

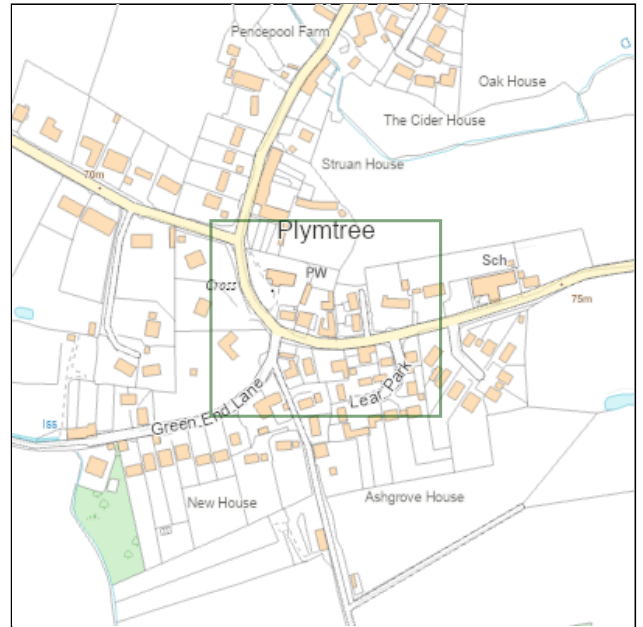
Ward Tale Vale

Reference 25/2531/FUL

Applicant Mrs Susie Carter

Location Blacksmiths Arms Plymtree Devon EX15 2JU

Proposal Change of use and associated works to a detached storage outbuilding and adjoining former stables, including alterations, partial demolition and partial rebuilding, to form a single dwelling.



RECOMMENDATION: Approval with conditions



Application Reference:	25/2531/FUL	Committee Date: 12.05.2026
Ward	Tale Vale – Cllr Richard Jeffries	Target Date: 17/04/2026 (EOT)
Applicant:	Mrs Susie Carter	
Location:	Blacksmiths Arms Plymtree Devon EX15 2JU	
Proposal:	Change of use and associated works to a detached storage outbuilding and adjoining former stables, including alterations, partial demolition and partial rebuilding, to form a single dwelling.	

RECOMMENDATION: Approve, subject to conditions.

EXECUTIVE SUMMARY

This application is before planning committee as it is a departure from the development plan.

This application seeks permission for the change of use and associated works to a detached outbuilding and former stables to form a single self-build dwelling to the rear of The Blacksmiths Arms, Plymtree. The proposal would retain the general footprint of the existing structures, introduce a modest first-floor level, and improve the appearance of the buildings through upgraded materials and the removal of the clear-roofed area.

The proposal represents a departure from the East Devon Local Plan because it conflicts with Strategy 7, which strictly controls new residential development in the countryside. Plymtree has no adopted Built-up Area Boundary, so the site is treated as countryside for policy purposes. Although Policy D8 can support conversions of rural buildings, the extent of works here — including a new first-floor level, partial demolition and partial rebuilding — goes beyond what is ordinarily regarded as a conversion. As a result, no adopted policy supports a new dwelling in this location, and the proposal is classed as a departure.

Despite this, the Planning Inspector's previous findings confirm that the village core is a sustainable location for housing, the emerging Local Plan proposes a settlement boundary that includes the site, and the Council can only demonstrate a 3.5-year housing land supply. The tilted balance in NPPF paragraph 11(d) is therefore engaged. The scheme would reuse existing buildings, enhance their appearance, and would not result in unacceptable impacts on heritage, amenity, highways, ecology or drainage.

Overall, there are no adverse impacts that would significantly or demonstrably outweigh the benefits, and the proposal benefits from the presumption in favour of sustainable development.

Recommendation: Approval, subject to conditions.

CONSULTATIONS:

Local Consultations

- Plymtree Parish Council – Neutral.

