

E-mail:
democraticservicestdc@teignbridge.gov.uk

15 September 2025

PLANNING COMMITTEE

A meeting of the **Planning Committee** will held on **Tuesday, 23rd September, 2025** in the Council Chamber, Forde House, Brunel Road, Newton Abbot, TQ12 4XX at **10.00 am**

PHIL SHEARS
Managing Director

Membership: Councillors Sanders (Chair), Cox (Vice-Chair), Bradford, Bullivant, Hall, Nuttall, Nutley, P Parker, Palethorpe, Williams and Horner

Substitutes: Councillors Parrott, Clarence, Hook, Atkins and J Taylor

Please Note: The public can view the live streaming of the meeting at [Teignbridge District Council Webcasting \(public-i.tv\)](#) with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

Please Note: Filming is permitted during Committee meeting with the exception where there are confidential or exempt items, which may need to be considered in the absence of the press and public. This meeting will be livestreamed on Public-i. By entering the meeting's venue you are consenting to being filmed.

Public Access Statement

Information for the Public

There is an opportunity for members of the public to speak on planning applications at this meeting. Full details are available online at www.teignbridge.gov.uk/planningcommittee.

Please email democraticservicestdc@teignbridge.gov.uk or phone 01626 215112 to request to speak by **12 Noon** two clear working days before the meeting. This will be on a Thursday before the meeting if the meeting is on a Tuesday.

This agenda is available online at www.teignbridge.gov.uk/agendas five clear working days prior to the meeting. If you would like to receive an e-mail which contains a link to the website for all forthcoming meetings, please e-mail democraticservicestdc@teignbridge.gov.uk

General information about Planning Committee, delegated decisions, dates of future committees, public participation in committees as well as links to agendas and minutes are available at www.teignbridge.gov.uk/planningcommittee

The Local Plan 2014-2033 is available at <https://www.teignbridge.gov.uk/media/1669/local-plan-2013-33.pdf>

A G E N D A

PART I

(Open to the Public)

1. Apologies for absence.
2. Minutes (Pages 5 - 48)
To confirm the minutes of the meeting held on 22 July 2025.
3. Declarations of Interest.
If Councillors have any questions relating to predetermination or interests in items on this Agenda, please contact the Monitoring Officer in advance of the meeting.
4. Public Participation
The Chairman to advise the Committee on any requests received from members of the public to address the Committee.
5. Chairs' Announcements
6. Planning applications for consideration - to consider applications for planning permission as set out below.

- a) Chudleigh - 25/00035/FUL Commercial Premises North Of Glen Cottage Rock Road (Pages 49 - 62)

Any representations or information received after the preparation of the reports and by noon on the Friday before the planning committee will be included in the late updates sheet.

All documents relating to planning applications can be viewed online at www.teignbridge.gov.uk/planningonline. In the case of sensitive applications representations are not placed on the website. All representations are read by the case officer and a summary of the planning matters raised is placed online instead.

7. Tree Preservation Orders

- a) Trusham - E2/22/04 Tinkley Koi Farm (Pages 63 - 68)

8. Appeal Decisions - to note appeal decisions made by the Planning Inspectorate. (Pages 69 - 70)

9. S73 Major Decisions Summary (Pages 71 - 72)

For Information - Upcoming Site Visit Dates

2 October, 16 October, 13 November

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PLANNING COMMITTEE**22 JULY 2025****Present:**

Councillors Sanders (Chair), Cox (Vice-Chair), Bullivant, Hall, Nuttall, Nutley, P Parker, Palethorpe, Parrott and Williams

Members in Attendance:

Councillors Atkins, Buscombe, G Taylor and J Taylor

Apologies:

Councillors Bradford

Officers in Attendance:

Natalia Anderson, Solicitor

Trish Corns, Democratic Services Officer

Ian Perry, Head of Development Management

Cheryl Stanbury, Area Team Manager (East)

Kayleigh Williams, Development Management Planning Consultant

98. MINUTES

It was proposed by Cllr Sanders, seconded by Cllr Cox and

RESOLVED

The Minutes of the meeting held on 24 June 2025 be agreed as a correct record and signed by the Chair.

99. DECLARATIONS OF INTEREST.

Cllr Cox declared a non-pecuniary interest in applications 20/00585/MAJ, 20/000586/MAJ and 20/00950/MAJ by virtue of his membership of Devon County Council's Development Management Committee, and the Public Rights of Way Committee.

Cllr Buscombe declared a non-pecuniary interest in applications 20/00585/MAJ, 20/000586/MAJ and 20/00950/MAJ by virtue of him residing on the Hele Park estate, Newton Abbot.

100. PUBLIC PARTICIPATION

The Chair welcomed public speakers to the meeting.

101. CHAIRS' ANNOUNCEMENTS

It was noted that the Committee membership vacancy as set out on the published agenda had been filled by Cllr Parrott.

102. PLANNING APPLICATIONS

The Committee considered applications for planning permission as set out below.

a) **Newton Abbot - 20/00585/MAJ - Houghton Barton Howton Lane**

Hybrid planning application comprising:

- 1. Outline proposals for up to 900 dwellings (Class C3), retirement / extra care accommodation (classes C2 and C3), employment uses (classes E, B2 and B8), primary school (Class F1), mixed-use local centre (classes E, C2, C3, F1, F2), community and leisure (Class E), section of A382 / A383 link road, strategic and local open space, and site preparation, other associated works and infrastructure. All matters reserved; and*
- 2. Detailed proposals for Phase 1 comprising 385 dwellings (Class C3)*

The Committee was referred to the previous circulated updates document which provided minor updates to the recommendations contained in the agenda report.

The Council's Planning Consultant presented the application and referred to the updates document incorporating minor amendments which included:

- Natural England had agreed the HRA.
- An additional condition relating to the temporary footpath.
- Clarification regarding climate change conditions.
- Correspondence from the adjacent landowner involving land outside the applicant's ownership and subject of a separate application.

An email sent from an objector to a few Committee members and officers was also referred to.

Public speaker-Objector - raised the following issues:

- The cost of the government funded infrastructure for the development.
- The increased demand on emergency services as a result of increased housing and population for Teignbridge at a time when the Teignbridge average response time is higher than the national average.
- The land is 'restrictive land' as greenbelt land with irreplaceable habitats, and house building should be restricted to prevent towns growing into each other.
- It is agricultural land crucial for food production and sustainability.
- Brownfield sites should be utilised for development not greenbelt areas.

Public speaker- Supporter (Applicant) - raised the following issues:

- Bloor Homes is a family run business building quality homes for thriving

communities with high customer satisfaction.

- Joint application with Redrow Homes also known for quality homes.
- Much needed affordable and market homes.
- Access improvements are required prior to development.
- Hedgerow work is restricted March to October.
- £2.5m funding towards link road expires January 2026.
- The timing of the development is crucial due to issues above.

Public speaker- Supporter (Agent) - raised the following issues:

- The site is allocated in NA1 of the Local Plan.
- The development will provide: 900 homes, 37 hectares of public open space. 20% affordable housing, £5.5million of CIL contributions, a primary school, community building which will accommodate the NHS, wildlife habitat protection, highway junction improvements and a section of the link road, a flood storage area which will improve the flood protection area for Newton Abbot, a £20m infrastructure plan including public open space, pedestrian and cycleway links and extended bus route.
- Work is envisaged to start October/November 2025 on the link road following all licenses etc such as protective species licence, with homes starting to be occupied early 2027.

Comments from Councillors included:

- The land has been designated as an extension area for Newton abbot since 2013.
- The % of affordable housing agreed with the housing department.
- Need for 1 bed homes.
- Access off the A382 is required, available for use until the link road is complete in 2032.
- Allotments should be delivered in accordance with the national allotments' standards.
- The 30mph should be moved so it includes the site access.
- Cllrs and officers should work with the developers for the satisfactory delivery of conditions.
- Questions raised by Newton Abbot CIC in a letter to the Council raised questions over specification and cost of the Community Centre
- Whether there had been additional TPOs served.

The Planning consultant confirmed that:

- The density and property bedroom numbers were agreed following consultation with the Council's Housing Enabling Officer.
- Extra care provision and accessibility issues were also agreed.
- The CIC have been involved in meetings and have been kept informed. In addition the cost of the building and who is liable was clarified.
- The TPO situation was clarified in that there exists a group TPO and the removal of some trees has been considered by a Tree Officer and Landscape Consultant. Some loss is accepted and there will be new planting across the development.

It was proposed by Cllr Palethorpe that the application be approved as set out in the previous circulated updates document. This was seconded by Cllr Nutley.

In response to further comments and question from Councillors, the Planning Officers confirmed that:

- The S106 would enable services including the NHS to be provided in the health and wellbeing centre.
- The current application falls entirely in the NA1 Local Plan allocation. Application 20/00586/MAJ land falls within the emerging Local Plan.
- An email sent from an objector to a few Committee members and officers was dealt with in the Council's Planning Consultant's presentation.

A vote was taken on the proposal above that the application be approved as set out in the previous circulated updates document. This was carried by 9 votes for, none against and 1 abstention.

RESOLVED

Planning permission be granted subject to completion of a Section 106 agreement to secure:

Financial Contributions

- £222,088 towards employment land shortfall and a further £197,689 if the remaining 0.8 hectares cannot be secured on site.
- £434,010 towards bus service subsidy
- £1,173,000 towards 15 gypsy and traveller pitches plus an additional £117,300 towards resourcing costs.

Delivery of Infrastructure

- Delivery of the A382/A383 Link Road
- Provision of land and delivery of works to enable to the Environment Agency to expand the flood storage areas associated with the Holbeam Dam and significantly improve the flood protection for Newton Abbot
- Delivery of a 1.9 hectare site for a 420 place primary school with potential for expansion
- 900 sqm of retail/ commercial buildings to be delivered to Shell and Core
- Houghton Barton Common
- Play facilities
- Safe pedestrian links, walking and cycling routes
- Playing pitches
- 900sqm Health and Well Being Building, delivered to Shell and Core
- 23 full sized allotment pitches
- Sustainable transport provisions, to include bus shelters, car charging points and bike stands
- Connection up to Buttercup way link
- 0.25 hectare Neighbourhood square
- Outdoor MUGA and micro skatepark

Other Obligations

- 20% Affordable Housing with a 50:50 tenure mix

- 5% custom/self-build plots
- Long term public open space management with option for this to be resident-led

And the following conditions:

1. Approved Plans

The development of Phase 1 and all subsequent phases, shall be carried out in accordance with the following approved plans:

See plans table in Committee Report

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

Phase 1 Conditions

Enabling Works Definition: For the purposes of the interpreting pre-commencement planning conditions, "enabling works" shall mean non-intrusive or preparatory activities that are necessary to facilitate the lawful implementation of the development but do not constitute the commencement of development. These works may include site access works, ecological survey and mitigation works (including works required under a European Protected Species licence), archaeological investigations, the installation of tree protection measures, and the erection of site hoardings or temporary fencing. Enabling works do not include excavation (other than for archaeological or ecological purposes), groundworks, vegetation removal, construction of permanent buildings or infrastructure, or other operations that would normally constitute material commencement under Section 56 of the Town and Country Planning Act 1990.

2. Time Limit

The development hereby permitted must be begun not later than the expiration of three years from the date on which this permission is granted.

REASON: *In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

3. Materials

Notwithstanding the details of the materials shown on the submitted drawings for Phase 1, photographic samples and specifications of materials to be used in the development shall be submitted to and approved in writing by the local planning authority prior to their installation. The work shall then be carried out and retained in accordance with the agreed details.

REASON: *To ensure a form of development that is visually appropriate.*

4. Boundary Treatments

In accordance with the submitted boundary treatment plans for Phase 1 (dwg nos PL-05.1a and PL-05.2a), photographic samples and specifications of boundary treatments to be used in the development shall be submitted to and approved in writing by the local planning authority prior to their installation. The work shall then be carried out and retained in accordance with the agreed details.

REASON: *To ensure a form of development that is visually appropriate and in the interests of the safety and security of the public.*

5. Permitted Development Restrictions

Notwithstanding the provisions of 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) no development of the types described in Classes A,B,C and F of Part 1 of Schedule 2 shall be undertaken on the premises (other than those expressly authorised by this permission).

REASON: *In the interests of residential amenity.*

6. Written Scheme of Investigation

No development on Phase 1 shall take place (except enabling works) until the applicant has secured the implementation of an agreed programme of archaeological work in accordance with a written scheme of investigation which has been submitted and approved in writing by the local planning authority. The development shall be carried out at all times in strict accordance with the approved scheme.

REASON: *To ensure that an appropriate record is made of archaeological evidence that may be affected by the development.*

PRE-COMMENCEMENT REASON: *To ensure archaeological remains are identified, recorded, and protected where necessary, as groundworks could otherwise disturb or destroy evidence irretrievably.*

7. Flood Exceedance Route

The flood exceedance route shall be fully implemented in accordance with drawing Overland Flow Routing Inc Outline Dev 601 rev P03 and 602 rev P02

REASON: *In the interests of flood prevention*

8. Site and finished floor levels

No residential development in Phase 1 shall be permitted below the 49.3mAOD contour. The finished floor levels of all dwellings shall be set no lower than 49.7mAOD.

Water compatible uses and essential infrastructure, including SuDS basins, foul pumping station and public open space shall be located no lower than 47.5mAOD.

REASON: *In the interests of flood prevention*

9. Flood Compensation

The development hereby approved shall not be commenced (except enabling works) until such time as the detailed design for the flood compensation area has been submitted to and approved in writing by the local planning authority. The detailed design shall be informed by the dam compensation drawings (SK1100 rev A, SK1101 rev A, SK1105 rev A, SK1102 rev A). The scheme shall be fully implemented in phase 1 and maintained over the lifetime of the development.

