

# Agenda for Strategic Planning Committee

(additional meeting)

**Monday 20 February 2017, 2pm**



## [Members of the Strategic Planning Committee](#)

**Venue:** Council Chamber, Knowle, Sidmouth, EX10 8HL

[View directions](#)

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- 1 [Public speaking](#)
- 2 [Minutes of the Strategic Planning Committee meeting held on 17 January 2017](#)  
(pages 3 - 8)
- 3 Apologies
- 4 [Declarations of interest](#)
- 5 [Matters of urgency](#) – none identified
- 6 To agree any items to be dealt with after the public (including press) have been excluded. There are no items that officers recommend should be dealt with in this way.

## **Matters for Debate**

- 7 **Publication East Devon Villages Plan** (pages 9 - 59)  
The Villages Plan has reached an advanced stage of preparation and is now considered to be ready for 'Publication'. The report seeks a recommendation from the Committee to Council for pre-submission consultation on the Plan.
- 8 **Honiton Sports Pitch Strategy** (pages 60 - 113)  
The report updates the Committee on responses to the latest consultation on the Honiton Sports Pitch Strategy and recommends adoption of the Strategy.
- 9 **Neighbourhood Plan update** (pages 114 - 118)  
The report briefs Members on the recent ministerial statement on Neighbourhood Planning and provides a general update on Neighbourhood Plans in the District
- 10 **Pre-application charter and other planning related fees** (pages 119 - 133)  
The reports seeks agreement to a revised pre-application Charging Schedule and Customer Charter and to the introduction of further planning related fees to cover the costs of the services provided.

**11 Housing viability issues: Vacant Building Credit, Overage provisions and Rent to Buy housing products (pages 134 - 142)**

The report outlines three key issues affecting housing viability negotiations and seeks endorsement of the approach proposed by officers.

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[Decision making and equalities](#)

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## **EAST DEVON DISTRICT COUNCIL**

### **Minutes of a meeting of the Strategic Planning Committee held at Knowle, Sidmouth on 17 January 2017**

#### **Attendance list at end of document**

The meeting started at 10.00am and ended at 11.50am.

In the absence of the Chairman, the Vice Chairman, Cllr Bowden, chaired the meeting. The Committee agreed to Cllr Howe acting as Vice Chairman for the meeting.

#### **\*23 Public speaking**

The Chairman welcomed everyone present to the meeting. There were no members of the public that wished to speak.

#### **\*24 Minutes**

The minutes of the Strategic Planning Committee meeting held on 21 November 2016 were confirmed and signed as a true record.

#### **\*25 Declarations of interest**

Cllr Mike Howe; Minute 26

Interest - Personal

Reason: Property and business owner in Clyst St Mary

#### **26 Greater Exeter Strategic Plan – Local Development Scheme and other matters**

The report before the committee set out the next stages for agreement, in order to progress the production of the Greater Exeter Strategic Plan (GESP). These included:

- Agreement of a revised timetable, starting with consultation in February 2017 on an Issues Report, Greater Exeter Draft Statement of Community Involvement (SCI), and Housing and Employment Land Availability Assessment (HELAA) “call for sites”;
- Governance arrangement of each authority approving the GESP at each relevant stage; with a recommended member steering group consisting of the relevant portfolio holder from each of the five authorities; plus a joint informal advisory reference forum to comment on plan drafts. Member briefings would also be included to permit all councillors to review and comment on draft plan proposals;
- Agreeing the Issues Report for publication and consultation. This would fulfil a requirement to consult at an early stage, but also help introduce and explain the reasoning behind the agreed strategy;
- Supporting a joint SCI that covers GESP specific consultation only, as existing SCI policies for each authority do not currently match and would be time consuming to review and consolidate;
- Resourcing appropriately to deal with workload.

The committee were supportive of the recommendations, and comments included:

- Any work must also include co-operation with Somerset and Dorset – this would be included in the process of producing a GESP; Links should also be made with the Local Enterprise Partnership (LEP);
- The GESP needs to take into account the growth plan and economic aspirations of the district – the GESP was understood to be more than a “planner’s plan” with a strategic view covering other factors such as economic growth;
- Seeking assurances that the GESP would not subsume the Local Plan recently agreed – councillors were assured that the decisions still rested with them to agree as a Council, with the GESP following the same process as the Local Plan in

- requiring it to be evidence based. The GESP was explained as a strategic level of plan, not containing specific detail as found in some sections of the Local Plan;
- Working together with the other authorities at this early stage allowed greater scope for influence, including in aspects such as equitable distribution of housing allocation;
  - The GESP and the Local Plan were not in competition with each other – there would be a level of synergy between them; this meant moving away from the traditional tiered approach of plans to apply to applications, to material weight of factors from both plans;
  - Development Management Committee would refer to the Local Plan as taking preference on application decisions until the GESP emerges; then the GESP will start to carry greater weight, but only in the strategic elements of decision making;
  - Housing allocation numbers may well increase over the years purely because of the growing demand over time, but again any suggestion of number had to be evidence based;
  - Software previously identified for detailing land within the five-year land supply would be investigated to see if it could be used across the areas for efficiencies in linking up land identified for development;
  - Governance arrangements set out in the report were welcomed to ensure Councillor involvement, but concern was raised that there were too many forums and groups of a similar nature that could lead to duplication, differing influences and added pressure on busy councillors. Some form of rationalisation of the groups would be helpful;
  - Infrastructure in the greater Exeter area needed careful consideration and not just a review of the existing measures, and some of the problems with road junctions were used as examples; the strategic plan of the County Council would need to be taken into account with creating the GESP, and vice versa;
  - Keen to take opportunity to influence the plan for the wider area at this early stage to ensure that Councillors can comment on and influence the GESP.