Technical Consultations

- Historic England - No comments. They are not offering advice on this application and suggest relying on the Council's own conservation and archaeological specialists. They note their lack of comment should not be taken as support or objection, and they do not need to be re-consulted unless the proposals materially change.
- District Environmental Health - No objections, subject to conditions. They note the proximity to residents and require restricted construction hours, no burning on site, and advise the applicant to follow the Council's Construction Sites Code of Practice to minimise impacts.
- District Contaminated Land - No objections, subject to a condition requiring that if any contamination is discovered during works, the LPA must be notified immediately and all activity in the affected area halted until an agreed remediation method is approved in writing. This is to ensure any uncovered contamination is properly identified and addressed.
- District Conservation – No objections, subject to conditions – see relevant section of this report.

Other Representations

Two letters of support have been received and are summarized below:

Representation 1 – Plymtree Parochial Church Council (PCC): The PCC supports the application in principle, describing it as an appropriate reuse of existing buildings. However, it raises concerns regarding the north-facing window adjacent to the Grade I listed churchyard. Specific clarification is sought on the window's height, dimensions, glazing, opening mechanism, and potential light spill, given the churchyard's use for quiet reflection and burials. The PCC also requests that construction activity be managed to avoid conflict with funerals and that access from the churchyard be agreed if required for construction or future maintenance.

Representation 2 – Local Resident:

A local resident supports the proposal, noting that it makes good use of existing buildings and will help sustain the public house as an important community asset.

Officer Response:

The support expressed for the proposal is noted. The PCC's concerns regarding the north-facing window, potential overlooking, light spill and the relationship with the Grade I listed churchyard are addressed through the heritage and design assessment, and the amendments and conditions recommended by the Conservation Officer resolve these matters.

The applicant has confirmed that the north-facing gable window has been removed from the proposal, addressing the concerns raised by the PCC.

Construction-phase considerations, including avoiding conflict with funerals and agreeing access for maintenance, fall outside the planning assessment but can be managed through normal site liaison. No further issues are raised that are not already considered within the report.

PLANNING HISTORY:

- Ref: 22/1641/VAR - Variation of Condition no.3 (Occupation) on application 18/2537/FUL – Approved – 17/08/2023.
- Ref: 22/1316/CPL - Certificate of lawfulness for conversion of games room to a studio room – Withdrawn.
- Ref: 18/2537/FUL - Conversion and extension of skittle alley to form dwelling, conversion of outbuilding and stable to games room including a skittle alley, and conversion of rooms above the public house to create 3 no. bed and breakfast rooms – Approved – 23/05/2019.
- Ref: 06/1268/FUL – Replacement Windows – Approved – 11/07/2006.
- Ref: 05/2369/FUL - Erection of new dwelling, demolition of store/outside toilet block, erection of new store/toilet block inc. disabled and formation of car park – Refused – 26/10/2005.
- Ref: 79/C0837 - CAR PARKING FACILITIES AND SMALL BEER GARDEN – Approved – 16/08/1979.
- Ref: 77/C0030 - CONSTRUCTION OF LADIES TOILETS AND CONVERSION OF EXISTING TOILETS TO STORE ROOM – Approved – 01/03/1977.

POLICIES

National Planning Policy Framework
National Planning Policy Guidance.

Local Plan 2013-2031

Strategy 3: Sustainable Development

Strategy 7: Development in the Countryside

Strategy 48: Local Distinctiveness in the Built Environment

Strategy 49: The Historic Environment
Policy D1: Design and Local Distinctiveness
Policy EN5: Wildlife Habitats and Features
Policy EN8: Significance of Heritage Assets and their Setting
Policy EN9: Development Affecting a Designated Heritage Asset
Policy EN14: Control of Pollution
Policy EN16: Contaminated Land
Policy EN19: Adequacy of Foul Sewers and Adequacy of Sewage Treatment Systems
Policy EN22: Surface Run-Off Implications of New Development
Policy TC2: Accessibility of New Development
Policy TC7: Adequacy of Road Network and Site Access
Policy TC9: Parking Provision in new Development.

