

Ward Clyst Valley

Reference 25/2593/PIP

Applicant Mr Christopher Heal

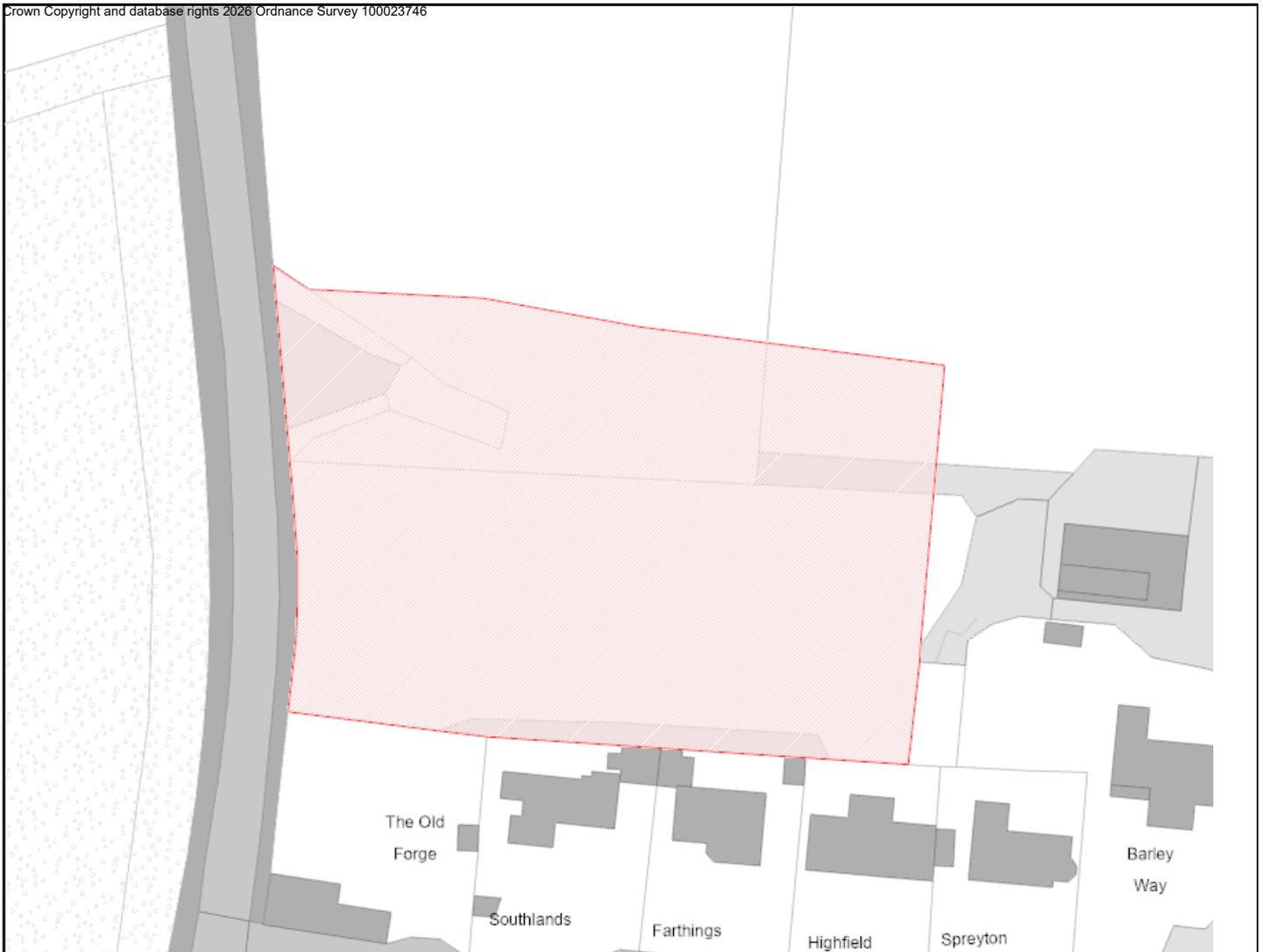
Location Land Adjacent To A376 Exmouth Road Ebford Lane Ebford

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



RECOMMENDATION: Grant of Permission in Principle

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		Committee Date: 24.03.2026
Clyst Valley (Clyst St George)	25/2593/PIP	Target Date: 28.01.2026
Applicant:	Mr Christopher Heal	
Location:	Land Adjacent to A376 Exmouth Road, Ebford Lane, Ebford	
Proposal:	Permission in principle for the development of up to five detached dwellings.	

