undertaken:

- (c) The Arboricultural Assessment & Method Statement and TPPs shall be strictly followed.
- (d) Any departures from the approved TPP and Arboricultural Assessment & Method Statement shall be reported to the Local Planning Authority in writing within five working days of the site inspection.

III. On completion of the development hereby approved:

- (e) A completed site monitoring log shall be submitted to the Local Planning Authority for approval and final discharge of the tree protection condition.

No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.

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 unless agreed in writing by the Local Planning Authority.

No trees, shrubs or hedges within the site which are shown as being planted or retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority.

Reason: This is prior to any ground preparation works to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy D3 - Trees and Development Sites of the East Devon Local Plan 2013-2031 and pursuant to section 197 of the Town and Country Planning Act 1990).

15. Landscaping

Prior to the commencement of development above ground floor slab level, a detailed Landscaping Scheme in accordance with the submitted Planting Masterplan shall be submitted to and approved in writing by the Local Planning Authority and shall include the following:

- i) Planting plan(s) showing locations, species and number of new tree, shrub and herbaceous planting, type and extent of new amenity/ species rich grass areas, existing vegetation to be retained and removed.
- ii) Plant schedule indicating the species, form, size, numbers and density of proposed planting.

- iii) Soft landscape specification covering soil quality, depth, cultivation and amelioration; planting, sowing and turfing; mulching and means of plant support and protection during establishment period together with a 5 year maintenance schedule.
- iv) Tree pit and tree staking/ guying details including details for extended soil volume under paving where necessary for trees within/ adjacent to hard paving.
- v) Details of proposals to selectively thin and interplant native deciduous tree/hedge planting including detailed plans, timetable for implementation, maintenance and on-going management.

The landscaping works approved as part of this permission shall be undertaken in accordance with the approved scheme within 12 months of completion of development or during the next planting season following completion whichever is the sooner unless an alternative timetable for delivery has been agreed by the local planning authority. The landscaping works shall be overseen by a suitably qualified landscape architect or horticulturist independent of the planting contractor.

If within a period of 10 years from the date planted any tree, plant, grass area or shrub dies, is removed or becomes seriously damaged or diseased it shall be replaced in the next planting season with other(s) of similar size and species by the developer.

If within a period of 10 years of the commencement of development, any part of any retained/translocated hedgerow dies or becomes diseased, it shall be replaced by the developer before the end of the next available planting season in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

The areas identified as public realm, break out space and soft landscaping shall be retained and maintained for those purposes only unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of enhancing and preserving the amenity of the area in accordance with Policy D2 (Landscape Requirements) of the East Devon Local Plan (2016).

16. Further Detail Drawings

Notwithstanding the submitted details and prior to the installation or construction of the relevant element, detailed plans and elevations at an appropriate scale of the following items/details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Public Realm including Benches and Street Furniture.
- b) Windows and Doors.
- c) Canopies.
- d) EV Charging Points and layout of ducting to future EV charging spaces.
- e) Waste and Recycling Stores.
- f) Surface Water Basin including sectional drawings.
- g) Timescale for providing/implementing the above

The development shall be carried out in accordance with the approved details.

Reason: This is prior to the relevant element as insufficient information has been submitted to satisfy the Local Planning Authority regarding the above to ensure that the development is acceptable in accordance with Policy D1 (Design and Local Distinctiveness), D2 (Landscape requirements) and D3 (Trees and Development Sites) of the East Devon Local Plan (2016).

17. Details of External Materials

Notwithstanding the submitted details and prior to the first installation of the relevant material, details and material samples of the following materials shall be submitted to and approved in writing by the Local Planning Authority:

- Juniper Green Cladding
- Red Brick
- Concrete
- Grasscrete
- Block Paving

The development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan (2016).

18. Pedestrian and Cycling Connection Points from Driveway

Prior to development above slab level of any unit/building hereby permitted and notwithstanding the submitted plans, details of the pedestrian and cycling connection points from the driveway to parcels of land to the east and west of the driveway shall be submitted to and approved in writing by the Local Planning Authority.

The details shall include details of signage and bollards where required and confirm that the connection points extend to the boundary of the site as to ensure that adequate links between developments are provided.

The connection points shall be constructed in accordance with the approved plans and made available to use prior to the first occupation of any unit/building. The connection points shall thereafter be retained and maintained for that purpose for the lifetime of the development.

All connection points shall be kept open and available at all times for use by members of the public on foot and by cycle without obstruction. No gates, barriers, fences or other means of enclosure shall be erected across the connection points, nor shall any signage or measures be installed which would restrict or discourage public access unless for reasons of safety or maintenance.

Reason: In the interests of facilitating a comprehensive movement network in accordance with Policy CB5 of the Cranbrook Plan and Strategy 5B of the adopted Local Plan.

19. Cycle Storage

Prior to the first occupation of any building/unit hereby permitted, details of secure and covered cycle storage facilities for 30 bicycles shall be submitted to, and approved in writing by, the Local Planning Authority. No building/unit hereby permitted shall be occupied until the cycle parking provision for such building/unit has been completed, and which thereafter, shall be kept free of obstruction and available for the parking of cycles only.

Reason - To ensure the provision and availability of adequate cycle parking in accordance with Policy TC9 of the East Devon Local Plan (2016).

20. Water Network Works - Occupation Restriction

No building hereby approved shall be occupied until written confirmation is received by the Local Planning Authority from South West Water confirming that improvement works to the

potable water network on London Road have been completed such that an adequate supply of potable water will be available for the occupiers of the development.

Reason: To enable required improvement works to take place to accommodate the increase in demand expected as a result of the proposed development. Allowing demand above acceptable volumes from the occupation of these buildings prior to these works being completed would have a detrimental impact on existing infrastructure in accordance with Policy EN18 (Maintenance of Water Quality and Quantity) and Policy EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems) of the East Devon Local Plan.

21. Water Conservation Strategy

Prior to development above slab level of any unit/building, details of a water conservation and efficiency strategy shall be submitted to and approved in writing by the Local Planning Authority. The development shall take place in accordance with the approved details.

Reason: In the interest of water conservation and to reduce potential surface water run-off from the site in line with policy EN22 (Surface Run-off Implications of New Development); SuDS for Devon Guidance (2017) and national policies as set out in the National Planning Policy Framework and associated Planning Practice Guidance.

22. Driveway Tree Planting

Prior to the first occupation of the development, detailed plans for the 37 no. replacement lime trees along the driveway in accordance with the Planting Masterplan and Arboriculture Report (version 1.3) shall be submitted to and approved in writing by the Local Planning Authority.

The tree planting works approved shall be completed during the first planting season following the completion of the development or first occupation whichever is the sooner unless an alternative timetable for delivery has been agreed by the Local Planning Authority.

Upon completion of the tree planting works, a Compliance Report by a Qualified Arboriculturist and/or Landscape Architect confirming that the lime tree planting has been completed in accordance with approved plans shall be submitted to and approved in writing by the Local Planning Authority. The Compliance Report shall include photographs of every tree planted as evidence.

Reason: In the interests of enhancing and preserving the amenity of the area and restoring the lime avenue in accordance with Policy D2 and D3 of the East Devon Local Plan (2016).

23. BREEAM Assessment

Within six months of the first occupation of each light industrial unit, a BREEAM assessment using BREEAM UK NC V6 confirming at least a 'Very Good' rating for each light industrial unit shall be submitted to the Local Planning Authority for written approval.

Should the submitted BREEAM assessment show that the building does not meet the 'Very Good' BREEAM rating, further details shall be submitted at the same time for the written approval of the Local Planning Authority to show what other sustainability performance improvements will be undertaken and a timetable for their implementation. Any further sustainability performance improvements agreed must be undertaken in full accordance with the details and timetable as agreed in writing by the Local Planning Authority and shall be maintained and retained thereafter for the lifetime of the building.

Reason: In the interests of sustainability to minimise the demand for energy and to accord with government policy/advice to comply with Strategy 38 (Sustainable Design and Construction) of the East Devon Local Plan (2016).

24. Connection to a District Heat Network

The proposed development hereby permitted shall be connected to the existing District Heat Network in the locality. The building shall be constructed so that the internal systems for space and water heating are connected to the District Heat Network prior to the first occupation for the permitted use.

Should a connection to the District Heat Network not be technically or viably possible, details to evidence this as well as details of Low Carbon Measures for the supply of hot water and space heating must be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The development shall be constructed in accordance with the approved Low Carbon Measures and shall not be first occupied until the Low Carbon Measures have been installed and are operational. The Low Carbon Measures shall be retained and maintained for the lifetime of the development.

Reason: In the interests of sustainability and in accordance with Strategies 11 (Integrated Transport and Infrastructure Provision at East Devon's West End) and 40 (Decentralised Energy Networks) of the East Devon Local Plan 2013-2031.

25. External Plant

Prior to the installation of any external plant, machinery and/or ventilation units serving the units/buildings hereby permitted, detailed plans of the design and location of the external plant, machinery and/or ventilation units shall be submitted to and approved in writing by the Local Planning Authority.

The specific noise level of any fixed plant or equipment installed and operated on the development site, must be designed as part of a sound mitigation scheme to operate at a level of <28dB (LAeq 15min) when measured or predicted at 3m from the facade of any noise sensitive property between the hours of 23:00 until 07:00 and must not exceed 37dB (LAeq 60min) when measured or predicted at the boundary of any noise sensitive property between the hours of 07:01 until 22:59. Any measurements and calculations shall be carried out in accordance with 'BS4142+2014 Methods for Rating and Assessing Industrial and Commercial Sound'.

Reason: To protect the amenity of local residents, and to accord with the provisions of Policies D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan (2016).

26. Ecological Mitigation Measures

The works shall be carried out in strict accordance with Section 6 and Appendix 11 of the Ecological Impact Assessment (ECIA) (Ecologic, July 2025). The industrial units/buildings shall not be first used until the local planning authority has been provided with a compliance report by a qualified ecologist, including photographs and completed toolbox talk sheets, detailing that all ecological mitigation and enhancement features, including:

- a. integrated bat boxes (1 per unit),
- b. bird boxes (1 per unit)
- c. insect bricks (1 per unit)
- d. dormouse nest boxes (20 no.)
- e. Reptile/amphibian hibernacula (4 no.)

As well as ecological mitigation planting as detailed have been installed/constructed, and compliance with any protected species licences, and ecological method statements in accordance with details within the submitted HMMP/LEMP and CEcoMP.

Reason: To ensure that the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with 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.

27. Use Restriction - Light Industrial Buildings

The light industrial buildings/units hereby approved shall be used for purposes falling within Use Class E (g) (iii) only and for no other purpose (including any other use permitted by the Schedule of the Town and Country Planning (Use Classes) Order, 1987 as amended or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modifications or by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification).

Reason: To ensure the uses comply with the application, in the interests of protecting neighbouring amenity and due to the location of the development, in accordance with Policy D1, Policy EN14 and Strategy 3 of the East Devon Local Plan (2016).

28. Hours of Operation

No employment unit hereby approved shall be open for business/operating except between the hours of 07:00 until 19:00 Monday to Friday, or 08:00 to 13:00 on Saturdays, and not at all on Sundays, Bank Holidays, Christmas Day or Boxing Day.

Reason: In the interests of protecting neighbouring amenity in accordance with Policy D1 and Policy EN14 of the East Devon Local Plan (2016).

29. Machinery and Deliveries

No machinery shall be operated, no processes carried out and no deliveries accepted or despatched to or from the site except between the hours of 07:00 until 19:00 Monday to Friday, or 08:00 until 13:00 on Saturdays, and not at all on Sundays, Bank Holidays, Christmas Day or Boxing Day.

Reason: To protect the amenities of local residents from noise in accordance with Policy D1 and EN14 of the East Devon Local Plan (2016).

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.

Informative:

This planning permission is accompanied by a S106 Legal Agreement which must be read in conjunction with this decision notice.

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:

RDR M08 REV 18 05 2026 : Hard Landscape Masterplan	Landscaping	20.05.26
RDR M09 REV 18 05 2026 : Planting Masterplan	Landscaping	20.05.26
RDR-PS-01 REV 18 05 2026 : Landscape Schedule of Quantities	Landscaping	20.05.26
SP.01C	Proposed Site Plan	08.05.26
SP.02C	Proposed Site Plan	08.05.26
PS.03 C : Proposed Floor Level Plan	Other Plans	08.05.26
SP.04 C : Proposed Landscaping Plan	Landscaping	08.05.26
SP.07 C : Proposed Site Plan Block C & D	Proposed Site Plan	08.05.26
GA-200 P8 : Access Lane/Overall	Layout	28.05.26
GA-201 P7 : Highway Layout	Layout	24.04.26
GA-202 P5 : Highway Access Works S278	Layout	24.04.26
C-GA-105 P2 : Impermeable Areas	Other Plans	02.04.26
C-GA-100 P5 : Drainage Strategy	Drainage plan	15.05.26
C-GA-0250 P2 : Overland Flood Exceedance Routes	Other Plans	02.04.26
GA.07 : Proposed Unit C9/C10	Sections	02.04.26

Section

A.26 : Proposed Elevations Block F	Proposed Elevation	02.04.26
A.30 : Proposed Site Section C-C	Sections	02.04.26
A.20 : Proposed Ground Floor Plan Block E	Proposed Floor Plans	02.04.26
A.03 : Proposed Elevations Block A	Proposed Elevation	02.04.26
A.25 : Proposed Roof Plan Block F	Proposed roof plans	02.04.26
A.22 : Proposed Elevations Block E Side	Proposed Elevation	02.04.26
A.27 : Proposed Elevations Block F Side	Proposed Elevation	02.04.26
A.07 : Proposed Roof Plan Block B	Proposed roof plans	02.04.26
A.29 : Proposed Site Section B-B	Sections	02.04.26
GA.05 : Proposed Unit C9 & C10 Mezzanine	Proposed Floor Plans	02.04.26
A.09 : Proposed Elevations Block B	Proposed Elevation	02.04.26
A.13 : Proposed Roof Plan Block C	Proposed roof plans	02.04.26
A.28 : Proposed Site Section A-A	Sections	02.04.26
A.19 : Proposed Elevations Block D	Proposed Elevation	02.04.26
T.02	Location Plan	02.04.26
A.10 : Proposed Elevation Block B	Proposed Elevation	02.04.26
A.12 : Proposed Ground Floor Plan Block C	Proposed Floor Plans	02.04.26

A.14 : Proposed Elevations Block C	Proposed Elevation	02.04.26
GA.04 : Proposed Unit C9/C10 GF Plan	Proposed Floor Plans	02.04.26
GA.03 : Proposed Section	Sections	02.04.26
A.08 : Proposed Roof Plan Block B	Proposed roof plans	02.04.26
A.17 : Proposed Roof Plan Block D	Proposed roof plans	02.04.26
SP.05 : Proposed Site Plan Block A	Proposed Site Plan	02.04.26
GA.01 : Single Story Unit Plans	Proposed Floor Plans	02.04.26
A.04 : Proposed Elevations Block A Side	Proposed Elevation	02.04.26
A.21 : Proposed Roof Plan Block E	Proposed roof plans	02.04.26
SP.08 : Proposed Site Plan Block E/F	Proposed Site Plan	02.04.26
A.23 : Proposed Elevations Block E	Proposed Elevation	02.04.26
A.18 : Proposed Elevations Block D	Proposed Elevation	02.04.26
A.24 : Proposed Ground Floor Plan Block F	Proposed Floor Plans	02.04.26
A.01 : Proposed Ground Floor Plan Block A	Proposed Floor Plans	02.04.26
A.05 : Proposed Ground Floor Plan Block B	Proposed Floor Plans	02.04.26
A.15 : Proposed Elevations Block C Side	Proposed Elevation	02.04.26

GA.06 : Unit C9/C10 Mezzanine	Proposed roof plans	02.04.26
A.02 : Proposed Roof Plan Block A	Proposed roof plans	02.04.26
A.16 : Proposed Ground Floor Plan Block D	Proposed Floor Plans	02.04.26
GA.02 : Two Storey Unit Plan	Proposed Floor Plans	02.04.26
SP.06 : Proposed Site Plan Block B	Proposed Site Plan	02.04.26
A.06 : Proposed Ground Floor Plan Block B	Proposed Floor Plans	02.04.26

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.

Appendix 1 – Consultation Responses

Devon County Council Waste Management – 15 April 2026

As no new information in relation to waste management has been submitted, the Waste Planning Authority's comments from 24th July 2025 still stand.

Devon County Council Waste Management – 24 July 2025

This major application has come to the attention of the Waste Planning Authority.

Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste Audit Statement. This ensures that waste generated by the development during both its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance. A key part of this will be to consider the potential for on-site reuse of inert material which reduces the generation of waste and subsequent need to export waste off-site for management. It is recommended that these principles are considered by the applicant when finalising the layout, design and levels.

As a Waste Audit Statement has not been submitted, it is recommended that a condition is attached to any consent to require the submission of a Waste Audit Statement prior to the commencement of the development as stated below:

Prior to the commencement of development, a waste audit statement shall be submitted to, and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The following points shall be addressed in the statement:

- o Identify measures taken to avoid all waste occurring.
- o Demonstrate the provisions made for the management of any waste generated to be in accordance with the waste hierarchy.
- o The amount of construction, demolition and excavation waste in tonnes, set out by the type of material.
- o Identify targets for the re-use, recycling and recovery for each waste type from during construction, demolition and excavation, along with the methodology for auditing this waste including a monitoring scheme and corrective measures if failure to meet targets occurs.
- o The details of the waste disposal methods likely to be used, including the name and location of the waste disposal site, and justification as to why this waste cannot be managed more sustainably.
- o The predicted annual amount of waste, in tonnes, that will be generated once the development is occupied.
- o Identify the main types of waste generated when development is occupied.

The development shall be carried out in accordance with the approved statement.

Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. This information is required pre-commencement to ensure that all waste material is dealt with in a sustainable way from the outset of the development including any groundworks, demolition, construction and operation.

Please do not hesitate to contact the Waste Planning Authority should you have any questions

County Highway Authority – 14 May 2026

I refer to the additional information received in relation to the above planning application and having reviewed the supporting documents have the following observations for the highway and transportation aspects of this proposal.

As part of our initial comments dated 22nd July 2025, DCC recommended that the applicant engage with the Highway Authority to discuss and address the existing access arrangement from London Road. Subsequent conversations have since taken place and, in turn revised plans have been submitted by the applicant.

The revised access proposals would now see the existing right turn arrangement lengthened to help accommodate additional vehicle movements accessing into the private road, from the west. Whilst in return this would see a reduction to the right turn lane arrangement on the northern side of London Road, and into Ingrams Place, the Highway Authority are satisfied (also taking into account what Ingrams Place accommodates) that the reduced right turn arrangement would not be to the detriment of the operation of the highway network and in return provide an extended, more suitable access approach into the private road that will serve this development proposal.

With regards to the access proposals relationship to the neighbouring works to the east, it is important clarity is provided on which party is responsible for delivering what works on the eastern side/interface of the private access and avoid the risk of abortive works. The current supporting drawing for this application presents a degree of uncertainty on this. Notwithstanding, this detail can be agreed at detailed design stage, supported with a suitably worded condition.

Other elements that would need to be addressed are the alignment of the tactile paving across the bellmouth and the radii of the bellmouth itself. The applicant is currently proposing to increase the radii to 9m. In this case, DCC are of the view that the radii could in principle be reduced and likely improve harmonisation with the crossing proposals to the east, which forms part of the neighbouring planning consent consented (subject to the s106 being signed). However, consideration also needs to be given of the bellmouth and its ability to accommodate both incoming and outgoing traffic.

Again, a suitably worded condition is necessary to ensure such matters are discussed, addressed and at detailed design stage.

DCC also note the proposed links either side of the private road to help future alternative pedestrian routes across Cranbrook, which is welcomed and can be secured through condition should the application be approved.

With the above in mind, should the LPA be minded in approving the application the following conditions are recommended:

- No development shall take place until detailed plans for alterations to the access point onto and on London Road have been submitted to and approved in writing by the Local Planning Authority (in conjunction with the Local Highway Authority) relating to lines, levels, layouts, widths, radii, tactile paving, kerbing and any necessary visibility splays, as indicatively shown on the following drawings:

C-GA-202 P5

C-GA-201 P1

The works will then be constructed in accordance with the agreed plans and delivered in full prior to first occupation.

- Prior to commencement of construction of the private industrial estate road, detailed plans for the proposed passing areas on the private approach road (Grange Hotel access) as generally shown on drawing number C-GA-200 P7 shall be submitted to and approved in writing by the Local Planning Authority and constructed and delivered in full.

- Prior to first occupation of the development hereby permitted, access to covered cycle parking, numbers, and spaces to be fully in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority and constructed and delivered in full to the agreed plans.
- Prior to first occupation of the development hereby permitted, access to appropriate electric vehicle charging points will be committed to being available to all users of the site. They shall be in accordance with a detailed scheme to be submitted to and approved in writing by the Local Planning Authority.
- Prior to first occupation detailed plans for the pedestrian links to neighbouring parcels as indicatively shown on drawing number C-GA-200 P7 shall be submitted to and approved in writing by the Local Planning Authority and constructed and delivered if full.

The applicant will be required to enter into a suitable legal agreement with the Highway Authority to secure the construction of the highway works necessary as part of this development. Please ensure that an advisory note is attached requesting that the developer contact the Highway Authority to progress this agreement well in advance of commencement of development.

County Highway Authority – 23 July 2025

I refer to the above-mentioned planning application received by the Highway Authority and following a site visit and have the following observations for the highway and transportation aspects of this proposal.

The proposal is for full planning permission for the erection of for the demolition of an existing storage building construction of 21 light industrial units (Use Class E (g) (iii) with associated access, parking, and landscaping.

Immediate access to the parcel is off an existing private no through single track which is subsequently served by London Road to the north. The private track currently serves a hotel.

The existing access from London Road currently consists of a very short right turn arrangement that came about as part of the works for the delivery of the nearby Ingrams development previously consented. To accommodate this scheme, the applicant has proposed two passing areas on the private track to accommodate two-way flow to accommodate the scheme and benefit associated vehicles to the hotel.

Access alterations has also been proposed for the London Road intersection to improve vehicle accessibility from and egress back onto the public highway. As part of policy obligations to the adopted plan, London Road is likely to see future traffic calming features as the town is built out. Whilst, for this proposal there is no objection to the principle of the development, the current constraints of the existing right turn arrangement from London Road would firstly require addressing and improving as part of this application. There appears scope to make such alterations at this location without compromising highway safety.

However, it is advised that the applicant approach DCC Highways as part of the next steps in addressing this element of the application, and to help progress the application towards its determination.

Police Crime Prevention Officer – 14 July 2025

Thank you on behalf of Devon and Cornwall Police for the opportunity to comment on this application. I have no objection to the proposal but would like to make the following comments and recommendations, aimed at reducing the opportunity for crime and antisocial behaviour (ASB), and thus conforming with local and national planning guidance.

o It is recommended that unauthorised access to the site is prevented by way of fencing / gates meeting a nationally recognised security standard such as LPS 1175.

o Access to the rear of units should be restricted as natural surveillance is limited and the risk of burglary attempts via fire escapes greater. These 'private paths' should be protected by fencing and gates also meeting LPS 1175 or similar, with emergency egress.

o Consider the installation of bollards (PAS 68) or suitably located planters as vehicle mitigation measures to offer protection to vulnerable frontages, etc. from accidental or hostile collisions / ram raids.

o Commercial / industrial units should be fitted with a monitored intruder alarm or at least the infrastructure to allow easy instalment by the occupier. For a police response, the system must comply with the requirements of the Security Systems policy, which can be found at www.securedbydesign.com under the 'Group Initiatives' tab.

o Similarly, it is recommended that units are fitted with CCTV, particularly covering entry / exit points, 'private paths', car parks and the shell of the units or at least the infrastructure to allow the easy installation of CCTV by occupiers.

o Refuse and recycling bins, can be re-positioned and used to aid climbing to vulnerable parts of buildings and their contents used as fuel for arson. They should be retained in a lockable roofed store set apart from the main buildings and the containers themselves fitted with lockable lids.

o External rainwater pipes can be used as climbing aids and should be either square or rectangular in section, flush fitted against the wall or contained within a wall cavity or covered recess.

DCC Flood Risk Management Team – 9 June 2026

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that the following pre-commencement planning conditions are imposed on any approved permission:

No development hereby permitted shall commence until the following information has been submitted to and approved in writing by the Local Planning Authority:

(a) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and appendices.

(b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.

(c) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(d) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (d) above.

Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or

downstream in line with SuDS for Devon Guidance (2017) and national policies, including NPPF and PPG. The conditions should be pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.

The applicant should monitor groundwater prior to designing their surface water drainage system. They will need to ensure that floatation does not occur.

DCC Flood Risk Management Team – 21 May 2026

Before withdrawing our objection, they need to submit the FEH catchment descriptors for the site.

DCC Flood Risk Management Team – 24 July 2025

Recommendation:

At this stage, we object to the above planning application because the applicant has not submitted sufficient information in order to demonstrate that all aspects of the surface water drainage management plan have been considered. In order to overcome our objection, the applicant will be required to submit some additional information, as outlined below.

Observations:

We have reviewed the Flood Risk Assessment for this planning application.

The applicant has proposed permeable paving in most parking areas. Surface water from these parking areas will pass through the paving and then drain into the proposed attenuation tanks. Surface water from the roofs and other hardstanding areas will drain straight into the attenuation tanks.

The attenuation tanks are proposed to discharge to the watercourse (Main River) to the south of the site at the Qbar greenfield runoff rate.

Are the number of proposed units required, or, could 1 or 2 units be taken out to provide space for above-ground features?

Rain gardens and tree pits could be included throughout the site.

The current proposed treatment is not enough for the pollution indices which could occur from the proposed access road.

Groundwater has been found to be shallow beneath this site. The applicant has noted that this will need to be accounted for. The applicant has also noted that the strength of the proposed attenuation tanks will need to be accounted for.

Could the drainage for the existing access road be improved?

The proposed flow control from attenuation tank 1 is small. Appropriate treatment must be included upstream of this attenuation tank.

The applicant must submit a screenshot of the FEH mapping showing the catchment descriptors for the site.

The applicant should clarify how the existing ponds within the site function.

DCC Historic Environment Officer – 14 April 2026

Historic Environment Team has no comments to make on this planning application.

DCC Historic Environment Officer – 10 July 2025

ARCH/DM/ED/41389a
Application No. 25/0965/MFUL

The Grange, London Road, Rockbeare, EX5 2FP - Full planning permission for the demolition of an existing storage building construction of 21 light industrial units (Use Class E (g) (iii) with associated access, parking and landscaping: Historic Environment

My ref: ARCH/DM/ED/41389a

I refer to the above application and your recent consultation. The Historic Environment Team has no comments to make on this planning application.

Contaminated Land Officer – 10 April 2026

As per my previous comments on Con Land.

Contaminated Land Officer – 22 July 2025

No development approved by this planning permission shall commence until a remediation strategy to deal with any identified risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the local planning authority. This strategy will include the following components:

1. A preliminary risk assessment which has identified:
 - I. all previous uses
 - II. potential contaminants associated with those uses
 - III. a conceptual model of the site indicating sources, pathways and receptors
 - IV. potentially unacceptable risks arising from contamination at the site
2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.
3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

5. In the event that unexpected contamination is found at any time during the approved development works that was not previously identified, the findings must be reported in writing immediately to the Local Planning Authority. A new investigation and risk assessment must be undertaken in accordance with the requirements of condition 1 & 2 and where remediation is necessary a new remediation scheme must be prepared in accordance with the requirements of condition 3. This must be subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification plan

must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 4.