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

Policy SP06: Development beyond Settlement boundaries
Policy AR01: Flooding
Policy DS01: Design and Local Distinctiveness
Policy PB07: Ecological enhancement and biodiversity in the built environment
Policy TR04: Parking Standards
Policy HE01: Historic Environment
Policy HE02: Listed buildings.

Plymtree Neighborhood Plan: Plymtree Parish Council requested that the whole of their parish be designated a Neighbourhood Area. The designation was approved on 10 June 2024. No further updates are available.

Site Description and Proposal:

The site comprises a detached outbuilding and adjoining former stables located to the rear of The Blacksmiths Arms in central Plymtree, accessed via the existing driveway serving Yew Tree Cottage. The buildings are single-storey, of rendered masonry and timber-clad construction, set within hardstanding and a small area of low-value amenity grass, with no trees or hedges affecting the proposal.

The site lies near following designated heritage assets:

- Trump Headstone Approximately 4 Metres North of the Chancel of the Church of St John – Grade II Listed Building.
- Poller Chest Tomb Approximately 1.5 metres North of the Nave of the Church of St John – Grade II Listed Building.
- Church of St John the Baptist – Grade I Listed Building.
- Lyche Gate, Churchyard Wall and Raised Pavement to South and West of Churchyard – Grade II Listed Building.
- Churchyard Cross – Grade II Listed Building.
- Illegible Chest Tomb Approximately 3.5 Metres West of the Tower of the Church of St John – Grade II Listed Building.

The northern boundary wall forms part of the boundary with the churchyard, however, it is not curtilage-listed as discussed later in this report. The site is not located within a conservation area.

The land lies within Flood Zone 1, a Nitrate Vulnerability Zone (Clyst NVZ – Surface Water), an Aerodrome Safeguarding (Outline Only) Zone, and an Airport Safeguarding Area. The site is not located within a critical drainage area.

The adjacent public house is identified as Potentially Contaminated Land. A Section 106 Unilateral Undertaking dated 16 August 2023 applies to the wider landholding.

Proposal:

The application seeks full planning permission for the change of use and associated works to a detached storage outbuilding and adjoining former stables, including alterations, partial demolition and partial rebuilding, to form a single dwelling.

The proposal would retain the general footprint and form of the existing structures but introduces a modest increase in ridge height and a new first-floor level within the outbuilding.

External works include replacing the corrugated metal roof with natural slate, applying fibre-cement cladding to match Yew Tree Cottage, and retaining areas of rendered masonry. New aluminium/UPVC windows and mixed timber/UPVC doors are proposed, including the introduction of front-facing dormer windows at first-floor level. A small section of new fencing is proposed around the access steps, while the wider courtyard remains open.

The dwelling would provide living accommodation over two floors, with a private courtyard garden to the west. Two existing parking spaces would be retained and reconfigured, with access continuing via the existing driveway to Yew Tree Cottage. Foul drainage would connect to the existing sewer, with sustainable drainage measures and rainwater harvesting incorporated. Wildlife enhancements and low-impact lighting are proposed. No trees or hedges would be affected. The development would result in an overall floorspace of approximately 105 m² (net increase of around 37.5 m²).

ANALYSIS

Principle/ Sustainable Development:

Plymtree does not have an adopted Built-up Area Boundary and, for the purposes of the adopted East Devon Local Plan, the site lies within the countryside where Strategy 7 seeks to strictly control new development. There is no made Neighbourhood Plan for Plymtree. The parish was designated as a Neighbourhood Area on 10 June 2024, but no draft plan or policies have been published and no weight can be afforded to it at this stage.

The proposal involves the change of use and associated works to existing buildings within the built fabric of the village. However, the extent of alterations, including the introduction of a new first-floor level and partial demolition and rebuilding, goes beyond what would ordinarily be regarded as a conversion for the purposes of Policy D8 of the Local Plan. As such, Policy D8 is not engaged. In the absence of a specific Local Plan policy that supports the creation of new dwellings in this location, the proposal represents a departure from Strategy 7, which only permits new residential

development in the countryside where it is required for an agricultural or forestry worker. The application must therefore be advertised as a departure.