REASON: *In the interests of flood prevention*

PRE-COMMENCEMENT REASON: *To ensure the flood compensation area is properly designed and implemented from the start to manage flood risk effectively throughout construction and operation.*

10. Detailed design of new wetland habitat

The development of Phase 1 hereby approved shall not be commenced (except enabling works) until such time as the detailed design for the new wetland habitat has been submitted to and approved in writing by the local planning authority. The scheme shall be fully implemented by the end of Phase 1 and maintained over the lifetime of the development.

REASON: *To secure appropriate habitat mitigation measures*

PRE-COMMENCEMENT REASON: *To ensure the wetland habitat design is integrated into site works from the outset, preventing damage during construction and allowing effective habitat creation.*

11. Detailed Culvert Design

No development approved by this planning permission shall commence (except enabling works) until such time as details of each watercourse crossing have been submitted to and agreed by the local planning authority. The crossing designs shall include the following detail as a minimum:

- dimensions of the structure
- gradient through the structure
- details of the bed substrate through the structure
- assessment of the structure's capacity to pass flood flows (including provision for increased flows due to climate change)
- access to its inlet for effective clearing of debris and maintenance
- details of bank materials through the structure

- details of mammal passage through the culvert

The agreed scheme shall be fully implemented and subsequently maintained and retained over the lifetime of the development.

REASON: *In the interests of flood prevention*

PRE-COMMENCEMENT REASON: *To ensure watercourse crossings are properly designed and approved before construction to prevent flooding and protect the water environment.*

12. Unsuspected Contamination

No development approved by this planning permission shall take place (except enabling works) until a remediation strategy that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- 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 and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning

REASON: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 180 of the National Planning Policy

Framework.

PRE-COMMENCEMENT REASON: To identify and manage contamination risks before construction, preventing harm during site works and ensuring safe development.

13. Drainage Details

No development hereby permitted shall commence (except enabling works) 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.
 - (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.*

PRE-COMMENCEMENT CONDITION: *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.*

14. Watercourse Monitoring

Prior to any commencement of any phase of the development (except enabling works), details to confirm how monitoring of surrounding watercourses will be carried out shall be submitted to and approved in writing by the Local Planning Authority. Whilst this condition can be phased, the monitoring of watercourses will need to continue if further phases commence (and the watercourse is relevant to be monitored). The development shall be carried out in accordance with the approved details

REASON: *To ensure impacted watercourses are sufficiently monitored and managed from the outset.*

PRE-COMMENCEMENT REASON: *This condition must be discharged before the commencement of each relevant phase (except enabling works) because the monitoring of surrounding watercourses may need to begin in advance of construction activities to establish baseline conditions.*

15. Landscape Ecological Management Plan

Prior to the commencement of development (except enabling works) on Phase 1 of the development hereby approved, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall provide both overarching and location-specific prescriptions to secure the long-term management, protection, and enhancement of landscape and ecological features across the site.

The LEMP shall include but not be limited to the following general components:

- a. A description, evaluation and details of all landscape and ecological features to be approved and managed;
- b. A review of ecological trends, constraints, and opportunities that may influence future management;
- c. Clear aims and objectives for management across all habitat and corridor types;
- d. Prescribed management options to achieve the identified aims and objectives;
- e. A schedule of management actions, including detailed annual work plans covering the first five years of establishment phase with rolling updates thereafter;
- f. Identification of responsibilities for implementation, including details of the managing body or organisation and relevant personnel; and
- g. Measures for ongoing ecological monitoring, adaptive management, and appropriate remedial actions if management objectives are not being met.

The LEMP shall also incorporate the following issue-specific requirements:

1. All newly created hedgerows must be maintained at a minimum height of 3 metres and a width of 3 to 6 metres (measured from the centre line of the hedge), including sections with overhanging vegetation to form umbrella-shaped canopies.
2. All existing hedgerow which exceeds the above referenced dimensions should be maintained at their pre-development levels.
3. All new hedgerows shall include standard trees at appropriate intervals.
4. Hedgerow trimming shall only occur between 31 December and 28 February inclusive, no more than once every three years, and shall be rotated to avoid simultaneous trimming of all hedgerows.
5. Habitat buffers must be clearly defined to include; role, function, composition, complementary habitat planting, woody scrub and shrub planting and specified zoning.
6. Each habitat buffer shall be assigned a bespoke management category and maintenance regime, with specific objectives and actions set out in the LEMP's action plan and schedule.
7. Prescriptions must be included for the management of
 - Retained existing vegetation,
 - Target sizes and structural dimensions for scrub planting and new native shrub planting,
 - Woodland areas,
 - Functioning of dark corridors.
8. Specific locations of light screening hedges, must be defined, with a bespoke category and maintenance schedule to ensure effective screening of light

- spill and vehicle headlight glare.
9. Hedgerow and field numbers shall be referenced throughout the text and clearly identified on a supporting plan.
 10. A proportionate number of interpretation panels must be included, with details of content and exact placement.
 11. A dedicated bat crossing (hop-over) section shall be included for the relevant corridors and road crossing points, including:
 - bat flight route approaches to the hop overs,
 - ramped graded height to shrub planting,
 - wide frontages on either side of breaches,
 - scrub / shrub planting managed above 2m height and to take account of any elevated road levels on embankments,
 - how bats would be discouraged from attempting to cross at other more dangerous locations,
 - management scheme so that permanent dense cover is retained at all times, notwithstanding rotational maintenance cutting,
 - explanation and information for how bat crossing would be achieved in the establishment phase,
 - phasing of hop over planting so that it is ready for the time that impacts commence
 - explanation of how hop over design would be upheld and maintained when roads and verges become adopted by DCC
 12. Scrub maintenance along the central green infrastructure corridor shall be managed to retain continuous dense vegetation with specified target heights and cutting cycles to preserve bat flight lines at all times
 13. At Crossing Point 2 and 5 and the proposed crossing points across the Ashburton Road, the landscaping scheme shall include:
 - Semi-native shrub planting to be provided with heights and dimensions
 - Infill planting in 5metre gap on southern side
 - 10 metres frontage widened with tall shrub planting on eastern side of footpath
 - Consideration to gradients and differential heights
 - Stepped graded inclines vegetation heights in approaches to hop over
 - Bespoke management category
 - Information for establishment phase as vegetation is growing to function height and structure
 - Specified category and bespoke management for future mature trees on either side and within the island/verge of Crossing Point 2
 - Explanation of how hop over design would be upheld and maintained when roads and verges become adopted by DCC
 14. Breaches through hedgerows for footpaths and cycleways in the central corridor must be managed to encourage canopy overarching and maintain connectivity overhead.
 15. Submission of a biodiversity phasing plan
The LEMP shall also include details of the legal and funding mechanism(s) by which long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The

plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP 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.

REASON: To ensure that biodiversity and landscape features are protected, enhanced, and appropriately managed in the long term

PRE-COMMENCEMENT CONDITIONS: To ensure that landscape and ecology management measures are in place prior to groundworks or construction activity.

16. Bat Foraging Strategy and Woodland Planting (Fields 9, 10 and 11)

Prior to the commencement of development (except enabling works), a Bat Foraging Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include, but not be limited to:

- Foraging strategy for Phase 1 of the development
- A detailed species mix for the woodland planting in Fields 9, 10 and 11;
- Layout and structural design of the planting to enhance bat foraging opportunities;
- Timing and phasing of the planting in accordance with the development phases;
- Measures to ensure the establishment and long-term management of woodland habitat suitable for foraging bats.

The woodland planting shall be delivered in three equal phases, with one-third of the total planting completed at each phase of the development. The first phase of the planting shall be fully implemented prior to the occupation of the 385th dwelling and before the commencement of Phase 2 of the development. The approved strategy shall thereafter be implemented in full and maintained in accordance with the approved details.

REASON: To ensure the provision of suitable foraging habitat for bats.

PRE-COMMENCEMENT REASON: To ensure that the protection, mitigation, and enhancement of ecological and landscape features is strategically planned before any irreversible site activity takes place.

17. Landscape and Ecological Management Strategy

Prior to the commencement of development on Phase 1 (except enabling works), a Landscape and Ecological Management Strategy (LEMS) shall be submitted to and approved in writing by the Local Planning Authority. The LEMS shall set out the overarching principles, strategic objectives, and delivery mechanisms for the protection, enhancement, and long-term management of landscape and ecological features across the site.

The LEMS shall demonstrate how ecological mitigation and green infrastructure have been integrated into the design and phasing of the development and shall provide a framework for the preparation of subsequent detailed Landscape and Ecological Management Plans (LEMPs).

The LEMS shall include, but not be limited to:

- a. A summary of baseline ecological and landscape context, including key constraints and opportunities;
- b. Identification of retained features and strategic habitat networks (e.g. hedgerows, woodland, dark corridors, and watercourses);
- c. Landscape and biodiversity enhancement objectives, including net gain principles;
- d. A site-wide framework for habitat buffers, green corridors, and dark zones, including strategic planting types and functions;
- e. A phasing plan showing the delivery of landscape and ecological infrastructure in relation to development phases;
- f. Outline management objectives for each habitat type or management zone;
- g. An outline of long-term governance and funding mechanisms for landscape and ecological management;
- h. Provisions for monitoring, review, and adaptive management to inform later LEMP detail.

The LEMS shall also specifically address site-specific issues 1–14 as set out in the LEMP condition.

REASON: To ensure that ecological and landscape features are protected, enhanced, and strategically integrated into the development from the outset, and to secure a coordinated approach to biodiversity mitigation

PRE-COMMENCEMENT: To ensure that the protection, mitigation, and enhancement of ecological and landscape features is strategically planned before any irreversible site activity takes place.

18. Greater Horseshoe Bat Mitigation Plan

Prior to the commencement of development on Phase 1 (except enabling works), a Greater Horseshoe Bat Mitigation Plan (GHSBMP) shall be submitted to and approved in writing by the Local Planning Authority. The GHSBMP shall set out the detailed design, delivery, and long-term management measures required to avoid, mitigate, and compensate for impacts on Greater Horseshoe bats and their supporting habitat and movement corridors throughout all phases of the development.

The GHSBMP shall be consistent with the approved Landscape and Ecological Management Plan (LEMP) and shall include, but not be limited to:

- a. A summary of baseline survey results and evidence of bat activity (including commuting and foraging routes);

- b. Identification of key habitat corridors, dark zones, and crossing points that support bat movement across the site and wider landscape;
- c. Detailed design and location plans for all mitigation features including habitat buffers, dark corridors, hop-overs, and light screening hedges;
- d. A lighting strategy for the entirety of the site, including dark corridors in accordance with best practice guidance.
- e. Phasing and timing of mitigation works, including how features will be delivered in advance of or alongside construction to avoid impacts on roosting, foraging, or commuting bats;
- f. Details of how mitigation measures will be maintained and managed in the long term, including responsible parties and funding arrangements;
- g. Monitoring protocols and triggers for remedial action where mitigation measures fail to deliver their intended function.

The Plan shall also specifically and comprehensively address the issue-specific matters 1 to 14 as listed in the approved Landscape and Ecological Management Plan (LEMP) condition.

The development shall be carried out and thereafter managed in full accordance with the approved GHSBMP and all identified measures shall be maintained for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development avoids harm to Greater Horseshoe bats, a species of principal importance and European protected species, and to secure the delivery of effective avoidance, mitigation, and compensation measures from the outset.

PRE-COMMENCEMENT REASON: The condition must be discharged before the commencement of development on Phase 1 (except enabling works) because early groundworks, site activity, and lighting could result in irreversible impacts to Greater Horseshoe bat habitat and movement corridors.

19. Other Bat Mitigation

Prior commencement of phase 1 (except enabling works) and submission of any reserved matters application a detailed scheme for the provision of three replacement bat roost buildings shall be submitted to and approved by the Local Planning Authority. The scheme shall include the exact locations of the bat roost buildings clearly shown on a scaled site plan, along with scaled drawings (including elevations, sections, and floor plans) indicating the design, dimensions, access features, construction materials, and internal roosting features appropriate for the target bat species.

The approved bat roost buildings shall be constructed in full accordance with the approved details prior to construction of the related phase of development and thereafter be retained and maintained for the purpose of bat conservation for the

lifetime of the development.

REASON To compensate and mitigate for bat roosts because of the development of the site and to ensure the continued ecological functionality of the site.

PRE-COMMENCEMENT REASON: To ensure that adequate compensation for the loss or disturbance of existing bat roosts is secured and appropriately integrated into the design and layout of the development from the outset.

20. Hedgehog Passes

Where a solid boundary treatment is to be used within Phase 1, no dwelling shall be occupied until at least one hedgehog hole has been inserted along each such boundary. Each hedgehog hole shall comply with the following standards, unless the boundary is directly adjacent to a public road with no meaningful verge or footpath between the road and the boundary treatment:

- Each hole must be at ground level and create a gap through the fence or wall of no larger or smaller than 13cm – 15cm wide and 13cm high.
- Each hole must have appropriate, durable signage to indicate its purpose and need for retention.
- The hole must be positioned in a suitable location likely accessible to hedgehogs; it should not be located near drains, other wet areas, or any location requiring a hedgehog to step up to reach it.

All hedgehog holes shall be retained and maintained for the lifetime of the development. Any subsequent replacement of solid boundary treatments shall incorporate hedgehog holes in the same locations and to the same specifications.

REASON: To maintain habitat connectivity for hedgehogs, a species of principal importance for biodiversity.

21. Hedgerow Clearance

No hedgerow clearance shall take place outside the defined Phase 1 development area (outside of works required for European Protected Species licence) unless otherwise agreed in writing by the Local Planning Authority

REASON: To safeguard existing habitat features of ecological importance and ensure compliance with relevant biodiversity and habitat protection policies.