6. Where long term monitoring and maintenance has been identified as necessary, a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period to be agreed with the LPA, and the provision of plans on the same must be prepared, both of which will be subject to the approval in writing of the Local Planning Authority. Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced and submitted to the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency Land Contamination Risk Management (LCRM) guidance.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, are minimised and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy EN16.

Environmental Health – 10 April 2026

I recommend approval with conditions:

1. No machinery shall be operated, no processes carried out and no deliveries accepted or despatched except between the hours of 07:00 until 19:00 Monday to Friday, or 08:00 until 13:00 on Saturdays, and not at all on Sundays or Bank Holidays.

Reason: To protect the amenities of residents from noise.

2. The specific noise level of any fixed plant or equipment installed and operated on the development site, must be designed as part of a sound mitigation scheme to operate at a level of <28dB (LAeq 15min) when measured or predicted at 3m from the facade of any noise sensitive property between the hours of 23:00 until 07:00 and must not exceed 37dB (LAeq 60min) when measured or predicted at the boundary of any noise sensitive property between the hours of; 07:00 until 23:00. Any measurements and calculations shall be carried out in accordance with 'BS4142+2014 Methods for Rating and Assessing Industrial and Commercial Sound'.

3. A Construction and Environment Management Plan (CEMP) must be submitted 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. Any equipment, plant, process or procedure provided or undertaken in pursuance of this development shall be operated and retained in compliance with the approved CEMP. 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 and no high frequency audible reversing alarms used on the site.

Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution.

4. A lighting scheme for any external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to any development commencing. The lighting scheme must comply with the requirements of the Institute of Light Engineers guidance on the avoidance of light pollution. The scheme must cover the impact of the lighting on the nearest sensitive receptors including the provision of any mitigation (shielding) measures. The lamps used shall not be capable

of reflecting light laterally, upwards or off the ground surface in such a way that light pollution is caused.

Reason: To comply with Policy EN15 for the avoidance of light pollution and to avoid light pollution being detrimental to the amenity of local residents

Environmental Health - 21 Jul 2025

The applicants Noise Impact Assessment (ref number 25-203) details that the roller shutter doors to the service areas will be maintained in a closed position during any noisy internal operations. However, in reality roller doors are often left open during these types of operations. I would request the predicted specific sound level is recalculated showing the predicted specific sound level arising from cumulative typical operations at the closest noise sensitive receptors to the site with roller door open. This information is required before any recommendation can be made.

Green Infrastructure Project Manager – 15 May 2026

As previously noted from a Green Infrastructure/Landscape perspective I am happy that the proposals are generally acceptable.

In relation to the additional information:

- The Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement is clear and demonstrates how the root protection areas will be protected during construction.
- The Attenuation Basin Section isn't clear as it doesn't show levels or root protection areas, but I am satisfied that the Arboricultural Impact Assessment addresses the concern regarding the relationship between the attenuation pond and the retained trees.
- The levels on the Floor Level Plan are not legible – we should request an updated plan with a higher resolution.

Relevant landscape conditions are required to ensure the detailed planting proposals are approved before commencement on site, along with implementation of tree protection before commencement.

Green Infrastructure Project Manager – 30 April 2026

I've had an initial look at the additional information submitted for this application. I don't believe there are any fundamental issues - we will need to agree suitable landscape conditions (tree protection, detailed planting plans, planting establishment and management).

I have reviewed the updated Arboricultural Impact Assessment - this shows removal of the northern part of tree group A8. This is in conflict with the landscape plan which shows these trees as retained. There is also a conflict between the root protection areas and the hedge banks proposed to the western edge of the proposed development.

I would appreciate some detailed levels and existing levels on the proposed site plan, and a detailed section through the attenuation basin and adjacent belt of trees to be clear on the levels in this area (marked in red on the plan below). The landscape plan also pick up the reinstatement of the meadow/scrub where the drainage pipes will require excavation to the SW of the development.

Once we've received this information I'll come back with any other feedback.

Green Infrastructure Project Manager – 4 July 2025

As we discussed yesterday the application site is within the Clyst Valley Regional Park (policy WS09 emerging local plan), Green Wedge (Strategy 8 current local plan) and in the landscape setting of a number of listed buildings and Rockbeare Manor historic park and garden (EN8/EN9).

The site is in an elevated position, to the NW of the Grange, at the top of the prominent rising ground to the north of Rockbeare Manor and Rockbeare village. The proposals will be visible from the wider landscape to the south, and the southern part of the site is sloping, with trees adjacent to the development proposals which require significant level changes. The layout and design of the buildings is out of character with the context, and fails to work with the site constraints - creating a retaining wall and elevated building in the most visible southern part of the site, and large continuous blocks of buildings that are out of scale with and use materials that are out of character with the buildings at the Grange and built form in Rockbeare village and the surrounding rural area/landscape.

The proposals are therefore contrary to the policies highlighted above, and policies D1 (1/2/3) which requires development to respect the key characteristics and special qualities of the area in which the development is proposed, and ensure that scale, massing, density and materials of buildings relate well to their context and do not adversely affect the distinctive historic or architectural character, or landscape characteristics, of the area.

I note that there are a number of employment sites within the Enterprise Zone (Skypark, Airport Business Park etc) where there is existing employment provision and capacity for new development to provide commercial business units as proposed.

If the scheme progresses further additional information is required to enable the details of the scheme to be considered fully:

- A Landscape and Visual Appraisal which considers views from receptors in the wider area and potential effect on landscape character
- Provision of levels on the site plans (including roof and eaves levels) and elevations so we can understand the scale of the development and its potential visibility.
- Inclusion of existing ground levels on the sections (and check the site sections are correctly labelled - section B-B appears to be C-C on the plan?)
- A concept landscape plan which shows the whole of the application site and its context, and shows the how the net increase in BNG will be achieved and the principles of the landscape scheme.
- The Planning Statement does not address how the proposals meet the requirements of the CVRP policy
- In addition the Arboricultural Assessment does not appear to recognise that trees at the entrance to the site are TPO'd.

Please let me know if you would like any further input,

Green Infrastructure Project Manager – 2 July 2025

The site is located within the expanded Clyst Valley Regional Park (emerging local plan), Green Wedge (current local plan) and in the landscape setting of a number of listed buildings and Rockbeare Manor historic park and garden.

The site is in an elevated position, to the NW of the Grange. The southern part of the site is sloping, with trees adjacent to the development proposals which indicate significant level changes, and potential visibility from the wider landscape to the south.

Before I can provide a response please can I request additional information:

- A Landscape and Visual Appraisal which considers views from receptors in the wider area and potential effect on landscape character

- Provision of levels on the site plans (including roof and eaves levels) and elevations so we can understand the scale of the development and its potential visibility.
- Inclusion of existing ground levels on the sections (and check the site sections are correctly labelled - section B-B appears to be C-C on the plan?)
- A concept landscape plan which shows the whole of the application site and its context, and shows the how the net increase in BNG will be achieved and the principles of the landscape scheme.
- The Planning Statement does not address how the proposals meet the requirements of the CVRP policy

In addition, the Arboricultural Assessment does not appear to recognise that trees at the entrance to the site are TPO'd.

Landscape Architect – 15 July 2025

I note and concur with the comments received from Paul Osborne in respect of the above application.

EDDC Trees – 22 April 2026

Following a site visit with the agent and arboricultural consultants, an updated Arb Report has been provided by Advanced Arb dated the 02/04/2026. I have the following comments:

-As per our discussion on site, concern is still raised about the degree of widening proposed for the site entrance and the impact that this will have of T1. It is questioned whether the size of vehicles anticipated to use the site requires such a wide entrance, which extends down the drive past T1; it is considered that the section around the trunk area of T1 does not need to be widened which will therefore remove the risk of damaging the tree which will occur with the current plans.

- T9. The widening of the drive to facilitate passing places should be located outside of the RPA of T9 as per on site discussions.
- The tree survey requires updating to include:
 - G6, 5 Spruce to be felled to enable native hedge to be appropriately managed.
 - A11,8 Spruce to be felled to enable native hedge to be appropriately managed.
 - G3, 3 Lime trees which have been damaged & drilled to be felled and replaced as per long-term landscape enhancement scheme.
 - G2, 11 Lime trees which have been damaged & drilled along eastern aspect of driveway to be felled and replaced as per long-term landscape enhancement scheme.
 - T5, Lime. Fell and replace as per long-term landscape enhancement scheme.
- details of proposed long - term tree protection along the drive needs to be provided for the mature trees to avoid vehicle compaction of the verge and direct damage occur from passing vehicles.

All trees proposed to be felled need to be clearly shown on TCP alongside an updated tree survey.

As discussed on site, it is clear that significant direct damage has occurred to the majority of Lime trees to the east of the access track during recent track maintenance. Furthermore, there is clear evidence of each tree having been drilled; this is normally associated with poisoning of the trees. The condition of the Limes would strongly indicate that the trees have been deliberately poisoned. Replacement planting of the Lime trees along the eastern side of the access track is therefore required and needs to be clearly shown on an appropriate landscape plan; the current landscape plan only provides details of the main area of the development.

Details of how the trees are to be successfully established is required; this should include but not limited to; removal of the stumps via stump grinding, appropriate ground amelioration, details of staking and tree protection (to avoid damage being caused by passing vehicles etc), size of trees to be planted, a method statement of how the trees are to be planted and a 5 year maintenance scheme need to be provided.

EDDC Trees – 22 July 2025

Trees on site or adjacent which are protected by TPO's:

10/0017/TPO - Woodland order covering all trees growing to the east of entrance.

25/0006/TPO - individual trees including Hornbeam, Oak and groups of Lime along drive.

In principle I do not object to the proposal. However there are a number of issues which need to be addressed, specifically regarding the impact of the entrance and the location of passing places along the drive and the impact this is likely to have on nearby trees.

The application is supported by a tree survey, AIA, TPP and AMS provided by Advanced Arb dated 09/07/2024 which has surveyed the trees around the main site. However no arboricultural survey or arboricultural supporting evidence has been provided in regards to the trees impacted by the proposed improved access point onto London Road or passing points along the drive.

In regards to the main site, overall I tend to agree with the tree survey. The majority of the trees both within the site and along the site boundaries comprises unmanaged conifer hedgerows which are considered to be of low public amenity and considered not a significant constraint to any development. It is considered that the only value the boundary trees have on site would be to help screen any future development. However, it does appear to be a shame and unnecessary for the complete removal of A7, a group of Pine surveyed as B category trees which has been described as 'trees exhibiting some future potential' essentially to facilitate a number of car park spaces. At present these trees form a dense unmanaged group; selective thinning would help encourage the growth of individual trees (such as T1) which could and should be retained as future tree cover.

In regards to the access point, it appears that this will require some opening up of the entrance which is likely to impact the protected woodland. Concern is also raised about the impact of the passing points along the drive, particularly the impact on the protected Lime trees. These trees were recently protected following concerns about inappropriate ground works taking place to and around the trees and poor quality arboricultural works to the Limes. It is clear that this has resulted in a number of the Limes declining and will eventually require some of the trees to be replaced. Therefore an arboricultural impact assessment is required to assess the impact of the entrance and driveway proposals. Onsite it appeared clear that minor adjustments to the position of the passing places could be undertaken which would significantly reduce impact of the proposals.

It is also recommended that a detailed landscape scheme is provided to help mitigate any tree removal including replacement planting of the damaged Lime trees along the drive way.

Economic Development Officer – 30 July 2025

This application proposes the construction of 21 light industrial units, creating an additional 1869 sqm of industrial floorspace in the district and with the potential to accommodate 40-52 full time equivalent jobs. The proposed development site is considered to be in a rural area, close to both Rockbeare and Cranbrook. It is a brownfield site with a history of commercial uses and currently hosts a dilapidated building and areas of hardstanding.

This application would deliver much needed industrial space in East Devon. The district is experiencing a significant shortfall in the development of employment land, with industrial and logistics space representing the majority of demand. This is evidenced in the East Devon Local Economic Review (2023), which demonstrated that current unmet demand outstripped available supply 30:1.

Whilst the quantum of employment land allocated for the next Local Plan period somewhat addresses this issue, it is unlikely that these developments will come forward in the short to medium

term. The carry-over allocations have viability constraints which are still being worked through, whilst new allocations required further work to become development ready. Without windfall sites coming forward, there is little prospect of the district meeting the current need for developed industrial space.

In EDDC's role as a commercial landlord, we have seen demand for workshops space available for rent remain high. This demand has been seen across the district and echoes the Economic Development Team's conversations with businesses, where the lack of small units is repeatedly raised as an obstacle to growth.

The undersupply of industrial space has had a clear, negative impact on East Devon's economic wellbeing. Without the appropriate employment space, businesses are unable to start-up and expand, constraining growth and limiting opportunities for innovation. In recent years, the Economic Development Team are aware of several businesses who have been forced to relocate or take on additional premises outside of the district after failing to find suitable, available industrial premises within the district. This constrains employment opportunities within the district, making it harder for residents to find jobs close to where they live and limiting the diversity in roles available. This type of small-scale, light industrial units meets precisely the evidenced need within the district, and would support businesses to start-up, grow, and take on more employees.

Policy E5 does allow for the prospect of small-scale economic development in rural areas. As a brownfield site, its redevelopment and intensification align with the commitment in our Economic Development Strategy to encourage development on sites already used for commercial purposes to minimise the need to develop more environmentally sensitive rural areas. The Economic Development Team are of the view that the economic benefits of this application should be afforded significant weight in considering this application, given the significant supply constraints.

In conclusion, the Economic Development Team support this application. The small light industrial units proposed are in high demand and short supply, so this proposal meets an evidenced need in the district. The potential economic benefits of the application are significant, with space for up to 52 FTE jobs to be accommodated by the development. The application would support business opportunities in the area, particularly for start-ups and early-stage businesses requiring grow-on space. It is especially important to ensure provision of industrial workspace near the Cranbrook Expansion Area considering the town's lack of current provision and the large working age population. If approved, we would expect to see the permission limited to E(g)(iii) use.

Exeter & Devon Airport - Airfield Operations+Safeguarding – 15 April 2026

This proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria.

In terms of the Air Navigation Order, it is an offence to endanger an aircraft or its occupants by any means. In view of this I have included, as attachments, some safeguarding notes which all developers and contractors must abide by during construction and commissioning.

These include: Airport Operators Association (AOA) Advice note:

Cranes and other Construction Issues. (uploaded to documents tab)

Accordingly, Exeter Airport have no safeguarding objections to this development provided that all safeguarding criteria are met, as stipulated in the AOA Advice Note, and there are no changes made to the current application.

Kindly note that this reply does not automatically allow further developments in this area without prior consultation with Exeter Airport.

Exeter & Devon Airport - Airfield Operations+Safeguarding – 15 July 2025

I acknowledge receipt of the above planning application for the proposed development at the above location.

This proposal has been examined from an Aerodrome Safeguarding aspect and does not appear to conflict with safeguarding criteria but due to location and installation of PV a condition is to be applied for the submission of a Glint and Glare assessment.

In terms of the Air Navigation Order, it is an offence to endanger an aircraft or its occupants by any means. In view of this I have included, as an attachment, Airport Operators Association (AOA) Advice notes 4 - Cranes and other Construction Issues and 5 - Renewable Energy, which all developers and contractors must abide by during construction and commissioning.

Accordingly, providing the requested glint / glare assessment shows no adverse impacts and the guidance contained within the advice notes is followed Exeter Airport will have no safeguarding objections to this development.

If concerns are raised from the PV glint / glare assessment when supplied, then suitable and mutually agreed mitigation measures will be required to ensure aviation safety is maintained.

Kindly note that this reply does not automatically allow further developments in this area without prior consultation with Exeter Airport.

Exeter & Devon Airport - Airfield Operations+Safeguarding – 7 July 2025

I have looked at application 25/0965/MFUL and require confirmation on purposed heights. I note documents SP.01-.03 have floor level at 49.3 and ridge height of 55.6. this would mean a AGL height of 6.3 which is lower than average and is not indicative of proposed elevation plans provided. Due area and solar panels this requires confirmation before response can be provided.

National Highways – 16 April 2026

Thank you for reconsulting National Highways on application 25/0965/MFUL.

The application seeks full planning permission for the demolition of an existing storage building and the construction of 21 light industrial units (Use Class E (g) (iii) with associated access, parking and landscaping.

The site is located at The Grange, London Road, Rockbeare, approximately 3.8km by road to the A30, which forms the closest section of the Strategic Road Network (SRN).

National highways have previously responded to this application on 23 July 2025, raising no objections - see attached.

We note the additional information submitted since our previous response.

Having reviewed the application, we are satisfied that these proposed amendments are unlikely to result in a severe or unacceptable impact on the safe and efficient operation of the strategic road network, and therefore consider that our previous response recommending no objections remains appropriate.

I trust the above is clear, but please do not hesitate to contact me should you wish to discuss further.

National Highways - 23 July 2025

Referring to the consultation on a planning application dated 2 July 2025 referenced above, in the vicinity of the A30 trunk road and M5 motorway that form part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is as follows:

a) offer no objection (see reasons at Annex A);

Highways Act 1980 Section 175B is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningSW@nationalhighways.co.uk

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Annex A National Highways' recommended No Objections

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 01/2022 "The Strategic Road Network and the Delivery of Sustainable Development" and the National Planning Policy Framework (NPPF). This response represents our formal recommendations with regards to planning application reference 25/0965/MFUL.

Statement of Reasons

The application seeks full permission for the demolition of an existing storage building construction of 21 light industrial units (Use Class E (g) (iii) with associated access, parking and landscaping, at The Grange, London Road, Rockbeare, EX5 2FP.

Planning and Infrastructure Context

Cranbrook is situated to the north and east of Exeter Airport and the A30 trunk road, and lies to the east of the M5 motorway. The nearest points of access to the Strategic Road Network (SRN) are the A30 Daisy Mount junction to the east, and the A30 Airport roundabouts and M5 Junction 29 to the west. National Highways' principal interest in this application relates to the potential impact of the proposed development on the safe and efficient operation of these SRN junctions.

Outline planning permission for the development of a new community at Cranbrook, comprising up to 2,900 residential dwellings, a town centre, and associated infrastructure, was granted in October 2010 under application reference 03/P1900. A further 587 dwellings within the Cranbrook New Community (CNC) area were subsequently approved under full application 13/1752/MFUL. The adopted Cranbrook Plan Development Plan Document (DPD) allocates an additional 4,170 dwellings across four designated expansion areas, including 800 dwellings at the Grange Expansion Area (Policy CB5), located adjacent to the site subject to the current application.

Impact on the Strategic Road Network (SRN)

While the peak network trip rates presented within the supporting Transport Statement (TS) are considered to be low given the site's location, the TS does take into account trip generation offsets associated with the site's previous land uses.

Furthermore, when the current proposal is assessed within the broader context of ongoing development at Cranbrook, it is reasonable to conclude that the majority of vehicle trips generated will originate locally within the Cranbrook area, rather than relying on the SRN. Accessibility to the site by sustainable transport modes is also expected to improve as surrounding residential development is brought forward.

On this basis National Highways is satisfied that the traffic associated with the proposed development is unlikely to result in an unacceptable impact on the continued safe and efficient operation of the SRN.

National Highways Planning Response (NHPR 25-01) January 2025

Recommendation

Standing advice to the local planning authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

South West Water – 5 May 2026

Your ref: 25/0965/MFUL

Our ref: VV05/05/26 EX52FP

Location: The Grange London Road Rockbeare EX5 2FP

Proposal: Full planning permission for the demolition of an existing storage building construction of 21 light industrial units (Use Class E (g) (iii) with associated access, parking and landscaping.

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

South West Water Limited [SWWL] comment on the above application in their function acting as Statutory Water and Sewerage Undertaker for East Devon. SWWL have a duty under the Water Industry Act to protect statutory assets to provide water and sewerage services, as well as upgrade and improve infrastructure to accommodate development where suitable. Once a proposal is given planning approval, the Duty to Connect – as described within the Water Industry Act – activates and SWWL are under obligation to provide a public connection, unless specific circumstances deem otherwise.

As advised in our consultation response of July 25, while SWWL does not object to the principle of the proposed application, if the Local Planning Authority is minded to approve, SWWL request a suitable condition is attached, as suggested below – see Clean Potable Water section.

Asset Protection

There are no assets showing in our records.

Surface Water Services

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)

Discharge to surface water body

Having reviewed the applicant's current information as to proposed surface water disposal for its development, discharging into a surface water body with prior attenuation is acceptable and meets with the Run-off Destination Hierarchy, as shown in drawing 1843 C-GA-100 P3 (Jan 26)

Clean Potable Water

There is insufficient capacity in the current potable water network to supply this development from London Road and reinforcement works are required. These potable water supply upgrade works in London Road, Cranbrook are due for completion before 2028 and will be designed for all the growth area

A condition is therefore requested. Suggested wording as follows:

The occupation of any buildings approved by this permission shall not be authorised until written confirmation is received by the Local Planning Authority from SWWL that improvement works to the potable water network have been completed.

Reason: To enable required improvement works to take place to accommodate the increase in demand expected as a result of the proposed development. Allowing demand above acceptable volumes from the occupation of these buildings prior to these works being completed would have a detrimental impact on existing infrastructure.

Foul Sewerage Services

It is noted the applicant proposes to use a package treatment plant to serve this development, which is welcomed.

The applicant can apply to South West Water for clarification of the point of connection for either clean potable water services and/or foul sewerage services. For more information and to download the application form, please visit our website:

www.southwestwater.co.uk/building-and-development/services/pre-development-services

Informatives

South West Water response relates to surface water discharge to our network, where the discharge is from buildings and yards belonging to buildings. Where the applicant has highlighted that the surface water does not connect to South West Water network, we are not commenting on this as it is not our responsibility.

South West Water has no duty to accept land drainage runoff, flows from natural watercourses or groundwater to the public sewer system, and this is not permitted to discharge to the South West Water network. The applicant should make alternative arrangements to deal with this separately during the development and once the construction work is complete.

South West Water are not responsible for Highway Drainage and our comments do not relate to accepting any of these flows. The applicant should discuss and agree with the Highway Authority, where the highway water connects to.

If the applicant wishes to connect this development to the South West Water network, they should engage with us separately to see if we can accommodate this. No highway drainage will be permitted to be discharged to SWW foul or combined public sewer network either directly or indirectly.

I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email:

DeveloperServicesPlanning@southwestwater.co.uk.

South West Water - 28 Jul 2025

CONSULTATION RESPONSE

Your ref: 25/0965/MFUL

Our ref: VV28/07/25 EX52FP

Location: The Grange London Road Rockbeare EX5 2FP

Proposal: Full planning permission for the demolition of an existing storage building construction of 21 light industrial units (Use Class E (g) (iii) with associated access, parking and landscaping.

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Asset Protection

There are no assets showing in our records.

Surface Water Services

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)

Discharge to surface water body

Having reviewed the applicant's current information as to proposed surface water disposal for its development, discharging into a surface water body is acceptable and meets with the Run-off Destination Hierarchy.

Clean Potable Water

There is insufficient capacity in the current potable water network to supply this development from London Road and reinforcement works are required. These potable water supply upgrade works in London Road, Cranbrook are due for completion before 2028 and will be designed for all the growth area

A condition is therefore requested. Suggested wording as follows:

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It is noted the applicant proposes to use a package treatment plant to serve this development, which is welcomed.

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permitted to be discharged to SWW foul or combined public sewer network either directly or indirectly.

I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email: DeveloperServicesPlanning@southwestwater.co.uk.

Yours sincerely

Victoria Viney MRTPI
Planning Officer
Pre Development Team

Peninsula House, Rydon Lane, Exeter EX2 7HR
southwestwater.co.uk

EDDC District Ecologist - 31 Mar 2026

NO OBJECTION – SUBJECT TO CONDITION(S)

Pre-commencement condition(s): Yes
Pre-occupation / compliance condition(s): Yes
Planning Obligation: Yes – BNG monitoring

Reason:
Control measures required to mitigate ecological impacts.

Review of Submitted Details

Reports/plans reviewed:	Ecological Impact Assessment (EclA) (EcoLogic, July 2025 R02) Statutory Biodiversity Metric Proposed Plans
Survey validity	Valid
Limitations	Yes - acceptable/clearly defined
Within zone of influence (Zol) of International designated wildlife sites	N/A
Within consultation zone(s)	Great crested newt Grey long-eared bat (landscape connectivity zone) Beaver activity zone
Other Zol of designated sites	N/A
Habitats	N/A
Protected species	European protected species: bats, dormice, great crested newt (GCN) Species of Principal Importance: reptiles, grass snakes, common toad and hedgehogs
Biodiversity Net Gain (BNG)	<ul style="list-style-type: none">• Yes – Mandatory
Habitat degradation	<ul style="list-style-type: none">• Yes

10% BNG onsite delivery

- Area habitats – Yes +35.09%
- Hedges – Yes +64.48%
- Watercourse – N/A

Significant onsite gains delivered Yes

BNG monitoring contribution required Yes

Biodiversity Gain Hierarchy followed Yes

Discussion

These comments should be read in conjunction with previous EDDC ecology comments dated 27/03/2006.

Great Crested Newts

Email correspondence from the project ecologist confirms that two ponds previously identified on OS mapping are no longer present. Although GCN may use the site for dispersal, most of the site is considered sub-optimal terrestrial habitat. Precautionary working methods are therefore required and must be included within the Construction and Ecological Management Plan (CECoMP).

Biodiversity Net Gain

The final Biodiversity Gain Plan metric must show separate entries for each hedgerow or line of trees with unique references cross-referenced on pre- and post-development plans.

Conclusions and Recommendations

The submitted ecological information, mitigation and enhancement measures are generally acceptable subject to conditions, including (summary):

1. The works shall be carried out in strict accordance with Section 6 and Appendix 11 of the Ecological Impact Assessment (ECIA) (Ecologic, July 2025). The storage units shall not be first used until the local planning authority has been provided with a compliance report by a qualified ecologist, including photographs and completed toolbox talk sheets, detailing that all ecological mitigation and enhancement features, including:
 - a. integrated bat boxes (1 per unit),
 - b. bird boxes (1 per unit)
 - c. insect bricks (1 per unit)
 - d. dormouse nest boxes (20 no.)
 - e. Reptile/amphibian hibernacula (4 no.)

Ecological mitigation planting as detailed have been installed/constructed, and compliance with any protected species licences, and ecological method statements in accordance with details within the submitted HMMP/LEMP and CECoMP.

2. No external lighting shall be installed on the site unless a detailed lighting scheme based on Section 6.4.1 of the ECIA (Ecologic, July 2025) has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate, through appropriate modelling and specification, that the proposed lighting will not result in adverse impacts on nocturnal wildlife, particularly bats and dormice, and shall be fully compliant with the most recent

guidance from the Institution of Lighting Professionals (currently GN08/23: Bats and Artificial Lighting at Night).

The lighting scheme shall include:

- a. Details of all proposed luminaires, including type, location, height, orientation, and light levels;
- b. Measures to minimise light spill onto key habitats, including hedgerows, scrub, and the traditional orchard;
- c. Specifications for motion-activated lighting, timers, and shielding to reduce unnecessary illumination;
- d. Confirmation that all luminaires lack UV elements and use warm white light sources (2700K or lower); and
- e. A plan showing the location of sensitive ecological features and how they will be protected from light intrusion.

Once approved, the lighting shall be installed and maintained strictly in accordance with the approved scheme. No variation shall take place without prior written consent from the Local Planning Authority.

3. No development (including groundworks or vegetation clearance) shall commence until a badger survey has been undertaken by a suitably qualified ecologist and the findings submitted to and approved in writing by the Local Planning Authority. The survey shall be carried out no more than six months prior to the start of works and shall include:
 - a. Confirmation of the presence or absence of badger setts within or adjacent to the site;
 - b. An assessment of potential impacts from the proposed development; and
 - c. Details of any mitigation measures required to safeguard badgers during construction, including timing of works and any necessary exclusion or protection measures.