Notwithstanding this, the planning history for the village core is a significant material consideration. In 2019, a Planning Inspector determining application Ref: 19/0394/FUL concluded that the core of Plymtree represents a sustainable location for housing, identifying the presence of local services and facilities and finding that development in this part of the village would not amount to sprawling development in the open countryside. This conclusion has subsequently informed decision-making on nearby sites.

Planning permission Ref: 18/2537/FUL, relating to the Blacksmiths Arms, accepted residential development within the same built cluster, and application Ref: 22/1641/VAR confirmed that an unrestricted dwelling in this location was acceptable subject to securing tied accommodation for the public house through a legal agreement. These decisions reinforce the established position that the village core is capable of accommodating residential development without undermining the aims of Strategy 7. A recent major application for residential development to the north of the village school further indicates that the Council has accepted the principle of growth at Plymtree as part of its wider spatial strategy.

The emerging East Devon Local Plan identifies a proposed settlement boundary for Plymtree, within which the application site is shown to fall. While the emerging plan carries limited weight, it provides a clear indication of the Council's intended approach to the role and function of the village.

Having regard to the Inspector's findings, the established planning history, and the direction of the emerging Local Plan, the site is considered to represent a sustainable location for a modest dwelling.

Five Year Housing Land Supply:

On 12 December 2024, the NPPF was updated, reverting to the requirement for local planning authorities to demonstrate a five-year housing land supply. Due to changes in how supply is calculated, the Council can currently demonstrate only 3.5 years of supply. The policies most important for determining this application, including Strategy 7, are therefore considered out-of-date, and paragraph 11(d) of the NPPF is engaged.

Paragraph 11(d) states that where relevant policies are out-of-date, planning permission should be granted unless:

- i) policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusal; or
- ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the Framework as a whole.

Given the Council's housing land supply shortfall, the tilted balance is engaged.

Design / Visual Impacts:

The proposal involves the change of use and associated works to a detached storage outbuilding and adjoining former stables, including alterations, partial demolition and partial rebuilding, to form a single dwelling. The combined footprint of approximately 105 m² would be retained, with an increase in ridge height between 1.43m (minimum) and 2.07m (maximum) to accommodate new first-floor accommodation. Although the ridge height would be higher than at present, the resulting scale remains modest and the building would continue to read as an outbuilding-type structure within the wider group, particularly when viewed alongside the larger forms of surrounding dwellings.

The buildings sit within an enclosed cluster behind the public house, screened by surrounding development. While the increase in height will make the structure more perceptible than the existing low outbuilding, it is not considered to result in any significant visual prominence or materially alter the established relationship with neighbouring properties. The Conservation Officer advises that the increase in height would have a negligible effect on the setting of the Grade I listed church to the north-west, and that the removal of the clear roofed area would improve the appearance of the site.

The design sits comfortably alongside the adjacent skittle-alley conversion (Ref: 18/2537/FUL), following a similar restrained domestic scale and material approach. External materials will be secured by condition to ensure they reflect the local vernacular, including natural slate, appropriate brick and render finishes, and natural timber where required. Conservation-type rooflights and the omission of the gable window facing the churchyard will ensure the detailing remains sympathetic to the surrounding context.

The applicant has provided additional information regarding the use of Cedral cladding on the adjacent Yew Tree Cottage, including photographs and previous correspondence. However, the Conservation Officer maintains that natural timber, brick and render are more appropriate in this case given the relationship with the Grade I listed churchyard. Materials will therefore be secured by condition in accordance with that advice.

The courtyard to the west remains open, reflecting the existing spatial arrangement of the site. A small section of new fencing is proposed around the access steps to address level changes, but no wider boundary treatments or formal landscaping are introduced. The site is predominantly hardstanding, and the development does not alter the established pattern of subdivision or the visual containment provided by the surrounding built form, including the northern wall adjoining the churchyard.