22. Construction Ecological Management Plan

No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- Risk assessment of potentially damaging construction activities
- Identification of “biodiversity protection zones”
- 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)
- The location and timing of sensitive works to avoid harm to biodiversity features
- The times during construction when specialist ecologists need to be present on-site to oversee works.
- Responsible persons and lines of communication
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

REASON: To ensure that biodiversity is adequately protected during the construction phase, including habitats and species of principal importance, and to prevent significant ecological harm.

23. Construction Management Plan

No development shall be carried out (except enabling works) unless a Construction Management Plan has been first submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall specify details of:

- the hours of demolition/construction works (including hours of site deliveries, parking of vehicles of site operatives and visitors);
- loading and unloading of plant and machinery;
- facilities for the storage of plant, machinery and materials used in the construction of the development;
- the erection and maintenance of security hoardings;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for the recycling/disposal of waste resulting from the [construction works]

The development shall not be carried out unless in strict accordance with the approved details.

REASON: In the interests of local amenity. Construction management details need to be agreed prior to works commencing (except enabling works) as matters require oversight from that time.

24. Lighting Restrictions

No modifications to, or additional external lighting shall be installed other than in full accordance with the approved lighting plan, unless otherwise agreed in

writing by the Local Planning Authority, in consultation with Natural England where appropriate. This restriction shall apply to both public realm lighting and external domestic lighting serving dwellings located adjacent to designated dark corridors and boundary habitats.

- Hele Park east–west corridor (hedge H31): Units R165–R155, R141, R143, R139, R137
- East–west corridor alongside hedge H48: Units R118–R121, B135–B142
- Central GI / SuDS corridor, eastern side (hedges H33, H26, H32, H34): Units R165–R168, R180–R183, R78–R74, R104–R98, R116–R118
- Central GI / SuDS corridor, south-west corner (near hedge H21): Units B37–B33, B21, B22
- Western side, northern boundary (new hedge): Units B108–B118
- Western side, western boundary of Area A (new hedge): Units B108–B105, B69–B64, B45–B53, B56–B54, R55, R47–R46, R36–R35, R27–R26, R19–R16

All approved lighting in these areas shall be retained and maintained in accordance with the approved specification thereafter.

REASON: To protect and maintain dark corridors and boundary habitats that are critical for nocturnal wildlife, particularly bats, and to minimise light spill into ecologically sensitive areas

25. Permitted Development

Notwithstanding the provisions of 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, no extensions (including rear, side, or roof extensions), insertion of rooflights, dormer windows, or other alterations to the roof (including loft conversions) shall be carried out to any dwelling located adjacent to designated dark corridors or boundary habitats, as listed below, without the prior written permission of the Local Planning Authority:

- Hele Park east–west corridor (hedge H31): Units R165–R155, R141, R143, R139, R137
- East–west corridor alongside hedge H48: Units R118–R121, B135–B142
- Central GI / SuDS corridor, eastern side (hedges H33, H26, H32, H34): Units R165–R168, R180–R183, R78–R74, R104–R98, R116–R118
- Central GI / SuDS corridor, south-west corner (near hedge H21): Units B37–B33, B21, B22
- Western side, northern boundary (new hedge): Units B108–B118
- Western side, western boundary of Area A (new hedge): Units B108–B105, B69–B64, B45–B53, B56–B54, R55, R47–R46, R36–R35, R27–R26, R19–R16

REASON: To prevent uncontrolled alterations that could increase light spill or lead to other adverse effects on adjacent dark corridors and ecologically sensitive boundaries, thereby safeguarding nocturnal wildlife and preserving ecological connectivity.

26. Wind turbine restrictions

Notwithstanding the provisions of Schedule 2, Part 14, Class H of 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, no wind turbines or other micro wind generation equipment shall be installed on any part of the development without the prior written permission of the Local Planning Authority.

REASON: To enable the Local Planning Authority to assess the ecological impacts of wind turbine installations in the context of the site and its surroundings.

27. Pendant Lighting

Prior to the occupation of each dwelling identified as being within or adjacent to designated bat movement corridors (including but not limited to units R118–R121, B135–B142, B108–B119, and R165–R137), written confirmation shall be submitted to and approved in writing by the Local Planning Authority (LPA), verifying that:

- Recessed ceiling lighting, rather than pendant lighting, has been installed in those internal rooms identified as ecologically sensitive under the approved Lighting Strategy and Ecological Impact Assessment;
- The Ecological Clerk of Works (ECoW) has inspected and confirmed the installation of recessed lighting during the relevant stage of construction;
- No construction shall proceed beyond first fix (or equivalent stage as agreed in writing with the LPA) for any such dwelling until confirmation from the ECoW has been submitted and acknowledged by the LPA;

For specified dwellings, external lighting on elevations facing identified dark corridors (e.g. hedge H48, Hele Park corridor) shall be omitted or reduced in accordance with the approved plans, and this shall be verified and reported by the ECoW.

The measures secured through this condition shall be implemented in full and maintained thereafter.

REASON: To avoid unacceptable light spill into ecologically sensitive corridors and to ensure the effective functioning of bat flight routes and foraging areas.

28. Detailed Landscape Design Scheme

No development shall take place (except enabling works) until a Detailed Landscape Design Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include but not be limited to:

Design Information:

- Updated landscape layout and mitigation plans, including cross-section A10020/54 Rev A.
- 1:500 scale plan showing all hard and soft landscape features, overlaid

with utilities and services.

- Updated drawings and details for:
- SuDS components (cross-sections, levels, headwalls—e.g. Drawing E06328);
- Fencing, retaining walls, lighting column finishes;
- Surfacing materials, kerbs and edgings;
- Hedgebank construction (including transitions and ends);
- Public realm furniture and play equipment

Planting and Integration:

- Planting plans at 1:200 or 1:250 scale, showing proposed trees (with arboricultural references), hedgerows, and structural planting. Plans shall include planting schedules clearly identifying species, sizes, densities, quantities, planting pit dimensions, and support or anchoring methods.
- Plans shall differentiate between retained and proposed vegetation, including hedgerows and trees, and shall indicate the intended function of each planting area (e.g. screening, amenity, visual enclosure, microclimate, biodiversity enhancement).
- Tree planting shall be sufficient to achieve a minimum 25% canopy cover at maturity, with emphasis on south- and west-facing streets and open spaces to provide shade and climate resilience to align with Teignbridge Tree Strategy.
- Planting palette shall prioritise native and climate-adapted species, including nectar-producing, fruit- or seed-bearing species. Wetland and riparian species shall be used in SuDS areas to support biodiversity and water management.
- A description of the function and purpose of all landscape areas shall be provided, such as habitat corridors, visual buffers, SuDS integration, or recreation.
- An outline specification shall be included for all soft and hard landscape works, covering soil profiles, planting methodology, street furniture, surfacing, kerbs and edging, fencing or boundary treatments, and all tree pit construction details by size class (standard, heavy standard, semi-mature).
- Where applicable, provide a pollinator-friendly planting strategy and specification for wildflower areas, including seed mix composition, sowing methods, and cutting regime

Delivery and Phasing:

- Phasing plan showing landscape implementation by parcel.
- Planting, seeding and turfing to occur in the first appropriate season after completion or occupation (whichever is sooner). Strategy for replacement of any failed planting (5-year minimum), including replanting timings:
- Trees/shrubs: Nov–March;
- Grassed areas: March–May or August–October

The approved scheme shall be implemented in full in accordance with the agreed timetable.

REASON: *To deliver a high-quality, integrated landscape framework in line with the local character, ensure long-term amenity value, and secure coordinated infrastructure delivery.*

PRE-COMMENCEMENT REASON: *To ensure commencement does not prevent the site from delivering a high-quality landscaping proposal.*

29. Play Equipment and Street Furniture

No play equipment or street furniture shall be installed until a photographic schedule has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- Manufacturer's product images and details;
- Dimensions, materials, finishes, and colour options;
- Installation locations referenced to the approved landscape layout;
- Evidence of compliance with applicable safety standards (e.g. BS EN 1176).

REASON: *To ensure high-quality, safe and appropriate public realm infrastructure.*

30. Hedgerow and Hedgebank Strategy

No development shall commence (except enabling works) until a Hedgerow and Hedgebank Strategy has been submitted and approved by the Local Planning Authority. The strategy shall include:

- A 1:500 plan showing all existing hedgerows/hedgebanks and their proposed treatment (retain, remove, realign), with justification;
- Protection measures during construction (BS5837 compliant);
- Cross-sections and specifications for any translocated or new hedgebanks;
- Hedgebank construction (including transitions and ends);
- A delivery and 5-year establishment schedule.

REASON: *To protect and enhance traditional landscape features and ensure continuity of local green infrastructure.*

31. SuDS and Landscape Integration

No development shall commence (except enabling works) until a SuDS Landscape Integration Scheme has been submitted and approved by the Local Planning Authority. The scheme shall include:

Drawings and Technical Details:

- SuDS layout at 1:500 scale showing attenuation basins, swales and other components in relation to landscape and access;
- Cross-sections, levels, and construction details for inlets/outlets (e.g.

- Drawing E06328);
- Overlays showing utilities and highway coordination.
- Planting and Maintenance:
- Wetland planting specifications including native species, planting densities and schedules;
- Integration with public open space and landscape corridors;
- 30-year SuDS management and maintenance plan with monitoring and responsibilities.

The scheme shall be designed in accordance with CIRIA SuDS Manual C753 and implemented in full prior to occupation of each phase.

REASON: To secure effective and multifunctional surface water management infrastructure that complements the landscape and supports biodiversity.

32. Arboricultural Protection

No development shall commence (except enabling works) until an Arboricultural Method Statement and Tree Protection Plan (BS5837:2012 compliant) has been submitted and approved by the Local Planning Authority. These shall include:

- Protection fencing locations (installed prior to any site clearance);
- No-dig construction in root protection areas;
- Monitoring and supervision arrangements by a qualified arboriculturist.

REASON: To ensure retained trees are protected throughout the development process.

PRE-COMMENCEMENT REASON: To ensure commencement does not harm existing trees

33. Open Space and Green Infrastructure Delivery

No more than 385 dwellings shall be occupied until the approved public open space, equipped play areas and landscape corridors for that phase have been delivered and made accessible. Provision shall include:

- Formal LEAPs/NEAPs;
- Informal amenity green space;
- Community orchards or food growing space (if applicable);
- Pedestrian and cycle connections through green corridors.

REASON: To ensure timely access to open space and green infrastructure for new residents.

34. Lighting Strategy

No development shall commence (except enabling works) until a lighting strategy is submitted to and approved in writing by the Local Planning Authority. Any lighting within public area areas shall be:

- Designed to minimise spill into adjacent wildlife corridors;

- Sensitive to local landscape character;
- Dark-sky compliant where possible.

REASON: *To protect landscape and ecological value, amenity, and rural character.*

35. Revised Landscape Layout: Ashburton Road Interface

No development shall commence (except enabling works) in the area between the development plots and Ashburton Road) until a revised landscape layout for this area (based on Drawing edp4012_d050m) has been submitted and approved by the Local Planning Authority. The revised plan shall:

- Incorporate the finalised footpath alignment

REASON: *To ensure a coordinated and context-sensitive design along the site's principal edge.*

36. Landscape Management and Maintenance Plan

No development shall commence (except enabling works) until a Landscape Management and Maintenance Plan (LMMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall cover a minimum period of 30 years from completion and include:

- Management objectives for each landscape typology (e.g. structural planting, hedgerows, public realm, SuDS margins);
- Maintenance schedules, operations, and inspection regimes;
- Identification of responsible management body or parties;
- Strategy for the replacement of failed planting (minimum 5-year establishment period), including replanting timing windows:
- Trees/shrubs: November to March;
- Grassed areas: March–May or August–October.

The LMMP shall be implemented in full and adhered to for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: *To secure the long-term successful establishment, function, and appearance of the landscape.*

37. Temporary Foot and Cycle Connection Strategy to Hele Park

No development shall commence above damp-proof course until a temporary foot and cycle connection strategy linking the application site to Hele Park has been submitted to and approved by the Local Planning Authority.

The strategy shall include:

- The location and alignment of the temporary connection.
- Design details and surfacing materials suitable for pedestrian and cycle use;
- Measures to ensure safe and convenient access for users;
- Details of signage, lighting (if required), and accessibility; and

- Arrangements for implementation, public access, and ongoing maintenance and management.

The approved temporary connection shall be fully implemented and made available for public use prior to the occupation of any dwelling and shall thereafter be maintained in accordance with the approved strategy until such time as a permanent connection is provided or the Local Planning Authority agrees in writing that it is no longer required.

REASON: To secure early provision of sustainable and safe pedestrian and cycle connectivity between the development and Hele Park and onward to Newton Abbot

Outline Conditions

38. Reserved Matters

With the exception of Phase 1, details of the appearance, layout, scale and landscaping (hereinafter called "the reserved matters") for each phase shall be submitted to and approved in writing by the local planning authority before any development takes place on the relevant phase and the development shall be carried out as approved.

REASON: To enable full and proper consideration of the proposed development.

39. Reserved Matters – Time Limit

Applications for approval of the first reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission. Applications for approval of all of the reserved matters shall be made to the local planning not later than 10 years from the date of this permission.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

40. Reserved Matters - Implementation

The development hereby permitted shall be begun before the expiry of two years from the date of approval of the last of the reserved matters to be approved.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

41. Phasing

As part of the first application for the approval of reserved matters, a detailed

phasing plan shall be submitted to and approved in writing by the local planning authority. The phasing plan shall specify the proposed timing for the delivery of the areas of public open space/green infrastructure on each phase as well as the construction programme for the housing and other built elements of the development. The development hereby approved shall be carried out in accordance with the approved phasing plan.