The development shall thereafter be carried out in accordance with the approved mitigation strategy.

4. 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.
 - a. Risk assessment of potentially damaging construction activities;
 - b. Identification of "biodiversity protection zones";
 - c. 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);
 - d. The location and timing of sensitive works to avoid harm to biodiversity features.
 - e. The times during construction when specialist ecologists need to be present on site to oversee works;
 - f. Responsible persons and lines of communication, including reporting compliance of actions to the LPA;
 - g. The role and responsibilities on site of an ecological clerk of works (ECoW), including any licence requirements, i.e., for great crested newts, dormice and bats; and
 - h. 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.

5. No development shall commence (including any vegetation clearance, soil stripping, or groundworks) until a detailed Reptile Translocation Strategy in accordance with .GOV advice and Herpetofauna Groups of Britain and Ireland (HGBI) Evaluating local mitigation/translocation: best practice and lawful standards guidance has been submitted to and approved in writing by the Local Planning Authority. The strategy shall be informed by the findings of the approved reptile survey and shall include:
- a. A plan showing the location and extent of all areas to be fenced for translocation, including soil stripping, storage, and construction compound zones;
 - b. Specifications for reptile fencing, including installation method, dimensions, and maintenance schedule;
 - c. Details of the receptor site located within East Devon, including habitat suitability, enhancement measures, and long-term management;
 - d. A timetable for the erection of fencing, placement of refugia, and duration of translocation (minimum 60 suitable days);
 - e. Capture and release protocols, including weather and seasonal constraints;
 - f. Procedures for destructive search and site clearance following translocation; and
 - g. Monitoring and reporting arrangements, including criteria for completion of translocation and submission of a closure report to the Local Planning Authority.

The development shall thereafter be carried out in full accordance with the approved strategy.

6. A Habitat Management and Monitoring Plan (HMMP)/Landscape Ecological Management Plan (LEMP) for a minimum 30-year period following completion of the development shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The Plan shall be prepared in accordance with the submitted Ecological Impact Assessment (EcoLogic, July 2025), the approved Biodiversity Gain Plan, and the approved hard and soft landscape plans and associated details and shall include the following:
- a. Details of the body or organization responsible for implementation of the plan accompanied by a site plan showing areas to be adopted; maintained by management company or other defined body; and areas to be privately owned/ maintained.
 - b. Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ bodies responsible for its delivery.
 - c. A condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
 - d. The planned habitat creation works to create and/or enhance habitat to achieve the biodiversity gain in accordance with the approved Biodiversity Gain Plan.
 - e. The management measures to maintain created, enhanced, and retained habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development.
 - f. Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works (including an annual work plan capable of being rolled forward over a minimum 30-year period) in relation to:
 - i. Existing trees, woodland and hedgerows/banks.
 - ii. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgeline guidance.
 - iii. New trees, woodland areas, hedges and amenity planting areas.
 - iv. Grassland, wildflower and any other habitat areas proposed.

- g. The location and design of biodiversity features including integrated bird boxes, integrated bat boxes, insect bricks, and other features, e.g., to be shown clearly on accompanying plans.
- h. Boundary structures, drainage swales, water bodies and other infrastructure/ facilities within public/ communal areas.
- i. The monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,
- j. Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.
- k. The Plan shall also set out (where the results from monitoring show that its conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved Plan shall be implemented in accordance with the approved details.

- Notice in writing shall be given to the Council when the HMMP works have started.
- Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason:

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 that the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with 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.

EDDC District Ecologist - 27 Mar 2026

HOLDING OBJECTION

Pre-commencement condition(s) - Yes
 Pre-occupation / compliance condition(s) - Yes
 Planning Obligation - Yes - BNG monitoring

REASON

Further information is required - refer to Discussion, Section 1, Great Crested Newts

Review of submitted details Reports/plans reviewed:	Ecological Impact Assessment (EclA) (EcoLogic, July 2025 R02) Statutory Biodiversity Metric Proposed Plans
Survey validity	Valid
Limitationsii	Yes - acceptable/clearly defined
Within zone of influence (Zol) of International designated wildlife sitesiii	N/A
Within consultation zone(s)	Great crested newt iv Grey long-eared bat v (landscape connectivity zone) Beaver activity zone
Other Zol of designated sitesvi	N/A
Habitats	N/A

Protected species

European protected species: bats, dormice, great crested newt (GCN)
Species of Principal Importance: reptiles, grass snakes, common toad and hedgehogs

Discussion

1. Protected and Notable Species

Bats – Roosting

Emergence surveys determined the building supports common pipistrelle and soprano pipistrelle bat day roost (low numbers/individuals), brown long-eared bat (confirmed by DNA analysis) night and day roost (low numbers/individuals) and lesser horseshoe bat night roost (low numbers/individuals).

A European protected species licence (EPSL) will be required for the works.

Bats – Commuting/Foraging

Bat activity surveys determined the site supports a minimum of 9 species, including light averse long-eared and myotis bats and Annex II (Habitats Directive, 1992) barbastelle and lesser horseshoe bats. The EclA considers the hedges and treelines are regularly used by foraging and commuting bats.

A sensitive lighting plan will be required and should be secured by condition.

Dormice

Nest tube surveys confirmed the presence of dormice onsite. The removal of several tree lines, 30 m of native hedgerow and several areas of bramble and mixed scrub will result in the loss of dormouse foraging and nesting habitat and could result in the killing, injury, or disturbance of any dormice present.

Therefore, the works will require a dormouse mitigation licence from Natural England.

Great Crested Newts

The site lies within a Great Crested Newt (GCN) Consultation Zone, with confirmed records of GCN approximately 200 m to the north-west and west of the application area. Ordnance Survey mapping identifies a pond within the site boundary as well as an additional pond located approximately 90 m to the south, however, the EclA does not reference either waterbody.

The EclA recognises the potential for GCN to traverse the site but concludes that its overall suitability for supporting the species is limited, recommending precautionary working methods during construction.

Whilst I generally support these conclusions, clarification is required regarding the presence, condition, and suitability of the onsite pond, as well as any potential impacts the proposed development may have on this feature. The pond 90 m to the south also requires further commentary on its suitability to support GCN.

Reptiles

Refugia surveys confirmed the presence of a good population of slow worms and a low population of grass snakes.

Whilst Sections 1.4 and 6.4 of the EclA refer to a reptile translocation, Appendix 11 recommends either a reptile translocation or a habitat management led approach. Given that the site supports a *good* population of slow worms, a reptile translocation is the preferred mitigation measure.

Slow worms are a species of principal importance under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006, which makes it an offence to intentionally kill or injure individuals. A habitat management/manipulation approach on a site supporting a population of this size would carry a significant risk of harm and would fail to meet the duty placed on local authorities and developers under Section 40 of the NERC Act 2006 to have regard to the conservation of biodiversity.

Biodiversity Net Gain (BNG)

The BNG Assessment indicates the development would meet the minimum 10% net gain objective entirely onsite will all trading rules satisfied. However, as discussed in Section 1, further clarity is requested on the presence or otherwise of the onsite pond and as such, the baseline section of the metric may need to be amended.

Several post development habitat proposals are considered significant onsite enhancements and will require a Habitat Management and Monitoring Plan. These onsite gains would be subject to a monitoring fee and should be secured with a S106 agreement to ensure the 30-year monitoring and management of the habitats are maintained.

Conclusions and recommendations

The site lies within a GCN consultation zone and there are known records of the species within 500 m, indicating a reasonable likelihood of GCN presence in the local landscape. Ordnance Survey mapping identifies a pond within the site boundary and a second pond approximately 90 m to the south. Given the Ecological Impact Assessment (EclA) has not referenced these ponds, it is unclear whether they are still present, whether they hold water, or whether they have been assessed for their suitability to support GCN.

Furthermore, it is unclear if the baseline habitats, within the biodiversity net gain assessment, have been accurately recorded to include all habitats within the application site boundary.

Further information from the project ecologist is therefore required before the application can be properly assessed and before any conclusions can be drawn regarding compliance with Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015, Strategy 47 (Nature Conservation and Geology) and Policy EN5 (Wildlife Habitats and Features).

Natural England - 21 Aug 2025

Thank you for your consultation on the above dated 06 August 2025 which was received by Natural England on 06 August 2025

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Priority habitats and Species

Priority habitats and Species are of particular importance for nature conservation and are included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. A list of priority habitats and species can be found on Gov.uk.

Natural England does not routinely hold species data, such data should be collected when impacts on priority habitats or species are considered likely. Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land, further information including links to the open mosaic habitats inventory can be found here.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Environment Agency - 16 Apr 2026

We have no objection to the proposed development.

Fire Authority – 7 July 2025

The Fire Authority have considered the application and have the following comments to make at this time.

Consideration should be given to the requirements for fire and rescue access into and around the buildings for fire-fighting purposes.

Fire-fighting facilities should be selected and designed to assist the fire and rescue service in protecting life, protecting fire fighters, reducing building losses, salvaging property and goods and minimising environmental damage. Early consultation with the Fire Authority and local authority building control is advised when deciding which facilities should be provided. Where appropriate, fire-fighting facilities should include:

- the provision of vehicular access for fire appliances to the perimeter of the building(s) or site;
- provision of easy and quick entry to the site/building(s) for fire fighters and their equipment;
- provision of and access to sufficient supplies of fire-fighting medium (usually water);
- provision for removing spent fire-fighting extinguishing medium (eg drainage).

Every building should be provided with suitable access for fighting purposes and where access is

restricted, fire appliances access to buildings should be discussed with the fire and rescue service at an early stage.

A more detailed response will be provided on receipt of a full Building Regulations consultation.

EDDC Conservation – 20 May 2025

Conservation Consultation

25/0965/MFUL

The Grange, London Road, Rockbeare, EX5 2FP

Full planning permission for the demolition of an existing storage building and the construction of 21 light industrial units (Use Class E (g) (iii)) with associated access, parking and landscaping.

This application proposes the demolition of an existing storage building and construction of 21 no. light industrial units with associated access, parking and landscaping, to the north and within proximity of The Grange Court Hotel, identified as a Non-Designated Heritage Asset (NDHA). In terms of setting, The Grange Court Hotel is a substantial mid 19th century Victorian country house situated to the south of the development site. Historically, this former grand residence, which retains many of its original period features including a generous garden benefited from the tranquillity of its semi rural location. And continues to enjoy wide views across the surrounding countryside with convenient access to London Road, approached via a lime tree avenue, elements of which has progressively eroded over time.

The main heritage issues to be considered through this application is the effect the proposed development works would have on the setting and in turn historic and architectural value of The Grand Court Hotel as a non-designated heritage asset located in the open countryside. In context of the setting of the NDHA, the proposed development would encroach upon the northern part of the garden, an area that is today visually and physically separated from the wider garden by a boundary of trees marking the junction with the site's vehicular access. This encroachment would erode the legibility of the garden's historic extent and diminish the contribution this makes to the asset's setting and in turn its historic and architectural interest.

Assessment of harm

In assessing the value of The Grand Court Hotels setting and the contribution this makes to the significance (historic and architectural interest) as a non-designated heritage asset, and the scale / severity of impact because of the development proposals. The Magnitude of Impact Matrix identified by BS 7913 2013 Guide to the Conservation of Historic Buildings, has been considered in support of providing a balanced judgement of the assessment of harm.

In this respect the Heritage Value of The Grand Court Hotel as a non-designated heritage asset is identified as Low and The Magnitude of Impact, on account of the scale and location of the light industrial units, is identified as Moderate. The combination of which results in Slight Harm through the magnitude of impact matrix.

Albeit the identified harm is slight and partially mitigated by the proposal to reintroduce lime trees along the avenue, which would help reinstate the experience of the historic approach. This mitigation does not fully offset the impact, as glimpsed views of the development site would remain, and the proposal would erode the sense of openness to the north of the NDHA, which currently contributes positively to its setting.

Legislation

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 significance and setting of heritage assets.

Paragraph 216 of the National Planning Policy Framework [NPPF] explains that applications that

directly or indirectly affect a non-designated heritage asset, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Conclusion

The development as proposed would result in slight harm to the NDHA's setting, as it fails to preserve the contribution the openness of the northern part of the garden and associated views make to the setting of The Grange Court Hotel. An experience that contributes to the building's significance (historic and architectural interest) as a non designated heritage asset.

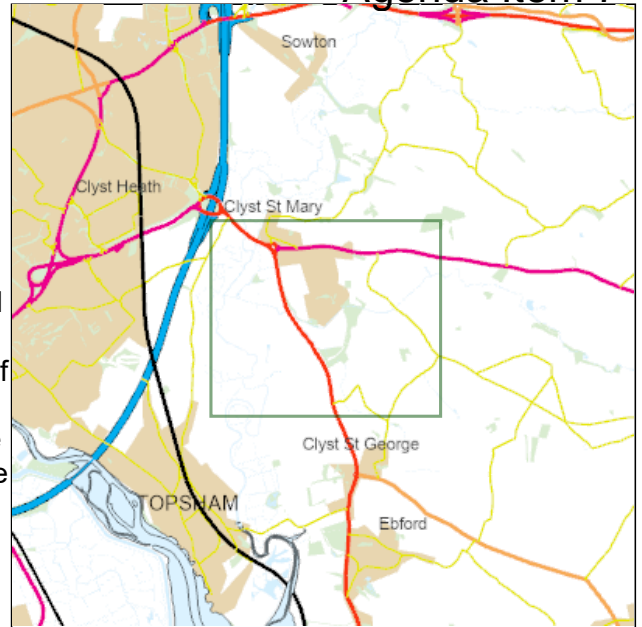
While the level of harm is slight, it is nonetheless identified harm that must be weighed and addressed within the wider planning balance.

Objection on heritage grounds.

21.06.2026 - SLG

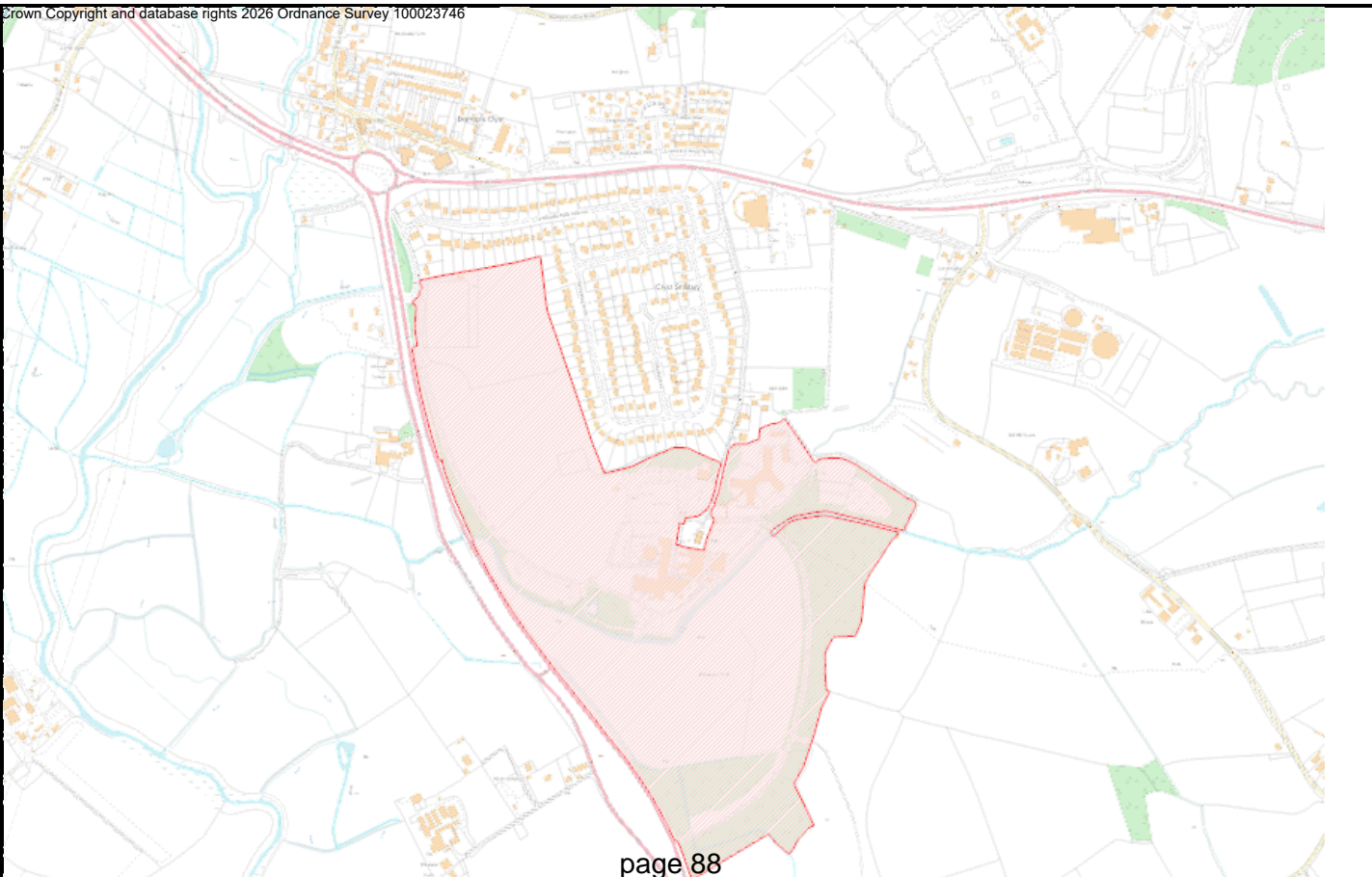
Ward Clyst Valley
Reference 26/0213/VAR
Applicant Mr Mark Edworthy (Winslade Park Ltd)
Location Winslade Park Clyst St Mary EX5 1DA

Proposal Variation of Condition 3 (Plans) of 20/1001/MOUT Hybrid application to include full planning permission for the demolition of an existing pre-fabricated building, refurbishment of 21,131sqm of commercial (Use Class B1a and D2) floorspace, 2,364sqm of leisure space (Use Class D1/D2 and A3), extension to Brook House providing ancillary B1c and B8 floorspace, site-wide landscaping, engineering works and the provision of associated car parking spaces; outline planning permission with all matters reserved except for access for the erection of up to 94 residential units, including affordable housing, replacement cricket pavilion, new toilets/changing facility, reinstatement of associated sports pitches, tennis courts and parkland, to omit land currently within Zone K that is now approved for Solar Farm development (ref. 23/2506/MFUL)



RECOMMENDATION:

1. **Adopt the Appropriate Assessment**
2. **Secure Deed of Variation to original Section 106 Agreement to secure planning obligations with the Section 73 Application.**
3. **Approval with conditions**



		Committee Date: 10.07.2026
Clyst Valley (Bishop Clyst Clyst St Mary)	26/0213/VAR	Target Date: 25.06.2026
Applicant:	Mr Mark Edworthy (Winslade Park Ltd)	
Location:	Winslade Park Clyst St Mary	
Proposal:	Variation of Condition 3 (Plans) of 20/1001/MOUT Hybrid application to include full planning permission for the demolition of an existing pre-fabricated building, refurbishment of 21,131sqm of commercial (Use Class B1a and D2) floorspace, 2,364sqm of leisure space (Use Class D1/D2 and A3), extension to Brook House providing ancillary B1c and B8 floorspace, site-wide landscaping, engineering works and the provision of associated car parking spaces; outline planning permission with all matters reserved except for access for the erection of up to 94 residential units, including affordable housing, replacement cricket pavilion, new toilets/changing facility, reinstatement of associated sports pitches, tennis courts and parkland, to omit land currently within Zone K that is now approved for Solar Farm development (ref. 23/2506/MFUL)	

RECOMMENDATION:

- 1. Adopt the Appropriate Assessment**
- 2. Secure Deed of Variation to original Section 106 Agreement to secure planning obligations with the Section 73 Application.**
- 3. Approval with conditions**

EXECUTIVE SUMMARY

This application relates to Winslade Park, a mixed-use estate set within a sensitive historic parkland landscape to the south of Clyst St Mary, centred on the Grade II* listed Winslade Manor and associated heritage assets. The wider site benefits from hybrid planning permission 20/1001/MOUT, which established the principle of comprehensive redevelopment including employment, leisure, residential development, sports provision and open parkland.

Subsequent reserved matters approvals have secured detailed schemes for housing in Zones A and D, and for open space, sports and recreational infrastructure in Zones C and K. In addition, planning permission has been

granted on appeal for a temporary solar array within part of the wider estate under application 23/2506/MFUL.

The current proposal is made under Section 73 of the Town and Country Planning Act 1990 and seeks to vary Condition 3 (Approved Plans) attached to permission 20/1001/MOUT. The amendment is limited to the substitution of one approved drawing affecting Zone K, in order to revise the extent of that zone and reflect the approved residential layouts in Zones A and D. The principal purpose of the application is to address a potential inconsistency between the approved plans for the hybrid permission and the later appeal decision for the solar array, thereby avoiding any potential legal difficulties arising from the Hillside judgment. No other changes are proposed to the description, scale or form of development approved under the extant permission.

The key issue in the assessment is whether the associated reduction in the extent of open space within Zone K, amounting to approximately 1.74 hectares, would give rise to material planning harm. Officers are satisfied that the ecological enhancements and landscaping approved under 24/1433/MRES can still be implemented and that the wider open space, sports and recreational offer across the Winslade Park estate remains substantial. In reaching this view, weight is given to the appeal decision for the solar array, in which the Inspector concluded that sufficient accessible parkland would remain available and that the proposal would not have any substantive adverse effect on the amenities of future residents or conflict with development plan policy.

Overall, officers conclude that the proposed amendment does not materially alter the nature of the approved development and would not result in planning harm sufficient to outweigh the benefits of the wider Winslade Park scheme. The application is therefore recommended for approval, subject to the completion of the Deed of Variation and the imposition of appropriate conditions.

CONSULTATIONS

Local Consultations

Conservation

On the basis of the information provided through this application. Conservation do not wish to offer any further comment, planning officer to assess on planning merits.

No objection on heritage grounds.

06.05.2026 - SLG

Parish/Town Council

This is an Objection to Planning Application 26/0213/VAR - the Variation of Condition 3 (Plans) of Hybrid Application 20/1001/MOUT.

Bishops Clyst Parish Council have the following objections to the proposed variation to omit land currently in Zone K that is now allocated for the Solar Farm development (ref: 23/2506/MFUL), which has been approved following appeal.

We have concerns that there are legal issues which are still outstanding following the granting of the Solar Farm Planning Application and we would seek clarification on the position of any Legal Agreement regarding this development before we can complete our comments.

In respect of previous planning applications on reserved matters for the Winslade Park developments, Zone K was originally delivered as a Public Open Space in mitigation for the approval of residential development in Zone A on a designated Local Green Space in previous Local and Neighbourhood Plans. We stressed that there was a need for a Community Use Agreement for Zones C and K (in its entirety) and this agreement would be in perpetuity. These proposed discussions between the interested parties have still not commenced and until this outstanding condition is agreed we cannot remove our objection. Any variation to the application shall be in accordance with the adopted Neighbourhood Plan Policies BisC16 and BisC20.

Furthermore we are concerned that the public open space amenity in Zone K is not safeguarded from the Solar Farm and until this matter is satisfactorily resolved our objections still stands.

In conclusion we are unable to remove our objection until all matters regarding the Legal situation are resolved to the satisfaction of all parties.

Other Representations

Three comments of objection have been lodged against the application.

- Loss of open space with no compensation.
- No future maintenance and management of open space agreed.
- Applications for Zones A & D have timed out.
- No mitigation of loss of the agricultural field.
- Original reasons for refusal of the solar farm development should stand.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 1 (Spatial Strategy for Development in East Devon)
Strategy 2 (Scale and Distribution of Residential Development)
Strategy 4 (Balanced Communities)
Strategy 5 (Environment)
Strategy 7 (Development in the Countryside)
Strategy 26B (Re-development of Redundant Offices Complex at Winslade Park and Land Adjoining Clyst St Mary)
Strategy 34 (District Wide Affordable Housing Provision Targets)
Strategy 43 (Open Space Standards)
Strategy 46 (Landscape Conservation and Enhancement and AONBs)
Strategy 49 (The Historic Environment)
D1 (Design and Local Distinctiveness)
D2 (Landscape Requirements)
D3 (Trees and Development Sites)
D8 (Re-use of Rural Buildings Outside of Settlements)
EN5 (Wildlife Habitats and Features)
EN8 (Significance of Heritage Assets and their setting)
EN9 (Development Affecting a Designated Heritage Asset)
EN13 (Development of High Quality Agricultural Land)
EN14 (Control of Pollution)
EN21 (River and Coastal Flooding)
EN22 (Surface Run-Off Implications of New Development)
H2 (Range and Mix of New Housing Development)
H3 (Conversion of Existing Dwellings and Other Buildings to Flats)
E5 (Small Scale Economic Development in Rural Areas)
RC1 (Retention of Land for Sport and Recreation)
TC2 (Accessibility of New Development)
TC7 (Adequacy of Road Network and Site Access)
TC9 (Parking Provision in New Development)
Strategy 50 (Infrastructure Delivery)

Government Planning Documents

NPPF (National Planning Policy Framework 2024)
National Planning Practice Guidance

Bishops Clyst Neighbourhood Plan

BiC18 (Pedestrian Links to and from New Housing Developments)
BiC19 (Local Green Space)
BiC20 (Protecting Existing Sport Facilities)

OFFICER REPORT

Site Location and Description

The application site forms part of the Winslade Park estate located to the south of Clyst St Mary. The site comprises an established business campus set within a historic parkland landscape centred around Winslade Manor, a Grade II* listed building, and its associated structures including Winslade House and ancillary buildings. The estate is characterised by a mixture of office buildings, leisure facilities and formal and informal recreational spaces, all set within extensive mature landscaping, woodland belts and parkland associated with the historic designed setting.

The wider site includes existing sports facilities comprising football pitches, cricket pitch and tennis courts, together with areas of open parkland associated with the Grindle Brook, which runs through the site. The site is well screened within the landscape due to its low-lying topography and established tree cover, such that it is largely contained in views from the surrounding area, although glimpses are available from nearby public rights of way and the village.

To the east of the A376 and Clyst St Mary Football Club lies an area of agricultural land (Zone A), which is physically separated from the main complex but located adjacent to the built-up area of Clyst St Mary. The majority of the site excluding the Manor and associated outbuildings lies outside the defined settlement boundary, although part of the site is allocated in the East Devon Local Plan (Strategy 26B) for the redevelopment of redundant office buildings and associated uses. The site is accessed from the A376 with internal roads serving the various buildings and parking areas across the estate.

PLANNING HISTORY

20/1001/MOUT

Planning permission 20/1001/MOUT was granted for a hybrid scheme comprising both outline and full elements, alongside associated listed building consent (20/1003/LBC), to secure the comprehensive redevelopment and enhancement of the Winslade Park estate.

The outline element of the permission granted consent, with all matters reserved except for access, for residential development of up to 94 dwellings across two distinct areas of the site (identified as Zones A and D). This included up to 40 units within Zone D on part of the existing car park area adjacent to the main complex, and up to 54 units within Zone A on land to the east of the existing football pitch. The outline approval also included the provision and refurbishment of sports facilities, including football pitches, cricket pitch and tennis courts, together with the creation of parkland recreation routes to improve public access throughout the estate.

The full application element granted planning permission for a range of works to existing buildings and facilities within the site. This included extensions to Brook House, the refurbishment and mixed-use reconfiguration of Winslade Manor and Winslade House for office (Use Class B1), restaurant/café (A3) and leisure (D2) uses. Permission was also granted for the extension and reconfiguration of car

parking areas, including works within Zone J to accommodate additional parking provision to serve the overall development.