Any external lighting is intended to be minimal and controlled, with detailed matters addressed under ecology. A materials-compliance condition and a targeted removal of permitted development rights (extensions, roof alterations and outbuildings) are justified to ensure that future alterations do not harm the character of the site or its relationship with neighbouring buildings.

Overall, subject to conditions, the proposal results in a modest and visually contained form of development that improves the appearance of the existing structures. The

scale, massing and detailing are appropriate to the setting and comply with Local Plan Policy D1.

The Historic Environment:

The council's conservation officer makes the following observations:

'The Blacksmiths Arms is within the small settlement of Plymtree, and on the map of 1840 it was known as The New Inn. To the rear (north) are a small group of ancillary building, and to the north of these is land which was historically an orchard and now forms part of the cemetery for the Grade I listed St John the Baptist Church to the north-west. This land appears from historic maps to have been outside the curtilage of the church at the time of listing in 1955.

The application proposes the conversion of the outbuildings to the rear of the public house into a dwelling, with an increase in height from one to one and two-storeys. The existing buildings are a piecemeal arrangement of mono-pitch structures in stone, brick and timber cladding with corrugated roofs, along with a large area covered in clear flat roofed corrugated sheeting.

In terms of the setting of the Grade I listed church, the impact of the proposed development will be low and will be an enhancement on the existing, subject to the external appearance of the dwelling reflecting the surrounding vernacular character. The removal of the clear roof covering to create a garden area will improve this space, while the increase in height is quite minimal and will have a negligible impact on the setting of the church, particularly as the group of buildings to the north of the Blacksmiths Arms are of varying designs and heights.

I have no objection to red brick for the north and east elevations to match the brickwork of the boundary wall, subject to material samples being submitted for approval. I have concerns about the proposed composite cladding and recommend the following:

- o External material for the west elevation shall be in an unpainted natural timber and render or red brick and render rather than a composite timber effect boarding.*
- o Omit the gable window facing the churchyard extension.*
- o Roof lights to be of a conservation type.*
- o Natural slate roof covering.*

The proposed works have 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 212, 213 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. Amendments are required to ensure the setting of the listed church is preserved.

Recommendation: No objections subject to the comments above and recommended conditions.

Recommended conditions:

- *External material samples to be submitted for approval (timber cladding, brick, render and natural slate)*
- *Render and brickwork sample panels to be submitted for approval.*
- *Roof lights shall be a conservation type, set flush with the roof covering’.*

Subject to conditions as suggested above the proposed development would accord with Policies EN8 and EN9 of the Local Plan.

Neighbouring Amenity:

The proposal reuses the existing building envelope and introduces a modest first-floor level within the outbuilding. Window placement has been arranged to avoid harmful overlooking, with openings directed toward the courtyard or the private garden area.

The increase in ridge height would not result in any loss of light, overbearing impact or loss of privacy to neighbouring occupiers, and the established relationship with Yew Tree Cottage and the public house remains unchanged.

There is a separation distance of approximately 10 m between the rear (west) elevation of the proposed dwelling and the rear elevation of No. 4 Knights Cottage, which contains habitable windows at first-floor level within a two-storey rear projection.

The National Model Design Code recommends a minimum separation distance of around 10 m between rear elevations and opposing side elevations. In this instance, the western elevation of the proposed dwelling will be blank-facing, similar to the existing structure, and although the ridge height will increase, the absence of windows combined with the 10 m separation distance ensures that no unacceptable loss of daylight, sunlight or overbearing impact would arise for the occupiers of No. 4 Knights Cottage.

Following submission of additional information, including photographs demonstrating the change in ground levels and the position of the boundary fence and the presence of the parking area serving Knights Cottages, it is considered that the east-facing ground-floor window would not result in harmful overlooking or loss of privacy. The window can therefore be retained without giving rise to unacceptable amenity impact.

At first-floor level, the front-facing dormer windows of the proposed dwelling would achieve a minimum separation distance of approximately 17 m to Yew Tree Cottage opposite. This falls within the 15–20 m range typically referenced in the National Model Design Code for main-to-main elevations and is considered sufficient to avoid harmful overlooking or loss of privacy.