RECOMMENDATION: Grant of Permission-in Principle

EXECUTIVE SUMMARY

This application is before the planning committee owing to the application representing a departure from the Local Plan.

Permission in principle is sought for up to five dwellings on a site to the immediate north of the village of Ebford. While the site lies outside of any Built up Area Boundary and would represent an outward expansion of Ebford into the countryside, the landscape and heritage assessments indicate that the development could be accommodated without resulting in unacceptable harm, subject to suitable boundary treatments and landscaping.

Although facilities within Ebford are limited, a nearby recent appeal decision stated that Ebford lies within a sustainable location in relation to access to services, which is a material consideration in support of the proposal. The amount of development proposed is considered appropriate and would be capable of being delivered without causing undue impacts to neighbouring residential amenity. Matters relating to highways design, pedestrian improvements, drainage, ecology, and tree protection will all require full consideration at the subsequent Technical Details Consent stage.

Applying the presumption in favour of sustainable development there are no adverse impacts that would significantly and demonstrably outweigh the benefits of a small increase to East Devon's housing supply. As such, and having regard to the limited scope of PiP, the proposal is considered acceptable in principle.

CONSULTATIONS

Local Consultations

Parish/Town Council

Parish Council Vote: Object,

Building on this plot of land would reduce the visual separation of Ebford from Clyst St George. The Plot is unsuitable for building. The impermeable clay soil and sub soil means that by mid winter surface water does not soak away. The P.C. also have concerns about the access from the A376 as it is so busy.

Technical Consultations

The Historic Environment Team – no objection subject to condition.

County Highway Authority – visibility acceptable but internal footway recommended to improve pedestrian safety.

Environmental Health – no objections.

Other Representations

20 third party representations have been received, with 19 representations in objection to the proposal and one representation in support.

A summary of grounds for objection are as follows:

- Unlike previous schemes, the proposal is not for infill development; and would permanently change Ebford's character.
- The site contributes to the rural character of the area and development would represent an incongruous and harmful urban intrusion.
- Concerns regarding additional traffic on A376 and noise impacts of additional housing
- The village has no facilities in terms of Church, school, shop or public playground and could not be considered a sustainable location.
- The proposal could cause adverse impacts to the sitting of nearby heritage assets.
- Pavements to nearby facilities are narrow and inadequate to provide safe access to nearby facilities. There are no pedestrian crossings over the A376.
- The location of the application site could exacerbate existing flooding issues in Ebford.
- The site would be lost to agriculture.
- Five bungalows rather than houses would be preferable to reduce visual impact and overlooking upon existing dwellings.

A summary of grounds for support are as follows:

- The site is well suited for additional housing as long as the design of houses reflects the character of the area.

PLANNING HISTORY

15/0117/MOUT	Outline application with some matters reserved for the construction of highway link between Ebford Lane and A376; demolition of agricultural buildings, construction of up to 10 no. dwellings, access and open space. Refusal 23/06/2015
23/1399/FUL	Proposed new agricultural entrance at land north of Barley Way. Approval 19.09.2023
23/2520/FUL	New agricultural track. Approval 10/01/2024

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 7 (Development in the Countryside) Adopted
D1 (Design and Local Distinctiveness) Adopted
D2 (Landscape Requirements) Adopted
D3 (Trees and Development Sites) Adopted
EN5 (Wildlife Habitats and Features) Adopted
EN6 (Nationally and Locally Important Archaeological Sites) Adopted
EN9 (Development Affecting a Designated Heritage Asset) Adopted
EN14 (Control of Pollution) Adopted
EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System) Adopted
EN22 (Surface Run-Off Implications of New Development) Adopted
TC2 (Accessibility of New Development) Adopted
TC7 (Adequacy of Road Network and Site Access) Adopted
TC9 (Parking Provision in New Development) Adopted

Clyst St. George Parish Neighbourhood Plan (Made July, 2018)