**RECOMMENDATION that Council**

1. The process of production of the Greater Exeter Strategic Plan is agreed, noting that it may be subject to review as the plan is prepared;
2. The draft budget for 2017/18 includes £78,000 per annum for up to 3 years (with a review of resources after 2 years) be made available for the appointment of two additional temporary members of staff to provide sufficient capacity in the Planning Policy Team to be able to work on the Greater Exeter Strategic Plan, and to avoid delays in production of the planned Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) and other planning policy work to deliver the development proposed in the Local Plan.
3. In the event that recommendations 1 and 2 are agreed that the following actions to progress work on the Strategic Plan also be agreed:
  - a) The timetable for the Greater Exeter Strategic Plan;
  - b) The Local Development Scheme be updated to include the Greater Exeter Strategic Plan with immediate effect;
  - c) The Greater Exeter Strategic Plan be prepared under Section 28 of the Planning and Compulsory Purchase Act 2004, without the need for a statutory joint planning committee;

- d) a Member Steering Group be set up with a representative from each of the five councils, to which East Devon's Portfolio Holder for Strategic Development and Partnerships be appointed, with Portfolio Holder for Economy as his deputy;
- e) a joint informal advisory reference forum is set up consisting of 5 councillors each from Devon, East Devon, Exeter, Mid Devon and Teignbridge to consider and make comments on draft plan proposals before they are formally considered by each council;
- f) that the Strategic Planning Committee be authorised to deal with all aspects of the preparation of the Greater Exeter Strategic Plan on behalf of the Council, save for the final adoption of the Strategic Plan which shall remain with the Council;
- g) that resolving any inconsistencies arising from the decisions of individual councils is delegated to the Chief Executive in consultation with the Portfolio Holder for Strategic Development and Partnerships.

**RESOLVED:** that the Strategic Planning Committee:

1. Approve the "Issues" document and the draft Greater Exeter Statement of Community Involvement for consultation purposes;
2. Delegates authority to the Service Lead - Planning Strategy and Development Management to agree minor changes to wording, corrections and minor format changes which may be required and to agree to the consultation being carried out provided Council agrees recommendations 1 and 2 above.

**\*27 Proposed changes to New Homes Bonus**

The report updated the Committee on the implications of the government's provisional announcement of the Local Governance Finance Settlement on the bonus scheme.

The proposed changes to the scheme are:

- Reduction in the number of years payments are made from 6 years to 5 years in 2017 – 18, and then 4 years from 2018 – 19 for existing and future years allocation;
- No payment will be made on housing growth below 0.4% of the council tax base in each year.

Unless there was a change in government policy, there would be no grant by 2020. A white paper was pending from the government, but there was no indication at this stage of a replacement scheme. Councillors expressed the success of the scheme and concern on the implications if no replacement scheme was brought in.

**RESOLVED:** that the Strategic Planning Committee notes the District Council's Network briefing note on proposed changes to the New Homes Bonus, and writes to each local Member of Parliament to outline the implications of the scheme reduction.

**28 Adoption of Gypsy and Traveller Site Design and Layout Supplementary Planning Document**

The Gypsy and Traveller Site Design and Layout Supplementary Planning Document, previously considered by the committee, had been subject to consultation. Feedback from that consultation had been considered and some amendment made to produce the final plan before the committee.

A further report would come forward on the implications of implementation and cost of delivery of such sites; this report covered setting a standard for sites.

**RESOLVED:** that the amendments to the Gypsy and Traveller Site Design and Layout Supplementary Planning Document be agreed.

**RECOMMENDED:** that Cabinet adopts the Gypsy and Traveller Site Design and Layout Supplementary Planning Document, as agreed by the committee.

**\*29 Heat Network Strategies for the West End**

The report by the Projects Director for the Exeter and East Devon Growth Point set out in technical detail the development of heat networks and energy networks, including the analysis by the Centre for Energy and Environment. Working towards bringing forward technologies and energy sources locally were stressed, linked to the original zero carbon objective. This necessitated a need for a heat network strategy to make provision that enables the scaling up of renewable energy technologies to deliver increased CO2 emissions reduction. The strategy would be used as part of the evidence base for the Cranbrook Development Plan Document (DPD).

The technologies were an exciting opportunity for ground-breaking work at Cranbrook on energy delivery.

Comments by councillors included:

- Ensure clear cost analysis on the technologies proposed, so that technologies adopted for energy delivery were not expensive. In response, explanation was given on the robust examination of the Cranbrook DPD of which this strategy would form part of the evidence base and so be fully tested;
- Need for more education of councillors on the technologies available;
- Look for co-operation, competitiveness and sustainability from energy providers.