The dwelling provides a Gross Internal Area of approximately 105 m². For a two-storey, three-bedroom, five-person dwelling the NDSS requires 93 m²; the proposal exceeds this figure and provides two double bedrooms and one single bedroom. The internal layout therefore offers an appropriate standard of accommodation.

A private garden of approximately 65 m² is provided to the west of the building, comprising both soft-landscaped and hard-surfaced areas within the courtyard. The

proposed plans introduce a small section of new fencing around the access steps, while the wider courtyard remains open, reflecting the existing spatial arrangement of the site. The space provides a functional and usable outdoor area for day-to-day domestic needs, and its size is considered acceptable given the site's central location within Plymtree and its immediate access to the village playing field, park and other public open spaces.

Overall, subject to conditions, the proposal would not give rise to any significant adverse impacts on neighbouring amenity, and the internal and external living conditions for future occupiers are acceptable. The development therefore accords with the amenity expectations of Local Plan Policy D1.

Drainage / Flood Risk:

The site lies within Flood Zone 1 and is not within a Critical Drainage Area, representing the lowest probability of fluvial flooding. No flood risk assessment is required for a development of this scale.

The application form confirms that foul drainage will connect to the existing foul sewer on the southern side of the building. This approach is acceptable in principle, subject to a compliance condition to ensure that the connection is made to a suitable point on the network and that capacity and technical requirements are met. With this safeguard in place, the proposal accords with Local Plan Policy EN19, which requires adequate foul sewerage provision for new development.

Surface water drainage details have not been submitted. The site is predominantly hardstanding and the proposal results in a modest increase in floorspace; however, a surface water drainage strategy is required to demonstrate compliance with the drainage hierarchy, confirm whether infiltration is feasible, and ensure that runoff rates and volumes do not increase above existing levels. Rainwater harvesting is proposed but does not constitute a full strategy. Given the small scale of the development and its location within Flood Zone 1, these details can reasonably be secured by condition.

Subject to this, the proposal complies with Local Plan Policy EN22, which seeks to ensure that new development does not increase surface water run-off.

Subject to conditions securing foul drainage compliance and a surface water drainage strategy, the proposal is acceptable in drainage and flood-risk terms.

Highways Safety / Access:

Vehicular access to the site is taken from the existing driveway serving Yew Tree Cottage, which also provides access to the rear of The Blacksmiths Arms. No new access is proposed. The driveway offers suitable visibility and is capable of accommodating safe entry and egress without requiring any physical alteration. The modest scale of the development and its use as a single dwelling means no material increase in traffic generation is anticipated.

Two existing parking spaces are retained on the site, with a minor reconfiguration to improve turning provision. This enables vehicles to enter and leave in a forward gear. The shared use of the driveway with the public house is longstanding, and the proposal would not impede deliveries or servicing associated with the pub. The public house,

Yew Tree Cottage and the application site are all within the same ownership, and the continued use of the existing access therefore does not require the service of Certificate B and requisite Notice.

Cycle storage is not shown on the submitted plans; however, appropriate secure and covered provision can be secured by condition to ensure compliance with Policy TC9.

Subject to conditions, the proposal utilises an established and safe access, provides adequate parking and turning space, and would not give rise to any unacceptable impacts on highway safety. The development is therefore capable of complying with Local Plan Policies TC7 and TC9.

Ecology / Biodiversity:

A daytime bat and nesting bird survey (Lee Ecology, January 2026) found no evidence of bats or nesting birds within the former stable block or store. Both buildings offer negligible roosting potential, with no roof voids, regular human use and artificial lighting. The surrounding hardstanding and small area of species-poor amenity grassland are of low ecological value, and no habitats suitable for protected species were identified. No further survey work is required.

Precautionary measures are recommended, including sensitive removal of roof materials, checks during dismantling, and cessation of works if bats are encountered. Works should avoid the bird-nesting season unless a pre-works check confirms the absence of active nests. The report also advises that any external lighting should be minimal and controlled to avoid unnecessary illumination and to ensure that biodiversity enhancement features are not adversely affected.