Policy No. CSG1 Sustainable Development
Policy No. CSG6 Protection of Trees and Woodlands
Policy No. CSG7 Protection of Hedgerows
Policy No. CSG8 Local Heritage Assets
Policy No. CSG9 Design Matters
Policy No. CSG14 Safer Travel

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft
Strategic Policy AR01 (Flooding) Draft
Strategic Policy AR02 (Water efficiency) Draft
Strategic Policy DS01 (Design and local distinctiveness) Draft
Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport) Draft
Policy TR04 (Parking standards) Draft
Strategic Policy OL01 (Landscape features) Draft
Policy OL09 (Control of pollution) Draft

Policy PB03 (Protection of irreplaceable habitats and important features) Draft
Strategic Policy PB04 (Habitats Regulations Assessment) Draft
Strategic Policy PB05 (Biodiversity Net Gain) Draft
Policy PB07 (Ecological enhancement and biodiversity in the built environment) Draft
Policy PB08 (Tree, hedges and woodland on development sites) Draft
Policy HE02 (Listed buildings) Draft
Policy HE04 (Archaeology and Scheduled Monuments) Draft

Government Planning Documents

National Planning Policy Framework 2024 (as amended)

ANALYSIS

Site Location and Description

The application site is the southern portion of a large agricultural field which lies to the north of Ebford, and to the east of the A376 Exmouth Road. The site is accessed off the A376 via an existing agricultural field access created under application 23/1399/FUL. Immediately to the south of the site are a number of dwellings accessed off Ebford Lane whose rear gardens back on to the application site. On the opposite side of the A376 is a large plantation of trees. The site slopes gently down from the north east to the south west and is bounded by a devon bank / post and wire fence to the southern boundary and a hedgerow and narrow pavement to the western boundary. To the east of the site is an agricultural building with planning approval for a replacement dwelling.

No formal landscape designations apply to the site. Land to the west of the A376 is designated as a 'Green Wedge' under Strategy 8 of the Local Plan, and a Coastal Preservation Area under Strategy 44 of the Local Plan.

Proposed Development

Permission in principle is sought for the development of up to five detached dwellings on the site. Access would be via the existing agricultural access off the A376.

Procedure

The permission in principle (PiP) process was introduced through the Town and County Planning (Permission in Principle) Order 2017. It provides an alternative means of obtaining planning permission for housing-led development. It is a two stage process; the first being the permission in principle stage and the second technical details consent (TDC) stage. The PiP route can only be used for housing led development and cannot be used for major development.

Planning obligations cannot be secured at the permission in principle stage.

Considerations and assessment

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

Land Use

The village of Ebford does not have a Built up Area Boundary (BuAB) as defined by the Local Plan.

The site's location outside of any BuAB means that the site is subject to the provisions of Strategy 7, 'Development in the Countryside'. This strategy is an overarching strategy for all development and states that "Development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located".

Ebford is not one of the settlements listed in Strategy 27 of the Local Plan which offer a range of accessible services and facilities to meet many of the everyday needs of the residents, and there are no policies within the Local Plan that would permit the construction of 5 open market dwelling within the countryside.

The emerging local plan, for which a second round of regulation 19 consultation has just completed, also makes no provision for development in Ebford. The plan seeks to direct development towards the west end of the district, and the main centres of Axminster, Honiton, Ottery St Mary, Seaton, and Sidmouth. The plan supports development at the Local Centres of Broadclyst, Budleigh Salterton, Colyton, Lympstone, and Woodbury, as well as allowing limited development at 23 service villages within the district. Ebford is not listed as one of these service villages meaning that under the emerging local plan the village is also defined as 'open countryside' for the purposes of the emerging local plan. It is noted however that only a small amount of weight can be given to the emerging plan at this stage.

The Clyst St. George Parish Neighbourhood Plan was made in July 2018. The Neighbourhood Plan notes that housing development in the Parish has usually been small in scale, with approximately 30 houses having been built in the last 20 years. The majority of these have been infill development on large gardens or conversions of existing buildings. There are no specific policies within the Neighbourhood Plan that would permit five new build open market dwellings.

However, a further material consideration in the determination of the application is East Devon's housing land supply position which currently stands at 3.5 years, which engages the presumption in favour of sustainable development, as at NPPF Para 11d, whereby permission for development proposals should be granted unless the application of policies within the NPPF that protect areas or assets of particular importance provide a strong reason for refusing the development proposed; or any adverse impacts of granting permission would significantly and demonstrably

outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, and securing well-designed places.