**RESOLVED:**

1. that the 'Heat Network Strategies for the West End' report be adopted as part of the evidence base for the Cranbrook Development Plan Document (DPD);
2. that the recommendations in the 'Heat Network Strategies for the West End' report form the basis for framing policies and proposals within the Cranbrook DPD for achieving zero carbon development at Cranbrook, and inform subsequent decision making on development proposals at Cranbrook and the wider West End.

**\*30 South Marine Plan Draft for consultation – November 16**

The draft plan by the Marine Management Organisation is currently under consultation until late January 2017. The draft plan, when adopted, contains policies that, as well as guiding development that affects the marine environment, could also be relevant to the consideration of planning applications with close links to the coast, with a direct overlap between terrestrial planning and the "intertidal" zone. The report set out what elements of the proposed plan were most relevant to the Council.

Legal observations were amended to those shown on the printed agenda as being "contained within the report".

In response to a question about the involvement of the Ministry of Defence, the response was that they were sometimes required as a consultee, but this was rare. However the adoption of the plan gave clear policy to consider if such a planning application arose – examples given included for an offshore wind farm.

**RESOLVED:**

1. that the Strategic Planning Committee recognises the importance of the draft Marine Plan to the activities of the Council, including planning decisions, policy development and advice on neighbourhood planning;
2. that the Council submits comments of support in response to the consultation on the draft Marine Plan.

**31 Status of Planning Guidance**

The report set out the consolidation process of planning guidance, to seek out elements that were now outdated or superseded. This included relating to sites that have been developed, and the adoption of a new Local Plan.

The specific elements were set out in the report for the committee to consider for withdraw, including the reasons for removing it. This consolidation would give clarity to the Development Management Committee on planning guidance for their use in determination of planning applications.

The work of the service was commended in ensuring that relevant guidance was retained and updated.

**RECOMMENDED:** that Cabinet confirms withdrawal of the Planning Guidance shown in the table at 2.5 listed as 'Withdraw' in the committee report "Status of Planning Guidance" as reported to the Strategic Planning Committee on 17 January 2017.

**RESOLVED:** that the Strategic Planning Committee;

1. Confirms that the former Supplementary Planning Guidance documents listed in the table at 2.5 as "Change status to endorsed" in the committee report be used as guidance to inform decision making.
2. Notes the further work required to update the Conservation Area Appraisals and agrees that the existing documents continue to be used as guidance to inform decision making in the meantime.

**Attendance list**

**Committee Members:**

Councillors

Peter Bowden – Vice Chairman in the Chair

Mike Howe – Acting Vice Chairman

Mike Allen

Susie Bond

Peter Burrows

Jill Elson

Graham Godbeer

Geoff Jung

David Key

Rob Longhurst

Philip Skinner

Brenda Taylor

Mark Williamson

**Also present (present for all or part of the meeting):**

Councillors:  
Geoff Pook  
Colin Brown  
Brian Bailey  
Tom Wright  
Peter Faithfull

**Officers present (present for all or part of the meeting):**

Mark Williams, Chief Executive  
Matt Dickins, Planning Policy Manager  
Ed Freeman, Service Lead – Strategic Planning and Development Management  
Chris Rose, Development Manager  
Henry Gordon Lennox, Strategic Lead – Governance and Licensing  
Debbie Meakin, Democratic Services Officer

**Apologies**

**Committee Members:**

Andrew Moulding

Chairman ..... Date.....



**Report to:** Strategic Planning Committee  
**Date of Meeting:** 20 February 2017  
**Public Document:** Yes  
**Exemption:** None  
**Review date for release** None



**Agenda item:** 7

**Subject:** Publication East Devon Villages Plan

**Purpose of report:** To agree the East Devon Villages Plan for Publication.

**Recommendation:** That it is recommended to Council:

1. That approval is given for the attached East Devon Villages Plan (and documentation that underpins the Plan) to be 'published' for a period of six weeks to allow formal comments to be made,
2. Following the six week period the East Devon Villages Plan be submitted for examination together with any comments received during that period,
3. That the Built-up Area Boundaries defined in the Publication Villages Plan, from the 23 February 2017, be used as primary policy for development management purposes instead of the boundaries on the inset plans included in the previously adopted Local Plan.

**Reason for recommendation:** The Villages Plan has reached an advanced stage of preparation and is now considered to be ready for 'Publication'. This is a formal stage of plan preparation that occurs when the Local Planning Authority consider the plan to be ready for examination. Before submitting the plan to the Secretary of State all the proposed submission documents must be made available for public inspection and any comments received are sent to the appointed Inspector for consideration. Annex 1 to the National Planning Policy Framework (NPPF) advises that increasing weight can be given to plans that have reached an advanced stage of preparation, although this can be limited by the level of unresolved objections and any conflicts with the NPPF.