REASON: *To ensure suitable phasing of the development.*

42. Design Codes

Prior to the submission of the first reserved matters application for each remaining phase, a Masterplan and Design Principles shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code shall be formulated broadly in accordance with the submitted Design and Access Statement and Illustrative Masterplan and shall include the following details:

- a) The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking including connection into the existing pedestrian and cycleway routes.
- b) The proposed layout use and function of all open space within the development.
- c) The approach to and design principles applied to car parking (on street and offstreet).
- d) Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings, key frontages and key groups
- e) The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment
- f) Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
- g) External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods.
- h) The design principles that will be applied to the development to encourage security and community safety.
- i) The specific design principles that will be applied to the Neighbourhood Centre.

Thereafter any application for the approval of reserved matters shall comply with the approved Design Code.

REASON: *To secure a coordinated, high-quality and well-designed development in line with approved design principles and planning policy.*

43. Written Scheme of Investigation

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 that an appropriate record is made of archaeological evidence that may be affected by the development.*

PRE-COMMENCEMENT REASON: *To ensure archaeological remains are identified, recorded, and protected where necessary, as groundworks could otherwise disturb or destroy evidence irretrievably.*

44. Written Scheme of Investigation Results

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 ensure that an appropriate record is made of archaeological evidence that may be affected by the development.*

45. Use Classes permitted

The neighbourhood centre premises shall be used only for uses falling within Classes E(a), E(b), E(e), E(f), F1(a), and F2(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose (including any other purpose in Class E or F of the Schedule to the Order, or in any provision equivalent to those Classes in any statutory instrument revoking and re-enacting the Order with or without modification).

REASON: *To ensure the Neighbourhood Centre supports local community needs, contributes positively to placemaking.*

46. Permitted Development Restrictions

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any order revoking or re-enacting that Order with or without modification, no change of use of any unit within the Neighbourhood Centre shall occur under Schedule 2, Part 3, Class E without the prior written consent of the Local Planning Authority.

REASON: *To retain control over the mix of uses within the Neighbourhood Centre in the interests of placemaking and to protect the vitality and viability of the established town centre.*

47. Public Art

Prior to the submission of the first reserved matters application, details of a strategy (including a time frame for completion) for the provision for public art within the development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with approved details provided with each relevant reserved matters submission unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be so retained and maintained.

REASON: *In the interests of place making.*

48. Affordable/Self Build Housing

As part of the reserved matters for each residential phase, a scheme detailing the location, type, tenure and phasing of affordable/self build housing shall be submitted to and approved in writing by the Local Planning Authority. The development shall be delivered in accordance with the approved scheme.

REASON: *To ensure affordable and self-build housing is appropriately integrated to each phase.*

49. Foul Water

No building in any phase (except Phase 1) shall be occupied until works for the disposal of foul sewage from that phase have been provided, in accordance with details first submitted to and approved in writing by the Local Planning Authority.

REASON: *In order to secure a satisfactory standard of development.*

50. Multi-Use Games Area

Prior to the submission of reserved matters for the phase of development including a Multi Use Games Area (MUGA), full details of its design, layout, surface treatment, enclosure, lighting (if proposed), and any associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The MUGA shall be constructed in accordance with the approved details.

REASON: *To ensure the MUGA is of appropriate quality, safely designed, and fit for purpose.*

PRE-COMMENCEMENT REASON: *To ensure its design and associated infrastructure are properly planned and integrated, as changes at this stage could affect layout and construction.*

51. Drainage Details

Prior to or as part of the Reserved Matters, 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, groundwater monitoring results in line with our DCC groundwater monitoring policy and evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins.
- (b) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and the results of the information submitted in relation to (a) above.
- (c) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.
- (d) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- (e) A plan indicating how exceedance flows will be safely managed at the site.
- (f) If required, evidence there is agreement in principle from the landowner/DCC highways/SWW.
- (g) Where required, a detailed assessment of the condition and capacity of any existing surface water drainage system/watercourse/culvert 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 hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (g) 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.

52. Watercourse Monitoring

Prior to any commencement of any phase of the development, an applicant must submit details to confirm how they will monitor surrounding watercourses. Whilst this condition can be phased, the monitoring of watercourses will need to continue if further phases commence (and the watercourse is relevant to be monitored).

REASON: To ensure the protection of nearby watercourses from potential pollution, sedimentation, and hydrological impacts during the construction and operational phases of the development, and to safeguard local biodiversity and water quality.

PRE-COMMENCEMENT REASON: To ensure that monitoring measures are in place prior to groundworks or construction activity.

The Committee adjourned for a short comfort break at this juncture.

The meeting reconvened.

b) **Newton Abbot - 20/00586/MAJ - Land west of Houghton Barton**

Outline planning application for up to 250 dwellings (C3), including open space and preparation, other associated works and infrastructure (all matters reserved)

The Committee was referred to the previous circulated updates document which provided minor updates to the recommendations contained in the agenda report.

The Council's Planning Consultant presented the application and referred to the updates document incorporating minor amendments which included:

- The S106 would provide contributions towards bus subsidy and gypsy sites.
- Emerging Local Plan Policy G13 can be given moderate consideration.
- Strategic objectives of the Local Plan brought forward to be considered with the previous application and part of the emerging Local Plan.
- The application integrates with the previous application.

Public speaker- Supporter (Applicant) – made the following comments:

- High quality homes and development sensitive in design to the surrounding area.
- Outside the NA1 area but is supported by the emerging Local Plan.

Public speaker- Supporter (Agent) – made the following comments:

- Important application in making the planning house numbers.
- When the current Local Plan was adopted, the Inspector sited the land for development.

It was proposed by Cllr Bullivant that the application be approved as set out in the previous circulated updates document. This was seconded by Cllr Palethorpe.

Comments from Councillors included:

- The development should be closely monitored.

In response to a question from the Committee the Council's Planning Consultant confirmed that the financial contributions set out on the initial presentation slide were incorrect and an adjusted and updated slide that reflected the written recommendation was presented.

A vote was taken on the proposal that the application be approved as set out in the previous circulated updates document and carried unanimously.

RESOLVED

Planning permission be granted subject to completion of a Section 106 agreement to secure:

Financial Contributions

- £62,312 towards employment land shortfall and a further £55,111 if the remaining 0.8 hectares cannot be secured on site.
- £120,990 towards bus service subsidy
- £327,000 towards 15 gypsy and traveller pitches plus an additional £32,700 towards resourcing costs.

Other Obligations

- 20% Affordable Housing
- 5% Custom Self Build

And the following conditions:

1. Reserved Matters:

Details of the appearance, layout, scale and landscaping (hereinafter called "the reserved matters") for each phase shall be submitted to and approved in writing by the local planning authority before any development takes place on the relevant phase and the development shall be carried out as approved.

REASON: *To enable full and proper consideration of the proposed development.*

2. Reserved Matters – Time Limit

Applications for approval of the first reserved matter(s) shall be made to the local planning authority not later than 7 years from the date of this permission. Applications for approval of all of the reserved matters shall be made to the local planning not later than 10 years from the date of this permission.

REASON: *In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

3. Reserved Matters - Implementation

The development hereby permitted shall be begun before the expiry of two years from the date of the last of the reserved matters to be approved.

REASON: *In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

4. Approved Outline Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

See plans table in Committee Report

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

5. Phasing

As part of the first application for the approval of reserved matters, a detailed phasing plan shall be submitted to and approved in writing by the local planning authority. The phasing plan shall specify the proposed timing for the delivery of the areas of public open space/green infrastructure on each phase as well as the construction programme for the housing (including self or custom build housing) and other built elements of the development. The development hereby approved shall be carried out in accordance with the approved phasing plan.

REASON: *To ensure suitable phasing of the development.*

6. Design Code

As part of any reserved matters application in relation to any phase, a Masterplan, together with design principles, shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code shall be formulated broadly in accordance with the submitted Design and Access Statement and Illustrative Masterplan and shall include the following details:

- (a) The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking including connection into the existing pedestrian and cycleway routes.
- (b) The proposed layout use and function of all open space within the development.
- (c) The approach to and design principles applied to car parking (on street and offstreet).
- (d) Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings, key frontages and key groups
- (e) The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment and footpaths
- (f) Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
- (g) External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods.
- (h) The design principles that will be applied to the development to encourage security and community safety.

Thereafter any application for the approval of reserved matters shall comply with the approved Design Code.

REASON: *To secure a coordinated, high-quality and well-designed development in line with approved design principles and planning policy.*

7. Written Scheme of Investigation

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 that an appropriate record is made of archaeological evidence that may be affected by the development.*

PRE-COMMENCEMENT REASON: *To ensure archaeological remains are identified, recorded, and protected where necessary, as groundworks could otherwise disturb or destroy evidence irretrievably.*

8. Written Scheme of Investigation Results

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 ensure that an appropriate record is made of archaeological evidence that maybe affected by the development.*

9. Affordable/Self Build Housing

Prior to commencement of each residential phase, a scheme detailing the location, type, tenure and phasing of affordable/self build housing shall be submitted to and approved in writing by the Local Planning Authority.

REASON: *To ensure affordable and self-build housing is appropriately integrated to each phase.*

PRE-COMMENCEMENT REASON: *To ensure affordable and self-build housing are properly planned and secured at the outset, as they may influence the layout, design, and infrastructure of each phase.*

10. Foul Water

No building in any phase shall be occupied until works for the disposal of foul sewage from that phase have been provided, in accordance with details first submitted to and approved in writing by the Local Planning Authority.

REASON: *In order to secure a satisfactory standard of development*

11. Surface Water

Prior to or as part of the Reserved Matters, 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, groundwater monitoring

results in line with our DCC groundwater monitoring policy and evidence that there is a low risk of groundwater re-emergence downslope of the site from any proposed soakaways or infiltration basins.

- (b) A detailed drainage design based upon the approved Flood Risk Assessment and Drainage Strategy and the results of the information submitted in relation to (a) above.
- (c) Detailed proposals for the management of surface water and silt run-off from the site during construction of the development hereby permitted.
- (d) Proposals for the adoption and maintenance of the permanent surface water drainage system.
- (e) A plan indicating how exceedance flows will be safely managed at the site.
- (f) If required, evidence there is agreement in principle from the landowner/DCC highways/SWW.
- (g) Where required, a detailed assessment of the condition and capacity of any existing surface water drainage system/watercourse/culvert 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 hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (g) 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.

12. Watercourse Monitoring

Prior to any commencement of any phase of the development (except enabling works), details to confirm how monitoring of surrounding watercourses will be carried out shall be submitted to and approved in writing by the Local Planning Authority. Whilst this condition can be phased, the monitoring of watercourses will need to continue if further phases commence (and the watercourse is relevant to be monitored). The development shall be carried out in accordance with the approved details

REASON: To ensure the protection of nearby watercourses from potential pollution, sedimentation, and hydrological impacts during the construction and operational phases of the development, and to safeguard local biodiversity and water quality.

13. Method of Construction Statement

As part of the Reserved Matters application a Method of Construction Statement shall be submitted and approved in writing by the Local Planning Authority.

Details to include the following:

- (a) parking for vehicles of site personnel, operatives and visitors

- (b) loading and unloading of plant and materials
- (c) storage of plant and materials
- (d) programme of works (including measures for traffic management)
- (e) provision of boundary hoarding behind any visibility zones shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.

REASON: To ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users.

14. Construction Environmental Management Plan (Biodiversity)

Prior to or as part of all reserved matters application a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following:

- Risk assessment of potentially damaging construction activities
- Identification of “biodiversity protection zones”
- 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)
- The location and timing of sensitive works to avoid harm to biodiversity features
- The times during construction when specialist ecologists need to be present on-site to oversee works.
- Responsible persons and lines of communication
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
- Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details

REASON: To ensure that biodiversity is adequately protected during the construction phase, including habitats and species of principal importance, and to prevent significant ecological harm in accordance with Local Plan policies EN8 and EN9, paragraphs 187 and 193 of the NPPF and relevant biodiversity legislation

15. Barn Owl Box

As part of, or prior to, the submission of any reserved matters application, a scheme for the installation of at least one barn owl nesting box shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the design, location, mounting method, timing of installation, and future retention/maintenance responsibilities.

The barn owl box shall be installed in accordance with the approved details prior to the occupation of the first dwelling (or other agreed trigger point), and shall thereafter be retained and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To secure biodiversity enhancement in accordance with Local Plan Policy EN8 and EN9 and paragraph 180 of the National Planning Policy

Framework.

16. Foraging Strategy

Prior to the submission any of reserved matters submission, a Bat Foraging Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall apply to (but not be limited to) the western boundary of field 30 and field 1. The strategy shall include, but not be limited to:

- Location, layout, phasing, planting plans and structural design details to strengthen and support bat foraging opportunities,
- Measures to ensure establishment and long-term management, to include buffer zones and lighting restrictions.

The approved strategy shall thereafter be implemented in full and maintained in accordance with the approved details.

REASON: To ensure the provision of suitable foraging habitat for bats in accordance with Policy NA1 EN8, EN9 and EN10 of the Local Plan, the Habitat Regulation Assessment and Section 15 of the National Planning Policy Framework.

Cllrs Buscombe, P Parker, Nutley and J Taylor left the meeting.

c) **Newton Abbot - 20/00950/MAJ - Land at Houghton Barton Howton lane**

Construction of section of A382/A383 link road, between A383 and Howton Road, including A383 junction upgrades and associated works

The Committee was referred to the previous circulated updates document which provided minor updates to the recommendations contained in the agenda report.

The Council's Planning Consultant presented the application and referred to the updates document incorporating minor amendments and presentation comments included the following:

- Wide range of public benefits including affordable housing, employment opportunities, bus route priorities, cycleways, low carbon provision, and community enhancements that outweigh any harm.

Public speaker- Supporter (Agent) - made the following comments:

- The separate applications enable management of habitat and wildlife mitigation delays.