NPPF Para. 14 states that 'In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:

- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement.

The neighbourhood plan was made over five years ago, and does not contain policies and allocations to meet the identified housing need.

The application site immediately abuts residential development to the south. The proposed five dwellings could be accommodated on the site, subject to an assessment of the landscape impacts of the scheme.

In strategic policy terms therefore, given the application of the presumption in favour of sustainable development, the proposed use of the land for housing could be acceptable from the perspective of land use.

Location

In relation to location a number of factors need to be considered in this case: accessibility, landscape impacts, the impacts to the setting of the nearby listed buildings and the flood risk.

Accessibility

Local Plan Strategy 3 Sustainable Development advises the objective of ensuring sustainable development is a key factor and includes consideration of factors such as the prudent use of natural resources, which includes minimising fossil fuel use and reducing carbon dioxide emissions. As such, developments which are heavily reliant on car travel are not considered sustainable.

Local Plan Strategy 5B Sustainable Transport requires development to contribute to the objectives of promoting and securing sustainable modes of travel and transport, be at locations where it will encourage and allow for efficient, safe and accessible means of transport.

In addition, Local Plan Policy TC2 Accessibility of New Development requires new development to be located so as to be accessible by pedestrians, cyclists and public transport and also well related to compatible land uses so as to minimise the need to travel by car.

There are no facilities within Ebford to meet many of the everyday needs of local residents, and the reliance on car travel to access essential services from the application site would put the proposal in conflict with the above local plan policies.

However, a further material consideration is a recent appeal decision relating to the Council's refusal of planning permission for two dwellings at Land at Branscombe Farm, Ebford Lane, appeal reference APP/U1105/W/24/3347347. Although the appeal was not allowed, the Inspector concluded that the site within Ebford occupied a sustainable location. Branscombe Farm lies approximately 180 metres south east of the application site, and is accessed off Ebford Lane.

In that appeal, the Inspector made the following comments:

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

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

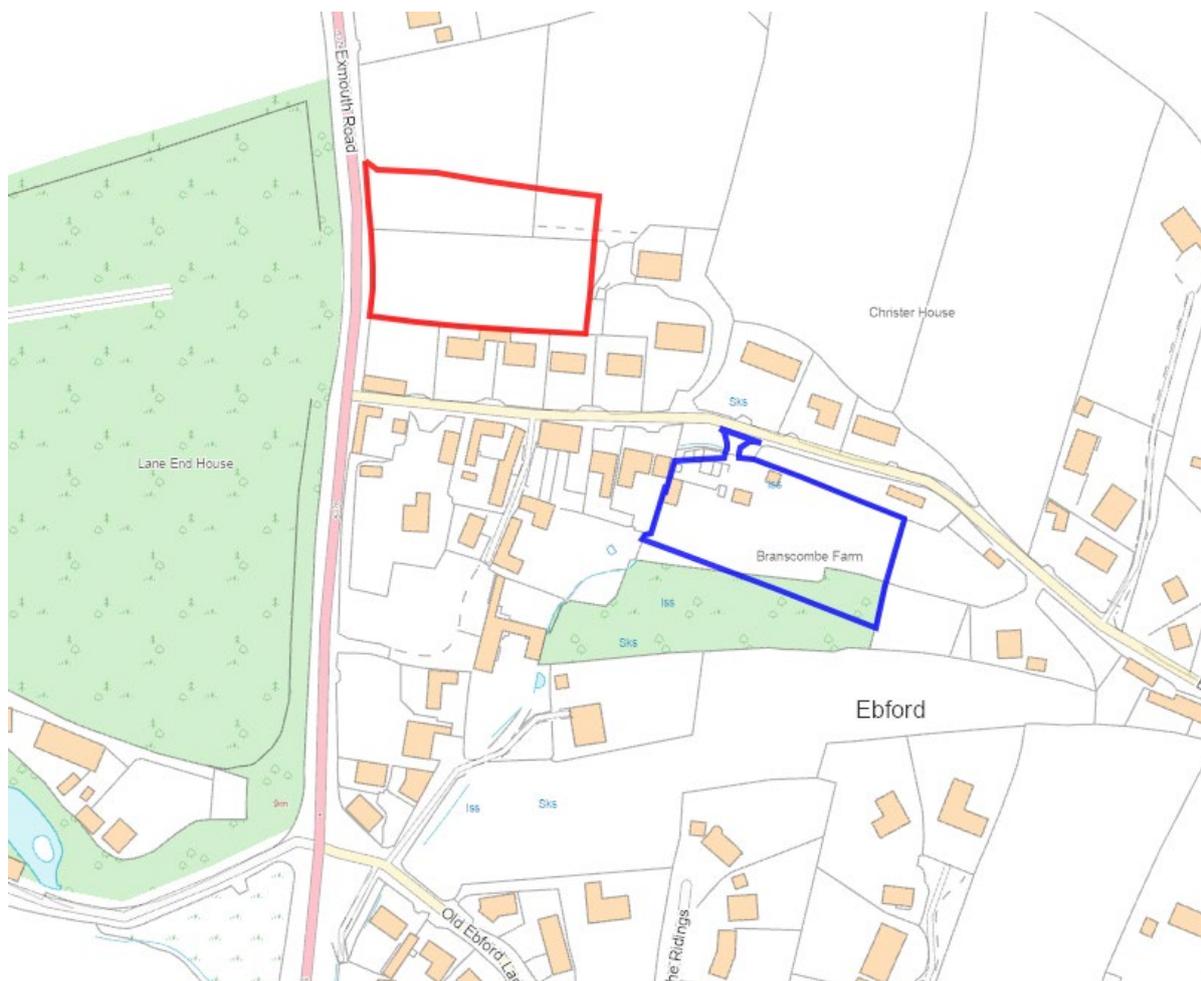
9. In contrast to Ebford Lane, the A376 is a busy, heavily trafficked route. It is however served by footpaths on both sides and is lit. Whilst the route is not necessarily flat or straight and the footpaths are relatively narrow at points, I do not consider it to be of such a constraint as to deter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