**Officer:** Linda Renshaw Email: [lrenshaw@eastdevon.gov.uk](mailto:lrenshaw@eastdevon.gov.uk)  
Tel: 01395 571683

**Financial implications:** None

**Legal implications:** The procedural requirements for adoption of a development plan document require a draft to be published and for there to be a period of consultation on this prior to the submission of the plan (and any comments made) for examination. This report seeks authority to complete this stage of the process. The further the development plan document has progressed towards adoption then the greater the weight that can be given to it. The publication stage is the final stage prior to examination and therefore much more weight can be placed on the policies, although clearly not as much as following examination or adoption. The extent to which there are unresolved objections to the content will also go to the weight that can be given to it. Notwithstanding these comments, weight can clearly be given to the content of the plan in decision making and hence the third recommendation which seeks to replace the boundaries contained on the inset maps of the old local plan for those contained in this plan as the main policy for determining applications, which seems justified and sound.

**Equalities impact:** Low Impact  
At this stage no specific negative equality impact issues have been identified. An Equalities Impact Assessment has been undertaken and is available at [Villages plan 2017 - East Devon](#)

**Risk:** Medium Risk  
The progress of the Villages Plan is an important component for achieving up-to-date planning policies for the settlements concerned and will be important in the determination of planning applications.

**Links to background information:**

- All supporting documents to the proposed publication villages plan are available at [Villages plan 2017 - East Devon](#) and include:
  - A Sustainability Appraisal/Strategic Environmental Assessment;
  - A screening report in respect of Habitats Regulation;
  - A Consultation Statement, that summarises responses received to the previous consultation;
  - An Equalities Impact Assessment;
  - 'Site by Site' assessments of individual settlements;
  - An Assessment of Potential Appropriateness and Suitability of Greendale and Hill Barton Business Parks for Further Expansion;

- A monitoring statement on housing levels in the villages and rural areas; and
- A vitality assessment of Beer and Colyton.
- The draft villages plan that was consulted on in 2016, together with supporting documents and the full consultation responses received is available at [Village plan 2016 consultation - East Devon](#)
- The draft villages plan consulted on in 2014 and associated work is available at [Village document library - Villages plan 2014 - East Devon](#)
- Comments received on summer 2015 consultation on criteria for defining BUAB's are available at [Proposed criteria for revised built-up area boundaries - East Devon](#)
- The report for the Strategic Planning Committee of 21/07/16 is at <http://eastdevon.gov.uk/media/1795637/210716-combined-strategic-planning-committee-agenda.pdf>
- The report for the Development Management Committee of 03/11/2015 is at <http://eastdevon.gov.uk/media/1354068/031115-combined-dmc-agenda-compressed.pdf>
- The report for the Development Management Committee of 08/03/2016 is at <http://eastdevon.gov.uk/media/1563488/080316-combined-dmc-agenda-compressed.pdf>
- The Lympstone Neighbourhood Plan may be viewed at <http://eastdevon.gov.uk/media/1091870/lnp-final-referendum.pdf>
- Progress on neighbourhood planning is at [Neighbourhood plans being produced in East Devon - East Devon](#)

**Link to Council Plan:**

Encouraging communities to be outstanding, developing an outstanding local economy and delivering and promoting our outstanding environment.

## **1. Context for East Devon Villages Plan**

- 1.1 The East Devon Villages Plan is at an advanced stage of preparation. Its main purpose is to guide planning applications in the certain settlements (generally the larger villages and Colyton). It also deals with the Greendale and Hill Barton industrial areas. The main context for the Villages Plan is provided by the adopted East Devon Local Plan.

## **2. Purpose of Report**

- 2.1 This report seeks approval for pre-submission consultation on the attached Publication East Devon Villages Plan. The proposed publication plan:
- sets out the scope of the plan;
  - explains the relationship between the Local Plan and the Villages Plan;

- explores the relationship between the Villages Plan and neighbourhood planning;
  - includes a section for each of the settlements considered in the plan, together with Greendale and Hill Barton Business Parks;
  - includes a plan for each settlement showing the proposed Built-up Area Boundary;
  - includes specific policies to help retain the vitality of the centres of Beer and Colyton; and
  - contains appendices that include relevant extracts from the Local Plan.
- 2.2 The draft plan is supported by a number of technical documents that include:
- A Sustainability Appraisal/Strategic Environmental Assessment;
  - A screening report in respect of Habitats Regulation;
  - A Consultation Statement, that summarises responses received to the previous consultation;
  - An Equalities Impact Assessment;
  - 'Site by Site' assessments of individual settlements;
  - An Assessment of Potential Appropriateness and Suitability of Greendale and Hill Barton Business Parks for Further Expansion;
  - A monitoring statement on housing levels in villages; and
  - A vitality assessment of Beer and Colyton.

### **3. Summary of Work on the Villages Plan so far**

- 3.1 Work on the Villages Plan commenced in 2012 and much was done by Parish Councils to consult their communities on development options within the 42 settlements then proposed to have defined Built-up Area Boundaries. A draft consultation villages plan was consulted on in early 2014, around the same time as the first hearing sessions on the Local Plan.
- 3.2 Following the receipt of the Inspectors initial Local Plan letter of 31<sup>st</sup> March 2014, further work was undertaken on the suitability of rural settlements for development. This work informed revisions to Strategy 27 of the Local Plan (which lists the settlements to have Built-up Area Boundaries defined). Key changes to the policy included reducing the number of settlements identified to 15, removing the development levels attributed to each settlement and including references to neighbourhood planning.
- 3.3 Draft criteria for defining Built-up Area Boundaries were consulted on during the summer of 2015. The main issues raised were summarised for the Development Management Committee meeting of 3<sup>rd</sup> November 2015, when it was resolved to put further work on hold until the Inspectors report was received.
- 3.4 A report setting out further progress and recommending minor changes to the proposed criteria for defining BUAB's to take account of consultation responses was considered by Development Management Committee on 8<sup>th</sup> March 2016.

