

## **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](http://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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