In parallel, listed building consent was granted for internal and external alterations to Winslade Manor, Winslade House, the former stables building and the ornamental terrace. These works were intended to facilitate the viable reuse of the heritage assets, primarily for office use, while preserving their architectural and historic significance and enhancing the setting of the listed buildings and associated landscape features.

The permission was subject to a Section 106 agreement securing a range of obligations, including habitat mitigation contributions, provision and maintenance of sports and recreation facilities, public access to the parkland, delivery of a Neighbourhood Equipped Area for Play (NEAP), affordable housing provision (10% within Zone A, subject to viability), and mechanisms for viability review. The development also included investment in the restoration and ongoing use of heritage assets, alongside the retention and enhancement of employment uses across the site.

21/2235/MRES – Zone A

Reserved Matters approval 21/2235/MRES granted detailed consent for the development of 38 dwellings within Zone A of the Winslade Park site pursuant to outline permission 20/1001/MOUT. The approval considered matters of layout, scale, appearance and landscaping, together with associated infrastructure including internal roads, parking and sustainable drainage features. The development provides a mix of two-storey dwellings, including 10% affordable housing, and establishes a relatively low-density layout reflecting the edge-of-settlement context. The layout incorporates landscaping, attenuation swales and boundary treatments to soften visual impacts and maintain separation distances, while ensuring no unacceptable impacts on residential amenity or the functioning of adjoining sports facilities.

21/2217/MRES – Zone D

Reserved Matters approval 21/2217/MRES granted detailed consent for the development of 40 apartments within Zone D of the Winslade Park site, pursuant to outline permission 20/1001/MOUT. The approval considered matters of layout, scale, appearance and landscaping, together with associated infrastructure including parking provision and drainage. The scheme comprises three four-storey apartment blocks arranged within the former car park area. The development reflects the quantum of development anticipated at outline stage and provides a mix of smaller units, with associated parking and communal amenity space.

The approved scheme was required to respond to its sensitive context, including its proximity to Grade II* listed heritage assets, mature landscaping and neighbouring residential properties. The layout incorporates planting and a stepped building form to mitigate impacts on residential amenity, while revisions ensured retention of important trees and improved landscape integration. Although the development results in less than substantial harm to the setting of heritage assets, this was considered acceptable when weighed against the wider public benefits established at outline stage.

24/1433/MRES – Zones C & K

Reserved Matters approval for Zones C and K pursuant to outline permission 20/1001/MOUT secured consent for the detailed design, layout, scale, appearance and landscaping of open space, recreational and leisure infrastructure across Winslade Park. The proposals represent the final reserved matters submission associated with the outline consent and include the provision of football pitches of varying sizes, retention and enhancement of the existing cricket pitch, a replacement cricket pavilion with associated facilities, a Neighbourhood Equipped Area for Play (NEAP), pedestrian routes, and extensive areas of public open space including parkland improvements within Zone K.

Whilst the development introduces new built form and play equipment within the parkland setting, it reflects the site's established recreational use and is considered to result in only limited visual change. In Zone K, works are relatively low-key, focused on enhancing accessibility and biodiversity through new footpaths, landscaping, wetland enhancements and bridge improvements, whilst preserving the area's function as open parkland and floodplain. Together, these elements are considered to provide significant social and environmental benefits, including improved public access, recreational opportunities and biodiversity enhancements.

Whilst some less than substantial harm to the setting of the Grade II* listed Manor is identified, this is outweighed by the public benefits of delivering the open space, sports facilities and ecological enhancements envisaged under the outline consent. Subject to conditions, including management of sporting paraphernalia, landscaping and ecological mitigation, the proposals were considered to accord with the development plan and were approved.

23/2506/MFUL – Solar Farm

The appeal was allowed and planning permission granted for a temporary ground-mounted solar array with associated infrastructure, access, fencing, CCTV, landscaping and ancillary works at Winslade Park. The scheme is intended to generate renewable electricity primarily for use by the commercial buildings at Winslade Park and is subject to conditions, including a 25-year time limit, restoration of the site, approval of substation details, flood risk mitigation, landscaping, and ecological measures.

Proposed Development

The application seeks planning permission under Section 73 of the Town and Country Planning Act 1990 to vary Condition 3 (Approved Plans) attached to permission 20/1001/MOUT. The proposal is limited to the substitution of approved drawing **L.01.01 P8** with revised drawing **L.01.01 P12** in relation to **Zone K** at Winslade Park.

The amendment revises the extent of Zone K within the parkland and also reflects the approved residential layouts in Zones A and D secured through subsequent reserved matters approvals. No other changes to the description, scale or form of development approved under the extant permission are proposed.

The purpose of the amendment is to address a potential inconsistency between the approved plans under permission 20/1001/MOUT and the later appeal decision allowing a solar array within part of the wider site. The applicant advises that the revised drawing is intended to remove that conflict and ensure the approved plans accurately reflect the current planning position, without materially altering the approved development.

The purpose of the application is to address a legal and planning conflict arising from the relationship between the 2021 hybrid permission and a later solar array appeal approval (APP/U1105/W/24/3350852/23/2506/MFUL, allowed on 24 February 2025).

The statement explains that the issue relates to the *Hillside* Supreme Court judgment, which can affect whether a planning permission remains capable of lawful implementation if later permissions are inconsistent with it. Legal advice obtained by the applicant concluded that there is a potential conflict because the earlier approved plan identified the solar array area as public open space, but also advised that the issue could be resolved simply by amending the relevant approved drawing. This Section 73 application is therefore intended to remove that conflict and avoid any potential Hillside problem.

ANALYSIS

The main matter to consider is whether the reduction in the extent of Zone K gives rise to any material planning harm. Officers are satisfied that the ecological enhancements and soft landscaping alongside the central drainage ditch, as detailed WPSD M03k-0-04/07/2024, secured through 24/1433/MRES, can still be implemented. A key issue is whether the loss of approximately 1.74 hectares of open space weighs significantly enough in the planning balance to warrant refusal of the Section 73 application.

Members resolved to refuse application 23/2506/MFUL at Planning Committee 22nd May for the solar array, which was subsequently allowed on appeal. One of the reasons for refusal listed on the Decision Notice concerned the impact of the solar farm on the delivery of open space, the view of members was that the appeal proposals through introduction of the solar panels, deer fencing, CCTV mast and transformer would undermine the quality of the open space undermining its permeability and overall attractiveness as a walking route. Additionally, it was put forward that the PV panels height in combination with the sheer number and the extent of land which they would cover would visually dominate the site for walkers and undermine the visual openness of the space that was envisaged for the area in determining 20/1001/MOUT.

In response to this Attached to this committee report is the inspector's decision for APP/U1105/W/24/3350852. In considering the impact of the proposals on the provision of open space, Inspector Pope concluded at paragraphs 29 & 30 that:

'29. I note the LPA's concerns that the proposed incursion into part of 'Zone K' would reduce the amenity of future residents and the wider community. However, 'Zone K' is an extensive area and even with the appeal scheme, plentiful accessible parkland with potential links to the Grindle Brook would remain available so as to help meet

the recreational/leisure needs of future residents of Winslade Park and those in the wider surroundings. I also note that elsewhere within the Winslade Park estate there is open space and sports pitch provision, as well as a proposed Neighbourhood Equipped Area of Play.

30. I concur with the appellant's assessment that the proposed development *would not have any substantive impact on the provision of accessible parkland such that it would adversely affect the amenities of occupiers of the site or residents.* The proposal would not conflict with the provisions of LP Policy D1.'

Accordingly, it is the view of officers that only limited weight can be attributed to the partial loss of open space. When considering the proposal in context of the planning benefits anticipated through delivery of the wider development of Winslade Park; provision of market and affordable housing, economic benefits through the delivery of employment land and local community uses of sporting facilities, the planning balance remains heavily in favour of approval.

APPROPRIATE ASSESSMENT

Natural England advised that an Appropriate Assessment must be carried out as the site lies within the Zone of Influence of the Exe Estuary and Pebblebed Heaths, this assessment must consider whether the proposal will adequately mitigate any likely significant effects of the aforementioned areas. This report represents the Appropriate Assessment.

The delivery of SANGS is critical within East Devon, Exeter and Teignbridge; they are required to deliver a genuine alternative to visiting the Exe Estuary and Pebblebed Heaths for local residents to exercise, walk dogs, etc.

In protecting land for SANGS, it is critical to ensure that it is deliverable and provides the best use of resources. Work has taken place on delivery of such SANGs across the three authorities. The joint strategy between the authorities proposes 4 SANGS across the area these being at the following locations:

- o Dawlish Warren
- o South West Exeter
- o Cranbrook
- o Exmouth

The delivery of the mitigation strategy is overseen by the South East Devon Habitat Regulations Partnership which includes representatives from East Devon, Exeter and Teignbridge Councils. Significant progress is being made with delivery of the first two of these spaces with monies having been identified for purchase of these sites and in the case of the Dawlish Warren SANGS work is understood to be underway for its delivery.

Given that SANGS is being provided within the District to mitigate development, and given that the development will contribute financially to the provision of these areas through CIL payments and a financial contribution that can be secured off the back of this application, it is considered that the proposal adequately mitigates any

impacts upon the Pebblebed Heaths and Exe Estuary and will not result in any likely significant effects.

Natural England have advised that, on the basis of the appropriate financial contributions being secured to the South-east Devon European Sites Mitigation Strategy (SEDESMS), they concur with your authority's conclusion that the proposed development will not have an adverse effect on the integrity of Dawlish Warren SAC, the Exe Estuary SPA and Exe Estuary RAMSAR site.

Subject therefore to securing the necessary financial contribution through a S.106 Agreement, the proposal will not have any likely significant effects and is acceptable in this regard.

CONCLUSION

Bishops Clyst Parish Council have expressed concerns with regards to securing an adequate Community Use Agreement (CUA) securing delivery and public access to sporting facilities and the open space.

Officers are aware that the details approved under the latest reserved matters 24/1433/MRES for Zones C & K has rendered the current draft Community Use Agreement (CUA) out of date. The applicant has been advised accordingly and informed that an updated draft will be required.

The requirement for a Community Use Agreement is also secured through the existing Section 106 Agreement, which requires such an agreement to be entered into prior to the occupation of 90% of the approved dwellings. The purpose of the agreement is to secure public and school access to the on-site open space, swimming pool and cricket pavilion. As set out in the original Section 106 Agreement, this mechanism is intended to ensure that community access to these facilities is formally secured as the wider development is implemented.

It is acknowledged that the Parish Council is keen to ensure that the sporting facilities and open space are delivered and made available for public use in the manner envisaged under permission 20/1001/MOUT. However, having regard to the trigger points within the Section 106 Agreement, the developer remains within the timeframe anticipated for establishing the relevant management arrangements and entering into the CUA.

Concerns have also been raised regarding the legal position surrounding the delivery of open space within Zone K. In this respect, the Section 106 Agreement secures the matter by requiring that, following practical completion of the on-site open space and prior to expiry of the maintenance period and occupation of 90% of the dwellings, the landowner enters into a Community Use Agreement with the Council to provide public access to the on-site open space in perpetuity. Officers note that these obligations run with the land and would continue to apply irrespective of the outcome of the current application. A Deed of Variation is currently being finalised to ensure that the obligations are appropriately carried forward, and this would need to be completed before a decision for the Section 73 application is issued.

In summary, officers are satisfied that the delivery of open space and its ongoing public accessibility continue to be secured through the existing Section 106 Agreement, including the requirement for a Community Use Agreement to secure public access in perpetuity. As such, the application is recommended for approval subject to the conditions below and Deed of Variation to the current Section 106 Agreement to secure obligations secured through 20/1001/MOUT.

The key issue in the assessment of the application is whether the associated reduction in the extent of open space within Zone K would give rise to material planning harm. Officers are satisfied that the ecological enhancements and landscaping approved under 24/1433/MRES can still be implemented and that the wider open space, sports and recreational offer across the Winslade Park estate remains substantial. In reaching this view, weight is given to the appeal decision for the solar array, in which the Inspector concluded that sufficient accessible parkland would remain available and that the proposal would not have any substantive adverse effect on the amenities of future residents or conflict with development plan policy.

Overall, officers conclude that the proposed amendment does not materially alter the nature of the approved development and would not result in planning harm sufficient to outweigh the benefits of the wider Winslade Park scheme. The application is therefore recommended for approval, subject to the completion of the Deed of Variation and the imposition of appropriate conditions.

RECOMMENDATION

1. Adopt the Appropriate Assessment
2. Secure Deed of Variation to original Section 106 Agreement to secure planning obligations with the Section 73 Application.
3. Approval with conditions subject to the following conditions:

For the outline elements of the permission:

1. The development hereby permitted shall be begun before 30.01.2028, two years after determination of the last reserved matters (24/1433/MRES).
(Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.).
2. Approval of the details of the layout, scale and external appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") for each phase shall be obtained from the Local Planning Authority in writing before any development of the relevant phase is commenced.
(Reason - The application is in outline with one or more matters reserved.)
3. 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.)

4. No development shall take place until a detailed phasing plan including all necessary works to implement the development has been submitted to and agreed in writing with the Local Planning Authority (hereinafter referred to as Local Planning Authority). The development shall not be carried out other than in strict accordance with the Phasing Plan as may be agreed unless otherwise agreed in writing with the Local Planning Authority.
(Reason - to ensure the development proceeds in a properly planned way from an early stage and to limit any unacceptable impact on the locality in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan).
5. As part of any reserved matters application a Construction and Environment Management Plan (CEMP) (to include schemes for the suppression of dust and air quality measuring and mitigation has been submitted to and agreed in writing with the Local Planning Authority. The development shall not proceed otherwise than in strict accordance with the CEMP as may be agreed unless otherwise agreed in writing with the Local Planning Authority.
(Reason - To ameliorate and mitigate, at an early stage, against the impact of the development on the local community in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan)
6. 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.
(Reason - To ameliorate and mitigate against the impact of the development on the local community in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan)
7. As part of a reserved matters application for the residential elements of the proposal a detailed Design Code for the whole of the residential element of the development shall be submitted to and agreed in writing with the Local Planning Authority. The Design Code shall include details and principles of site layout, highway design (including footways and shared surfaces), soft and hard landscaping, materials to be used on dwellings and for ground surfacing, building heights, spans and proportions, boundary features, window and door details, details of flues, meter boxes, eaves and roof ridges and treatment of verges and open areas to the front, rear and side of all dwellings, car parking courts and areas, and details and design parameters of public open space areas including play equipment where necessary. Each phase of the development shall thereafter be carried out in accordance with the approved details.
(Reason - to ensure that the development is planned as a whole in a cohesive manner, to avoid piecemeal development displaying differing design ethics, and to ensure that the resulting development is of high quality as required by Local Plan policies and in line with government guidance in accordance with Policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan.)

8. As part of any reserved matters application a detailed Landscape and Ecology Management Plan (LEMP) for a minimum period of 25 years shall be submitted and should include the following details:

- Extent, ownership and responsibilities for management and maintenance.
- Details of how the management and maintenance of open space will be funded for the life of the development.
- Inspection arrangements for existing and proposed trees and hedgerows and monitoring of bio-diversity net-gain.
- Management and maintenance of trees and hedgerow.
- Management and maintenance of shrub, herbaceous and grass areas.
- Management of ecological habitat, maintenance of any ecological mitigation measures and further measures for enhancement of biodiversity value.
- Management and maintenance of any boundary structures, drainage swales and other infrastructure/ facilities within public areas.

Maintenance shall be carried out in accordance with the approved plan. (Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 4 (Balanced Communities), Strategy 5 (Environment), Strategy 43 (Open Space Standards), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) of the East Devon Local Plan.

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

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements) of the East Devon Local Plan)

10. Prior to the commencement of any works on site, a Tree Protection Plan (TPP) and Arboricultural Method Statements (AMS) for the protection of all retained trees, hedges and shrubs on or adjacent to the site, shall be submitted to and approved in writing by the Planning Authority. The layout and design of the development shall be informed by and take account of the constraints identified in the survey and report. The tree survey and report shall adhere to the principles embodied in BS 5837:2012 and the AMS shall indicate exactly how and when the trees will be protected during the development process. The development shall be carried out in accordance with the approved details. Provision shall be made for the supervision of the tree protection by a suitably qualified and experienced arboriculturalist and details shall be included within the AMS. The AMS shall provide for the keeping of a monitoring log to record site visits and inspections along with: the reasons for such visits; the findings of the inspection and

any necessary actions; all variations or departures from the approved details and any resultant remedial action or mitigation measures. On completion of the development, the completed site monitoring log shall be signed off by the supervising arboriculturalist and submitted to the Planning Authority for approval and final discharge of the condition.

(Reason: To ensure the continued well being of retained trees in the interests of the amenity of the locality in accordance with Policy D3 (Trees and Development) of the East Devon Local Plan.)

11. Prior to the commencement of any phase of the development (including demolition and site clearance or tree works), details of the design of building foundations, access roads and car park surface construction (temporary and permanent) the layout (with positions, dimensions and levels) of service trenches, ditches, drains and other excavations on site (insofar as they may affect trees on or adjacent to the site) for that phase , shall be submitted to and approved in writing by the Planning Authority.

(Reason: To ensure the continued well being of retained trees in the interests the amenity of the locality in accordance with Policy D3 (Trees and Development Sites) of the East Devon Local Plan).

12. Tree Pruning / Felling Specification/ ground condition amelioration prior to the commencement of any works on site (including demolition and site clearance or tree works), a detailed and timetabled specification for all necessary arboricultural work to retained trees shall be submitted to and approved in writing by the Local Planning Authority. The specification will accord with the principles given in BS 3998:. All tree felling and pruning works shall be carried out in full accordance with the approved specification and the principles of British Standard 3998:2010 - Recommendations for Tree Works and in accordance with the agreed timetable of operations or such other works at such other times as may be agreed in writing by the Local Planning Authority
(Reason: To ensure the continued well being of the trees in the interests of the amenity of the area locality in accordance with Policy D3 (Trees and Development Sites) of the East Devon Local Plan)

13. Each new dwelling or flat with one bedroom shall be provided with at least one parking space (excluding garages), each new dwelling or flat with two or more bedrooms shall be provided with at least two parking spaces (excluding garages).

(Reason: To ensure there is sufficient parking provision in accordance with Policy TC9 (Parking provision in New Development) of the East Devon Local Plan.

14. Prior to the commencement of any works within Zone C:
 - (i) A detailed assessment of ground conditions of the land proposed in Zone C for the playing fields shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and
 - (ii) Based on the results of this assessment to be carried out pursuant to (a) above of this condition, a detailed scheme to ensure that the playing fields will

be provided to an acceptable quality (including appropriate drainage where necessary) shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the Local Planning Authority after consultation with Sport England.

(Reason: To ensure that site surveys are undertaken for new or replacement playing fields and that any ground condition constraints can be and are mitigated to ensure provision of an adequate quality playing field and to accord with Policy RC1 (Retention of Land for Sport and Recreation) of the East Devon Local Plan)

15. The playing fields and pitches in Zone C shall be constructed and laid out in accordance details that shall be submitted at the reserved matters stage and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use in accordance with an agreed timeframe as provided for in the legal agreement accompanying this application.

(Reason: To ensure the quality of pitches is satisfactory and they are available for use in an appropriate timeframe and to accord with Policy RC1 (Retention of Land for Sport and Recreation) of the East Devon Local Plan)

16. Prior to the bringing into use of the playing fields and tennis courts a Management and Maintenance Scheme for the facility including management responsibilities, a maintenance schedule and a mechanism for review shall be submitted to and approved in writing by the Local Planning Authority after consultation with Sport England. The measures set out in the approved scheme shall be complied with in full, with effect from commencement of occupation of Zone A and Zone D.

(Reason: To ensure that new facility/ies is capable of being managed and maintained to deliver playing fields and tennis courts which are fit for purpose, sustainable and to ensure sufficient benefit of the development to sport (National Planning Policy Framework (NPPF) para 97) and to accord with Policy RC1 (Retention of Land for Sport and Recreation) of the East Devon Local Plan)

17. No occupation in Zone A and Zone D shall take place until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the football pitches, cricket pitch, tennis courts, replacement pavilion and changing facilities and include details of pricing policy, hours of use, access by users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement."

(Reason: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with Policy RC1 (Retention of Land for Sport and Recreation) of the East Devon Local Plan)

18. The reserved matters application(s) shall be submitted in accordance with the recommendations of Section 5 of the Ecological Impact Assessment undertaken by Burton Reid Associates ref BR0417/EclA/C dated October 2020 and the development shall thereafter be carried out in accordance with the recommendation set out therein

(Reason: To ensure that the protected species found to be on site/have the potential to be on site are dealt with in an appropriate and sensitive manner to safeguard their future and to replace lost habitats in accordance with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan.)

19. The reserved matter application(s) shall be submitted in accordance with the methodology and recommendation set out in the Flood Risk Assessment prepared by Hydrock (ref. 13528-HYD-XX-XX-RP-FR-001, dated April 2020).

(Reason -To ensure the development complies with the guidance as set out in the National Planning Policy Framework).

20. The following information shall be submitted at the reserved matters stage:

(a) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with DCC groundwater monitoring policy.

(b) Evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins/tanks.

(c) A detailed drainage design based upon the approved Flood Risk Assessment Winslade Park, Clyst St Mary 13528-HYD-XX-XX-RP-FR-0001 dated 2nd April P02 and Drainage Strategy Sheet 3 WIN-HYD-XX-XX-DR-C-1002 P08, Drainage Strategy Sheet 2 WIN-HYD-XX-XX-DR-C-1002 P09 and Drainage Strategy Sheet 1 WIN-HYD-XX-XXDR- C-1002 P06 and the results of the information submitted in relation to (a) and (b) above

(d) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.

(f) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(g) A plan indicating how exceedance flows will be safely managed at the site.

(h) A detailed assessment of the condition and capacity of the existing surface water drainage system that will be affected by the proposals. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor. No building shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (h) above.

(Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017), Policy EN22 (Surface Run-Off Implications of New Development) and national policies, including NPPF and PPG.)

Plans relating to this application:

L09.01 P2 – EXISTING Location Plan 14.08.20

L09.02 P2 – EXISTING Location Plan 14.08.20

L09.03 P1 – EXISTING Location Plan 14.08.20

L.01.01 P12 – Proposed Site Plan 26.03.2026

For the full element of the proposed development:

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. The development shall not proceed other than in strict accordance with the Flood Risk Assessment prepared by Hydrock (ref. 13528-HYD-XX-XX-RP-FR-001, dated April 2020).
(Reason -To ensure the development complies with the guidance as set out in the National Planning Policy Framework).

4. No development shall take place on the Brook House extension or leisure facilities in the stables until a revised Construction and Environment Management Plan (CEMP) (to include schemes for the suppression of dust and air quality measuring and mitigation has been submitted to and agreed in writing with the Local Planning Authority. The development shall not proceed otherwise than in strict accordance with the CEMP as may be agreed unless otherwise agreed in writing with the Local Planning Authority.

(Reason - To ameliorate and mitigate, at an early stage, against the impact of the development on the local community in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan)

5. 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.

(Reason - To ameliorate and mitigate against the impact of the development on the local community in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan)

6. Notwithstanding the details provided on drawing numbers LL-374-101-D received on 19.10.2020, LL-374-108-B received on 19.10.2020, L.01.17 P4 received on 14.08.2020 and L.01.18 P4 received on 14.08.2020 a detailed landscaping scheme for the extension to the car park in Zone J shall be submitted to and approved in writing before any works to the car park are undertaken. The scheme shall include additional tree planting between parking bays than that shown on the aforementioned plan and include a comprehensive planting buffer between the parking spaces and open countryside. The landscaping scheme approved shall be carried out in the first planting season after commencement of the development of the car park extension unless otherwise agreed in writing by the Local Planning Authority and shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements) of the East Devon Local Plan)

7. The Development hereby permitted shall be carried out in accordance with the approved Travel Plans received by the Local Planning Authority, namely:

- The Commercial Development, Winslade Park, Clyst St Mary, Devon – Framework Travel Plan (Hydrock, ref. 13528-HYD-XX-XX-RP-TP-6001, dated 6 January 2022); and
- The Winslade Park, Clyst St Mary, Devon – Residential Travel Plan (Hydrock, ref. 13528-HYD-XX-XX-RP-TP-6001, dated 6 January 2022),

The approved Travel Plans shall be implemented in accordance with the timescales set out within those documents and shall thereafter be maintained and adhered to for the lifetime of the development.

(Reason: Reason: To ensure that the site is operated with sustainable transport in mind in accordance with Policy TC2 (Accessibility of New Development) of the East Devon Local Plan).

8. Development shall proceed in accordance with the recommendations of Section 5 of the Ecological Impact Assessment undertaken by Burton Reid Associates ref BR0417/EcIA/C dated October 2020.

(Reason: To ensure that the protected species found to be on site/have the potential to be on site are dealt with in an appropriate and sensitive manner to safeguard their future and to replace lost habitats in accordance with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan.)

9. The playing fields and pitches in Zone C shall be constructed and laid out in accordance details that shall be submitted to and approved by the Local Planning Authority and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use in accordance with an agreed timeframe as provided for in the legal agreement accompanying this application

Reason: To ensure the quality of pitches is satisfactory and they are available for use in an appropriate timeframe and to accord with Policy RC1 (Retention of Land for Sport and Recreation) of the East Devon Local Plan.

10. Prior to the commencement of development in Zones F, G and J, the following information shall be submitted to and approved in writing by the Local Planning Authority:

(a) Soakaway test results in accordance with BRE 365 and groundwater monitoring results in line with DCC groundwater monitoring policy.

(b) Evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins/tanks.

(c) A detailed drainage design based upon the approved Flood Risk Assessment Winslade Park, Clyst St Mary 13528-HYD-XX-XX-RP-FR-0001 dated 2nd April P02 and Drainage Strategy Sheet 3 WIN-HYD-XX-XX-DR-C-1002 P08, Drainage Strategy Sheet 2 WIN-HYD-XX-XX-DR-C-1002 P09 and Drainage Strategy Sheet 1 WIN-HYD-XX-XX-DR-C-1002 P06 and the results of the information submitted in relation to (a) and (b) above

(d) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.

(f) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(g) A plan indicating how exceedance flows will be safely managed at the site.

(h) A detailed assessment of the condition and capacity of the existing surface water drainage system that will be affected by the proposals. The assessment should identify and commit to, any repair and/or improvement works to secure the proper function of the surface water drainage receptor.