- 3.5 A draft Villages Plan was agreed for consultation at the Strategic Planning Committee of 12<sup>th</sup> July 2016 and was available for consultation from 3<sup>rd</sup> August until 28<sup>th</sup> September 2016. Around 250 comments were received and a consultation statement has been prepared which summarises the main points raised and sets out how the publication plan has changed as a result. A link to this document is available in the Background Papers section of this report.
- 3.6 As may be expected a range of comments were received on both general issues and specific sites. Developer and landowner interests tended to criticise the approach of not allocating sites or drawing boundaries to actively facilitate additional development. Some respondents raised the issue of whether the Villages Plan would facilitate the number of new homes set out in Table 2 of the adopted Local Plan. A report has now been prepared that sets out the number of new homes in the 'pipeline' for the villages and rural areas and this shows that the housing supply for these areas is broadly in line with the levels set out in the Local Plan (see links to background information). Generally speaking, local residents tended to favour the proposed boundaries, although some people who may wish to develop in their gardens in the future objected if they were proposed for exclusion. There were significant levels of support for the proposed approach to Greendale Business Park, but also some representations from businesses opposing the approach of development constraint.

#### 4. Brief Summary of Draft Villages Plan

- 4.1 The proposed Publication Villages Plan is attached for consideration in full, but Members attention is drawn to the following main points.
- 4.2 Publication – authority is sought to make the proposed publication plan available for formal comment for a six week period. This is a formal stage of plan making that happens when the Local Planning Authority consider that a plan is 'sound' and ready to be submitted for examination by an Inspector. Whilst there is the opportunity for individuals, groups and organisations to submit formal comments on the proposed submission documents, these comments are expected to be forwarded to the Inspector rather than used by the Local Planning Authority to further refine the plan.
- 4.3 Plan Context and Scope – the context for the Villages Plan is the adopted Local Plan, which was found by the Local Plan Inspector to be compliant with the National Planning Policy Framework. Robust evidence was presented to the Local Plan Inspector to support the rural settlement approach in the local plan. The Villages Plan will translate adopted Local Plan policy to the village level and the critical issue is that the adopted Local Plan policy provides for development at 14 larger villages and the town of Colyton. A key policy to allow for and provide clarity in respect of where development may be acceptable in these villages is the definition of Built-up Area Boundaries. In other smaller villages and rural areas not specifically named under Strategy 27 there will not be Built-up Area Boundaries, though there is some flexibility under other Local Plan Policies for limited additional

development. More importantly Strategy 27 allows for communities to promote additional development through Neighbourhood Plans or community led development (this provision is not just restricted to the settlements explicitly listed in Strategy 27). The Local Plan also states that Greendale and Hill Barton Business Parks will have their own inset plans as part of the Villages Plan, although these Business Parks are in the countryside and will not have a Built-up Area Boundary and therefore policies relevant to such boundaries will not apply at these business parks.

- 4.4 Alternative Approaches to defining BUAB's – During the plan preparation alternative approaches to defining BUAB's have been considered, but the BUAB approach has been retained because it provides the highest degree of certainty to local communities, landowners and developers and alternative allocations are best dealt with through the neighbourhood planning process. The main approach followed to define the BUAB has been criteria based and this has been applied to individual sites as set out in detail in the 'site by site' assessments for each settlement. However, in the settlements of Newton Poppleford and West Hill the criteria based approach has been varied by the adoption of additional considerations that take into account how readily local services and facilities can be accessed on foot. In comparison with the boundary in the former adopted local plan, in the case of Newton Poppleford, it is recommended that some areas to the western part of the village are excluded from the BUAB due to the difficulties of getting to the main facilities that are towards the east of the village. This approach is also recommended for West Hill, although since the consultation on the draft plan this approach has been refined to include additional areas as detailed at the end of the site by site assessment for West Hill.
- 4.5 Hill Barton and Greendale Business Parks – The adopted Local Plan advises that these two business parks will feature in the Villages Plan. These two business parks, in planning policy terms, are in the countryside where the policy of development constraint applies. The inset maps for the two business parks do not set out a policy or development boundary but rather, for information purposes, they include a line showing the 'Extent of Authorised Business Uses'.
- 4.6. Main Changes from Consultation Draft Plan August 2016  
The draft plan of August 2016 included justification for the approach of using BUAB's and discussion of alternative approaches and details of how BUAB's had been defined that is not necessary in the final plan. In terms of individual settlements the main differences between the two plans are highlighted below and full details of how individual sites were assessed against the criteria set and the refinement of this approach for Newton Poppleford and West Hill are included in the 'Site by Site' assessments for individual settlements.
- Beer – the majority of the western part of the village and the new housing at Little Hemphay and Bluff Terrace are now included in the BUAB. The wording of policy Beer 01 – Village Centre Vitality now reflects that of Policy E9 of the adopted Local Plan.