Comments raised by Councillors included:

- Concern regarding the diverted traffic and inconvenience for residents.
- Concern regarding construction vehicles.
- Moving of the 30mph zone being relocated

The Council's Planning Consultant confirmed that the construction management details would be controlled by condition, and s278 application through Devon

County Council would be where to consider changes to speed limits.

It was proposed by Cllr Bullivant that the application be approved as set out in the previous circulated updates document. This was seconded by Cllr Nuttall and carried unanimously.

RESOLVED

Planning permission be granted subject to the following conditions:

Enabling Works Definition: For the purposes of the interpreting pre-commencement planning conditions, "enabling works" shall mean non-intrusive or preparatory activities that are necessary to facilitate the lawful implementation of the development but do not constitute the commencement of development. These works may include site access works, ecological survey and mitigation works (including works required under a European Protected Species licence), archaeological investigations, the installation of tree protection measures, and the erection of site hoardings or temporary fencing. Enabling works do not include excavation (other than for archaeological or ecological purposes), groundworks, vegetation removal, construction of permanent buildings or infrastructure, or other operations that would normally constitute material commencement under Section 56 of the Town and Country Planning Act 1990.

1. Time Limit

The development hereby permitted must be begun not later than the expiration of three years from the date on which this permission is granted.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans:

See plans table in Committee Report

And also including the following plans:

Proposed Link Road Profiles E06328 – PL – 221C
General Arrangement – E06328 – PL 308F
Proposed A383 & Link Road Section – E06328 – PL 325B

Proposed Link Road Profile – E06328 – PL – 327B
A383 & Link Road Contours – E06328 – PL – 418D
A383 & Link Road Site Plan – E06328 – PL – 431D

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

3. Boundary Treatment

Before preparation of ground levels for each phase of the development hereby approved takes place, details of the boundary treatment to the highway for that phase shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: *In the interests of the visual amenity of the area and to retain the rural character of the site*

4. Flood Storage Compensation

The development shall be carried out in accordance with drawing no. 2506 Rev. P01 Compensation Works dated May 2025 and the FRA & DS dated 6th December 2023 (Clarkbond, ref. E06328). The compensation works shall be fully implemented prior to the completion of phase 1 and maintained over the lifetime of the development.

REASON: *To prevent flooding elsewhere by ensuring that compensatory storage of floodwater is provided.*

5. Contaminated Land

If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise) agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted to, and obtained written approval from the Local Planning Authority for an investigation and risk assessment and, where necessary, a remediation strategy and verification plan detailing how this unsuspected contamination shall be dealt with. Development shall not thereafter proceed unless in strict accordance with the measures identified in the approved remediation strategy and verification plan. Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority.

REASON: *To ensure that an appropriate record is made of archaeological evidence that may be affected by the development.*

6. Written Scheme of Investigation

No development shall take place (except enabling works) 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 that an appropriate record is made of archaeological evidence that may be affected by the development.*

PRE-COMMENCEMENT REASON: *To ensure archaeological remains are identified, recorded, and protected where necessary, as groundworks could otherwise disturb or destroy evidence irretrievably.*

7. Written Scheme of Investigation Results

The development shall not be brought in to use 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 ensure that an appropriate record is made of archaeological evidence that may be affected by the development.*

8. Drainage Details

No development hereby permitted shall commence (except enabling works) 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.
 - (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.*

PRE-COMMENCEMENT CONDITION: *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.*

9. Watercourse Monitoring

Prior to any commencement of any phase of the development (except enabling works), details to confirm how monitoring of surrounding watercourses will be

carried out shall be submitted to and approved in writing by the Local Planning Authority. Whilst this condition can be phased, the monitoring of watercourses will need to continue if further phases commence (and the watercourse is relevant to be monitored). The development shall be carried out in accordance with the approved details

REASON: *To ensure impacted watercourses are sufficiently monitored and managed from the outset.*

PRE-COMMENCEMENT REASON: *This condition must be discharged before the commencement of each relevant phase (except enabling works) because the monitoring of surrounding watercourses may need to begin in advance of construction activities to establish baseline conditions.*

10. Phasing

The development hereby approved shall be carried out in accordance with the submitted Illustrative Phasing Plan (Ref: 27412 9506 Rev G), unless otherwise agreed in writing with the Local Planning Authority.

REASON: *To ensure suitable phasing of the development*

PRE-COMMENCEMENT REASON: *To ensure the development is properly phased from the outset, coordinating construction sequencing and infrastructure delivery.*

11. Construction Management Plan

No development shall be carried out (excluding enabling works) unless a Construction Management Plan has been first submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan shall specify details of:

- the hours of demolition/construction works (including hours of site deliveries, parking of vehicles of site operatives and visitors);
- loading and unloading of plant and machinery;
- facilities for the storage of plant, machinery and materials used in the construction of the development;
- the erection and maintenance of security hoardings;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for the recycling/disposal of waste resulting from the [construction works] The development shall not be carried out unless in strict accordance with the approved details.

REASON: *In the interests of local amenity.*

PRE-COMMENCEMENT REASON: *Construction management details need to be agreed prior to works commencing as matters require oversight from that time.*

13. Construction Ecological Management Plan

No development shall take place (except enabling works) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include the following

1. Risk assessment of potentially damaging construction activities
2. Identification of “biodiversity protection zones”
3. 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)
4. The location and timing of sensitive works to avoid harm to biodiversity features
5. The times during construction when specialist ecologists need to be present on-site to oversee works.
6. Responsible persons and lines of communication
7. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person
8. Use of protective fences, exclusion barriers and warning signs

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details

REASON: To ensure that biodiversity is adequately protected during the construction phase.

PRE-COMMENCEMENT REASON: To ensure that biodiversity is adequately protected during the construction phase, including habitats and species of principal importance, and to prevent significant ecological harm.

14. Street Furniture

No street furniture shall be installed until a photographic schedule has been submitted to and approved in writing by the Local Planning Authority. This shall include:

- Manufacturer’s product images and details;
- Dimensions, materials, finishes, and colour options;
- Installation locations referenced to the approved landscape layout;
- Evidence of compliance with applicable safety standards (e.g. BS EN 1176).

REASON: To ensure high-quality, safe and appropriate public realm infrastructure.

15. Hedgerow and Hedgebank Strategy

No development shall commence (except enabling works) until a Hedgerow and Hedgebank Strategy has been submitted and approved by the Local Planning

Authority. The strategy shall include:

- A 1:500 plan showing all existing hedgerows/hedgebanks and their proposed treatment (retain, remove, realign), with justification;
- Protection measures during construction (BS5837 compliant);
- Cross-sections and specifications for any translocated or new hedgebanks;
- Hedgebank construction (including transitions and ends);
- A delivery and 5-year establishment schedule.

REASON: To protect and enhance traditional landscape features and ensure continuity of local green infrastructure.

PRE-COMMENCEMENT REASON: To ensure commencement does not prevent the site from delivering a high quality landscaping proposal and harm existing hedgerows.

16. SuDS and Landscape Integration

No development shall commence (except enabling works) until a SuDS Landscape Integration Scheme has been submitted and approved by the Local Planning Authority.

The scheme shall include:

Drawings and Technical Details:

- SuDS layout at 1:500 scale showing attenuation basins, swales and other components in relation to landscape and access;
- Cross-sections, levels, and construction details for inlets/outlets (e.g. Drawing E06328);
- Overlays showing utilities and highway coordination.
- Planting and Maintenance:
- Wetland planting specifications including native species, planting densities and schedules;
- Integration with public open space and landscape corridors;
- 30-year SuDS management and maintenance plan with monitoring and responsibilities.

The scheme shall be designed in accordance with CIRIA SuDS Manual C753 and implemented in full prior to occupation of each phase.

REASON: To secure effective and multifunctional surface water management infrastructure that complements the landscape and supports biodiversity.

PRE-COMMENCEMENT REASON: To ensure commencement does not prevent the site from delivering a high quality landscaping proposal.

17. Arboricultural Protection

No development shall commence (except enabling works) until an Arboricultural Method Statement and Tree Protection Plan (BS5837:2012 compliant) has been

submitted and approved by the Local Planning Authority. These shall include:

- Protection fencing locations (installed prior to any site clearance);
- No-dig construction in root protection areas;
- Monitoring and supervision arrangements by a qualified arboriculturist.

REASON: *To ensure retained trees are protected throughout the development process.*

PRE-COMMENCEMENT REASON: *To ensure commencement does not harm existing trees*

18. Lighting Strategy

No development shall commence (except enabling works) until a lighting strategy is submitted to and approved in writing by the Local Planning Authority. Any lighting within public area areas shall be:

- Designed to minimise spill into adjacent wildlife corridors;
- Sensitive to local landscape character;
- Dark-sky compliant where possible.
- The approved lighting strategy

REASON: *To protect landscape and ecological value, amenity, and rural character.*

PRE-COMMENCEMENT REASON: *To ensure commencement does not unduly harm wildlife present on the site*

19. Howton Fields Access

No development shall commence (except enabling works) until a detailed plan and specification for the design and construction of the section of road necessary to provide permanent, safe, and suitable access to Howton Fields has been submitted to and approved by the Local Planning Authority.

No part of Howton Road shall be stopped up or closed until the approved section of road have been fully constructed, completed to an adoptable standard and made fully operational and available for use to the satisfaction of the Local Planning Authority.

The new junction and section of road shall provide safe, permanent, and uninterrupted access to Howton Fields at all times thereafter.

REASON: *To ensure that appropriate highway infrastructure is designed, secured, and delivered in advance of the stopping up of Howton Road, in order to maintain safe and suitable access to Howton Fields and to safeguard highway safety*

INFORMATIVES:

1. Regulation 26 and 29 EIA Regulations 2017 - In determining this planning application, the Local Planning Authority has taken into consideration the Environmental Statement submitted with the planning application, the further information sought from the developer and all of the consultation responses and representations received. It is concluded that the proposed development is unlikely to have a significant effect on the environment due to the scale and nature of the development proposed. Where there is likely to be an adverse effect on the environment conditions have been imposed to avoid, prevent, reduce and offset such effects and secure mitigation measures where necessary.
2. In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the Applicant and has negotiated amendments to the application to enable the grant of planning permission. This development is subject to a Section 106 agreement dated 30th September 2019. The agreement can be viewed at www.teignbridge.gov.uk/planningonline
3. Whilst development is liable to make contributions under the Community Infrastructure Levy regulations to provide essential local facilities to support development in the District, no contributions are payable as the Teignbridge CIL Schedule gives this type of development a zero rate.

103. TREE PRESERVATION ORDER NEWTON ABBOT - E2/01/166

It was proposed by Cllr Hall, seconded by Cllr Bullivant and carried unanimously:-

RESOLVED

The District of Teignbridge (Aller Park No.3 Newton Abbot) Tree Preservation Order 2025 is confirmed unmodified.

Note This Tree Preservation Order is a Woodland Order that protects all trees including those planted or growing naturally after the Order is made. It replaces the Area Order reference E2/01/165 The District of Teignbridge (Aller Park No.2 Newton Abbot) Tree Preservation Order 2024 which only protected the trees in place at the time of the Order and which will now lapse.

104. APPEAL DECISIONS

The Committee noted appeal decisions made by the Planning Inspectorate, as detailed on the agenda report.

105. S73 MAJOR DECISIONS SUMMARY

None.

CLLR S SANDERS
Chair

The meeting started at 10am and finished at 12.35pm

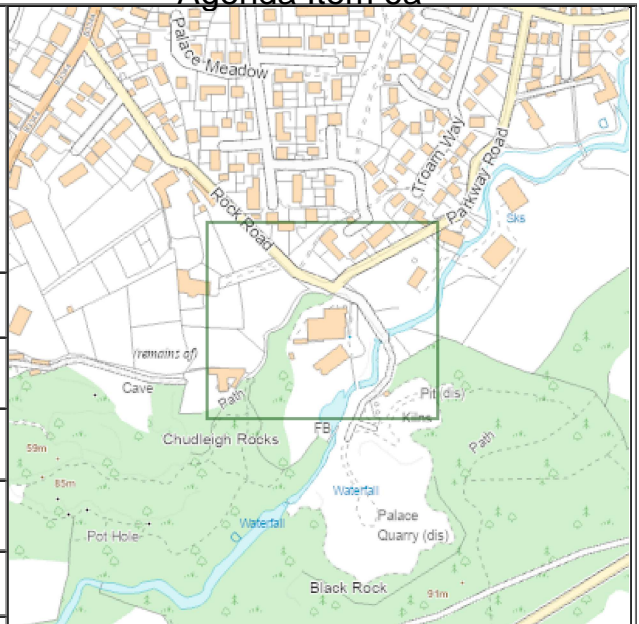
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Planning Committee Report