Plans relating to this application:

RP-3-0001

General

18.08.20

	Correspondence	
L01.12 P5 HOUSE	Proposed Site Plan	14.08.20
L01.13 P4 LYST	Proposed Site Plan	14.08.20
L01.14 P4 BROOK	Proposed Site Plan	14.08.20
L01.15 P4 STABLES	Proposed Site Plan	14.08.20
L01.17 P4 ZONE J	Proposed Site Plan	14.08.20
L01.18 P4 ZONE J EAST	Proposed Site Plan	14.08.20
L09.01 P2 EXISTING	Location Plan	14.08.20
L02.02 P2 EXISTING	Location Plan	14.08.20
L09.03 P1 EXISTING	Location Plan	14.08.20
L02.02 4 GROUND	Proposed Floor Plans	14.08.20
L43.01-2 GROUND	Proposed Floor Plans	14.08.20
L02.04 -3	Proposed roof plans	14.08.20
L02.03-4 SECOND	Proposed Floor Plans	14.08.20
MANOR ROOM DATA SHEETS	General Correspondence	14.08.20
L01.02-3	Proposed Site Plan	14.08.20
L32.00 -6 DOOR SCHEDULE	Other Plans	14.08.20
L32.02-2 WINDOW	Other Plans	14.08.20

SCHEDULE

MANOR SCHEDULE OF WORKS	General Correspondence	14.08.20
WINSLADE SCHEDULE OF WORKS	General Correspondence	14.08.20
A23.01 P2 SUSP FLOOR	Other Plans	14.08.20
A31.03 P2 REPL WINDOW	Other Plans	14.08.20
A34.02 P2 TERRACE FALL	Other Plans	14.08.20
A36.01 P2 SIGNAGE	Other Plans	14.08.20
A45.01 SO P2 CEILING SECTION	Sections	14.08.20
L01.02 P8	Proposed Site Plan	19.10.20
L09.10 zone key plan P5	Proposed Site Plan	19.10.20
L34.01-3	Other Plans	19.10.20
L01.06-3	Other Plans	19.10.20
L04.04-2	Other Plans	19.10.20
P2	Schedule of Works	19.10.20
A24.01 P3	Other Plans	19.10.20
L02-010 SO P6	Proposed Floor Plans	19.10.20
L02-020 SO P6	Proposed Floor Plans	19.10.20
L02-030 SO P6	Proposed Floor Plans	19.10.20
L02-040 SO P6	Proposed Floor Plans	19.10.20
L03.01 SO P4	Sections	19.10.20

L04.02 SO P5	Proposed Elevation	19.10.20
L04.03 SO P5	Proposed Elevation	19.10.20
L04.04 SO P5	Proposed Elevation	19.10.20
L04.07 SO P5	Proposed Elevation	19.10.20
L06-010 SO P6	Proposed Floor Plans	19.10.20
L06-020 SO P6	Proposed Floor Plans	19.10.20
L06-030 SO P6	Proposed Floor Plans	19.10.20
L06-040 SO P6	Proposed Floor Plans	19.10.20
L06-160 SO P6	Proposed Elevation	19.10.20
L45-01 SO P4	Proposed Floor Plans	19.10.20
L45-02 SO P4	Proposed Floor Plans	19.10.20
L45-03 SO P4	Proposed Floor Plans	19.10.20
L45-04 SO P4	Proposed Floor Plans	19.10.20
LL-374-100 D	Landscaping	19.10.20
LL-374-101 D	Landscaping	19.10.20
LL-374-106 D	Landscaping	19.10.20
LL-374-109 C	Landscaping	19.10.20
L06.050 SO P4 DEM OLITION	Proposed roof plans	14.08.20
L06.060 SO P4 DEM TEMP BLDG	Other Plans	14.08.20
L06.100 SO P4 BLOCK A	Proposed Elevation	14.08.20
L06.100 SO P4 BLOCK A	Proposed Elevation	14.08.20
L06.110 SO P4 BLOCK B	Proposed Elevation	14.08.20

SOUTH

L06.120 SO P4 BLOCK B EAST 01	Proposed Elevation	14.08.20
L06.130 SO P4 BLOCK B EAST 02	Proposed Elevation	14.08.20
L06.140 SO P4 BLOCK C 01	Proposed Elevation	14.08.20
L06.150 SO P4 BLOCK C 02	Proposed Elevation	14.08.20
L06.170 SO P4 DEM TEMP BLDG	Proposed Elevation	14.08.20
L06.200 SO P3 DEM AA+BB	Sections	14.08.20
LL-374-108 B MASTERPLAN ZONE J	Landscaping	14.08.20
LL-374-114 D	Landscaping	19.10.20
LL-374-200 B PARKING QUANTUMS	Landscaping	14.08.20
L06.20 P2 : AA+BB	Sections	06.05.20
L06.30 P2 : demolition lower ground ceiling	Proposed Floor Plans	06.05.20
L06.31 P2 : demolition ground floor ceiling	Proposed Floor Plans	06.05.20
L06.32 P2 : demolition first floor ceiling	Proposed Floor Plans	06.05.20
L06.33 P2 :	Proposed Floor Plans	06.05.20

demolition
second floor
ceiling

L09.20 P3 : existing AA+BB	Sections	06.05.20
L02.01 P4 : lower ground	Proposed Floor Plans	06.05.20
L02.02 P4 : ground	Proposed Floor Plans	06.05.20
L02.03 P4 : first	Proposed Floor Plans	06.05.20
L02.04 P3 : second	Proposed Floor Plans	06.05.20
L02.05 P3	Proposed roof plans	06.05.20
L03.01 P2 : proposed AA+BB	Sections	06.05.20
L01.04 B	Proposed Site Plan	06.05.20
L02.20 C : lower ground	Proposed Floor Plans	06.05.20
L02.21 C : ground	Proposed Floor Plans	06.05.20
L02.22 C : first	Proposed Floor Plans	06.05.20
L02.23 B	Proposed roof plans	06.05.20
L03.01 B : A-A	Sections	06.05.20
L03.02 B : B-B	Sections	06.05.20
L04.01 B : north	Proposed Elevation	06.05.20
L04.02 B : south	Proposed Elevation	06.05.20
L04.03 B: east	Proposed Elevation	06.05.20
L04.04 B : west	Proposed Elevation	06.05.20
L04.20 B : demolition 01-06	Proposed Elevation	06.05.20

L04.30 B : 01-06	Proposed Elevation	06.05.20
L02.01 B : ground	Proposed Floor Plans	06.05.20
L02.02 B : first	Proposed Floor Plans	06.05.20
L02.03 B : second	Proposed Floor Plans	06.05.20
L02.04 B : roof space	Proposed Floor Plans	06.05.20
L02.05 B	Proposed roof plans	06.05.20
L01.04 B	Proposed Site Plan	06.05.20
L03.01 B : A-A	Sections	06.05.20
L03.02 B : B-B	Sections	06.05.20
L04.01 B : north	Proposed Elevation	06.05.20
L04.02 B : east	Proposed Elevation	06.05.20
L04.03 B : south	Proposed Elevation	06.05.20
L04.04 B : west	Proposed Elevation	06.05.20
L02.04 3 : demolition lower ground	Proposed Floor Plans	06.05.20
L02.05 4 : demolition ground	Proposed Floor Plans	06.05.20
L02.06 3 : demolition first	Proposed Floor Plans	06.05.20
L02.08 4 : lower ground	Proposed Floor Plans	06.05.20
L02.09 6 : ground	Proposed Floor Plans	06.05.20
L02.10 4 : first	Proposed Floor Plans	06.05.20
L02.11 3	Proposed roof plans	06.05.20

L02.12 3 : proposed+demolition views	Other Plans	06.05.20
L02.13 3 : north	Proposed Elevation	06.05.20
L02.14 3 : east	Proposed Elevation	06.05.20
L02.15 3 : south	Proposed Elevation	06.05.20
L02.16 3 : west	Proposed Elevation	06.05.20
L02.17 3 : sections 1	Sections	06.05.20
L02.18 2 : sections 2	Sections	06.05.20
L02.19 3 : internal courtyard	Proposed Elevation	06.05.20
winslade stables	Schedule of Works	06.05.20
A31.02-1 : typical sliding sash basement window detail	Other Plans	06.05.20
A32.01-1 : external door detail	Other Plans	06.05.20
A34.01_1 : fall protection handrail	Other Plans	06.05.20
A34.01_2 : fall protection handrail typical elevations	Other Plans	06.05.20
A49.01-1 : architrave+heating grill GF window detail	Other Plans	06.05.20
L02.02-3 : first floor	Proposed Floor Plans	06.05.20
L02.03-3 :	Proposed Floor Plans	06.05.20

second

L02.01-3 : ground	Proposed Floor Plans	06.05.20
L02.04-2	Proposed roof plans	06.05.20
A34.03-1 : flooring typical details	Other Plans	06.05.20
L02.10-2 : disabled access	Other Plans	06.05.20
L04.00-2 : north	Proposed Elevation	06.05.20
L04.01-2 : east	Proposed Elevation	06.05.20
L04.02-2 : south	Proposed Elevation	06.05.20
L04.03-2 : west	Proposed Elevation	06.05.20
L05.01-1 : AA	Sections	06.05.20
L05.02-1 : BB	Sections	06.05.20
L06.01 P4 : demolition lower ground	Proposed Floor Plans	06.05.20
L06.02 P4 : demolition ground	Proposed Floor Plans	06.05.20
L06.03 P4 : demolition first	Proposed Floor Plans	06.05.20
L06.04 P4 : demolition second	Proposed Floor Plans	06.05.20
L06.05 P3 : demolition	Proposed roof plans	06.05.20

Drainage Strategy Sheet 3 WIN-HYD-XX-XX-DR-C-1002 P08 received 11/11/2020
Drainage Strategy Sheet 2 WIN-HYD-XX-XX-DR-C-1002 P09 received 11/11/2020

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.

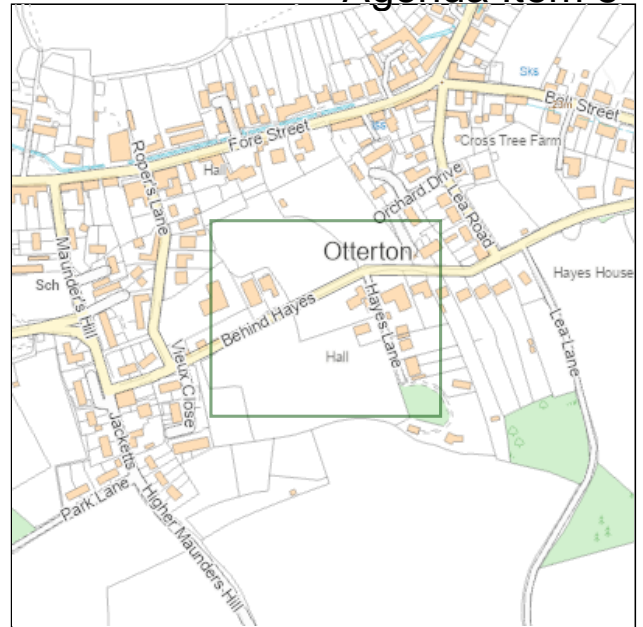
Ward Budleigh And Raleigh

Reference 26/0201/FUL

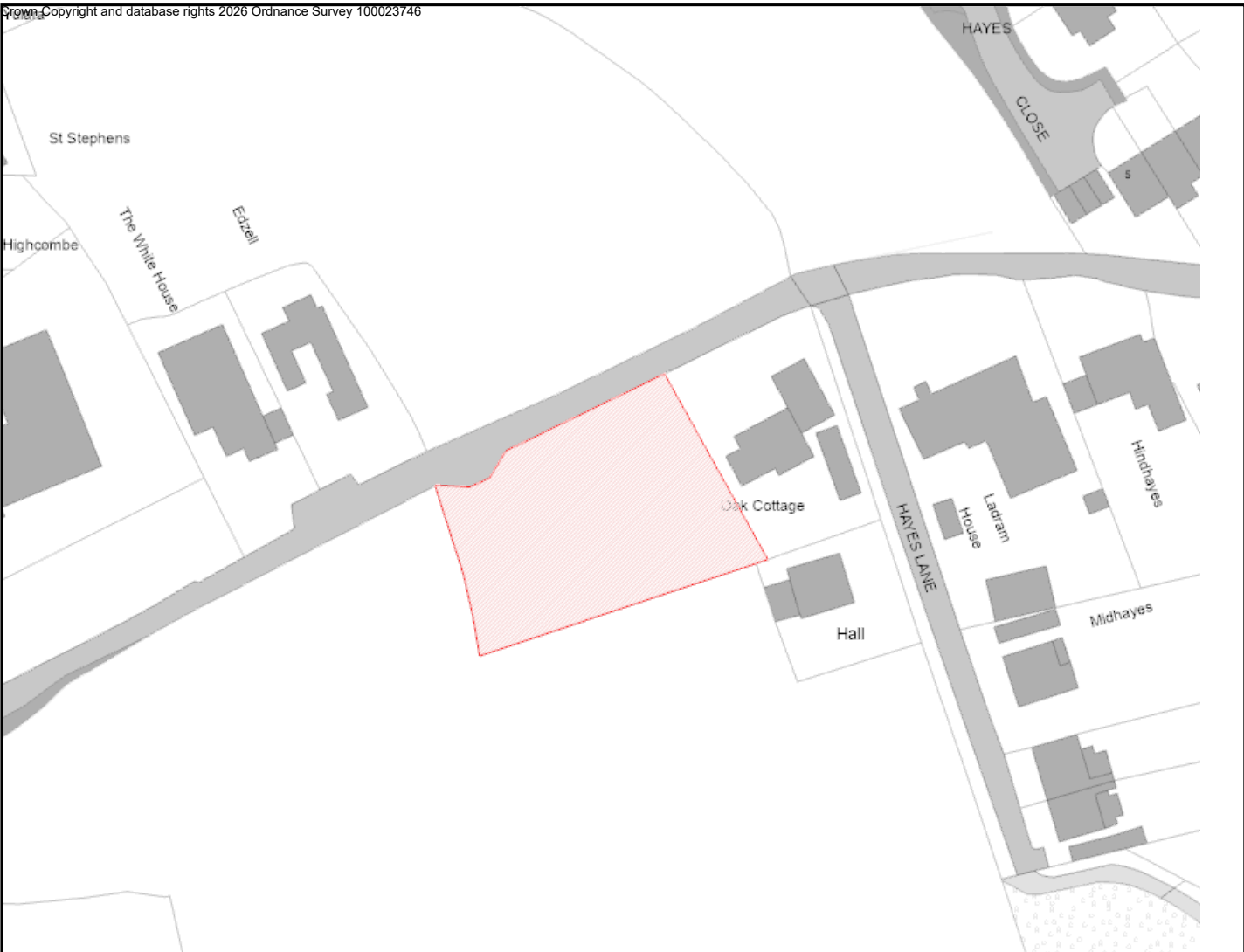
Applicant Mr & Mrs M Parkin

Location Land Adjacent To Oak Cottage Behind Hayes
Otterton EX9 7JQ

Proposal Erection of new 4 bedroom detached dwelling
with attached garage.



RECOMMENDATION: Approval with conditions



		Committee Date: 10.07.2026
Budleigh And Raleigh (Otterton)	26/0201/FUL	Target Date: 15.04.2026
Applicant:	Mr & Mrs M Parkin	
Location:	Land Adjacent To Oak Cottage Behind Hayes	
Proposal:	Erection of new 4 bedroom detached dwelling with attached garage.	

RECOMMENDATION: Approval with conditions

EXECUTIVE SUMMARY

The proposal relates to the construction of a single four-bedroom dwelling on land adjacent to Oak Cottage, approximately 320 metres from Otterton village centre. The site lies within the countryside under the adopted East Devon Local Plan and within the East Devon National Landscape where development is restricted. The scheme therefore represents a departure from the development plan; however, as the Council cannot currently demonstrate a five-year housing land supply, there is a presumption in favour of sustainable development as set out in the NPPF.

In assessing the proposal, the report finds that the design, scale, and materials would be compatible with the character of the surrounding area and would conserve the qualities of the National Landscape. Impacts on neighbouring amenity, highways, ecology, trees, heritage assets, and flood risk are all considered acceptable, subject to conditions. While there would be some reliance on private car use—particularly due to unlit and unpaved pedestrian routes—this would be considered typical of rural village locations and results in only limited conflict with sustainable transport policies.

Overall, the identified harms, including conflict with countryside policies and minor landscape and transport impacts, are considered limited. These are outweighed by the benefits of delivering an additional dwelling and contributing to local housing supply. Applying the NPPF tilted balance, the proposal is therefore recommended for approval subject to appropriate conditions.

CONSULTATIONS

Local Consultations

Clerk To Otterton Parish Council

New dwelling, well designed with unimpeded sky line. property to be bordered by hedges so will be shielded from the road. Approved

Technical Consultations

South West Water

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Surface Water Services

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, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

EDDC Trees

Based on information available it can be seen that there are a number of trees on site. However the majority of these trees are not considered significant constraints due to their size, form or historical management. The trees along the western and south western boundary are proposed to be retained which is considered appropriate.

I therefore confirm that I have no arb concerns but recommend a basic arboricultural tree protection plan be conditioned to ensure that the trees proposed for retention are protected during construction. A soft landscape scheme is also recommended including details of hedgerow planting and long-term maintenance.

Environmental Health

I have considered the application and note that this site is close to nearby residents who may be impacted during the construction process. 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. We would request the applicant to consult and follow the council's Construction Sites Code of Practice prepared by Environmental Health and adopted by the council in order to

ensure that any impacts are kept to a minimum. This is available on the council's website.

Other Representations

One letter of objection has been received raising concerns for highway safety, the impacts of housing development within the National Landscape and there being no need for additional development in Otterton.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 3 (Sustainable Development) 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

D2 (Landscape Requirements) Adopted

EN5 (Wildlife Habitats and Features) Adopted

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

TC7 (Adequacy of Road Network and Site Access) Adopted

D3 (Trees and Development Sites) Adopted

Otterton Neighbourhood Plan (Made)

Policy ONP1 (Sustainable Development)

Policy ONP3 (Protecting and Enhancing the Built Environment)

Policy ONP4 (Protecting and Enhancing the Natural Landscape)

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP01 (Spatial strategy) Draft

Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft

Strategic Policy DS01 (Design and local distinctiveness) Draft

Policy TR04 (Parking standards) Draft

Strategic Policy OL02 (National Landscapes (Areas of Outstanding Natural Beauty))
Draft

Policy PB08 (Tree, hedges and woodland on development sites) Draft

Government Planning Documents

National Planning Policy Framework 2024 (as amended)

National Planning Practice Guidance

ANALYSIS

Site description

The application site is located approximately a 320-metre walk from the village center of Otterton which is not afforded a built-up area boundary in the adopted EDLP. The village contains services such as a local shop, primary school and public house. The site lies adjacent to a large field which rises steeply from south-to-north. Its use is unclear and presumed to be agricultural land but does not appear to be actively farmed. The wider topography maintains its steep decline to the North meaning that the site is elevated within the street and low road being 2-3- metres below it. The road that serves the site is the unadopted, metalled road known as Behind Hayes.

The site lies directly adjacent to Oak Cottage, a detached two-storey dwelling. Across the road to the northwest are two detached dwellings known as The White House and Edzell. Directly North is a site proposed for housing allocation within the emerging local plan.

The site benefits from a National Landscape special designation as part of the East Devon National Landscape. The site is not impacted by any other designations and is within flood zone 1

The site had formerly contained a single dwelling within a large plot of land. This site was the subject of two applications; One of which was for the demolition of the dwelling and subdivision of the plot to provide two dwellings (01/P1741), this permitted scheme was not commenced. A subsequent application was submitted in 2002 (02/P2810) which proposed a single replacement dwelling. This second scheme retained a large area of residential garden that extends beyond the curtilage which forms the site of this application. This latter scheme has been implemented

Proposed development

The application seeks permission for a single, four-bedroom dwelling to be situated within the plot of land adjacent to Oak cottage. The site had previously been developed upon however, as previously described, the dwelling has since been demolished and Oak Cottage constructed.

The proposed dwelling measures approximately 7.6 metres in height and 27 metres in width, its massing would be broken down into two elements; a two-storey dwelling

house and single storey extension. The dwelling house would measure 11 metres in width and 7.4 metres in depth with a gable-end roof design running parallel to Behind Hayes. The single-storey extension would measure 16 metres in width, 11.7 metres in depth and with a ridge height of 5.5 metres that also runs parallel to the street. The roof design would be gable-end with two cross-gables projecting forward and backwards.

The proposal would introduce a large area of gravel parking to the front of the dwelling and be accessed via an existing access point that serves both the site and Oak Cottage. Two hedgerows are proposed on top of the bank at the front of the site.

Planning History

01/P1741 - Demolish Dwelling & Erect Two Dwellings & Alter Access (Outline Application) - APPROVED

02/P2810 - Demolition Of Existing & Erection Of New Dwelling & Linked Double Garage - APPROVED

07/1174/FUL - Erection of garden shed & summerhouse (amendment to planning approval 02/P2810) - APPROVED

Principle of Development

The proposed development would be located in Otterton, a settlement that is not afforded a Built-Up-Area-Boundary in the adopted local plan. Therefore, in a planning policy context, the proposal would be situated within the 'Countryside' as described within Strategy 7 of the EDLP. Development within these areas will only be permitted where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located and where development is specifically permitted by a local or neighbourhood plan policy. There are no policies that specifically permit the construction of a new dwelling in this countryside location and as such the proposal is a departure from the development plan.

The need for housing over the next five years is an essential consideration in planning decisions. If the Council cannot demonstrate a five-year housing supply when adopting a new local plan, it would conflict with paragraph 78 of the NPPF. Without an adequate supply of housing, an Inspector would likely find such an emerging plan unsound and inconsistent with the requirements of the NPPF.

The District Council can currently only demonstrate a housing land supply of 3.5 years in line with the revised standard methodology for calculation introduced via the revised NPPF and is therefore significantly short of the required figure. Paragraph 11 of the NPPF states that where a 5 year housing land supply cannot be demonstrated decision makers should apply a presumption in favour of sustainable development otherwise known as 'the tilted balance'. As the application is located within the East Devon National Landscape, this presumption will apply to the scheme unless the proposal would conflict with other national planning policy framework policies. An assessment against the relevant national policies shall be completed within this report.

Policy SP01 (Spatial Strategy) of the emerging local plan (eLP) describes Otterton as

being a 'service settlement' which is capable of accommodating 'limited development'. The eLP proposes a settlement boundary for Otterton and the site would be located within this boundary. Policy SP03 (Housing requirement by Designated Neighbourhood Area) states that Otterton will need to accommodate a minimum of 27 dwellings between 01/04/2020 - 31/03/2042. Strategic Policy SD23 allocates the land North of Behind Hayes for a housing development of 10 dwellings which is significantly short of the 27 dwellings that Otterton will need to deliver by 2042. If this development were permitted, the dwelling would contribute to Otterton's housing delivery target and aid the districts contribution to Local Housing Land-Supply. Although these policies bear little weight in decision making during the progression of this emerging plan, the proposal would align with the requirements of these policies and thus be acceptable in principle if the Regulation-19 plan is adopted.

Location

Strategy 3 (Sustainable development) and Strategy 5B (Sustainable Transport) require development to be located 'where it will encourage and allow for efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport' so that development minimises fossil fuel use therefore reducing carbon dioxide emissions.

Strategy SP01 of the emerging local plan describes Otterton as a 'service village' and would therefore permit 'limited development'. While the policies within the emerging local plan carry limited weight, it does describe the village of which the development is located as being 'sustainable' which, provided the village is accessible from the site, would align with the requirements of Strategy 3 and 5B.

The application site is located some 320 metres from the centre of Otterton. The village contains bus stops, a public house, village shop, school and church. The walk to these services would take approximately 7-10 minutes which would likely be manageable for most occupiers. The journey to these services would be predominantly along unlit and unpaved roads although parts of Ropers Lane and Fore Street benefit from footpaths and street lighting. Given the limited distance to these services, it would be likely that occupiers of the dwelling would choose to walk or cycle to and from the village should weather and lighting conditions permit. Being within the village, drivers will have some expectation of walkers in the road which should affect driver behavior, it is acknowledged however that when dark occupiers are likely to travel by car.

Impact upon the character of an area and National Landscape

A site visit was conducted on 25/02/2026. During this visit it was noted that the neighbouring house types did not contain similar design characteristics. The adjacent site called Oak Lodge, for example, is designed to look like an historic farm house with thatched roof (despite its construction sometime after 2003). Directly opposite at a property called 'Edzell' is a dwelling of a more modern design with an unusual roof form.

The application site lies within the East Devon National Landscape. Section 245 of the Levelling-up and Regeneration Act 2023 places a statutory duty upon relevant

authorities to 'seek to further' the statutory purposes of the protected landscapes. Paragraph 189 of the NPPF states that great weight should be given to the conservation and enhancement of these areas and that development should be sensitively located and designed to avoid or minimise adverse impacts upon the landscape and cultural heritage.

The application proposes a two-storey dwelling of a design more typical to dwellings found within the wider area of Otterton. The single storey extension is unusual in form and scale and does appear awkward as an element attached to the dwellinghouse. With this said, given the variety of building design within its immediate vicinity, the design is not considered to have an adverse impact upon the street or wider area. The materials proposed are a mix of render and timber cladding which can be observed on dwellings such as Edzell and Oak Cottage and the scheme would therefore conserve the special qualities of the National Landscape to which it is part of. Despite the site's elevated position, the dwelling would be partially obscured by the bank that sits before it, in that the bank is steep and dramatically levels off. In addition, the scheme proposes the planting of hedgerow some 4.5 metres back from the road which would minimise the visual impact of the awkward configuration.

The East Devon and Blackdown Hills Landscape Character Assessment (LCA) categorises the landscape character as type 5D 'Estate Wooded Farmland'. The key characteristics of this Landscape type are the 'rolling hills' with 'expansive views' and 'well-managed, working countryside'. The proposal would be prominent within the immediate street scene however, its siting would obstruct view of the steeply rolling hills located directly behind it. Furthermore, and despite the large field being located directly adjacent, the proposed dwelling would be located upon a plot that resembles that of an extended garden area of domestic appearance and does not contain characteristics that would be attributed to the 'well-managed, working countryside'. Therefore, the proposal would preserve the special features of the landscape. The site currently presents itself as one that has been subject to development through the construction of a winding driveway and adjusted site levels. The siting of a dwelling with appropriate landscaping would be considered an enhancement to what currently appears as a disused plot.

The design of the proposal is acceptable and would not adversely impact the character of the street or wider area. As such, the scheme accords with Strategy 46 (Landscape Conservation, Enhancement and AONBs), 48 (Local Distinctiveness on the Built Environment) and Policy D1 (Design and Local Distinctiveness) of the EDLP and would not conflict with Paragraph 189 of the NPPF.

Residential Amenity

The application does not propose any side-facing windows. As such, no overlooking of Oak Cottage would be anticipated. The proposal would be sited within 7.4 metres of Oak Cottage however; the closest part of the building would be the single-storey element with a height of 5 metres. The proposal would be located west-by-southwest of Oak cottage meaning its impacts upon daylight would be very limited by virtue of its height and location.

The environmental health officer has reviewed the proposal and raised concerns for

amenity impacts that may arise during the construction phase. A condition has been recommended which will restrict hours of construction to reduce any such impacts. When considering the number of residential properties within the immediate vicinity of the site, such a condition shall be applied.

With a condition controlling hours of work, the proposal would align with the requirements of Policy D1 of the EDLP.

Amenity of future occupiers

The proposal would offer four bedrooms comprised of two double bedrooms and two single bedrooms. The gross internal area would measure approximately 165m² which is in accordance with the Nationally Described Space Standards for a 4- bedroom, 6- person dwelling. All rooms meet the minimum spatial requirements of this guidance and are therefore acceptable. The nearest dwelling would be 7.5 metres away. Neither the proposed dwelling nor neighbour have side facing windows therefore overlooking or loss of light will not be a concern. The proposed dwelling would benefit from generous amounts of garden space to the southwest and southern elevations.

As such, there are no concerns for the amenity of future occupiers. The proposal therefore aligns with the requirements of Policy D1 of the EDLP.

Highways

The dwelling would be accessed by Behind Hayes, an unclassified, metaled road. The application does not propose any changes to the existing access point. The access point appears well designed and provides a suitable visibility splay. It is noted that concerns have been raised relating to an anticipated increase in levels of traffic that could have the potential to disrupt the village. The application proposes four bedrooms, which would likely amount to 2-3 additional vehicles using the road. Any impacts by 2-3 vehicles would be considered small and their impact upon the wider highway network would be limited. When considering the design of the existing access point and the limited impact of the development upon the wider highway network, the proposal would not result in an unsafe and unsatisfactory operation of the local or wider highway network and therefore align with the requirements of Policy TC7 (Adequacy of Road Network and Site Access) of the EDLP.