- Broadclyst – the community orchard and car park in front of the primary school are now excluded and the new buildings at the secondary school included.
- Clyst St. Mary – no change to the preferred approach boundary.
- Colyton – part of the former Ceramtec site is now included together with part of a former garage site. Policy 01 has been changed to reflect the wording of Policy E9 of the adopted Local Plan.
- East Budleigh – minor change to exclude parts of three gardens.
- Feniton – the ‘Ackland Park’ site and is included but the land adjoining the railway on the ‘nursery’ site is excluded.
- Kilmington – additional land to south west of village is now included.
- Musbury – both the ‘Mountfield’ land and ‘Baxter’s Farm’ site (including village hall) are now included.
- Newton Poppleford – minor change to reflect size of King Alfred Way planning permission and preferred approach boundary followed, which excludes western part of village that was included in previously adopted local plan.
- Sidbury – no changes to preferred approach boundary.
- Uplyme – boundary now follows that proposed in the Uplyme Neighbourhood Plan.
- West Hill – preferred approach boundary largely followed, but with some limited expansion.
- Whimble – no change to preferred approach boundary.
- Woodbury – no change to preferred approach boundary.

# East Devon Villages Plan

Proposed Submission Plan  
Published for Consultation from  
?? March 2017 to ?? April 2017





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Insert text with details of how to comment on the plan and refer to statement of representation procedure

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## 1 Introduction

- 1.1 The East Devon Villages Plan forms part of a series of documents that set out policies and proposals for land use planning in East Devon. Taken together these documents comprise the ‘development plan’, which guides where development will go and how planning applications will be determined. All of the documents in the development plan must be broadly in line with the Government’s planning policies, which are set out in the National Planning Policy Framework (available at [Policy | Planning Practice Guidance](#)). Further Government advice on planning is contained in the Planning Practice Guidance (available at [Guidance | Planning Practice Guidance](#)).
- 1.2 The main document that sets out planning strategy for East Devon is the East Devon Local Plan 2013 to 2031, which was adopted on 28<sup>th</sup> January 2016 and is available at [Local Plan 2013-2031 - East Devon](#) (referred to in this document as ‘The Local Plan’). This sets out planning policies for the whole of East Devon and includes detailed policies for the main towns and rural areas. Strategy 6 of the Local Plan effectively says that development will be allowed within defined ‘Built-up Area Boundaries’ (BUAB’s), subject to certain criteria. Strategy 7 sets out the over-arching policy of constraint for development outside boundaries. The full text of Strategy 6 and Strategy 7 is shown in **Appendix 1**. The Local Plan defines BUAB’s for the main towns of Axminster, Budleigh Salterton, Exmouth, Hointon, Ottery St. Mary, Seaton and Sidmouth. It goes on to state that, through the Villages Plan, BUAB’s will be defined on maps around the other settlements of East Devon that are appropriate to accommodate growth and development. These settlements are listed in Strategy 27 of the local plan as Beer; Broadclyst; Clyst St. Mary; Colyton; East Budleigh; Feniton; Kilmington; Lympstone; Musbury; Newton Poppleford; Sidbury; Uplyme; West Hill; Whimple and Woodbury.
- 1.3 Strategy 27 states that the settlements listed will have a BUAB designated in the Villages Plan but will not have land specifically allocated for development, although additional development may be promoted through a Neighbourhood

Plan or community led development. The full text of Strategy 27 is shown in **Appendix 2**.

- 1.4 In addition to the plans produced by East Devon District Council, many local communities are producing their own 'neighbourhood plans'. When a neighbourhood plan is finalised or 'made', it also forms part of the development plan (which guides developments and planning applications). Lympstone has a made neighbourhood plan that defines the BUAB and other neighbourhood plans may be produced which define BUAB's. The plans included in this document are correct as of February 2017, but it is important to recognise that they may be superseded by a neighbourhood plan being made. In order to view the appropriate BUAB it will be necessary to check both this plan and any made neighbourhood plan for the settlement concerned. The inset maps in this document only show boundaries considered through the Villages Plan. Other policies/designations may also be relevant to development proposals and these are indicated on the proposals maps of the East Devon Local Plan, which is available (including in interactive form) at [Local Plan 2013-2031 - East Devon](#).
- 1.5 The production of this plan has been informed by several rounds of consultation with local communities, statutory authorities and other interested parties and a consultation statement has been produced to summarise this process. In addition the work has been informed throughout its production by a Sustainability Appraisal/Strategic Environmental Assessment, and a screening report in respect of Habitats Regulation considerations. Further supporting documents include an Equalities Impact Assessment, 'Site by Site' assessments of each settlement, an Assessment of Potential Appropriateness and Suitability of Greendale and Hill Barton Business Parks for Further Expansion, a monitoring statement and vitality survey work for the centres of Beer and Colyton. All these documents are available at the Council Offices in Sidmouth and online at [Villages plan 2017 - East Devon](#).