Chair: Cllr Suzanne Sanders

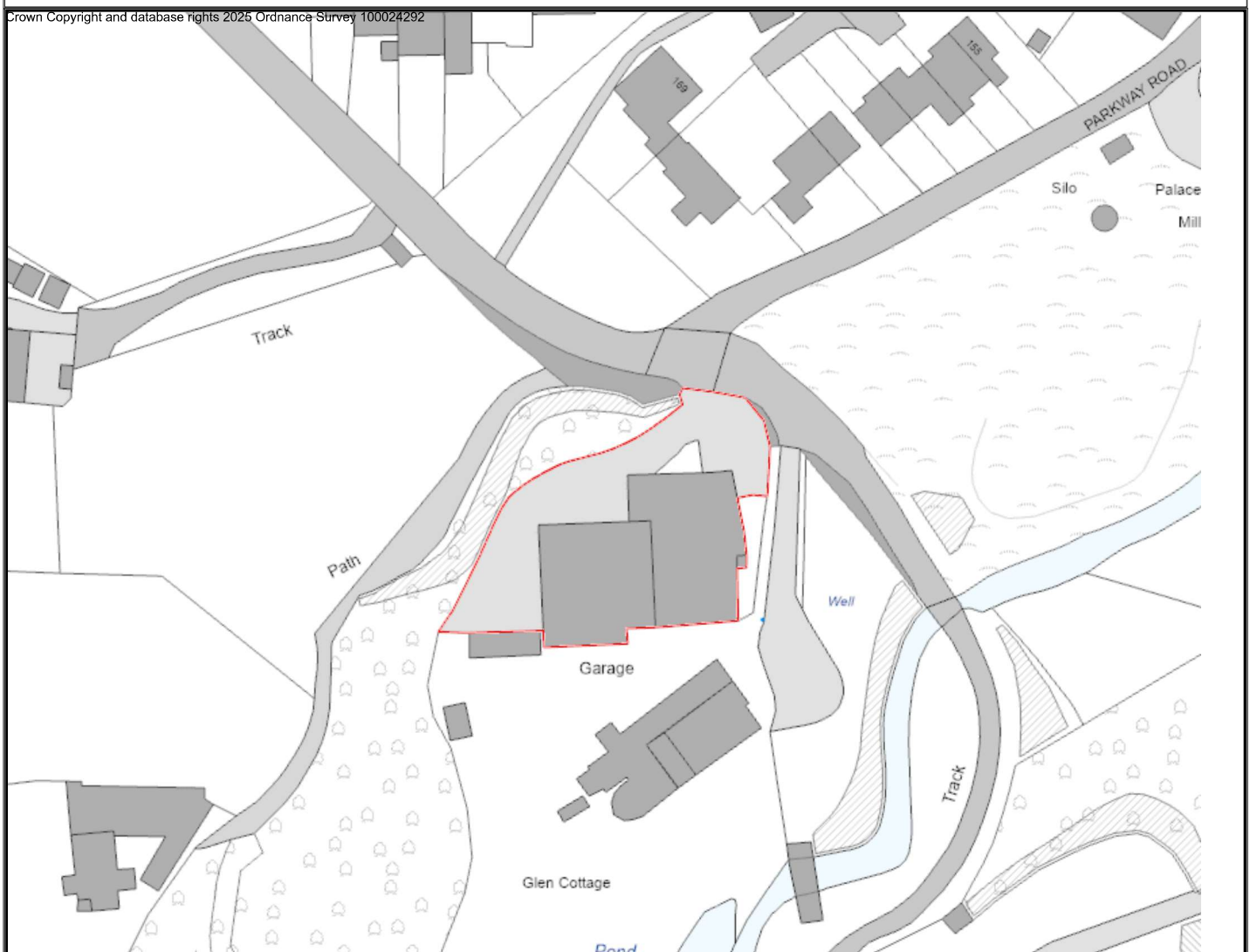
Date	23 September 2025
Case Officer	Tom Jones
Location	Commercial Premises North Of Glen Cottage Rock Road Chudleigh Devon TQ13 0JJ
Proposal	Extension to existing commercial vehicle workshop
Applicant	Mr E Shears
Ward	Chudleigh
Member(s)	Cllr Suzanne Sanders, Cllr Richard Keeling
Reference	25/00035/FUL



[Online Details and Documents](#)

RECOMMENDATION: PERMISSION GRANTED

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1. REASON FOR REPORT

The applicant is a close relative of a member of staff.

2. RECOMMENDATION

Approval, subject to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the application form and the following approved plans/documents:

Date Received	Drawing/Reference Number	Description
09 Jan 2025	JRPA-33 1001	Location Plan
09 Jan 2025	JRPA-33 1004	Proposed Ground Floor Plan
09 Apr 2025	JRPA-33 1006 REV A	Proposed Elevations
09 Apr 2025	JRPA-33 1007	Proposed Roof Plan
03 Jul 2025	JRPA-33 1002 REV B	Block Plan

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

2. Construction works shall commence at least 30 minutes after sunrise and cease at least 30 minutes before sunset each day during the active season of bats (i.e., from April to October inclusive). No lighting shall be left on over-night during the construction phase.

REASON: For the benefit of legally protected light-averse bats.

3. Notwithstanding Section 55(2) of the Town and Country Planning Act 1990 and/or the provisions of 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), no external lighting shall be installed on, or in association with, the new building, except for low-lumen, LED, PIR motion-activated lights on a short timer (maximum 1 minute), sensitive to large objects only (to avoid triggering by bats or other wildlife). Any such lights shall be mounted in association with doors only, at a height no greater than 1.9m from ground level, directed and shielded downward and away from hedges, trees and bat roosts. The lights shall produce only narrow spectrum, low-intensity light output, UV-free, with a warm colour-temperature (2,700K or less) and a wavelength of 550nm or more.

REASON: For the benefit of legally protected light-averse bats.

4. Between the hours of 30 minutes after sunrise and at least 30 minutes before sunset each day during the active season of bats (i.e., from April to October inclusive) the west-facing roller door shall be kept shut except when vehicles are exiting/entering via that door. The roller door shall then be closed immediately after the vehicle has exited/entered.

REASON: To limit light spill which might impact light-averse bats.

5. Notwithstanding the provisions of Article 3 of 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), no development of the types described in Class H of Part 7 or Class A of Part 2 of Schedule 2 shall be constructed (other than hereby permitted) unless the prior written consent of the Local Planning Authority has been obtained.

REASON: To ensure that any future alterations or improvements to the building are acceptable in terms of their ecological impact for the benefit of legally protected light-averse bats.

6. The approved surface water drainage system, which includes an attenuation tank designed to cater for the 1 in 100-year (+50% allowance for climate change) rainfall event and flows limited to a 1 l/s discharge rate into the existing soakaway using an appropriate flow control, shall be implemented in full prior to the occupation of the development and shall be thereafter maintained.

REASON: To ensure that adequate surface water drainage is available to serve the proposed development and will not cause an increase in flood risk either on the site, adjacent land or downstream.

3. DESCRIPTION

The site

- 3.1. The application site is an existing industrial building. The proposed development is for an extension to the existing building, by infilling an area between two parts of the building. The proposed development has commenced.
- 3.2. The site is located within the open countryside just beyond the edge of the settlement boundary. The site is also located within the Landscape Setting Area of Chudleigh identified in the Chudleigh Neighbourhood Plan.
- 3.3. The application site is located within the Landscape Connectivity Zone associated with the South Hams Special Area of Conservation for Greater Horseshoe Bats. The site also falls within a bat corridor, and sustenance zone associated with this designation.
- 3.4. The site falls within the Cirl Bunting 250m Zone, Great Crested Newt Consultation Zone and the Kate Brook Lime Kilns Unconfirmed Wildlife Site identified for its unimproved grassland and scrub on limestone with bat and bird interest. The Other Site of Wildlife Interest, Bishop's Palace Field, sits to the west of the application site.
- 3.5. The site falls within the Minerals Safeguarding Area for Aggregates.

Principle of the Development

- 3.6. The application proposal will provide 155sqm of additional general industrial floorspace, resulting in a total floorspace of 470sqm. The Local Plan seeks to allocate sufficient land for the development of 3 hectares or 12,000 sqm of business, industrial and warehousing sites per year. There has been an under

delivery of employment land/floorspace against the annual target. The delivery of employment development is considered a significant benefit weighing in favour of this development.

- 3.7. Policy S22 of the Local Plan seeks to strictly manage development in open countryside in order to provide attractive, accessible and biodiverse landscapes, sustainable settlements and a resilient rural economy. Under S22(b) the types of permissible developments in the countryside includes industrial, business and warehousing schemes. Policy GP3 of the emerging Local Plan contains similar provisions. The proposed development would fall within one of these uses.
- 3.8. Policy EC3 of the Local Plan relates to rural employment and confirms that to support the rural economy, extensions or expansions of an existing business or employment site for business, general industrial and storage and distribution uses in the open countryside will be acceptable in principle. Policy EC1 of the emerging Local Plan contains similar provisions. The proposed development would reflect this.
- 3.9. As such, subject to meeting certain criteria, the principle of development is considered acceptable. Whilst noting that the principle of development is acceptable, this is subject to meeting criteria (f) – (i) as set out in Policy S22 and criteria (f)-(j) of Policy EC3. These criteria are considered in more detail below.

Impact on the Landscape and Historic Character

- 3.10. The support for employment schemes under Policy EC3 is subject to a range of criteria, including (g) and (i), which require proposals to respect the character and qualities of the landscape and setting of any affected settlement and conforms with policies affecting the site including heritage assets.
- 3.11. Policy EN2A Landscape Protection and Enhancement requires that development proposals should conserve and enhance the qualities, character and distinctiveness of the locality.
- 3.12. Policy CHNDP11 of the Chudleigh Neighbourhood Plan states that areas designated as landscape setting contribute significantly to Chudleigh's valued historic landscape setting and sense of identity. It follows that to conserve the visual integrity of these areas and the contribution they make to the setting of Chudleigh, any proposed developments within them will only be permitted if they do not detract from the quality of the areas and the landscape setting of Chudleigh.
- 3.13. Due to the location of the extension within the confines of the existing layout of the building and its siting within the application site, its impact on the wider locality is limited. The design of the proposed extension is generally in keeping with the industrial character and appearance of the existing building and as such it is not expected to appear prominent or out of place in this location. The proposed development is considered to conserve the character of the locality.
- 3.14. Policy EN5 Heritage Assets states that to protect and enhance the area's heritage, consideration of development proposals will take account of the significance, character, setting and local distinctiveness of any affected heritage asset.

- 3.15. The proposal has the potential to impact upon the setting and archaeology of registered Ancient Monument, Bishop's Palace and the Grade II* listed 'Remains of Bishop's Palace at Palace Farmhouse'. In making a decision on this application the Council must be mindful of the duty as set out in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the listed building, its setting and features of special architectural or historic interest which it possesses and have given it considerable importance and weight in the planning balance.
- 3.16. The proposed extension is limited in its scale, and due to its location within the confines of the existing building's layout, it is no closer to these heritage assets or more prominent within the context of the wider setting of these heritage assets. There is also sufficient separation distance between the site and these assets. The proposal is not considered to have any impact on the wider setting of the Ancient Monument or the Grade II* Listed Building.
- 3.17. The proposed development is considered acceptable in accordance with Local Plan Policies S22, EN2A and EN5 of the Local Plan, Proposed Submission Local Plan Policies GP3, DW1, EN4 and EN17 and Chudleigh Neighbourhood Plan Policy CHNDP11.

Impact on Biodiversity

- 3.18. The support for employment schemes under Policy EC3 is subject to a range of criteria, including (i) and (j), which requires that proposals conform with specific policies affecting the site including protected wildlife and do not affect the integrity of the South Hams Special Area of Conservation (SAC). Proposed Submission Local Plan Policy EC1 includes similar provisions with business development being supported in locations outside of defined settlement limits where it can be demonstrated that proposals will not affect the integrity of European Wildlife Sites.
- 3.19. Policy EN8 requires that decisions on developments are taken in the light of proportionate biodiversity information and assessments about a site. This application submission does not include any ecological survey work, however it is noted that the South Hams SAC guidance states that in certain circumstances mitigation may be put forward without the need for a full survey, where it can be clearly demonstrated that the impacts of a proposed development are proven to be minor and can be fully mitigated without an impact upon the existing (and likely) GHB habitat. This is considered to the situation in this case.
- 3.20. Policy EN9 requires that, to protect and enhance existing areas of biodiversity and geodiversity, development proposals take account of the hierarchy of sites, including internationally important sites such as Special Areas of Conservation.
- 3.21. Policy EN10 notes that development that is likely to have a significant effect on the integrity of the European Wildlife Site will be subject to assessment under the Habitats Regulations and will not be permitted unless adverse effects can be fully mitigated and/or compensated. An Appropriate Assessment has been completed for this development proposal.
- 3.22. Policy EN11 notes that, to protect and expand the presence of legally protected and S41 priority species, development which would be likely to directly or indirectly harm

such a species will not be permitted except in specific circumstances and that where appropriate proposals should include opportunities for species within the built environment, such as bird, bat and invertebrate boxes.

- 3.23. Policy CHNDP9 of the Neighbourhood Plan requires that developments must ensure that they do not adversely affect the rich biodiversity of the Parish. Policy CHNDP10 of the Neighbourhood Plan requires that any development which might have a negative impact on the South Hams SAC is subject of an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2017.
- 3.24. An Appropriate Assessment (AA) has been completed for this development. The impacts to the SAC related to the risk of disturbance from new illumination causing bats to change their use of an area. Subject to the inclusion of four conditions relating to lighting, the AA concluded that there would not be an adverse effect on the integrity of the South Hams SAC, either 'alone' or 'in-combination'. Natural England has confirmed they agree with the findings of the AA.
- 3.25. The AA refers to a condition to restrict the opening of the roller shutter door on the western elevation outside of daytime hours whilst during active bat season. This has been considered in terms of whether it is reasonable. In this case, there is a second unrestricted roller shutter door on the north elevation which can be utilised for ventilation when this western door is closed. Further it is noted that the times in which this condition will be in force are limited with active season being within the summer months. As such the condition is not considered to hinder the future use of the building and is reasonable.
- 3.26. A further condition requires no additional openings or translucent roof materials to be installed. To secure this, permitted development rights set out in Class H of Part 7 of the General Permitted Development Order have been removed. Other conditions have been recommended to reflect those set out in the AA.
- 3.27. Due to the existing nature of the ground prior to the commencement of the proposed extension, the proposed development is not considered to result in harm to any other protected species or their habitats.
- 3.28. Subject to conditions to secure the mitigation outlined in the AA, the proposed development is considered acceptable in relation to Policies S1, S22, EN3 and EN8-12 of the Local Plan, Policies EC1 and EN10-12 of the Proposed Submission Local Plan 2020-2040 and Chudleigh Neighbourhood Plan Policies CHNDP9 and CHNDP10.