Pedestrian access and transport

The distance to the village hall and public house would be approximately 320m. This distance would increase to 400m to the nearest bus stop which affords public transport to-and-from Exmouth and Sidmouth. Pedestrian access to these services would be along two unlit and unpaved roads known as Behind Hayes and parts of Roper's Lane. These roads have been adopted by the local highways but are unclassified. Behind Hayes and Roper's Lane serve the surrounding dwellings and do not form part of any primary route to access East Budleigh, Newton Poppleford or Sidmouth, therefore traffic is generally limited to residents of the village and their visitors.

For occupiers of this proposed dwelling, access to Otterton's services can only be achieved by foot/bicycle if occupants were to travel along unlit and unpaved roads. Given the short distance between the site and Otterton Fore Street, it is likely that occupants would travel by foot/bicycle during daylight hours. During times of low light,

it is likely that the absence of pavements and street lighting would encourage occupants to access these services by car and therefore conflict with the requirements of Policy 5B.

Paragraph 110 of the NPPF states that 'sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making'. In local policy terms, Otterton is located within the countryside. Therefore, the settlement would be a rural area where footpaths and street lighting would not be expected to serve every street or road yet the site would be within a similar distance to services provided by that of an urban area. It can therefore be argued that, despite a limited conflict with Policy 5B of the EDLP, that a reliance upon travel by car during hours of poor day light, would not result in a development being unsustainable.

Cycle stores

Policy TC9 (Parking Provision in New Development) sets out a requirement for new development to provide at least one bicycle storage space per dwelling. The provision of such a space would also demonstrate further alignment with Strategy 5B (Sustainable Transport). The site is large and could reasonably accommodate such a storage space. The application does not propose any bicycle storage space therefore details of bicycle storage shall be requested via condition prior to first occupation.

Trees and hedgerows

The application does not propose the removal of any trees found within the site. The district arboricultural officer has reviewed the application and does not have concerns for the impacts upon trees. This is, in part, due to their size and form which is relatively small. They have recommended a condition that will require the submission of a tree protection plan and soft landscaping scheme. When considering the semi-rural surroundings and the National Landscape designation, such conditions would be suitable as a means of preserving the character of the street and wider landscape. Subject to the application of the two conditions, the scheme would align with the requirements of Strategy 46 and Policies D1 and D3 (Trees and Development sites) of the EDLP.

Ecology

The application is supported by an ecological impact assessment. The assessment states that the proposal would not impact upon any of the districts designated sites. The proposal would not impact upon any bats or bats. There is potential for development to impact upon reptiles and amphibians. However, mitigation measures are proposed. The proposed mitigation and enhancement measures shall be conditioned to ensure alignment with Policy EN5 of the EDLP.

BNG

The application form confirms that the proposal will be a self-build development. 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). Self and custom build developments are exempt from this statutory condition therefore the applicant is not obliged to provide 10% biodiversity net gain. Despite this, the applicant does propose the planting of indigenous hedgerow along the front boundary which will provide some level of biodiversity enhancement.

Habitat Mitigation - Appropriate Assessment

The site is located within the buffer zone of the Pebblehead Heaths special protection area (SPA). Without sufficient mitigation, any proposal that may affect the integrity of this designated site is subject to an appropriate assessment. The council operates a mitigation strategy through Section 111 contributions. Natural England has previously confirmed that this strategy is sufficient to avoid adverse effects upon the special protection area. A habitat mitigation payment has been made in line with the council's mitigation strategy. As such, the development can be screened out of the need for an Appropriate Assessment.

Heritage

The Otterton Conservation area boundary lies 105 metres directly North. The closest listed building would be the Grade II listed building known as 'The Old Vicarage' which lies 70 metres to the Northwest. The Old Vicarage is sited much lower than the application site and dense boundary treatments limit intervisibility between the two properties. As such, the proposal would not impact the listed building nor would the development impact the conservation area. Therefore, no concerns arise for the impacts upon heritage assets and no conflict with policies of the NPPF are anticipated.

Flood Risk and drainage

The application site is within flood zone 1 therefore no concerns arise about the impacts of flooding.

The design and access statement confirms surface water will drain into the ground and that percolation tests will be secured. It is unclear whether the ground is suitable for drainage therefore details of surface water management can be secured through a planning condition.

No details of foul drainage had been submitted however; the applicant has since confirmed that foul water will be drained to an existing main foul sewer connection. This is an acceptable means of foul sewage drainage that demonstrates alignment with Policy EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems).

Planning Balance

As the Council cannot demonstrate a 5 YHLS there is a presumption in favour of sustainable development as set out within Paragraph 11 of the NPPF 2024 unless the application of certain policies, such as protecting the National Landscape, provides a strong reason for refusing the development. The site is located within a protected area (NL). The relevant framework policies would be paragraphs 189 and 190 which require great weight to be given to conserving and enhancing the special landscape. This

report has identified that the proposed scheme would be of a limited visual and landscape impact and would, on balance, conserve the special landscape designation. As such, the proposal would not conflict with these policies and the tilted balance would apply.

The policies within the emerging local plan bear little weight in the decision-making process however, the proposals alignment with emerging Local Plan policy SP01 and SP03 due to the dwelling being sited within a 'service village' and would be located within Otterton's settlement boundary do provide some weight for consideration.

The proposed development would be sited where it is likely that occupiers, during darker hours, would use a car to access the services available within Otterton. This reliance on car during hours of limited daylight would result in limited conflict with the requirements of Policy 5B of the EDLP. As this conflict is limited in duration, the harm is therefore limited in weight.

The harm attributed to this scheme is considered to be limited. The benefits of the scheme include the delivery of an additional dwelling and economic benefits during the construction phase. It can therefore be concluded that the anticipated levels of harm do not demonstrably outweigh the benefits of an additional dwelling, and the scheme should therefore be permitted on this basis.

CONCLUSION

The proposal conflicts with the adopted development plan by virtue of its position outside of a BUAB, and where there will be some reliance on the use of a private car. There will also be some limited adverse landscape impact. However, the adverse impacts of the development do not significantly and demonstrably outweigh the benefits of housing delivery when applying the tilted balance and as such it is recommended that the application is approved.

RECOMMENDATION

APPROVE subject to the following conditions:

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. Notwithstanding the details indicated, prior to the installation of the external

materials, details of these materials and where so required by the Local Planning Authority, samples of these proposed external materials to be used for the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policy D1 (Design and Local Distinctiveness) of the adopted East Devon Local Plan 2013-2031.)

4. The development shall be carried out strictly in accordance with the recommendations found within the 'Ecological Impact Assessment', specifically with reference to sections 6 and 7, received by the local planning authority on 03/02/2026, dated 13th January 2026 and produced by Lakeway Ecological Consultancy. (Reason - To ensure that the development has no adverse effect on protected and notable species that are present in the area and provides ecological mitigation and enhancement measures in accordance with Strategy 47 (Nature Conservation and Geology) and Policy EN5 (Wildlife Habitats and Features) of the Adopted East Devon Local Plan 2013-2031.
5. No works for the construction of the building hereby permitted shall be undertaken on Sundays or Public Holidays. On other days no construction work shall be undertaken outside of the following hours: 08:00 hours and 18:00 hours Mondays to Fridays inclusive and 08:00 hours and 13:00 hours on Saturdays. (Reason - To protect adjoining occupiers from excessive noise in accordance with Policies D1 - Design and Local Distinctiveness and EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)
6. No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:

Details of levels;

Means of enclosure;

Boundary treatments;

Hard surfacing materials;

Planting scheme and schedule;

An implementation programme.

The hard landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme. The planting scheme shall be implemented within the first planting season from the date of first occupation or completion of the development, whichever is the sooner.

(Reason – this needs to be a pre-commencement condition 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.)

7. 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 an alternative means of surface water drainage is submitted to and agreed 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 occupied or brought into use until the agreed drainage scheme has been provided and it shall 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 of the East Devon Local Plan 2013 to 2031).

8. No development shall take place above foundation level until details of arrangements for the storage of bicycles and refuse have been submitted to and approved in writing by the Local Planning Authority. The approved storage facilities shall be made available before occupation of the dwelling and retained thereafter.

(Reason - To ensure that early consideration is given to the provision of adequate refuse provision for the residents is in the interest of health and hygiene and to promote sustainable travel to in accordance with in accordance with Policies TC9 - Parking Provision, D1- Design and Local Distinctiveness and EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)

9. Prior to commencement of any works 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.

In any event, the following restrictions shall be strictly observed:

- a. No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.
- b. No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.
- c. No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by 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 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 external lighting shall be installed on the development hereby permitted without prior consent from the local planning authority.
(Reason - To ensure protected species are not adversely affected by artificial lighting in accordance with Policy EN5 (Wildlife Habitats and Features) of the adopted East Devon Local Plan 2013-2031.)
11. The dwelling hereby permitted shall be constructed as a self-build dwelling within the meaning of self-build and custom build housing as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.
- i. First occupation of the dwelling shall be by a person or persons who had primary input into its design and layout.
 - ii. No first occupation of the dwelling shall take place until the Local Planning Authority has been notified in writing, no less than two months prior to first occupation, of the name(s) of the intended first occupier(s) and confirmation that they comply with the requirements of part (i) of this condition.

(Reason - To ensure the development constitutes self-build development eligible for exemption from the mandatory biodiversity net gain requirements, in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Strategy 47 - Nature Conservation and Geology of the Adopted East Devon Local Plan 2013-2031.)

NOTE FOR APPLICANT

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 exemption 4.5 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.

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.

Plans relating to this application:

25-1203/1	Proposed Combined Plans	03.02.26
25-1203/1	Proposed Site Plan	03.02.26
25-1203/LP1	Proposed Block Plan	03.02.26

25-1203/RP1	Proposed roof plans	03.02.26
25-1203/SS1	Sections	03.02.26
25-1203/SS2: PROPOSED	Street Scene	18.02.26

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.

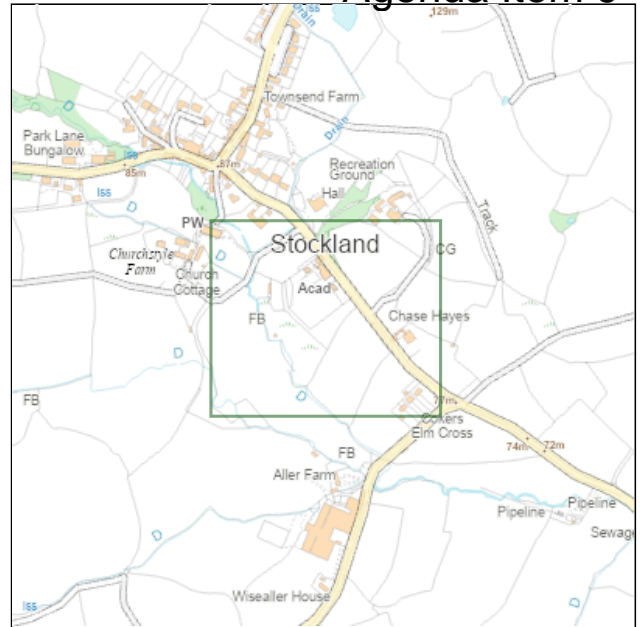
Ward Dunkeswell And Otterhead

Reference 25/2614/FUL

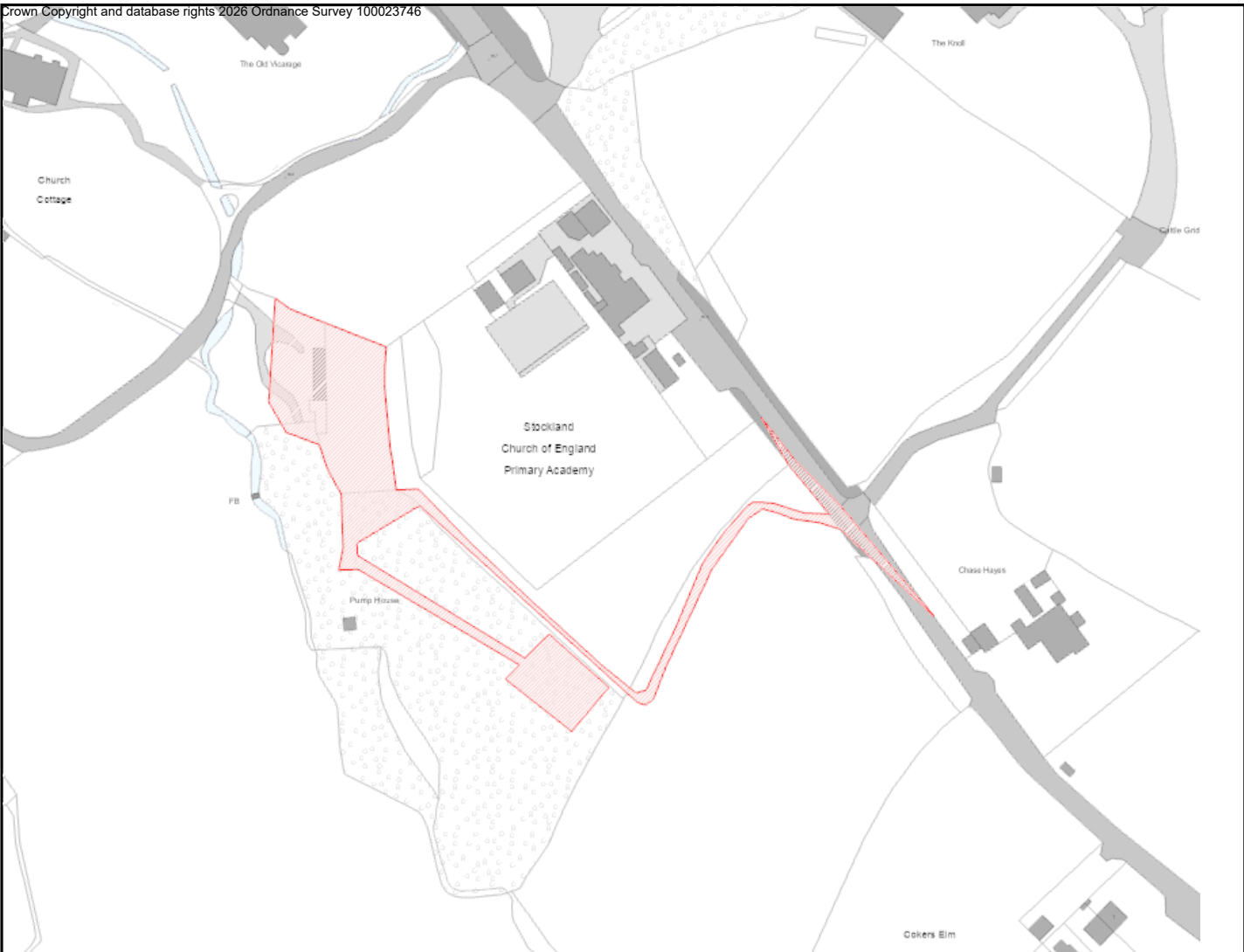
Applicant Mr and Mrs Emma and Nigel Parris

Location Land To The West Of Stockland C Of E Primary School Stockland

Proposal Proposal to reinstate historic barn with extension to form 1no dwelling, with associated works.



RECOMMENDATION: Refusal



		Committee Date: 10.07.2026
Dunkeswell And Otterhead (Stockland)	25/2614/FUL	Target Date: 14/7/26
Applicant:	Mr and Mrs Emma and Nigel Parris	
Location:	Land To The West Of Stockland C Of E Primary School Stockland	
Proposal:	Proposal to reinstate historic barn with extension to form 1no dwelling, with associated works.	

RECOMMENDATION: REFUSE

EXECUTIVE SUMMARY

This application is before Committee as the officer recommendation is for refusal, contrary to the views of the Ward Members.

The proposal is the re-building of a former building (used as a sawmill) and its use as a dwelling. The building would be constructed overlapping the footprint of a smaller barn, which is a remaining part of the original sawmill building (currently in agricultural use). It would be larger than the existing barn or the original sawmill building and partly subterranean, with the design of the non-subterranean part seeking to replicate the appearance of the original sawmill building. The proposed dwelling would be single storey and would have an associated garden, driveway and parking area. The proposal is a slightly revised version of an application that was refused, referenced 25/0039/FUL, with the access now being proposed from the southeast instead of the northwest, to avoid areas at risk of flooding.

In the absence of information suggesting that any part of the existing building would be incorporated within the re-instated building, the proposal does not represent a conversion, which might otherwise draw support from Local Plan Policy D8 (Re-use of Rural Buildings Outside of Settlements) in principle. The proposal is therefore considered to be a new building. The site is on the edge of the settlement of Stockland which does not have a Built Up Area Boundary and is thus in the open countryside. There is no specific policy support for the principle of the proposed dwelling, either through the Local or Neighbourhood plan.

It is acknowledged that the sawmill building existed but what remains of it is not a designated or non-designated heritage asset hence there is no heritage justification for the re-instatement of that building.

The site is within the Blackdown Hills National Landscape, within the setting of the Grade 1 listed St Michaels and All Angels Church and visible from the conservation area. The existing barn is a simple small scale open sided building with an agricultural character. The proposed dwelling is larger than the existing barn in all dimensions and it would incorporate features which are not present within the existing barn, such as extensive glazing, a different roof material and shutters. The Parish Council object to the large windows on the western elevation of the dwelling, highlighting that these fail to adhere to the Blackdown Hills Design Guide for houses. Whilst it is understood that the window design seeks to reference the character of the existing barn, the result of this is an extensive area of glazing which, together with the building's increased scale, its driveway, garden and the introduction of domestic paraphernalia, will result in the building appearing prominent and both the building and its setting appearing domestic.

As a result it is considered that the proposal fails to conserve the natural beauty of the National Landscape, contrary to the requirements of Strategy 46 (Landscape Conservation and Enhancement and AONBs). Historic England raise no objection to the proposal, however, the conservation officer raises several concerns, concluding that the proposal would harm the setting and thus the significance of heritage assets, contrary to the requirements of Local Plan Policy EN9 (Development Affecting a Designated Heritage Asset).

Whilst Stockland has some limited facilities and services to serve residents, occupants of the dwelling would be likely to heavily rely on car journeys to meet their everyday needs, contrary to the requirements of Local Plan Strategy 5B (Sustainable Transport) and Policy TC2 (Accessibility of New Development).

The dwelling is located within the catchment of the River Axe Special Area of Conservation where a proposal for a new dwelling must demonstrate nutrient neutrality. Although information has been provided in relation to this issue the proposal fails to accord with the foul drainage hierarchy (which indicates that the dwelling should connect to mains sewerage in this case) and fails to demonstrate that nutrient neutrality would be achieved in adhering to that hierarchy, in conflict with Local Plan Strategy 47 (Nature Conservation and Geology).

Although the proposal would make a small contribution towards housing supply and would offer minor social and transient economic benefits through supporting local services and generating construction activity, as indicated above, permanent environmental and social harms would also arise from it. It is not considered that the public benefits outweigh the identified harms and as such it is recommended that the application be refused.

CONSULTATIONS

Local Consultations

Dunkeswell And Otterhead - Cllr Colin Brown

2/3/26

I support this application to reinstate this barn for residential use, if the officers opinion is contrary to mine I would like it to go to committee where I will keep an open mind until I have listened to all the facts.

Dunkeswell And Otterhead - Cllr Yehudi Levine

12/2/26

The previous application to reinstate the farm was supported by me and I have no reason to withdraw my support as the current application answers the objections raised by officers at the time.

Parish/Town Council

10/3/26

The Parish Council have voted to abstain on this reapplication and remain neutral as it does nothing to address our concerns, which were expressed in response to the previous iteration of the planning application (25/0039/FUL), namely:

1) We have concerns about the design and extent of the floor-to-ceiling glazing on the west elevation of the proposed dwelling for two reasons. Firstly, the design of the windows is not in keeping with the Blackdown Hills AONB Design Guide For Houses, which is embraced by Stockland Neighbourhood Plan. This is particularly important since the proposed site is directly adjacent to the churchyard, which is a crucial element of Stockland's registered conservation area. Secondly the scale of the glazing facing the churchyard presents a privacy issue for any mourners attending the graveyard. Although we acknowledge that the overhanging flat roof is an effort to reduce the impact of the glazing, we recommend that the design and extent of the glazing be reviewed.

2) We do not consider the sliding louvres to be any mitigation to the concerns regarding the glazing, since these are not under the operation of the people who would be impacted. Furthermore, the louvres are not in keeping with the Blackdown Hills AONB Design Guide For Houses.

Technical Consultations

(Responses are summarised below. Full comments are provided at Appendix 1 where necessary).

EDDC Trees

The latest submitted Arboricultural Impact Assessment and Tree Protection Plan (TPP) are generally acceptable but the TPP needs revision to take account of the construction site compound (materials storage, parking etc.) and to address a gap in the tree protection fencing.

EDDC Environmental Health

Proposal acceptable subject to the imposition of a condition controlling construction hours/days.

EDDC District Ecologist

If non-mains sewerage connection is acceptable then the proposal could be screened out of the need to carry out a habitats assessment based on small scale thresholds, however if mains sewerage connection is required an appropriate assessment must be carried out.

EDDC Conservation

(The response is largely the same as that provided in relation to application 25/0039/FUL although the response takes into account the altered access arrangements).

Although the domestic appearance of the building is addressed to some degree through the use of design features such as recessed windows, timber posts and sliding louvres, the proposed building, particularly the west elevation, will still have a domestic appearance and will appear prominent from the churchyard of the Grade I listed St Michael's and All Angels Church and the conservation area, due to its location relative to these heritage assets. The amended driveway and parking would be slightly visible but would have neutral impact. Overall it is considered that the proposal would fail to preserve or enhance the setting of this listed building or to preserve views from the conservation area, causing less than substantial harm. In the case that the application is to be approved, however, conditions controlling materials and pointing are recommended.

Historic England

No objection. Pre-application advice has been provided to the applicant raising no objection but highlighted that details of materials of stone walling and hardstanding had been omitted and it is recommended that these details be secured by planning condition.

South West Water

The proposed discharge of surface water to ground meets the run off destination hierarchy and is acceptable.

DCC Historic Environment Officer

Devon County Council's Historic Environment Officer indicates that ground works for the development have the potential to expose and destroy deposits of archaeological interest. He therefore advises that a pre-commencement condition be imposed to require that archaeological evidence be investigated and recorded and that post investigation assessment also be carried out, in accordance with a written scheme of investigation, agreed with the Local Planning Authority in advance.

Blackdown Hill National Landscapes

The key consideration in this application is the extent to which the current application addresses the reasons for refusal of the previous proposal. If the application is to be approved we support conditions addressing the design of the curtilage, lighting, boundary and entrance design and materials and surfacing.

Other Representations

No representations raising objections have been received. 7 representations of support have been provided raising the following points:

The proposal would

- be in keeping with the area;
- would not be prominent;
- would not block important views;
- improve the attractiveness of the current site;
- be of good quality design which echoes the existing building which it would replace;
- maintain a sensitive relationship with St Michael's Church and safeguard an historic site/historic building;
- use appropriate materials;
- bring about ecological improvements;
- enable locally connected people to remain in the area;

The proposal would not:

- be at risk of flooding;
- generate additional motor vehicle traffic as the proposed occupants already live in the area;
- affect land important for agriculture as the land concerned has little agricultural value.

PLANNING HISTORY

Reference	Description	Decision	Date
25/0039/FUL	Proposal to reinstate historic barn with extension to form 1no dwelling, with associated works	Refusal	18.07.2025

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

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

D1 (Design and Local Distinctiveness) Adopted

D2 (Landscape Requirements) Adopted

D3 (Trees and Development Sites) Adopted

D8 (Re-use of Rural Buildings Outside of Settlements) Adopted

EN5 (Wildlife Habitats and Features) Adopted

EN9 (Development Affecting a Designated Heritage Asset) Adopted

EN10 (Conservation Areas) Adopted

EN13 (Development on High Quality Agricultural Land) Adopted

EN14 (Control of Pollution) Adopted

EN16 (Contaminated Land) Adopted

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

EN21 (River and Coastal Flooding) 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 SP06 (Development beyond Settlement Boundaries) Draft

Strategic Policy OL01 (Landscape features) Draft

Strategic Policy OL02 (National Landscapes (Areas of Outstanding Natural Beauty)) Draft

Policy OL07 (Contaminated land) Draft

Policy OL09 (Control of pollution) Draft

Policy OL10 (Development on high quality agricultural land) Draft

Strategic Policy DS01 (Design and local distinctiveness) Draft

Policy PB02 (Protection of regionally and locally important wildlife sites) Draft

Policy PB03 (Protection of irreplaceable habitats and important features) Draft

Strategic Policy PB04 (Habitats Regulations Assessment) Draft

Policy PB07 (Ecological enhancement and biodiversity in the built environment) Draft

Policy PB08 (Tree, hedges and woodland on development sites) Draft

Strategic Policy AR01 (Flooding) Draft

Policy HE02 (Listed buildings) Draft

Policy HE03 (Conservation Areas) Draft

Strategic Policy HE01 (Historic environment) Draft

Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport)
Draft

Policy TR04 (Parking standards) Draft

Strategic Policy CC02 (Moving toward Net-zero carbon development) Draft

Strategic Policy CC06 (Embodied carbon) Draft

Policy HN06 (Sub-dividing or replacing existing buildings and dwellings) Draft

Stockland Neighbourhood Plan (NP)

Stockland Neighbourhood Plan 2014-2031 (SNP)

NE1 Retaining and Enhancing the Natural Beauty of our Parish

NE3 Preserving Tranquillity and Our Dark Skies

BHE1 Protecting Our Values Archaeological and Heritage Assets in Stockland Parish

BHE3 Maintaining the Built Character of Our Parish through High Quality Design

TRA1 Off-road Car Parking

TRA2 Vehicular Access and Egress Arrangement

EE3 Farming and other rural businesses

Government Planning Documents

National Planning Policy Framework 2024 (as amended) (NPPF)

National Planning Practice Guidance (NPPG)

Other documents

Blackdown Hills National Landscape Management Plan 2019-2024

Historic England Advisory Note on the Reconstruction of Heritage Assets, available here: <https://historicengland.org.uk/content/docs/guidance/draft-reconstruction-of-heritage-assets-apr16-pdf/>

Site Location and Description

The site is located to the south of the village of Stockland, to the west of Stockland Primary School. It lies outside of any defined settlement boundary and is thus in the open countryside. It is within the Blackdown Hills National Landscape.

The site is currently occupied by a single storey open fronted barn with a shallow, mono-pitch roof of corrugated sheeting, supported on a timber framework. The barn has rubble stone walls at its northern and southern ends and on its eastern side. Its west (front) elevation is open and divided into a number of bays by supporting timber struts. The barn is partially cut into sloping ground on its eastern side. It is currently used for log storage.

The site includes agricultural land adjoining the barn to its immediate east, west and south as well as an area further to the south which is to provide a drainage field. Land within the adjoining field to the southeast is also included within the application site as a new access drive would be provided from the southeast. The agricultural land around the barn is currently used for grazing.

The land within the site slopes down to the west and a watercourse lies to the west of the site. The land to the northwest, west and south west of the site is within Flood Zones 2 and 3 and susceptible to surface water flooding, although the application site itself falls with Flood Zone 1. The main site area is partially enclosed by native hedge with some mature trees within/adjacent to the hedgerow.