## **2. Beer**

- 2.1 Beer is located on the Jurassic Coast two kilometres to the west of Seaton. Much of the village falls within the East Devon Area of Outstanding Natural Beauty, whilst the cliffs and foreshore form part of the UNESCO World Heritage Coast as well as being designated a Site of Special Scientific Interest.
- 2.2 There is a large Conservation Area which contains around 40 listed buildings.
- 2.3 The village has a population of around 1600 people and 750 houses, although about 20% of these are second or holiday homes. Beer village centre contains a mix of uses which include shops and other businesses that meet the everyday needs of local residents as well as businesses which serve the tourist and visitor market. The village centre also provides holiday accommodation in the form of hotels, guest houses and short term holiday lets, as well as some residential accommodation.
- 2.4 Tourism is the main economic activity and the high number of homes rented as short-term visitor accommodation (as opposed to second homes) is one of the main reasons the village centre has such a good range of facilities. The village centre is largely confined to Fore Street and has commercial premises throughout its length. These are mainly retail premises but there also several cafes, restaurants, pubs and takeaways. Although there are clusters of dwellings and holiday lets in certain parts of Fore Street, there is generally a balanced spread of uses throughout the street. Change of use of attractions to higher value uses, e.g. residential, would reduce tourist activity and, whilst it might mean that some houses are brought back into private occupation, it is likely that the local economy would suffer and shops and facilities would close. Policy Beer 01 will help to protect the diversity and vitality of the village centre.

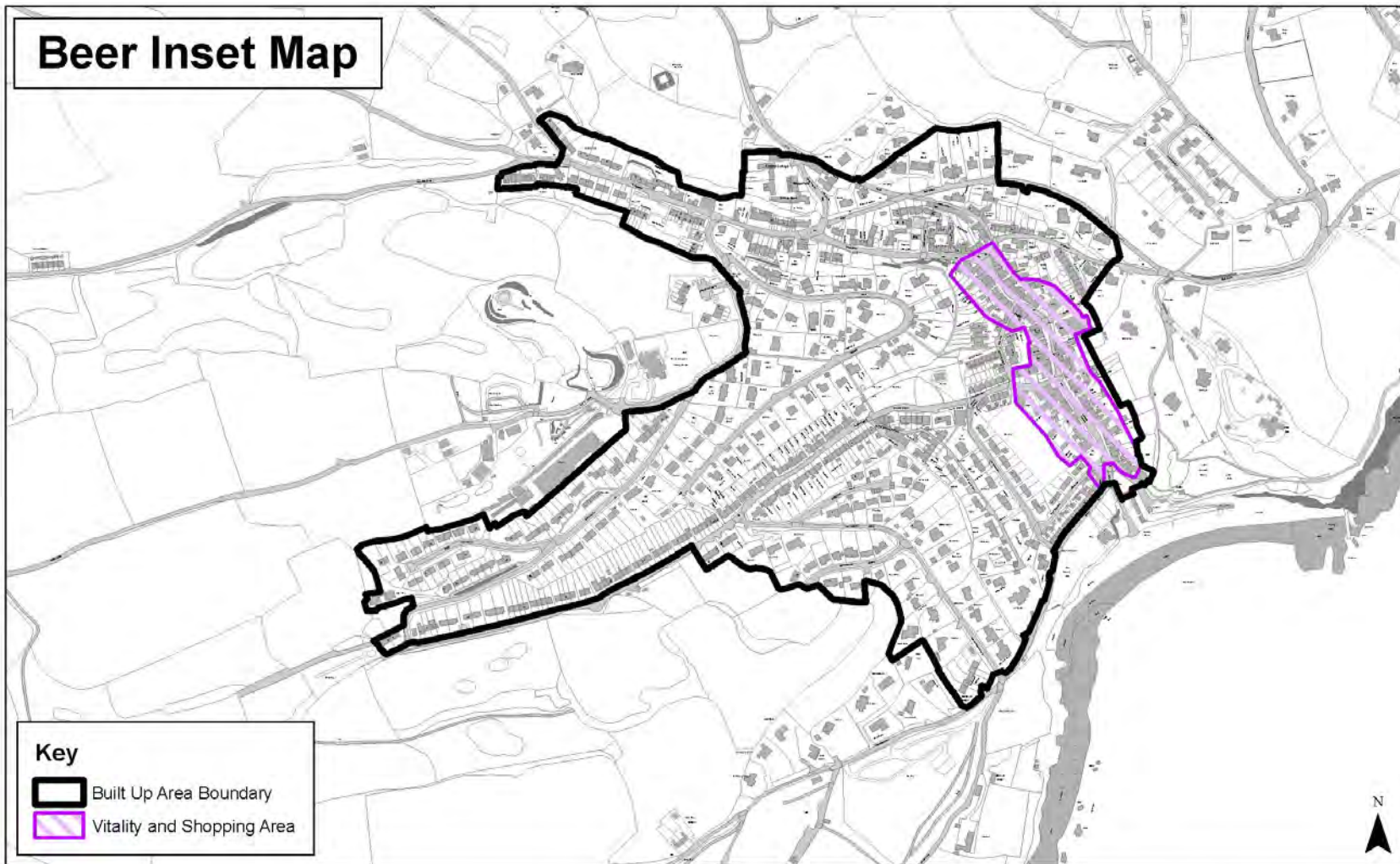
### **Policy Beer 01 - Village Centre Vitality**

Within the Beer vitality and shopping area defined on the Beer inset map, proposals for main town centre uses (as defined in the National Planning Policy Framework) will be permitted provided the use would:

1. maintain or enhance the character and diversity of such uses in the village centre; and
2. maintain or enhance the vitality and viability of the village centre.