In accordance with Local Plan Policy EN5 and the NPPF, at least one biodiversity enhancement (e.g. integrated bat box, bird box or bee brick) should be installed. The development qualifies as a self-build dwelling, and therefore falls within the statutory BNG exemption under Schedule 7A of the Town and Country Planning Act 1990. A 10% net gain and a Biodiversity Gain Plan are not required, although proportionate on-site enhancements remain necessary.

Subject to these measures, the proposal complies with Local Plan Policy EN5 and relevant wildlife legislation.

Planning Balance:

The proposal represents a departure from Strategy 7 of the East Devon Local Plan, which seeks to strictly control new residential development in the countryside. However, the site lies within the built fabric of Plymtree, and the Planning Inspector's findings for the village core, together with the established planning history and the direction of the emerging Local Plan, carry significant weight in demonstrating that this is a sustainable location for a modest dwelling.

The Council cannot currently demonstrate a five-year housing land supply. As a result, paragraph 11(d) of the NPPF is engaged and the tilted balance applies. There are no protective policies in the Framework that provide a clear reason for refusal.

The development would reuse existing buildings, improve their appearance, and deliver a modest contribution to housing land supply in a sustainable village location. The scheme would not result in any unacceptable impacts on neighbouring amenity, highway safety, heritage assets, ecology or drainage, and proportionate biodiversity enhancements can be secured by condition.

Notwithstanding that the proposal is a departure from the Local Plan, there are no adverse impacts that would significantly or demonstrably outweigh the benefits of the scheme. When assessed against the NPPF as a whole, the proposal benefits from the presumption in favour of sustainable development.

CONCLUSION

The proposal represents the change of use and associated works to existing outbuildings, including alterations, partial demolition and partial rebuilding, to form a single self-build dwelling within the village. The design changes are modest and appropriate to the setting, and the development would not give rise to unacceptable impacts on neighbouring amenity, highway safety or the character of the area. The applicant has confirmed the removal of the north-facing gable window, addressing the concerns raised by the PCC and the Conservation Officer, and additional information submitted demonstrates that the east-facing ground-floor window would not result in harmful overlooking.

Ecological matters can be satisfactorily addressed through proportionate precautionary measures, controlled lighting and onsite biodiversity enhancements, with the scheme qualifying for the statutory self-build BNG exemption. Subject to the recommended conditions, the proposal is considered to comply with the relevant policies of the development plan.

Paragraph 89 of the NPPF encourages the reuse of previously developed land and supports development that is physically well related to existing settlements where it can be delivered sensitively and without unacceptable impacts. The proposal accords with this approach. The proposal is therefore acceptable, subject to conditions.

RECOMMENDATION

APPROVE subject to the following conditions:

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. No development above slab level shall take place until details and samples of all external materials, including natural slate, brick, render and natural timber cladding, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the approved details.

(Reason: To ensure that the materials are appropriate to the character and setting of the site, including the setting of the Grade I listed church, in accordance with Policies D1, EN8 and EN9 of the East Devon Local Plan).

4. Prior to the application of any brickwork or render, sample panels (minimum 1m x 1m) of the proposed brickwork and render, showing colour, texture, bond and finish, shall be constructed on site and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved panels.

(Reason: To ensure high-quality external finishes that preserve the character of the area and the setting of designated heritage assets, in accordance with Policies D1, EN8 and EN9.)

5. All rooflights shall be of a conservation-type design, fitted flush with the plane of the roof covering, and shall be retained as such thereafter.

(Reason: To ensure an appropriate appearance within the setting of the Grade I listed church, in accordance with Policies D1, EN8 and EN9.)

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no windows, doors, rooflights or other openings shall be inserted in the north-facing elevation of the dwelling at any time.

(Reason: To protect the setting of the Grade I listed churchyard and to prevent any potential overlooking or light spill, in accordance with Policies D1, EN8 and EN9 of the East Devon Local Plan.)