Impact on Overall Travel Patterns and Highway Safety

- 3.29. The site is accessed through an existing entrance to the north of the application site from Rock Road.
- 3.30. The support for employment schemes under Policy EC3 is subject to a range of criteria, including (f), which indicates that the scale of employment should be appropriate to the accessibility of the site by public transport, cycling and walking and the standard of highways, and would improve the balance of jobs to working age population within the immediate vicinity. Proposed Submission Local Plan Policy EC1 includes similar provisions with business development being supported

in locations outside of defined settlement limits where the scale of the development is appropriate to the accessibility of the site and the standard of highways and road safety is appropriate.

- 3.31. Policy S9 relates to sustainable transport and seeks to minimise the need to travel, and locate development, which is designed to promote public transport, cycling and walking as transport modes of choice, through means such as travel plans, infrastructure and parking provision for bicycles.
- 3.32. The proposed extension is to serve an existing business. Whilst there may be some additional vehicle trips as a result of an increase in floorspace, this is not considered to be significant or severe in terms of highways impact. It is also noted that this additional floorspace is intended to provide a facility that is otherwise accessed off-site, and as such, the proposed development may reduce vehicle trips associated with the site.
- 3.33. The general connectivity of the site to the road network for the nature of the additional traffic likely to be generated is, on balance, considered acceptable.
- 3.34. In terms of the balance of jobs to the working population, whilst no details of employment have been included within the submission it is reasonable to conclude that the development could increase employment opportunities in accordance with this part of Policy EC3 (f), if not only to serve the immediate area then to serve a wider catchment within reasonable travelling distance.
- 3.35. In terms of the accessibility of the site by a range of sustainable travel modes, there is a bus stop 570m from the site on the B3344 providing travel to Exeter and Chudleigh. Options to walk to work are limited due to the lack of footways, but access to the site by bicycle is an opportunity.
- 3.36. The proposed development expands an existing activity, such that the harm represented by the limited opportunity to significantly reduce travel by private car is of limited weight.
- 3.37. The Highway Authority makes no objection.
- 3.38. The proposed development is considered to be acceptable in accordance with Policies S1, S22, EC3 and S9 of the Local Plan and Proposed Submission Policies EC1 and CC4 of the emerging Local Plan 2020-2040.

Impact on Residential Amenity

- 3.39. The support for employment schemes beyond the settlement boundary under Proposed Submission Local Plan Policy EC1 is subject to a range of criteria, including (c), where there is no significant detrimental impact on local residential amenity.
- 3.40. The proposed development will be used in association with the existing use and business within the existing building. The proposed development is not considered to result in any greater impact on residential amenity.

- 3.41. The proposed development is considered acceptable in relation to residential amenity in accordance with Policy S1 of the Local Plan and Proposed Submission Local Plan Policies EC1 and H12 of the Local Plan 2020-2040.

Drainage

- 3.42. The support for employment schemes under Policy EC3 is subject to a range of criteria, including (i), which requires that proposals conform with specific policies affecting the site including flooding.
- 3.43. Surface water drainage is proposed to be discharged to a 7 cubic meter surface water tank with an associated controlled outfall to an existing soakaway provision on site.
- 3.44. The proposed attenuation tank has been designed to cater for the 1 in 100-year (+50% allowance for climate change) rainfall event and flows limited to a 1 l/s discharge rate into the existing soakaway using an appropriate flow control.
- 3.45. In line with the response from the Council's Drainage Engineer, as the area was previously hard surfacing, the provision of the above ground tank discharging at a controlled rate to the existing soakaway is an acceptable drainage proposal. This will also facilitate the reuse of water for washing down purposes.
- 3.46. The development can be considered acceptable in relation to surface water drainage and flood risk in accordance with Policy EN4 of the Local Plan and Proposed Submission Local Plan Policy EN6 of the Local Plan 2020-2040.

Minerals

- 3.47. The site lies within a Mineral Safeguarding Area defined to protect an important limestone deposit. Policy M2 of the Devon Minerals Plan states that mineral resources within the Mineral Safeguarding Areas will be protected from sterilisation or constraint by non-mineral development within or close to those areas. It follows, that development may be permitted if it is demonstrated that the mineral resource is not of current or potential economic or heritage value.
- 3.48. Devon County Council (DCC) as Minerals Authority has confirmed that as this proposal is for an extension to an existing business, it is not considered to add further constraint or sterilisation of the limestone resource. DCC has confirmed that it has no objection to the application in its role as Minerals Authority.
- 3.49. The proposed development is considered acceptable for the reason set out above insofar as it relates to minerals.

Recommendation

- 3.50. Recommend approval, subject to conditions

4. POLICY DOCUMENTS

4.1. Teignbridge Local Plan 2013-2033

4.2. The following policies are considered relevant to the proposed development:

Strategy Policies

S1A Presumption in favour of Sustainable Development

S1 Sustainable Development Criteria

S2 Quality Development

S3 Land for Business, General Industry and Storage and Distribution

S6 Resilience

S7 Carbon Emission Targets

S9 Sustainable Transport

S11 Pollution

S22 Countryside

Strategy Places

S20 Chudleigh

Prosperous Economy

EC1 Business Development

EC3 Rural Employment

Quality Environment

EN2A Landscape Protection and Enhancement

EN4 Flood Risk

EN5 Heritage Assets

EN6 Air Quality

EN7 Contaminated Land

EN8 Biodiversity Protection and Enhancement

EN9 Important Habitats and Features

EN10 European Wildlife Sites

EN11 Legally Protected and Priority Species

EN12 Woodlands, Trees and Hedgerows

Proposed Submission Teignbridge Local Plan

4.3. The examination hearings for the emerging Teignbridge Local Plan 2020-2040 (thereafter referred to as the eLP) have been concluded. The post examination letter from the Planning Inspectorate dated 18th December 2024 has stated that the plan is likely to be found sound subject to the modifications agreed at the hearings and in the letter. The Council is currently consulting on Main Modifications version of the plan. There are a number of policies within the emerging plan which did not attract modifications. As such, due to the advanced stage of the plan and in accordance with the requirements of paragraph 49 of the NPPF considerable weight is given to relevant emerging local plan policies unless otherwise stated.

4.4. The following emerging policies are considered relevant to the proposed development:

General Policies

GP1: Sustainable Development
GP2: Development in Teignbridge
GP3: Settlement Limits and the Countryside
GP5: Neighbourhood Plans

Climate Change

CC1: Resilience
CC2: Energy and Carbon Statements
CC3: Electric Vehicle Infrastructure
CC4: Sustainable Transport

Design and Wellbeing

DW1: Quality Development
DW2: Development Principles
DW3: Design Standards

Economy

EC1: Business Development

Homes

H12: Residential Amenity

Environment

EN4: Landscape Protection and Enhancement
EN6: Flood Risk and Water Quality
EN7: Air Quality
EN8: Light Pollution
EN9: Contaminated Land/ Land Instability
EN10: Biodiversity and Geodiversity
EN11: Important Habitats and Features
EN12: Legally Protected and Priority Species
EN13: European Wildlife Sites
EN15: South Hams SAC
EN16: Trees, Hedges and Woodlands
EN17: Heritage Assets

Devon Minerals Plan

M2: Mineral Safeguarding Areas

Chudleigh Neighbourhood Plan

CHNDP9: Biodiversity
CHNDP10: Protection of the South Hams SAC
CHNDP11: The Town's Landscape Setting

National Planning Policy Framework**National Planning Practice Guidance**

5. CONSULTEES

DCC Minerals

- 5.1. No objection. The site is within a Mineral Safeguarding Area for a limestone resource. Policy M2 of the Devon Minerals Plan seeks to safeguard such resources. The proposal is for an extension to an existing business and it is considered the proposal is unlikely to add further constraint or sterilisation of this limestone resource.

DCC Historic Environment

- 5.2. No comments to make but recommend Historic England are consulted in relation to the Bishop's Palace.

DCC Highways

- 5.3. No objection. Application provides a betterment in that it will reduce vehicle movements.

Historic England

- 5.4. Is not offering advice and suggests the Council uses it's own conservation advisers.

Environmental Health

- 5.5. No objections.

TDC Conservation Officer

- 5.6. No objection. The proposal has the potential to impact upon the setting and archaeology of registered Ancient Monument, Bishop's Palace and the Grade II* listed 'Remains of Bishop's Palace at Palace Farmhouse'. The proposed extension is minor in its scale and infills an L shape built form, resulting in no more built form closer to or more prominent within the context of the wider setting of two heritage assets. Further there is good separation distance. The proposal is not considered to have any material impact on the wider setting of the Ancient Monument or the Grade II* Listed Building.

TDC Biodiversity Officer

- 5.7. The Appropriate Assessment has been completed and finds that there would be no adverse effect on the integrity of the South Hams SAC (subject to conditions). There are no other biodiversity issues. The de minimus BNG exemption applies as the site was bare ground used for storage. Conditions recommended.

Natural England

- 5.8. No objection. Concurs with the findings of the Appropriate Assessment, subject to appropriate mitigation being secured.

TDC Drainage

- 5.9 No objection. The submitted block plan reference JRPA-33/1002 – REV B proposes the roof water to drain to a tank with a controlled outfall to the existing soakaway.

Given the area was previously hard surfacing, the provision of the above ground tank discharging at a controlled rate to the existing soakaway is acceptable and I have no objection, the proposed tank will be designed to also be used as water reuse as previously discussed used for washing down purposes which is a sensible proposal.

6. REPRESENTATIONS

- 6.1. Publicity undertaken by way of:
- Site notice displayed 06.02.2025 and 10.04.2025

2 representations of support have been received, summarised as follows (response can be read in full on the file):

- The plans will enable Glenspray to complete brake testing onsite, reducing daily traffic to fulfil this offsite which would be more sustainable.
- Having less movement of large vehicles on Rock Road will be a good thing as it will be safer for walkers and less exhaust fumes in the area.
- Supports a local family business which is positive for the Chudleigh community.

7. TOWN / PARISH COUNCIL'S COMMENTS

- 7.1. Chudleigh Town Council: No objection

8. COMMUNITY INFRASTRUCTURE LEVY

The CIL liability for this development is Nil as the CIL rate for this type of development is Nil and therefore no CIL is payable.

9. ENVIRONMENTAL IMPACT ASSESSMENT

Due to its scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA Development.

10. BIODIVERSITY NET GAIN (BNG)

Biodiversity net gain is a legal requirement for planning permissions. Planning applications are required to either provide detailed information proving there will be a biodiversity increase of 10% or explain why they are exempt from doing so. Unless exempt, planning permission is subject to the general Biodiversity Gain

Condition (as set out in Paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 (as amended)).

- This development is exempt from the general Biodiversity Gain Condition. The de minimus exemption applies, as the application site is bare ground previously utilised for storage and work has already commenced.

11. CARBON / CLIMATE IMPACT

No carbon reduction measures are identified within the application submission. However, the proposed development may assist in reducing traffic movements to and from the site by facilitating a use which is currently undertaken off-site.

12. HUMAN RIGHTS ACT

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

Ian Perry

Head of Development Management

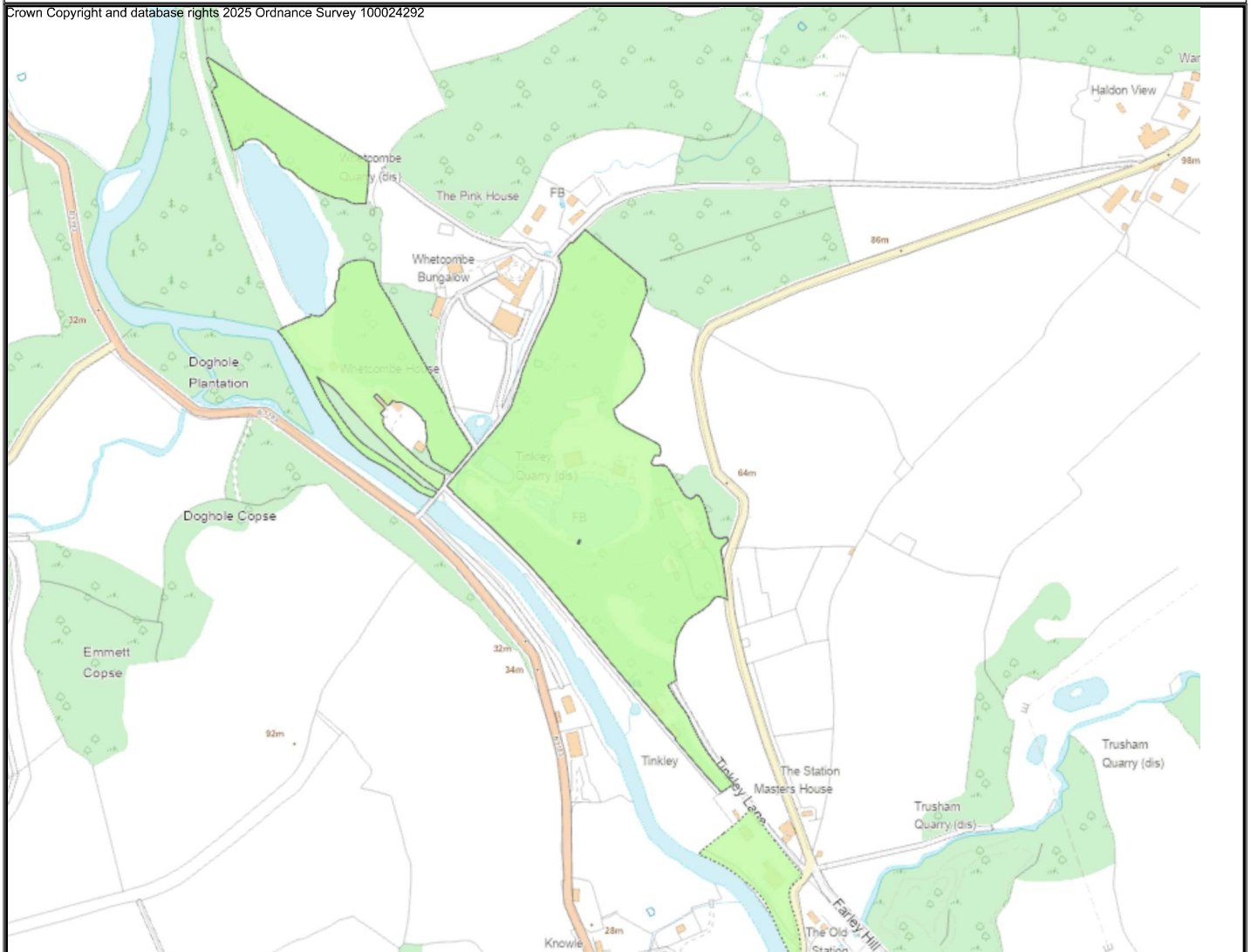
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Chair: Cllr Suzanne Sanders

Date	23 September 2025
Case Officer	Cheryl Stansbury
Location	Tinkley Koi Farm Trusham TQ13 0NT
Order	The District of Teignbridge (Former Tinkley Quarry) Tree Preservation Order 2025
Ward	Teign Valley
Member(s)	Cllr Stephen Purser, Cllr Andrew Swain
Reference	E2/22/04



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RECOMMENDATION

The Planning Committee is recommended to resolve that:

The District of Teignbridge (Former Tinkley Quarry) Tree Preservation Order 2025 is confirmed unmodified.