There is an existing field gate in the northwest corner of the field within which the building is located which provides access onto an unclassified public highway. Whilst this was previously the proposed access to the site it is not included within the site subject to this revised application. To the northwest of the site, on the opposite side of the unclassified highway, lies the grade I listed St Michaels and All Angels Church and its graveyard. Other listed buildings (all grade II) also lie within the vicinity of the site including The Old Vicarage 90 m to the north (which is also the closest neighbouring dwelling) and Churchstyle Farm and Church Cottage, both of which lie to the northwest. The site is outside of but close to a conservation area, the closest edge of which runs along the edge of the churchyard. The site lies with the catchment of the River Axe Special Area of Conservation (SAC), which is also designated as a Site of Special Scientific Interest (SSSI). It overlies land which is classified as Grade 3 agricultural land.

Background

The current application is a slightly revised version of a previous application referenced 25/0039/FUL which was refused at planning committee in July last year. That application similarly proposed to reinstate and extend the existing barn to form a single dwelling. The application was refused for the following reasons:

1. The development is for the construction of a dwelling in the countryside partly on the site of an existing agricultural barn. On the basis of the information submitted, the extent of extension, alteration and reconstruction to create the dwelling is substantial, such that the development does not draw support from Local Plan Policy D8 (Re-use of Rural Buildings Outside of Settlements) and there is no other Local or Neighbourhood Plan Policy that would support it. The development would result in a new dwelling in the Countryside remote from a range of services and facilities, with occupants being reliant upon the use of private motor vehicles to meet their day to day needs and as such the proposal represents environmentally unsustainable development contrary to Strategy 5B (Sustainable Transport) and Policy TC2 (Accessibility of New Development) of the East Devon Local Plan and paragraphs 115 to 117 of the National Planning Policy Framework.
2. In the absence of a safe vehicular access route outside the high risk flood zones 2 and 3 and outside an area at risk of surface water flooding, the proposal fails the sequential test and is therefore contrary to the advice contained in paragraph 47 of Planning Practice Guidance, Policies D1 (Design and Local Distinctiveness) and EN21 (River and Coastal Flooding) of the East Devon Local Plan and paragraphs 173 through to 175 of the National Planning Policy Framework.
3. Due to its character and appearance it is considered that the proposed dwelling would be harmful to the setting and therefore the significance of the adjoining Grade I listed St Michael's and All Angels Church and whilst this harm would be less than substantial, the public benefits that would arise from providing a dwelling in this unsustainable location do not outweigh that harm. In addition, the site currently has an agricultural character and appearance and due to the domestic character and appearance of the dwelling and its garden and the likely introduction of domestic paraphrenia to the site in connection with the dwelling use, the proposal would fail to conserve and enhance the natural beauty of the Blackdown Hills National Landscape. Therefore the proposal conflicts with the requirements of Policy EN9 (Development Affecting a Designated Heritage Asset) and Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan, paragraphs 189 and 210 through to 215 of the National Planning Policy Framework and Policies BHE1 (Protecting Our Valued Archaeological and Heritage Assets in Stockland Parish), BHE3 (Maintaining the Built Character of Our Parish through High Quality Design) and NHE1(Retaining and Enhancing the Natural Beauty of our Parish) of the Stockland Neighbourhood Plan.
4. The site is within the catchment of the River Axe Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) which is in unfavourable condition and where development proposals must demonstrate nutrient neutrality and in the absence of information demonstrating otherwise, the proposed dwelling would have a harmful impact on that SSSI and SAC , in conflict with the requirements of Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan and paragraphs 193 and 195 of the National Planning Policy Framework.

The revised proposal is described in detail below. A key difference between the previous application and this one is that the application site has been reshaped to provide access to the main part of the site from the southeast rather than the northwest and an area on the western side of the former site has been removed from the current site, so that only a very small part of the site is within an area at risk of flooding.

Proposed development

As was the case with the previous application, it is proposed to erect a 2 bedroomed self-build dwelling partly on the footprint of the existing barn, which is the only building remaining of a former larger building known as 'Joyce Sawpit at Podgelake'. To the immediate south of the barn lie the remains of other walls of that original building. Supporting Information indicates that Joyce Sawpit was originally a sawmill, thought to be constructed in the mid to late 19th century and indicates that the original sawpit building had a larger footprint than the current barn and had a pitched roof (which has been replaced at some point by the current mono-pitched roof). The supporting information also explains that the proposal seeks to replicate the mass and form of the original single storey Joyce Sawpit building.

The proposed dwelling would essentially comprise 2 elements: a barn-like building, erected on and beyond the footprint of the existing barn, which would have a dual pitched roof including a small projecting hipped roof element (this barn-like building being intended to replicate the original sawpit building) and a (partially) subterranean extension to the east of this, which would provide additional accommodation space and internal storage space. It is noted that the original sawpit building which the proposal seeks to replicate did not include the eastern extension element. The proposed dwelling would be on one level to enable it to function as a 'lifetime home'. It is stated that the building is designed to be low energy, maximising solar gain, minimising overheating and enabling passive ventilation with heating being provided by a low energy system such as a ground source heat pump.

The barn-like part of the dwelling would have stone and timber clad walls, a sheet metal roof, full height glazing on its western elevation (which appears to be intended to replicate the openings of the original barn), timber sliding louvres capable of covering some of those west facing windows and a small projecting flat roof above most of the west facing windows. The subterranean extension would have rooflights and a green roof. Externally, to the immediate north of the dwelling, a level area would be cut into the existing ground slope which would be surfaced with gravel. This area is adjacent to the part of the building proposed to be used for storage, which was to be used for garaging in the previous application. The vehicular access proposed in this revised application would be from the southeast (it was previously proposed to be from the northwest), with no vehicular access linking to this levelled area. An area for parking, surfaced with 'grass grid' surfacing, is proposed to the south of the dwelling at the termination of a new, similarly surfaced, long access drive leading off the C-class public highway to the southeast of the site, through an existing access opening in a hedge. It is proposed to trim the roadside hedge to create a visibility splay onto the highway and the first 5 m of the access would be surfaced with concrete. Most existing trees and hedgerows within the site are

proposed to be retained, with a small section of hedge to the south of the site being removed to create a pedestrian access opening. A garden would be created around the dwelling which would include a patio to its west with a flowering lawn and low planting beds to the west of this. The area of lawn has been reduced compared to the previous application. To the north of the dwelling, a retaining wall with planting beds would be installed to the north and east of the gravelled area and a meadow is proposed to be created on and adjacent to the subterranean part of the dwelling. A new length of hedgerow is proposed to be planted to the west of the proposed parking area.

It is noted that some comments in support of the proposal are based on the assumption that the proposed dwelling would be for persons already living in the locality, however the proposal does not seek a personal planning permission (which might be tied to a specific occupant or occupants) as it seeks permission for an unrestricted dwelling, which could be occupied by anyone.

The application is supported by a Tree Survey, an Arboricultural Impact Assessment and Tree survey Tree Protection Plan (these documents having been revised since the application was initially submitted), an updated Ecological Impact Assessment, A Visual Structural Inspection report (Structural report) and Interim Guidelines on Small Scale Thresholds Report (Nutrient Neutrality report).

ANALYSIS

The current application proposes a similar form of development to that proposed under the previous application 25/0039/FUL which was refused for the reasons listed above.

The main issues for consideration are:

- the principle of the development;
- visual impact and impact on heritage assets;
- archaeological impact;
- ecological impact;
- impact on hedges and trees;
- highway safety.

Principle of Development

The Development Plan in this case consists of the Adopted East Devon Local Plan 2013-2031 (LP) and the Stockland Neighbourhood Plan 2014-2031 (NP).

Adopted East Devon Local Plan (LP)

LP Strategy 7 is one of the key policies relevant to the consideration of the application and this policy resists development in the countryside except where this is explicitly permitted by another policy of the LP or Neighbourhood Plan (NP).

There is no LP policy which specifically supports this proposal. LP Policy D8 (Re-use of Rural Buildings Outside of Settlements) supports the re-use and conversion of rural buildings, including for use as dwellings, however the submitted details clearly indicate that the proposed dwelling would replace the existing structure at the site (the applicant refers to the 'reinstatement' of the historic barn), as opposed to

converting it and this being the case the development is not supported by Policy D8. The Council are currently unable to demonstrate a 5 year housing supply therefore LP Strategy 7 is considered to be 'out of date' and in accordance with paragraph 11 of the NPPF the tilted balance applies. This means that except where policies in the NPPF protecting areas or assets of particular importance¹ provide a strong reason for refusing permission, or where the adverse impacts of a proposal significantly and demonstrably outweigh the benefits, planning permission should be granted. The assessment under the issue headings below considers various impacts including impacts on assets and areas of principle importance. Following the consideration of these issues, the planning balance makes a final assessment as to whether the proposal is acceptable overall.

Emerging East Devon Local Plan (eLP)

The new East Devon local plan is in preparation and reached second Regulation 19 publication stage. At this stage the policies within it can only be given limited weight. eLP Policy SP06 largely reflects the thrust of LP Strategy 7 in seeking to restrict development beyond settlement boundaries/site allocations unless explicitly supported by other policies of the plan. eLP Policy HN06 covers conversion of existing buildings in exceptional circumstances. Notwithstanding that the proposal is not a conversion, that policy also sets a limit of 30% extension to the building to be converted, which the proposal would significantly exceed in the case that the existing building fabric was proposed to be retained and converted.

Stockland Neighbourhood Plan (NP)

The NP includes policies on design which are relevant to the proposal which are considered further below but does not contain any policies that provide the explicit support required by LP Strategy 7.

NPPF

Paragraphs 82, 83 and 84 relate to rural housing.

Paragraph 82 supports housing development that meets local need however the proposal is for an open market dwelling rather than affordable housing to meet an identified local need and thus the proposal does not draw support from this paragraph.

Paragraph 83 seeks to promote sustainable development in rural areas through encouraging the location of housing where it would enhance or maintain the vitality of rural communities. It indicates that planning policies should identify opportunities for villages to grow and thrive to support local services, or (where there are groups of smaller settlements) services in a village nearby. The range of existing services available within Stockland is limited as although it has a school, pub and a village hall there are no shops or other community facilities and no public transport services supporting travel to services in nearby villages. There is no LP Policy which specifically promotes new rural housing within Stockland in order to support local services. The degree of support which occupants of the proposed single dwelling would provide for the existing services within Stockland would be very limited and

¹ The footnote to paragraph 11 in the NPPF indicates that the policies protecting assets of particular importance include (but are not limited to) those relating to SSSIs and habitats sites, National landscapes and designated heritage assets.

the proposal is therefore considered to derive only weak support from paragraph 83 of the NPPF.

Para 84 states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:

i. is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii. would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area. This paragraph applies to isolated homes in the countryside, however as the site closely relates to the settled area of Stockland the site is not considered to be isolated and as such that paragraph 84 is not applicable to the proposal. However, even if were applicable nothing within the application suggests that criteria a) or b) would apply and criteria d) is not relevant. The applicant suggests that criteria c) would be met by the proposal, however, as the proposal relates to replacing the existing building it does not constitute re-use of a redundant building and therefore criteria c) is not relevant. With regard to criteria e), whilst the application states that the proposal would provide a low energy highly insulated home and the design is considered to be of a high-quality it is not considered that the proposal meets the high bar of being of exceptional quality, of the highest standards in architecture, or truly outstanding and in the Council's view (as described in detail in the discussion below) the proposal would not enhance the setting or be sensitive to the characteristics of the local area. It is therefore not considered that the proposal draws support from paragraph 84.

The provision of a dwelling at the site would conflict with other sustainable development aims, namely the aim to promote sustainable transport, noting in particular that the walking routes between the site and the limited local services that are available are unlit and lack pedestrian footways. Taking all the forgoing points into account it is considered likely that occupiers of the dwelling would be likely to be heavily reliant on private transport for their everyday needs, in conflict with the aims set out in section 9 of the NPPF and LP Strategy 5B (Sustainable Transport) and Policy TC2 (Accessibility of new development).

Given all the above points the proposal is not considered to accord with LP or NP policies or the policies of the NPPF in principle, however the overall acceptability of the proposal, taking into account its specific impacts and applying the tilted balance, is considered further under 'planning balance' below.

Visual Impact and Impact on Heritage Assets

The remains of the original sawmill building consist of an open sided barn and low remnant walls. The barn has a simple, utilitarian, rustic and agricultural character, is relatively small scale (compared to many modern agricultural buildings), is set into a slope and has an open sided form. These factors, together with the fact that the timber, stone and corrugated metal roof materials from which it is constructed are weathered and aged (softening its appearance) enable it to sit quietly within the surrounding agricultural landscape, despite the barn being clearly visible from public viewpoints at close range. From the southwest through to the southeast the site is bounded by agricultural fields, its wider context being an agricultural landscape containing small, scattered areas of settlement and farms. The site has an undeveloped, agricultural character. The barn and surrounding application site are visible from Grade I listed St Michaels church and its churchyard to the northwest (the church is approximately 40 m away from the barn) with the only nearby visible building from that viewpoint being the top of the Stockland school buildings, which appear slightly separate from the barn, given that it is set at a lower level. The natural landscape features within the site include hedges, trees and undulating topography which contribute to its natural beauty, in turn contributing to the natural beauty of the wider Blackdown Hills National landscape, of which it forms part.

Given the visibility of the barn from the church and churchyard the proposed dwelling and its garden would be similarly visible from these viewpoints. Information submitted with the application indicates that the proposal seeks to reflect the design and mass of the original sawpit building, however no information has been submitted to indicate that the original building had any special architectural or historic merit, which might justify its replication. Whilst some elements of the proposed new dwelling would broadly reflect the existing barn (e.g. the rectangular single storey form of the western part of the dwelling, the use of stone for the walls, the timber posts and the metal sheet roof), the proposed dwelling incorporates features and materials which are not characteristic of the existing barn, including an extensive subterranean element to the east, timber cladding, a flat projecting roof overhang to the front, rooflights, extensive glazing and timber louvre panels. The proposed dwelling also has a duo pitched roof including a projecting element, in contrast to the simple mono-pitched roof of the existing barn (although it is acknowledged that the historic photographs provided with the application indicate that the original sawmill building had a pitched roof with a projecting element). The conservation officer notes that archive images of the original saw mill building suggest that dividing masonry piers were likely to have been present on the western elevation rather than timber posts (as proposed) and she also considers that the standing seam metal roof does not appear to accurately replicate the original material of the barn roof. In response to her comments, the agent indicates that the proposed window design is intended to have a semi-industrial appearance and that this accords with advice provided to the applicant by Historic England. The agent also indicates that tinted or low reflectivity glazing could be used and that both the glazing and the type of metal roof finish could be agreed through planning conditions. No illustrative details of alternative glazing have been provided to enable the Council to consider whether its use could overcome concerns raised relating to glazing although in the case that permission were granted, it is agreed that the use of an appropriate roof material could be secured through a planning condition. Notwithstanding the agent's response to the conservation officer's comments, it is considered that her comments

indicate that the proposed reconstructed barn is not an accurate replication of the design of the original sawmill building. In a similar vein, it has not been demonstrated that the proposed barn-like element of the dwelling would be the same scale as the original sawmill building as no scaled drawings of the original building have been provided with the application. Even if the proposal did demonstrate that it represents an accurate reconstruction of the original sawmill building a key point is that this building is no longer present (historic photograph and map evidence suggests that original form was not present in 1999, although it appears to have been in existence in 1975) and therefore arguably, a building of the scale and form of the original building is no longer an established feature within the site or this area of the Blackdown Hills National Landscape.

The proposed dwelling is much larger than the building it would replace. Just the barn-like element alone exceeds the dimensions of the existing barn, it being just over 2 meters taller to the ridge of its roof, over 9 meters longer and 1.9 meters wider². This being the case, the proposed dwelling would appear more prominent within the landscape than the existing barn. In addition, the inclusion of the extensive area of glazing on the western elevation of the dwelling, together with the creation of a domestic garden, a new surfaced driveway, turning and parking area and introduction of domestic paraphernalia would alter the character of the site, making it appear domestic rather than agricultural. Therefore, notwithstanding that the design of the building may to some extent replicate that of a building which was once present at the site, it is not considered that the proposal would enhance the existing rural character of site.

The Parish Council's comments indicate that the concern they previously raised in relation to the large west facing windows and louvres not adhering to the Blackdown Hills Design Guide for Houses still stands. The Design Guide makes no reference to external shutters being locally distinctive and indicates that houses within the Blackdown Hills area tend to have small windows with multi-paned frames, however notwithstanding that guidance, it is understood that the proposed large windows are likely to be an attempt to replicate the original building's character and appearance. Given that the windows are large it is understood why louvres are proposed to cover them, although the Parish Council's point that these may not be routinely closed is considered to be a valid one. Although the reasons for the large windows and louvres are understood, concerns remain that the proposed building would not conserve the character of the existing building or the immediately surrounding area.

Whilst existing trees and most of the existing hedgerow are proposed to be retained and low planting together with a small length of new hedge is proposed, the proposed landscaping does not clearly delineate the residential curtilage (which would help to define and contain it over time) and is not considered that the proposed planting would mitigate the visual impact of the proposal as it would not screen the dwelling and its garden from public view.

² The roof of the existing barn slopes down along the length of the building but has a maximum height of 84.6 m Above Ordnance Datum whereas the ridge height of the re-instated barn would be 86.7 m AOD (taken from the section drawing). The length of the existing barn building (taking the building to be the part which has a roof) is 17.1 m whereas the length of the re-instated barn element would be 26.4 m. The width of the existing barn building is 4.6 m whereas the width of the re-instated barn element would be 6.5m.

Overall, taking all the forgoing points into account, it is considered that the proposal would fail to conserve and enhance the natural beauty of the National landscape, in conflict with the requirements of LP Strategy 46 and the Council's duty to further the statutory purposes of protected landscapes, which are reflected in that Strategy.

Turning to the question of how the proposal impacts on heritage assets it is important to note that the remains of the sawmill building proposed to be rebuilt is not a designated or a non-designated heritage asset that is required to be safeguarded. Even if this were the case, Historic England advice (listed under 'Other Documents' above) indicates that reconstruction of a heritage asset will not always be appropriate, explaining that this will depend on a number of specific circumstances, including whether a good record of the asset prior to damage is available to enable accurate reconstruction rather than speculative recreation. In the case of this proposal, it has not been demonstrated that the proposal represents an accurate reconstruction of the sawmill building and given that the remaining barn is not a heritage asset there appears to be no justification for its replication anyway. Historic England advice also indicates that in some circumstances, the fact of loss or damage of a heritage asset may itself be of high significance, for example where the primary value of a site comes from the potential to provide evidence about past human activity. The advice goes on to suggest that in such circumstances it may not be appropriate to undertake reconstruction work. Given that the remains of the original sawmill do not constitute a heritage asset it's retention in its current form is not safeguarded either.

Historic England have been consulted on the proposal with regard to impact on the setting of the adjacent Grade 1 listed church and raise no objection. It is noted that they do not advise that the development of the site would enhance or better reveal the significance of nearby heritage assets, which if it did, would weigh in favour of the proposal in accordance with LP Policy EN9.

The Council's conservation officer advises that the existing building is within the setting of the churchyard of the nearby Grade I listed church and that it currently makes a negative contribution to that setting due to its poor state, although its function makes a neutral contribution. She considers that the extensive glazing on the west elevation of the proposed dwelling would create a domestic appearance which will be prominent when viewed from the churchyard, directly opposite. She notes that this has been addressed to some extent by recessing the windows and introducing timber posts in front of the glass to break up the elevation. As indicated above, the conservation officer considers that some of the materials and design features (e.g. the timber posts and standing seam metal roof material) are not authentic treatments. Whilst she considers that the proposed sliding louvres would go some way towards hiding the expanse of glazing she is unconvinced that they will sufficiently hide the domestic nature of the building, noting that this is predominantly a new construction. She considers that the proposed new access would have a neutral impact on the setting of the listed church and the conservation area. With regard to the overall impact of the proposal, the conservation officer is concerned that it would change the character of the site to residential, particularly given the prominence of the west elevation of the dwelling in the context of the churchyard and the conservation area, which results from both its position within the hillside approximately facing those areas and its proximity to them. She concludes that the

proposal fails to preserve or enhance the setting of the listed church or preserve views out of the conservation area and that the submitted justification for the development is neither clear nor convincing, identifying harm to these assets (at a level of less than substantial harm).

Taking into account the conservation officer's advice, it is the opinion of officers that the proposed development would result in harm to the setting of designated heritage assets and in accordance with LP Policy EN9, less than substantial harm to the significance of a heritage asset must be weighed against the public benefits of the proposal and this is addressed under 'planning balance' below.

In the case that the application is to be approved the conservation officer advises that conditions be imposed to require details of pointing and to control the materials used including to ensure the roof covering is corrugated sheeting rather than standing seam.

Archaeological Impact

Noting the comments of Devon County Council's Historic Environment Advisor it is recommended that in the case that permission is granted the officer's recommended condition be imposed. With that condition in place the proposal would accord with the requirements of LP Policy EN6 (Nationally and Locally Important Archaeological Sites).

Ecological Impact

As a self build development the proposal is exempt from Biodiversity Net Gain requirements.

The site is within the catchment of the River Axe Special Area of Conservation (SAC) and in March 2022, Natural England advised the Council that this SAC is in unfavourable condition due to phosphate pollution. Given that the proposed development is the erection of a dwelling, in accordance with Natural England's advice, the proposal is considered to have the potential to have a harmful impact on the SAC and can only be considered acceptable if it demonstrates nutrient neutrality and a Habitats Regulations Assessment concludes that no harmful impact would arise. For sites where connection to mains sewerage is not feasible, an application can be accompanied by a 'Small Scale Thresholds' assessment and where that assessment demonstrates that specified thresholds guidelines are met, an application can be screened out of the need to carry out an assessment under the Habitats Regulations. However, where connection to mains sewerage is feasible, national planning guidance indicates that in order to be environmentally acceptable, developments should adhere to a foul drainage hierarchy and connect to mains sewerage rather than relying on non-mains foul drainage measures such as package treatment plants or septic tanks. The guidance indicates that connection to mains sewerage is considered to be feasible where a site is within 30 metres of a public sewer. The relationship between the site and the nearest main sewer was not indicated on the site drainage plan submitted with the previous application, however this relationship is shown on the site drainage plan included with the current application and it is noted from that plan that the application site is approximately 20 meters from the main sewer. Therefore, in accordance with the hierarchy, the dwelling should connect to the mains sewer. The application provides a completed

foul drainage assessment form (i.e. form FDA, the completion of which is a national requirement wherever non mains drainage is proposed) which indicates that there is a lack of capacity in the mains sewer and that for this reason non-mains foul drainage is proposed, supported by a Small Scale Thresholds report. However, the guidance on form FDA indicates that "a lack of capacity in, or other operating problems with, the public sewer are not valid reasons to use a non-mains drainage system where it is otherwise feasible to connect to a public sewer". This has been drawn to the agent's attention and in response the agent indicates that it is not feasible to connect to the mains sewer and argues that in assessing the feasibility of connection, it is the distance between the dwelling and the mains sewer that should be taken into account rather than the distance to the site, that distance being 32.59 meters in this case (thus exceeding the 30 meter threshold). Furthermore, the agent argues that due to the internal drainage layout of the dwelling and site levels, the effective connection distance would be greater than 32.59 meters and that forcing the applicant to connect to mains sewerage would be disproportionate, such that the proposed non-mains foul drainage arrangement (a package treatment plant) should be considered acceptable and the Small Scale Thresholds report should be considered. It remains the Council's view, however, that the 30 meter threshold relates to the distance between the sewer and the application site boundary (similarly to the how this threshold is applied within with Building regulations Approved Document H) and in the absence of robust evidence that connection to mains sewerage is not feasible (such as evidence of refusal for a proposed connection from the sewerage undertaker or details of the engineering works required to make such a connection and associated costs) the Council consider that the proposed dwelling should connect to mains sewerage. In addition to proposing a mains sewerage connection, given that the site is within the catchment of the River Axe SAC, the application should have been accompanied by a Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS) relating to the nutrient impacts associated with providing foul drainage through mains sewerage, however no NNAMS has been provided.

Given that mains sewerage connection has not been proposed the proposal conflicts with the guidance at paragraph 020 of Planning Practice Guidance 'Water supply, wastewater and water quality (Reference ID: 34-020-20140306) and the requirements of paragraph 187 e) of the NPPF relating to the prevention of unacceptable water pollution. In addition, as a NNAMS has not been provided the application fails to demonstrate that it would not harm the River Axe SAC, contrary to the requirements of Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan. It is therefore recommended that the application be refused for the above reasons. This is similar to refusal reason 4 of the previous application although the specific reference to the failure to adhere to the drainage hierarchy is additional, given that information submitted with the current application suggests that a mains sewerage connection would be feasible.

With regard to other potential impacts on ecological interests, the submitted ecological report includes measures to avoid and mitigate for impacts on wildlife/habitats and for wildlife enhancement. In the case that permission is granted it is recommend that a condition be imposed to require that these measures are adhered to, which would ensure that the development accords with LP Policy EN5 in relation to direct impacts on habitats and features.

Impact on Hedges and Trees

The tree officer has considered the latest revised arboricultural assessment and tree protection plan. Whilst these are generally acceptable, omissions have been identified such that in their current form, these documents fail to demonstrate that existing trees and hedges would be adequately protected and the proposal conflicts with LP Policy D3 (Trees and Development Sites). Notwithstanding this, in the case that the application were to be approved it is recommended that a pre-commencement condition be imposed to require that a revised version of the Tree Protection Plan be submitted for approval.

Highway safety

No comment has been received from the highway authority in relation to the proposed access to the dwelling or the impact the dwelling would have on the safe and satisfactory operation of highway network. The lane from which the site would be accessed is likely to be lightly trafficked, such that the use of the proposed access point is considered unlikely to present a risk to highway safety. The additional traffic associated with the proposed dwelling is likely to be modest and it is therefore not considered that the proposal would be likely to adversely affect the operation of the highway network. Sufficient parking would be available within the site for parking for the scale of the dwelling proposed. The proposal is therefore considered to comply with LP Policies TC7 (Adequacy of Road Network and Site Access) TC9 (Parking Provision in New Development).

Other issues

Flooding and Surface Water Drainage

Compared to the previous application referenced 25/0039/FUL, the site area has been reduced exclude areas within Flood Zones 2 and /3 and areas susceptible to surface water flooding and therefore the development is not considered to increase flood risk and the sequential test does not need to be applied.

Surface water is proposed to be dealt with through sustainable drainage measures although no details of that drainage have been provided. No objection has been raised by South West Water. Given that the site is currently occupied by a building with an impermeable roof, that the reinstated barn element would be partly on the footprint of the existing building, that the extended element would incorporate a green roof (which would reduce water run off rates) and proposed grass-grid surfaced driveway and parking area would be permeable it is not considered that significant additional surface water drainage capacity would be required for the development. Nevertheless, in the case that permission is granted it is recommended that a pre-commencement condition be imposed to require details of surface water drainage.

Amenity Impacts

There are no neighbouring dwellings close to the site and therefore no adverse impacts on residential amenity are likely to arise. Taking into account nationally described space standards the floorspace of the proposed dwelling is considered to be adequate and given that the dwelling would provide sufficient outdoor amenity and storage space for bins and bicycles it is considered that it would provide

adequate amenity for future occupants and comply with LP Policy D1 (Design and Local Distinctiveness).

The Parish Council's concern regarding the potential for mourners in the graveyard to be overlooked from the dwelling is understood, however the graveyard is a space which can be used by different individuals or parties of visitors at the same time and it is therefore not considered that any visitor can reasonably expect privacy within the graveyard.

The environmental health officer's recommended condition to control construction impacts is recommended to be imposed in the case that permission is granted.

Overall, the amenity impacts of the proposal are considered to be acceptable.

Loss of Agricultural land

The site is on grade 3 b agricultural land, which is not 'Best and Most Versatile' (BMV) agricultural land. Even if it were, the proposal would only result in the loss of a small amount of agricultural land and in the case that the proposal was considered to be acceptable in all other respects, the loss of a small amount of BMV land would be outweighed by the benefit of the provision of a self-build dwelling, such that the proposal would accord with the requirements of LP Policy EN13 (Development on High Quality Agricultural Land) .