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. The dwelling shall not be occupied until it has been connected to the existing foul sewer in accordance with details that have first been submitted to and approved in

writing by the Local Planning Authority. The approved details shall thereafter be retained.

(Reason: To ensure adequate foul drainage provision in accordance with Policy EN19 of the East Devon Local Plan.)

9. Construction works and deliveries shall take place only between:

- 08:00–18:00 Monday to Friday
- 08:00–13:00 Saturday and not at all on Sundays or Bank Holidays. No burning of materials shall take place on the site at any time.

(Reason: To protect the amenity of nearby residents during the construction phase, in accordance with Policy D1 of the East Devon Local Plan.)

10. 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 in accordance with Policies EN14 and EN16 of the East Devon Local Plan and the NPPF.)

11. Prior to occupation of the dwelling, at least one integrated biodiversity enhancement feature (such as a bat box, bird box or bee brick) shall be installed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority. The feature(s) shall thereafter be retained.

(Reason: To secure proportionate biodiversity enhancement in accordance with Policy EN5 of the East Devon Local Plan and the NPPF.)

12. Any external lighting shall be low-level, downward-facing and designed to minimise light spill. No external lighting shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed and retained in accordance with the approved details.

(Reason: To protect biodiversity and the character of the area, in accordance with Policies D1 and EN5 of the East Devon Local Plan.)

13. The development shall be carried out in accordance with the recommendations set out in the Bat & Nesting Bird Survey Report (Lee Ecology, January 2026), including precautionary working methods, sensitive removal of roof materials, checks during dismantling, and cessation of works if bats or nesting birds are encountered. Works shall avoid the bird-nesting season (March–August inclusive) unless a pre-works check by a suitably qualified ecologist confirms the absence of active nests.

(Reason: To ensure that protected species are safeguarded during construction, in accordance with Policy EN5 of the East Devon Local Plan and the Wildlife and Countryside Act 1981 (as amended).)

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), no extensions, roof alterations, outbuildings or structures within Classes A, B, C or E of Schedule 2, Part 1 shall be constructed without a further grant of planning permission.

(Reason: To protect the character and appearance of the site and its relationship with the Grade I listed church, in accordance with Policies D1, EN8 and EN9.)

15. Prior to occupation, details of all hard and soft landscaping, including the fencing around the access steps, shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping shall be implemented prior to occupation and retained thereafter.

(Reason: To ensure an appropriate appearance and to safeguard amenity, in accordance with Policy D1 of the East Devon Local Plan.)

16. The residential unit ('unit') in the development hereby permitted shall be constructed as a self-build dwelling within the definition of self-build and custom build housing in the Self-build and Custom Housebuilding Act 2015 Act:

i.) The first occupation of the unit in the development hereby permitted shall be by a person or persons who had a primary input into the design and layout of the unit and who intends to live in the unit for at least 3 years;

ii.) The Council shall be notified of the persons who intend to take up first occupation of the unit in the development hereby permitted at least two months prior to first occupation.

(Reason: To ensure the development is for a self-build dwelling and therefore exempt from providing biodiversity net-gain in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan).

17. No part of the dwelling hereby approved shall be occupied until details of secure, covered cycle storage for a minimum of two bicycles have been submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be fully installed prior to first occupation and thereafter retained for its intended purpose.

(Reason: To ensure adequate provision for cycle parking in the interests of sustainable travel, in accordance with Policy TC9 of the East Devon Local Plan).

NOTE FOR APPLICANT

Informative:

Plans relating to this application:

- LOCATION PLAN – Dated: 18/02/2026
- PROPOSED BLOCK PLAN – Ref: P1.0 REV C – Dated: 18/02/2026
- PROPOSED ELEVATIONS – Ref: P3.0 REV E – Dated: 24/04/2026
- PROPOSED GROUND/FIRST FLOOR PLANS – Ref: P2.0 REV E – Dated: 21/04/2026.

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.