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

11. I appreciate that in rural areas, the potential to provide for alternative means of transport is often limited, with paragraph 110 of the Framework recognising that opportunities to maximise sustainable travel choices will be different between rural and urban areas. Consequently, despite the countryside location of the appeal site, given the alternative options available, along with access to public transport, I do not find the appeal site to be so poorly located in terms of travel patterns and choices. Moreover, whilst I find that an increase in travel by private car would be a likely

inevitable consequence of the proposal, given the limited size of the development, the likely trip generation is unlikely to have a notable impact on the level of traffic using the lane or road safety.

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



Above: Application site outlined in red and appeal site outlined in blue

Access to public transport from the application site lies at a similar distance to the appeal site at Branscombe Farm. Future occupants of the dwellings in this application would be nearer to the services and facilities to the north than at the appeal site. It is acknowledged that the footpaths around the site are very narrow and not an attractive prospect for walking, and the potential for improvements are discussed later in the report. However on the basis of the nearby appeal history it is not considered that it would be justified to reach a different conclusion from that of the Inspector that the site lies within a sustainable location in relation to access to services.

As such the proposal is considered to comply with Local Plan Strategy 3, Strategy 5b and Policy TC2.

Landscape impacts

The application site occupies the southern portion of a large field to the western edge of the A376. The southern boundary of the site consists of a mixture of post and wire fence, close boarded fence, devon banks and hedges and a number of trees. The roadside boundary comprises a hedgebank to the rear of the pavement.

The East Devon and Blackdown Hills Landscape Character Assessment 2019 places the site within Landscape Character Type (LCT) 3E. 'Lowland plains'. The area comprises the gently sloping/ undulating land which surrounds the valley floors. This is a medium-large scale settled landscape, with villages and farms displaying a variety of building materials, ages and styles. The Landscape Guidelines for the LCT seek to protect the strongly rural character which survives in parts of this LCT. The guidelines seek to prevent linear spread of development along roads where possible.