Contaminated Land

In response to a consultation on the previous application at this site the Environment Agency advised that a condition be imposed relating to contaminated land. The Environment Agency have been consulted on this application but have not commented, however the Council's contaminated land officer has advised that a watching brief condition be imposed, considering the historical use of the site. In the case that permission is granted and it is recommended that the condition be imposed to ensure that the development complies with LP Policy EN16 (Contaminated Land).

Planning balance

The principle of the development is not supported by any LP or NP policy and the proposed development does not meet any of the NPPF criteria which would support the provision of a dwelling in a rural area.

The proposed dwelling would provide a small degree of support for local services, would contribute to economic activity during its construction and would make a small contribution towards housing supply which weighs slightly in its favour, however occupants of the dwelling would strongly rely on private motor vehicles to access employment and most of the services required in daily life and this weighs against the proposal.

With regard to applying the tilted balance in favour of sustainable development, footnote 7 to paragraph 11 of the NPPF indicates that where NPPF policies protecting assets and areas of particular importance provide strong reasons for refusing the development the tilted balance should not be applied. The footnote indicates that designated heritage assets, National Landscapes and habitats sites

are assets or areas of principle importance. The proposed development conflicts with NPPF policies relating to each of these designations, as described below.

The proposal would harm the setting of the Grade I listed St Michaels church, a designated heritage asset, in conflict with NPPF policies set out in paragraphs 208 through to 215. These policies require planning authorities to avoid or minimise conflict between a heritage asset's conservation and a proposal, giving great weight to an asset's conservation, (the more important the asset, the greater the weight), irrespective of whether the potential harm is substantial, total or less than substantial.

The proposal would harm the Blackdown Hills National Landscape in conflict with the policy set out in paragraph 189 of the NPPF which indicates that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes and requires that adverse impacts be avoided or minimised.

Through failing to accord with the foul drainage hierarchy or demonstrate nutrient neutrality in relation to a mains sewerage connection (as required by that hierarchy) the proposal would also potentially harm a habitats site (the River Axe SAC) in conflict with the policies contained in paragraphs 192 to 194 of the NPPF which seek to safeguard designated habitats sites (in this case the River Axe SAC).

In addition, paragraph 195 of the NPPF indicates that unless an appropriate assessment concludes that a project will not affect the integrity of a habitats site, (alone or in combination with other projects) the presumption in favour of sustainable development does not apply.

Given the conflict of the proposal with the NPPF policies listed above the titled balance is not applied. It is considered that the identified harms of the proposal relating to need to travel, heritage and landscape impacts and impact on a habitats site outweigh its minor benefits.

The applicant suggests that there is a fall back position to this application whereby an application could be made to convert the existing barn building to form a dwelling rather than rebuild it, so that the proposal could accord with LP Policy D8. This argument is supported by a letter from a Structural Engineer indicating that the existing structure is in a suitable condition to be converted to habitable accommodation. Whilst the conversion of the existing building could find support through Policy D8 in principle, any application made would have to satisfy the various provisions of that policy (provided at Appendix 2) which include a requirement to enhance the rural setting of the site and the surrounding area through proviso 1 and a requirement not to harm the countryside by way of parking, storage etc. through proviso 4. Given the public visibility of the site and its setting within the National Landscape it is not considered likely that the conversion of the barn to a dwelling would be able to meet these requirements. In any case, to be considered acceptable, any fall back application would still need to demonstrate that no unacceptable harmful impact on the setting of the Grade I listed St Michael's church would arise and it would also need to demonstrate nutrient neutrality in relation to the River Axe SAC, neither of which have been demonstrated. A smaller scale conversion proposal would also need to demonstrate that Nationally Described

space standards would be met, however no information has been provided to indicate that they would be. Given the above it is not considered that it has been demonstrated that a fall back position exists.

Consequently, as the identified harms of the proposal are considered to outweigh its benefits, on balance it is considered to be unacceptable and it is recommended that permission be refused.

Conclusion

The proposed dwelling offers minor benefits including making a small contribution to housing supply, providing economic activity during its construction and the small degree of support which occupants would provide to the limited services within Stockland. These minor benefits are, however, considered to be outweighed by the harm which the proposal would cause to the significance of a heritage asset, the adverse impact on the Blackdown Hills National Landscape, the lack of support for sustainable modes of travel and risk of harm to the environment through failing to accord with the foul drainage hierarchy and provide mitigation for impacts on the River Axe SAC that arise from adherence to that hierarchy. Overall, therefore the proposal is considered to be contrary to local and national policy and it is recommended that the application be refused.

RECOMMENDATION

REFUSE for the following reasons:

1. The development is for the construction of a dwelling in the countryside partly on the site of an existing agricultural barn. On the basis of the information submitted, the extent of extension, alteration and reconstruction to create the dwelling is substantial, such that the development does not draw support from Local Plan Policy D8 (Re-use of Rural Buildings Outside of Settlements) and there is no other Local or Neighbourhood Plan Policy that supports it. The development would result in a new dwelling in the Countryside remote from a range of services and facilities, with occupants being reliant upon the use of private motor vehicles to meet their day to day needs and as such the proposal represents environmentally unsustainable development contrary to Strategy 5B (Sustainable Transport) and Policy TC2 (Accessibility of New Development) of the East Devon Local Plan and paragraphs 115 to 117 of the National Planning Policy Framework.
2. Due to its character and appearance it is considered that the proposed dwelling would be harmful to the setting and therefore the significance of the adjoining Grade I listed St Michael's and All Angels Church and whilst this harm would be less than substantial, the public benefits that would arise from providing a dwelling in this unsustainable location do not outweigh that harm. In addition, the site currently has an agricultural character and appearance and due to the domestic character and appearance of the dwelling and its garden and the likely introduction of domestic paraphrenia to the site in connection with the dwelling use, the proposal would fail to conserve and enhance the natural beauty of the Blackdown Hills National

Landscape. Therefore the proposal conflicts with the requirements of Policy EN9 (Development Affecting a Designated Heritage Asset) and Strategy 46 (Landscape Conservation and Enhancement and AONBs) of the East Devon Local Plan, paragraphs 189 and 210 through to 215 of the National Planning Policy Framework and Policies BHE1 (Protecting Our Valued Archaeological and Heritage Assets in Stockland Parish), BHE3 (Maintaining the Built Character of Our Parish through High Quality Design) and NHE1 (Retaining and Enhancing the Natural Beauty of our Parish) of the Stockland Neighbourhood Plan.

3. Connection to mains sewerage is not proposed however given that the site is within 30 metres of a mains sewer, in the absence of information demonstrating otherwise, it is considered that mains connection would be feasible and that the development should connect to mains sewerage in accordance with the drainage hierarchy set out in Planning Practice Guidance 'Water supply, wastewater and water quality', in order to be environmentally acceptable and to accord with the requirements of paragraph 187 e) of the National Planning Policy Framework and Policy EN14 of the East Devon Local Plan. In addition to proposing mains sewerage connection, given that the site is within the catchment of the River Axe Special Area of Conservation (SAC), the application should have demonstrated nutrient neutrality through a Nutrient Neutrality Assessment and Mitigation Strategy (NNAMS) relating to mains sewerage and as this has not been provided the application fails to demonstrate that it would not harm the River Axe SAC, contrary to the requirements of Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan and paragraph 187a) of the National Planning Policy Framework.

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 proactively and positively with the applicant to attempt to resolve the planning concerns the Council has with the application. However, the applicant was unable to satisfy the key policy tests in the submission and as such the application has been refused.

Plans relating to this application:

157/001 E	Location Plan	08.05.26
157_100 I	Proposed Site Plan	08.05.26
157/110 D	Proposed Floor Plans	19.12.25
157/111	Proposed roof plans	19.12.25
157/120 C: N/W	Proposed Elevation	19.12.25

157/121 B: S/E Proposed Elevation 19.12.25

157/130 C: PROPOSED Sections 19.12.25

VISIBILITY SPLAY Other Plans 19.12.25

157_101 B: PROPOSED Landscaping 08.01.26

157/103D: Proposed site drainage plan Drainage plan 28.05.26

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.

APPENDIX 1 – Full consultee comments

Full comments from Historic England

20/2/26

Our ref: P01604387

Historic England Advice:

Historic England has provided several letters of pre-application advice, and two letters of planning advice in relation to various iterations of these proposals. Our planning advice was in related to planning application 25/0039/FUL.

Our most recent letter of advice dated 17 April 2025 raised no objection to the proposals but highlighted that the materiality of the stone walling and hardstanding had not been included within the application documents.

This is still the case, and therefore, we recommend that your authority should secure these details via appropriate worded conditions attached to any consent.

Recommendation:

Historic England has no objection to the application on heritage grounds.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

Yours sincerely

Harish Sharma

Assistant Inspector of Historic Buildings and Areas

Full comments from Conservation Officer

Significance and background

The proposal site is on a small hillside on the edge of the rural settlement of Stockland and is directly outside the boundary of the Stockland Conservation Area. The existing building on the site is set into the hillside and is an open sided single-storey structure with a corrugated flat roof and some masonry walls which appears to be in a semi-derelict condition and is currently in use as a woodshed. The historic map of 1888-1890 shows a longer structure which extends further to the south, and archive images show a single storey barn with a pitched roof, although a large section of the original building is no longer extant.

Directly to the north-west of the site boundary on the opposite side of a narrow lane is the Grade I listed St Michael's and All Angels Church which dates to the 13th century and is set within a churchyard with stone boundary walls. Although hidden from view from the church to some extent by mature trees within the churchyard, the structure is directly within the setting of the churchyard. In its current poor state it makes a negative contribution to this setting, while the existing function is not unusual in this context and makes a neutral contribution.

Assessment

The application proposes to broadly replicate the historic barn in its previous form as evidenced in archive images, with the addition of a flat roof along the front elevation and a rear extension set into the hillside, along with external landscaping and a gravel driveway from the lane to the west.

As the design of the dwelling is no different to the refused application 25/0039/FUL, my response remains the same - see below:

In terms of design, the proposed dwelling is a linear single storey structure constructed in natural stone with extensive glazing on the west elevation and a rear extension set into the hillside. The glazing creates a domestic appearance which will appear quite prominent when viewed from the churchyard which is directly opposite the site. This has been addressed to some extent by recessing the windows and introducing timber posts in front of the glass to break up the elevation and broadly reflect the historic character of the existing open sided bays, although the original posts appear from archive images to have been more substantial masonry piers which would be a more authentic treatment for the elevation. External timber sliding louvres with horizontal slats are set in front of the masonry when open and will obscure the glazing when (and if) they are closed. Although these design features will go some way towards hiding the expanse of glazing, I am unconvinced that they will sufficiently hide the domestic nature of the building which is predominantly a new construction, and I do not feel that it will preserve or enhance the setting of the listed church or preserve views out of the conservation area.

In terms of other elements of the proposal, the roof is a standing seam sheet with a flat roofed overhang to the front is proposed. This is quite industrial in nature, and I feel that if the application is supported, a corrugated sheet roof or natural slate covering would be more traditional in this context.

Roof lights are located on the rear pitch where they are hidden from view from the conservation area and church, and the rear extension is set into the hillside and has a green roof so that it blends into the landscape. A car port is incorporated into this rear structure and the parking is at the rear of the building where vehicles will be hidden from view. A driveway is proposed, leading from the lane to the west and running alongside the hedge on the northern boundary of the site. This will also change the character of the site by introducing a new surface, although it is quite a sensitive surface treatment in this context.

In terms of the impact on setting, elements of the proposal are felt to be well-considered, with the rear of the building set into the hillside to minimise its impact and the main range follows the line of the original building which was intact until the

late 20th century. However, I have concerns about the change in character of this site to residential, with the dwelling and particularly the west elevation prominent in context with both the churchyard and conservation area because of its proximity and hillside location. On balance I do not consider that the proposal preserves or enhances the setting of these heritage assets or the submitted justification to be clear and convincing. The level of harm is less than substantial and there are clearly private benefits, however the public benefits are not considered to outweigh this harm.

The proposed development would directly impact on statutorily designated heritage assets (the Grade-I listed church and the conservation area), and has been assessed on heritage grounds, particularly with regards to our statutory duties under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies EN8 and EN9 of the East Devon Local Plan and paragraphs 213, 215 and 219 of the NPPF (December 2024 as amended). It has also been assessed in relation to emerging policies HE01 and HE02 of the East Devon Local Plan 2020-2042 Regulation 19 Publication Draft February 2025.

Recommendation: Concerns as harmful to the setting of the heritage assets -assess as part of the wider planning balance.

Recommended conditions

If the application is supported, the following conditions should be applied.

- o Roof covering to be corrugated sheeting, not standing seam.
- o External material samples to be submitted for approval, to include stonework and pointing, timber louvres, roof covering. These should include colour and finish.
- o Pointing shall be flush, sample panel to be submitted for approval.

Sue Brooks
Conservation Officer
26 February 2026

28/5/26

In terms of impact on the setting of the church and conservation area, the amended location of the driveway and parking would have a neutral impact on this setting. The previous proposal showed that cars would be parked within the car port, whereas they are now parked outside. Given the topography, they would be slightly visible from the church yard.

My comments regarding the building remain the same.

Full Comments from Blackdown Hills National Landscape Partnership

6/3/26

Thank you for requesting comments from the Blackdown Hills National Landscape Partnership on this application.

The primary purpose of the AONB designation is to conserve and enhance natural beauty, and this is supported by national planning guidance which advises that great weight should be given to conserving and enhancing their landscape and scenic beauty. Further, all relevant authorities, including local planning authorities, have a duty to seek to further the conservation and enhancement of natural beauty of the area in carrying out their functions. We support our constituent local planning authorities in the application of their development management policy framework together with national planning policy in this respect.

In support of this, the Blackdown Hills National Landscape Management Plan 2025-2030 is the agreed policy framework for conserving and enhancing the designated AONB and seeks to ensure that all development is of the highest quality. It contains the following policy considered to be particularly pertinent to this proposal:

PL16 All development affecting the Blackdown Hills National Landscape should conserve and enhance natural beauty and special qualities by:

- o Respecting landscape character, settlement patterns and local character of the built environment
- o Being sensitively sited and of appropriate scale
- o Reinforcing local distinctiveness
- o Seeking to protect and enhance natural features and biodiversity

With regard to the above, it is considered that key to this application is to what extent it is materially different and successfully addresses the reasons for refusal of the previous proposal.

Should the local planning authority be minded to approve this application we would support appropriate conditions to address, among other things, the design of curtilage and ancillary features such as lighting, boundary and entrance design and materials, and surfacing.

Full comments from EDDC Environmental Health Officer

I have considered the application and note that this site is close to nearby residents who may be impacted during the construction process. 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. We would request the applicant to consult and follow the council's Construction Sites Code of Practice prepared by Environmental Health and adopted by the council in order to ensure that any impacts are kept to a minimum. This is available on the council's website.

Having checked our Contaminated Land Register, the site is not showing as any Potentially Contaminated Land. However, given the historical land use of the site it's reasonable to attach the following Con land watching brief condition: Should any contamination of soil and/or ground or surface water be discovered during excavation of the site or development, the Local Planning Authority should be contacted immediately. Site activities in the area affected shall be temporarily suspended until such time as a method and procedure for addressing the

contamination is agreed upon in writing with the Local Planning Authority and/or other regulating bodies.

Reason: To ensure that any contamination existing and exposed during the development is identified and remediated.

Full comments from Arboricultural Officer

13.2.26

I have reviewed the proposed site plans and the arboricultural report & plans prepared by Nick Baxter. I note from the proposed site drainage plan that the new drainage arrangements will be within the traditional orchard area, however the impact of this on the trees has not been assessed and the details are not shown on the tree protection plan (TPP). Can this be addressed and the drainage details be incorporated into the TPP with any appropriate mitigation measures indicated and described.

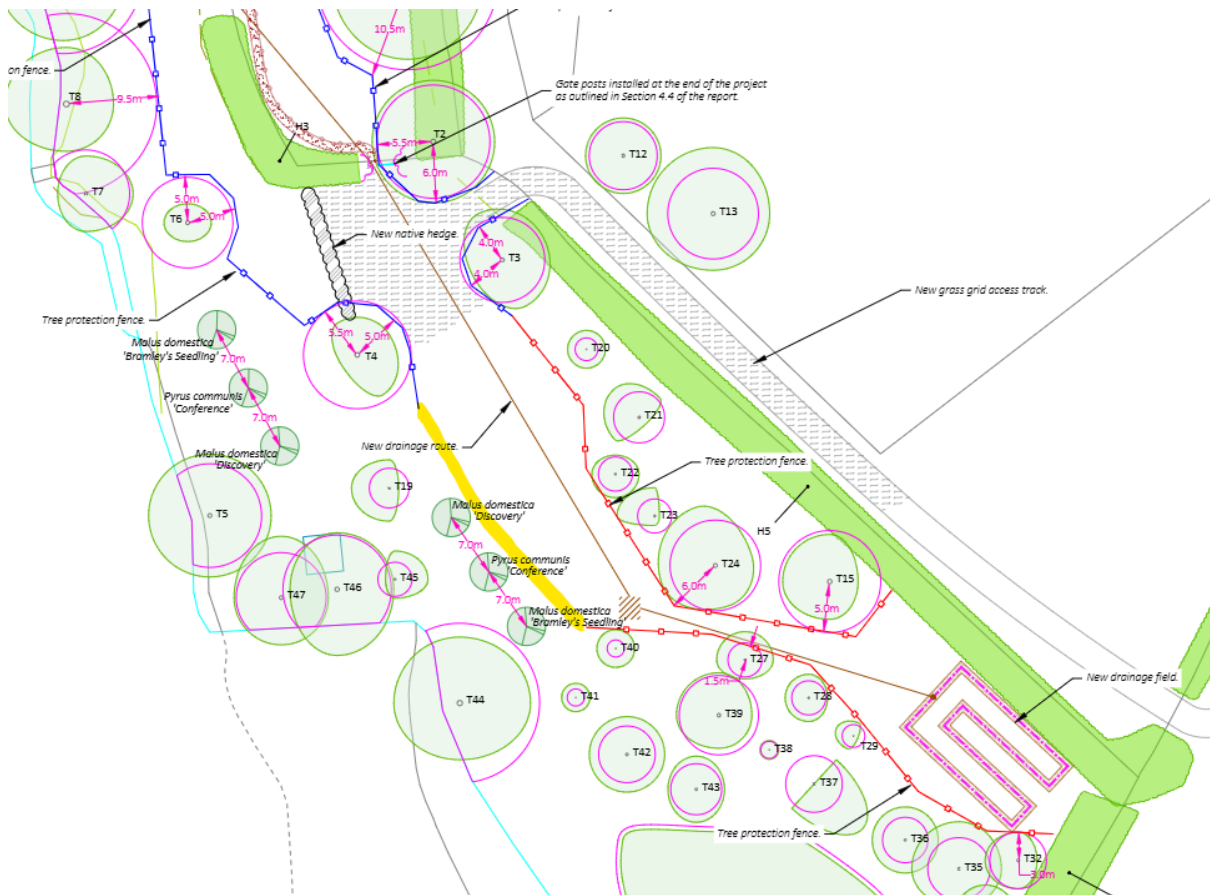
I also note that no new planting is proposed to compensate for the removal of hedging required for the visibility splays and internally to the site. I would like to see a suitable landscape scheme that might include planting to enhance the traditional orchard habitat.

10.6.26

I have reviewed the revised TPP, AIA and new tree & hedge planting proposals, and can make the following comments:

The revised documents are generally acceptable but the final version of the TPP will need to include location of the site compound - materials storage area, contractor car parking, welfare and toilet facilities- this can be covered in a suitable condition if the application is approved.

I did pick up one point with the TPP – there is a gap in the tree protection fencing shown between T4 & T40 on the west side of the drainage run – this ought to be addressed to ensure the CEZs are demarcated and the trees in this area safeguarded. I have marked this in yellow highlighter on the below screenshot



Example condition:

1) Prior to the commencement of any works on site (including demolition and site clearance or tree works), a Tree Protection Plan (TPP) and an Arboricultural Method Statement (AMS) for the protection of all retained trees, hedges and shrubs, [including trees which are the subject of a Tree Preservation Order currently in force], shall be submitted to and approved in writing by the Planning Authority.

2) The development shall be carried out in accordance with the approved details. The TPP and AMS shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the development process. Provision shall be made for the supervision of the tree protection by a suitably qualified and experienced arboriculturist, and details shall be included within the AMS. The AMS shall provide for the keeping of a monitoring log to record site visits and inspections along with: the reasons for such visits; the findings of the inspection and any necessary actions; all variations or departures from the approved details and any resultant remedial action or mitigation measures. On completion of the development, the completed site monitoring log shall be signed off by the supervising arboriculturist and submitted to the Planning Authority for approval and final discharge of the condition.

Notwithstanding this requirement the following restrictions shall be adhered to:

3) 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.

4) 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. The Location of the site compound shall be indicated on the TPP.

5) 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

6) Prior to the commencement of any works on site (including demolition and site clearance or tree works), a detailed plan showing layout of any existing, replacement or new above and below ground services, foul and surface water drainage and other infrastructure - insofar as they may affect existing trees- shall be submitted to and approved in writing by the Local Planning Authority (notwithstanding any additional approvals or compliance which may be required under any other Legislation e.g. Street Works UK: Publications Volume 4 – Guidelines for the planning, installation, and maintenance of Utility apparatus in proximity to Trees). Such layout and design and implementation shall provide for the long term retention of the trees and hedgerows. Any unavoidable but necessary root severance and soil disturbance is to be minimised by providing a specification for root pruning in accordance with BS 3998: 2010. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement / approved service / drainage/infrastructure layout.

Reason - To ensure retention and protection of trees on the site during and after construction 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 New East Devon Local Plan 2016.)

Full comments from EDDC Ecologist

I did raise this on the previous submission, but the FD1 form indicates the local sewer network is full so cannot connect for this reason. In my understanding and from what I can see from SWW comments there is no mention of the sewer being at capacity (not sure they ever say this) and/or the proposed non-mains solution is OK. Although, they do comment on the surface water element.

The revised screening document has addressed previous comments on the proximity of other discharges within 200m (all connect to the mains). Therefore, if the connection to the mains is not reasonably feasible, the proposed information would indicate the site can be screened out of a HRA based on the small-scale thresholds. However, if they do need to connect to the mains then they will require an appropriate assessment.

If a mains connection is not possible, see below for suggested condition.

The approved development shall only be carried out in accordance with the approved documents: Interim Guidelines on Small Scale Thresholds Report [Tamsyn Froom, December 2025, Rev B]

Reason: In order to ensure the provision of satisfactory drainage and avoid pollution of the environment with specific regard to the River Axe Special Area of Conservation and associated potential impact on ecology in accordance with Strategy 47 of the East Devon Local Plan 2006-2026 and in compliance with The Conservation of Habitats and Species Regulations 2017 (and as amended by The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

Full comments from DCC Historic Environment Officer

19/2/26

My ref: ARCH/DM/ED/42411a

I refer to the above application. The proposed development impacts upon a building shown on the mid-19th century Tithe Map and is recorded as "Podgelake House and Garden", the age of the dwelling here is unknown. The Design, Planning, Access and Heritage Statement submitted in support of the application states that it was later used in the 19th century sawmill, presumably sometime after the building was no longer residential. The application area also lies in close proximity to scatters of worked prehistoric lithics, and in proximity to the Grade I Listed 13th century Church of St Michael (List Entry No. 1098406) and close to the historic settlement core of Stockland. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the historic settlement of Podgelake House, as well as the prehistoric activity in the vicinity.

The Historic Environment Team would therefore advise that the impact of development upon the archaeological resource should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development. Furthermore, Historic England should be consulted with regard to the impact of the proposed development upon the setting of the Grade I Listed Church of St Michael (List Entry No. 1098406).

The Historic Environment Team recommends that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

If a Written Scheme of Investigation is not submitted prior to determination the Historic Environment Team would advise, for the above reasons and in accordance with paragraph 218 of the National Planning Policy Framework (2024) and Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan, that any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95, whereby:

'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 East Devon Local Plan 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.

In addition, the Historic Environment Team would advise that the following condition is applied to ensure that the required post-excavation works are undertaken and completed to an agreed timeframe:

'The development shall not 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 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.'

I would envisage that the programme of work for this scheme taking the form of the archaeological control and supervision of topsoil stripping and ground reduction across the area(s) affected by the proposed development to the depth at which the supervising archaeologist establishes either (i) archaeological deposits and/or features are present (to allow for their identification, investigation and recording of these and any associated artefacts) or (ii) undisturbed natural ground is exposed. The results of the fieldwork and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report, and the finds and archive deposited in accordance with relevant national and local guidelines.

I will be happy to discuss this further with you, the applicant or their agent. The Historic Environment Team can also provide the applicant with advice on the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic

environment and planning, and our charging schedule please refer the applicant to:
<https://new.devon.gov.uk/historicenvironment/development-management/>.

Yours faithfully,

Stephen Reed
Principal Historic Environment Officer

Full comments from South West Water

23/2/26

Location: Land To The West Of Stockland C Of E Primary School Stocklan

Your ref: 25/2614/FUL

Our ref: PC23022026EX149EF

Proposal: Proposal to reinstate historic barn with extension to form 1no dwelling, with associated works.

With reference to the planning application at the above address, the applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Surface Water Services

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, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

I trust this provides confirmation of our requirements, however should you have any questions or queries, please contact the Planning Team on 01392 442836 or via email: DeveloperServicesPlanning@southwestwater.co.uk.

Kind regards,

The Pre-Development Team

Appendix 2

Adopted East Devon Local Plan Policy D8

D8 – Re-use of Rural Buildings Outside of Settlements

The re-use or conversion of buildings in the countryside outside of Built-up Area Boundaries will be permitted where:

1. The new use is sympathetic to, and will enhance the rural setting and character of the building and surrounding area and is in a location which will not substantively add to the need to travel by car or lead to a dispersal of activity or uses on such a scale as to prejudice village vitality.
2. The building is structurally sound and capable of conversion without the need for substantial extension, alteration or reconstruction and any alterations protect or enhance the character of the building and its setting;
3. The form, bulk and general design of the building and its proposed conversion are in keeping with its surroundings, local building styles and materials;
4. The proposed use would not harm the countryside by way of traffic, parking, storage, pollution or the erection of associated structures;
5. The proposal will not undermine the viability of an existing agricultural enterprise or require replacement buildings to fulfil a similar function.

For residential proposals it must be established that:

- a) the building is no longer required for agricultural use or diversification purposes; and
- b) that its conversion will enhance its setting - e.g. through removal of modern extensions and materials, outside storage, landscaping etc.
- c) Development is located close to a range of accessible services and facilities to meet the everyday needs of residents

Residential use will be expected to comply with the affordable housing and, open space and education provision policies of the Plan.

Applications for the re-use of rural buildings should be accompanied by the results of a combined bat and barn owl survey together with a heritage survey and heritage statement where appropriate. Furthermore, provision for barn owls should be incorporated into all rural barn conversions, within 1 kilometre of sightings of barn owls or signs of their activity. Where a future alteration or extension could have a detrimental effect on the character of the converted building or the area, permitted development rights will be withdrawn for such development. Where a proposal involves the re-use or conversion of agricultural buildings and the proliferation of any replacement or new buildings would have a serious detrimental effect on the landscape, permitted development rights will be withdrawn for new farm buildings on the relevant part of that particular agricultural unit or holding. In determining proposals to convert a building constructed using agricultural permitted development rights, account will be taken of the extent to which the building has been used for its original purpose.