1. PURPOSE

The District of Teignbridge (Former Tinkley Quarry) Tree Preservation Order 2025 protects a Woodland of whatever species of trees located within the land at Tinkley Koi Farm, Trusham.

The provisional tree preservation order (TPO) was served on 21 May 2025. The provisional protection will cease on 21 November 2025, if it is not confirmed.

2. BACKGROUND

There was an original Woodland Tree Preservation Order E2/22/03 (The District of Teignbridge (Former Tinkley Quarry) Tree Preservation Order 2018, E2/22/03; the decision at the time was to not confirm it as the trees were not considered to be under threat, and therefore this has lapsed.

This provisional TPO was made following reports informing the Council of the intention to fell trees, that trees were being damaged, and that the woodland was under immediate and visible threat; since those reports were received, the trees/woodland have been assessed by the Local Planning Authority's Tree Consultants.

The trees are part of an established mixed woodland that includes oak and other native species. The woodland is a County Wildlife Site, Whetcombe Barton, which was surveyed in 2006 and 2023, and is designated for its non-ancient woodland. It contains BAP (Biodiversity Action Plan) priority habitats – lowland mixed deciduous woodland, wet woodland and lowland fen. The Consultants have identified no obvious pressures or constraints that would significantly limit the life expectancy of the woodland as a whole. The trees are mostly growing in favourable conditions, with adequate space, low levels of disturbance and signs of ongoing regeneration. Taking all of this into account, it is considered appropriate to assign a remaining contribution of 100 years to reflect the expected longevity of the woodland system, based on current site conditions and arboricultural judgement.

Local Planning Authorities (LPAs) have a duty under Part VIII Section 197 of the Town and Country Planning Act 1990 (TCPA) to ensure the protection of trees by making TPOs where it is considered necessary. Section 198 of the TCPA states LPAs may make a TPO if it appears to them to be "expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area".

Further guidance may be found in National Planning Policy Guidance "Tree Preservation Orders and trees in conservation areas".

3. REASON

The woodland contributes to the visual amenity of the area. A number of trees have been felled, had branches removed, roots exposed or been damaged in the recent past. The trees exhibit good form, supported by the overall woodland structure which retains a well-spaced arrangement of mature trees with natural crowns and balanced structure.

The woodland enhances the wooded character of the area, providing a pleasing landscape feature within the immediate area, enhancing the visual amenity for local residents and passers-by; local topography limits longer range views.

The Consultant's report gives the woodland an amenity rating of 16.5. The suitable benchmark rating for inclusion within a tree preservation order is 15; see Appendix I.

Owing to the importance of the woodland within the local landscape, and threat to the trees, The District of Teignbridge (Former Tinkley Quarry) Tree Preservation Order 2025 was made and served on 21 May 2025.

One letter of objection to the making of the TPO on behalf of the landowner has been received. The objection is summarised as follows:

- The TPO was served on 21 May 2025 and describes the proposed trees for protection as "trees of whatever species". The description, being overly general in nature, fails to properly identify any specific tree, group of trees or woodland that has sufficient merit to be subject to designation
- No copy of the assessment has been provided with the provisional TPO, such that the reasons for the making of the TPO are unclear to the landowner.
- The woodland is not immediately visible to the public nor open to the public
- The TPO fails to identify specific reasons why it covers all areas including the dwelling, farm, caravan site, fish/poultry enterprise and will substantially restrict the ability to manage the farmland
- A previous TPO was withdrawn as it was considered inappropriate so why is this now considered necessary?
- Some trees are in poor condition and Ash represents a major component of the woodland. If specific trees require protection, these should be identified
- The site is not at threat for development and the only applicant is for a certificate of lawfulness, nor is it at risk of tree removal. The landowner has not marked trees with "x", but neighbours have done so
- Disagree with the score given by the independent arborist and consider the TPO has not been assessed thoroughly.

Officer Comment:

- The TPO does describe the trees as “of whatever species” which is appropriate given it is a woodland order; it does not need to identify or assess individual tree species, but is based upon the overall value of the woodland as a whole
- The scoring assessment carried out by the Council’s Consultant is published as Appendix 1 and is viewable on the online file
- The woodland does not need to be open to the public to be covered by a TPO and the restricted visibility of it has factored into the assessment in Appendix 1
- A TPO does not prevent activities or farming, but applications will need to be made to carry out works to trees or fell them, it simply prevents felling or removal of branches
- It is noted Ash forms part of the woodland but not a majority of it and the TPO does not prevent the removal of trees with dieback; applications for felling or 5 day exemption notices would be required and can be submitted to cover a number of trees
- Since the previous TPO was not confirmed further work has taken place on the land and trees removed/damaged; therefore, this TPO is considered necessary and justified.

12 letters of support, including from Cllr Purser and Cllr Swain, for the making of the TPO have been received. They are summarised as follows:

- The TPO describes “trees of whatever species,” which is standard practice for woodland designations and fully in line with National Planning Practice Guidance (NPPG, Paragraph 092). This blanket description is appropriate and accurately reflects the current character of the woodland. It provides essential protection for the woodland and ensures its ability to regenerate following recent felling and the damaging methods used to remove trees
- The woodland contains a significant proportion of young/mid-mature specimens that will contribute to long-term succession and continuity. This diversity of age classes demonstrates a remaining longevity
- This TPO is essential to protect the trees for future generations and preserve the natural habitat for wildlife
- The woodland is a significant local asset that contributes to the local ecosystem, biodiversity and aesthetic appeal of the area
- The TPO will restrict further building and development in the area which has resulted in trees dying and excavations leaving roots exposed
- The trees are a defining and dominant landscape feature that contribute strongly to the character of the area providing visual amenity
- The wood provides environmental benefits such as shade, air quality enhancement and wildlife habitat
- The creation of a track and trees being marked with “x” gives concern they will be felled
- Community benefits through a sense of place and connection to nature

TEIGNBRIDGE DISTRICT COUNCIL

- TPOs encourage responsible land stewardship and are essential, even on private land
- The woods are contiguous with other woods, and any loss would have consequences beyond its defined area
- The TPO will not prevent all activities (fences have since been erected) and further clearance can be applied for and considered properly
- The findings of an independent survey by Advanced Arboriculture Ltd (18 June 2025) are fully supported
- The County Wildlife Site designation and the woodland being priority habitat does not stop felling and a lot of clearance has taken place recently, so this TPO is necessary
- Whilst Ash and Dieback is present, these do not form a majority of the woodland.

Officer Comment:

- There is clear local support for this TPO. One of the letters contained an independent arboricultural assessment carried out from public vantage points, which also evaluated the woodland and scored it 22, higher than the LPA consultant as it attributed additional points for significant risk to trees through there being “x” marked on some of them.
- There is a dispute over the origins of the “X” markings on the trees and this did not factor into the Council’s Consultant’s assessment.

4. SUSTAINABILITY IMPLICATIONS

Trees in urban areas are a vital component of a sustainable future, serving to absorb CO², create oxygen and filter pollutants that exacerbate conditions such as eczema and asthma, as well as providing shade and screening and a softening of the built environment. Trees provide a sense of place, habitat for fauna and flora, as well as uplifting the spirits of many people.

5. FINANCIAL IMPLICATIONS

None

6. OPTIONS

The Planning Committee can decide to:

- Confirm the Tree Preservation Order unmodified
- Confirm the Tree Preservation Order in a modified form
- Not to confirm the Tree Preservation Order

Ian Perry
Head of Development Management

TEIGNBRIDGE DISTRICT COUNCIL

APPENDIX I

AMENITY EVALUATION RATING FOR TPOs

TPO No:	E2/22/04	Site Visit Date:	11 August 2025
TPO Name:	The District of Teignbridge (Former Tinkley Quarry) Tree Preservation Order 2025	Effective Date:	21 May 2025
Address	Tinkley Koi Farm, Trusham, TQ13 0NT	TPO Designation	Woodland
Rating	16.5	Surveyed by:	Devon Tree Services
Reason for TPO	The woodland/ trees contribute to the visual amenity of the area. A number of trees have been felled or damaged in the recent past.		

1. <u>Size – height x spread</u> 1 very small 2-5m ² 2 small 5-10m ² 3 small 10-25 ² 4 medium 25-50m ² 5 medium 50-100m ² 6 large 100-200m ² 7 very large 200m ² +	Score 5	6. <u>Suitability to area</u> 1 Just suitable 2 Fairly suitable 3 Very suitable 4 Particularly suitable	Score 3
2. <u>Life expectancy</u> 1 5-15 yrs 2 15-40 yrs 3 40-100yrs 4 100yrs +	3	7. <u>Future amenity value</u> 0 Potential already recognised 1 Some potential 2 Medium potential 3 High potential	0
3. <u>Form</u> -1 Trees which are of poor form 0 Trees of not very good form 1 Trees of average form 2 Trees of good form 3 Trees of especially good form	2	8. <u>Tree influence</u> -1 Significant 0 Slight 1 Insignificant	0
4. <u>Visibility</u> 1 Trees only seen with difficulty or by a very small number of people 2 Back garden trees, or trees slightly blocked by other features 3 Prominent trees in well frequented places	2	9. <u>Added factors</u> <i>If more than one factor relevant maximum score can still only be 2</i> 1 Screening unpleasant view 1 Relevant to the Local Plan 1 Historical association 1 Considerably good for wildlife 1 Veteran tree status	1 – priority habitat
5. <u>Other trees in the area</u> 0.5 Wooded surrounding 1 Many 2 Some 3 Few 4 None	0.5	10. <u>Notes and total score</u> Not/Reasonable for inclusion within the TPO	16.5

PLANNING COMMITTEE

CHAIR: Cllr Suzanne Sanders

DATE:	23 September 2025
REPORT OF:	Head of Development Management
SUBJECT:	Appeal Decisions received during previous calendar months of July and August

24/00038/REF **HACCOMBE WITH COMBE** - Wren Cottage Newton Abbot
 Appeal against the refusal of planning application 23/01404/LBC
 Single storey extension

Appeal Dismissed. Delegated Decision

24/00039/REF **HACCOMBE WITH COMBE** - Wren Cottage Newton Abbot
 Appeal against the refusal of planning application 23/01403/HOU
 Single storey extension

Appeal Dismissed. Delegated Decision

24/00062/FAST **TEIGNMOUTH** - 18 Higher Yannon Drive Teignmouth
 Appeal against the refusal of planning application 24/01185/HOU
 Proposed external alterations, front and rear extensions and roof extension

Appeal Dismissed. Delegated Decision

25/00008/REF **DAWLISH** - Tudor Cottage Exeter Road
 Appeal against the refusal of planning application 24/01889/LBC
 Replacement of rear windows and door and side window

Appeal Dismissed. Delegated Decision

25/00010/REF

NEWTON ABBOT - Flat 3 27 Courtenay Park

Appeal against the refusal of 24/01371/LBC - Extension of rear dormers, amendments to fenestration and proposed roof lights

Appeal Dismissed. Delegated Decision

25/00011/REF

NEWTON ABBOT - Flat 3 27 Courtenay Park

Appeal against the refusal of 24/01370/FUL - Extension of rear dormers, amendments to fenestration and proposed roof lights

Appeal Dismissed. Delegated Decision

25/00016/REF

STOKEINTEIGNHEAD - Ivy Tree Store Rick Pastures

Appeal against the refusal of planning application 24/01893/FUL Outline for one self-build dwelling (all matters reserved) to replace existing store building

Appeal Dismissed. Delegated Decision

PLEASE NOTE THAT THE FULL TEXT OF THESE APPEAL DECISIONS IS AVAILABLE ON THE COUNCIL'S WEBSITE

TEIGNBRIDGE COUNCIL DISTRICT

PLANNING COMMITTEE

CHAIR: Cllr Suzanne Sanders

DATE:	23 September 2025
REPORT OF:	Head of Development Management
SUBJECT:	Major variation applications approved in previous calendar months

**THERE WERE NO SUCH APPLICATIONS DETERMINED IN THE MONTHS OF JULY
& AUGUST**

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