The site is rural but has been somewhat degraded by streetlighting along the A376. The application site is bisected by overhead cables and the over-wide access track created into the site has also given rise to further erosion of the rural character. It is acknowledged that the proposal is not infill development and would lead to expansion of the settlement into the countryside. However the woodland to the west of the site screens views of the site from the Exe Estuary. Upon the approach to Ebford, the site is afforded some screening by the roadside hedge, albeit the central portion of which has been removed to allow for the new access. In terms of the site topography, the application site occupies the lowest portion of the field, with the land rising up to a high point to the north east of the field, approximately 80 metres north of the application site boundary. As such it is not considered that the landscape impacts would be so adverse that a recommendation of refusal could be substantiated.

The site is not within the Coastal Preservation Area and the proposal would not damage the undeveloped/open status of the designated area as a result of the screening provided by the woodland to the west of the site. The application site occupies a low lying portion of the field that is well screened in views by the site topography and by woodland, and would read as a small extension to the built form of the existing village. As such the application as presented does not present concerns in respect of settlement coalescence. However there are concerns regarding the potential for future development to the north of the site to give rise to adverse impacts in respect of settlement coalescence. Development to the north of the application site would not be afforded screening by the woodland to the west and would be set higher than the adjacent A376, meaning the site would be visible from roads at some distance to the site. Any future development to the north would also mean there would be no clear break in built development between the settlements of Ebford and Clyst St George and could result in the two settlements merging both physically and visually leading to loss of settlement identity and eroding the rural setting and landscape character.

In respect of the application as submitted however, subject to the inclusion of appropriate boundary treatments and landscaping at technical details consent stage,

it is considered that it would be possible for a proposal to come forward which would respect the rural character of the site and follows the landscape guidelines.

Flood risk

The site is within Flood Zone 1 and therefore at a low risk of flooding. The site is also not at risk of surface water flooding in accordance with the Environment Agency Flood Map for Planning.

As such there are no concerns in respect of flooding. Any application coming forward to Technical Details Consent Stage would be required to demonstrate that the surface water run-off implications of the proposal have been fully considered and would not lead to an increased risk of flooding elsewhere.

Heritage

Ebford contains a number of listed buildings. Those buildings closest to the site are Grade II listed 1 & 2 Ebford Barton, just over 100 metres south of the site, Grade II listed Ebford House, approximately 185 metres south of the site and Grade II listed Rose Cottage, approximately 150 metres south east of the site.

Ebford Barton and Ebford Court are both accessed via a private lane running south from Ebford Lane. The site topography slopes down gently from the application site to Ebford Barton and Ebford Court. The topography of the site, intervening buildings between the application site and the orientation of the private lane between Ebford Barton and Ebford Court means there is no intervisibility between these listed buildings and the application site.

Likewise there is no intervisibility between Rose Cottage and the site. As such it is not considered that the proposal would impact upon contribution made to the setting of nearby listed buildings.

In terms of below ground heritage, Devon Historic Environment Team have confirmed that the proposed development lies in an area of archaeological potential with regard to known prehistoric or Roman activity in the immediate vicinity. Groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the known prehistoric and Roman activity in the wider landscape.

Should consent be granted, any subsequent application for grant of technical details consent 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 potential loss of heritage assets with archaeological interest.

Conditions cannot be imposed upon a grant of Permission in Principle and any conditions relating to archaeological investigation and recording would be considered at technical details consent stage.

In respect of the Permission in Principle application, the proposal would comply with Local Plan Policy EN8 and EN9.

Trees

There are a number of existing trees along the site boundaries. Any detailed planning application coming forward must be based on a full BS5837:2012 survey including tree constraints plan and arboricultural impact assessment.

Highways Impacts

DCC Highways have commented that the visibility splay submitted with the application has been brought out to the centre of the carriageway, rather than the edge of the carriageway. However, they confirm that visibility is acceptable in both an easterly and westerly direction.

Highways do raise concerns about pedestrian safety and have suggested the provision of an internal footway along the frontage of the development, possibly behind the existing hedgerow, to improve provision for sustainable travel from the site.

This would be a matter to be resolved at technical details consent stage.

Amount of Development

The application seeks permission in principle for up to five dwellings on the site. No illustrative site plan has been submitted with the application, however the resulting density of development would be commensurate with development immediately to the south of the site along Ebford Lane. The site would likely be capable of accommodating the proposed dwellings with sufficient separation distances between existing dwellings to the south of the site. It is therefore considered that the proposal would not lead to any adverse impacts to the residential amenity of any of the nearby existing dwellings or to that of future residents of the proposed dwellings.

Appropriate Assessment

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

contribution has been secured. On this basis, and as the joint authorities are working in partnership to deliver the required mitigation in accordance with the South-East Devon European Site Mitigation Strategy, this proposal will not give rise to likely significant effects.

Other matters

The PPG states that it is not possible for conditions be attached to a grant of PIP and also that its terms may only include the site location and the type and amount of development. It also states that these must be specified, advising that the amount of residential development must be expressed as a range, indicating the minimum and maximum net number of dwellings which are, in principle, permitted. The PPG also advises that the default duration of a PIP, where granted by application, is 3 years. Any subsequent application for TDC must be determined within this time period. At technical consent stage, the detailed design matters must be fully acceptable before any planning approval may be granted.

Planning Balance

While the site lies outside of any Built up Area Boundary and would represent an outward expansion of Ebford into the countryside, the landscape and heritage assessments indicate that the development could be accommodated without resulting in unacceptable harm, subject to suitable boundary treatments and landscaping.

Although facilities within Ebford are limited, a nearby recent appeal decision stated that Ebford lies within a sustainable location in relation to access to services, which is a material consideration in support of the proposal.

The amount of development proposed is considered appropriate and would be capable of being delivered without causing undue impacts to neighbouring residential amenity. Matters relating to highways design, pedestrian improvements, drainage, ecology, and tree protection will all require full consideration at the subsequent TDC stage.

Applying the presumption in favour of sustainable development there are no adverse impacts that would significantly and demonstrably outweigh the benefits of a small increase to East Devon's housing supply. As such, the proposal is considered acceptable in principle.

RECOMMENDATION

That Permission in Principle be granted.

NOTE FOR APPLICANT

Informative:

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

Plans relating to this application:

200-01 REV B + Location Plan block	16.12.25
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List of Background Papers

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

The Historic Environment Team has no in principle objection to the development of the area under consideration. However, the proposed development lies in an area of archaeological potential with regard to known prehistoric or Roman activity in the immediate vicinity. Approximately 130 metres to the west of the site lies a large prehistoric or Roman enclosure that has been identified through aerial photography. Another curvilinear enclosure is located approximately 180 metres to the north of the proposed development which has also been identified through aerial photography. Other enclosures and funerary monuments are recorded in the wider landscape within the Historic Environment Record, as well as occasional findspots of prehistoric and Roman artefacts. As such, groundworks for the construction of the proposed development have the potential to expose and destroy archaeological and artefactual deposits associated with the known prehistoric and Roman activity in the wider landscape.

I would therefore advise, should consent be granted for this permission in principle that, any subsequent application for grant of technical details consent 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 potential 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 with any subsequent application for grant of technical details consent 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 (i) the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation and (ii) that the provision made for analysis, publication and dissemination of results, and archive deposition, has been 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 a suitable programme of work as taking the form of a staged programme of archaeological works, commencing with the excavation of a series of trial trenches to determine the presence and significance of any heritage assets with archaeological interest that will be affected by the development. Based on the results of this initial stage of works the requirement and scope of any further archaeological mitigation can be determined and implemented either in advance of or during construction works. This archaeological mitigation work may take the form of full area excavation of all or targeted part(s) of the development site in advance of construction works commencing. 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 exact scope and nature of the archaeological work would depend upon the detail of the development proposed. The Historic Environment Team can 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/>.

County Highway Authority

Observations:

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

The development can produce an access with acceptable visibility in both the east and west direction, however the visibility splay plan has been produced with the visibility splay brought out to the centre of the carriageway, however it needs to be taken to the edge of the carriageway, from both directions.

We do not count the streetlight column as a visibility obstruction, due to the slim-line nature.

I am also concerned about the sustainable travel and pedestrian safety, once this development has commenced. The existing footway is quite narrow leading north to the bus stop, public house and facilities of Darts Farm. The planning statement needs to outline how this site can safely facilitate for this pedestrian desire line, viably this could be an internal footway provision for the frontage of the development.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, IS LIKELY TO RECOMMEND REFUSAL WITHOUT FURTHER INFORMATION.

Environmental Health

I have considered the application and have no Environmental Health concerns in permission in principle for the development.

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.