Proposals for other uses will not be permitted unless it has been clearly demonstrated that the site has been marketed without interest for all appropriate main town centre uses at a realistic price for at least 12 months (and up to two years depending on market conditions) and offered to the local community for their acquisition/operation.

Permission will be subject to the retention of the shopfront.



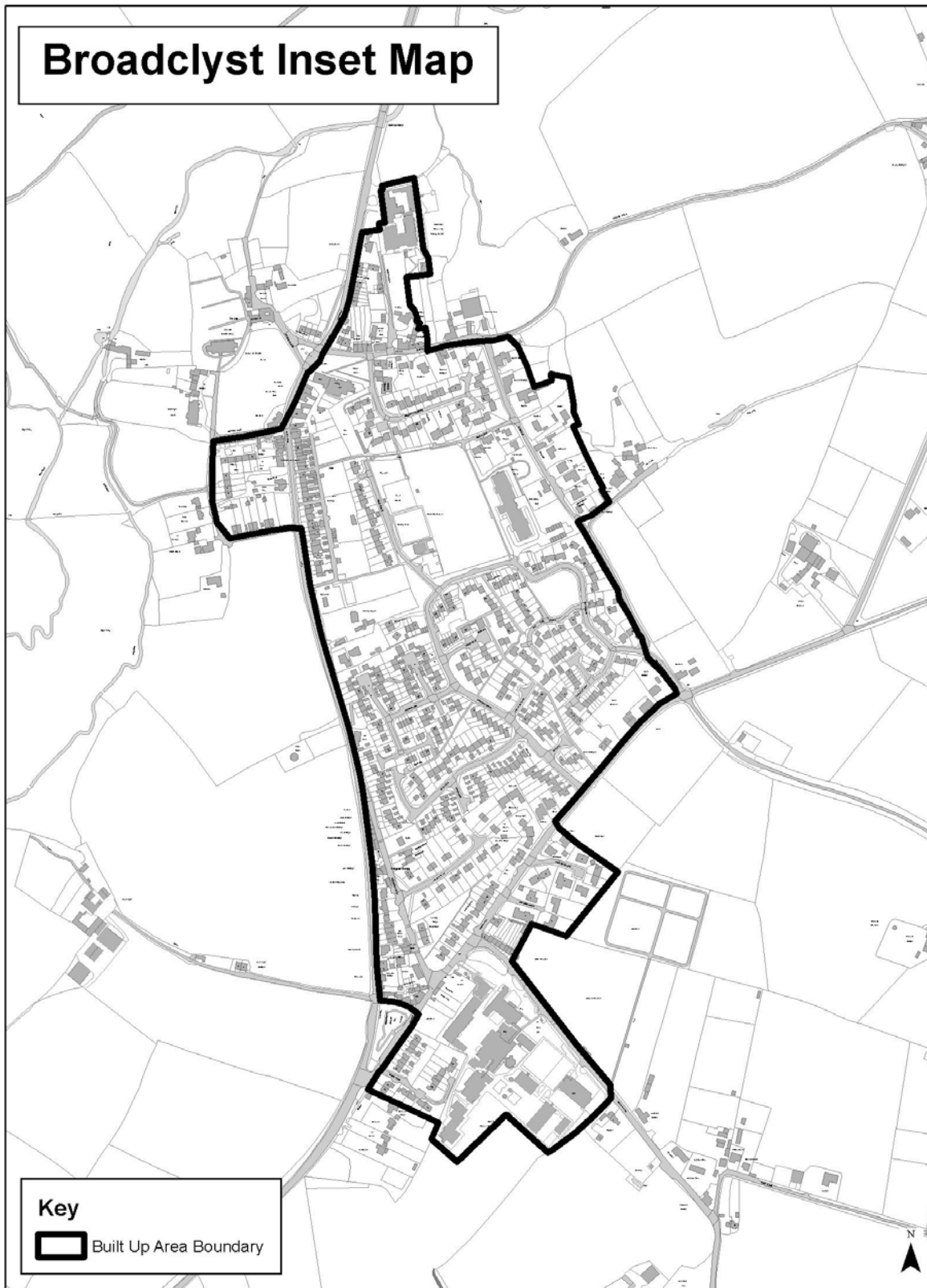
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### **3 Broadclyst**

- 3.1 Broadclyst is located around 3km (1.5 miles) to the north east of Exeter. It has a wide range of services and facilities, including a secondary school. It is one of the best preserved of the large Devon estate villages and much of the land surrounding the village is owned by the National Trust. There is a conservation area in the northern part of the village and a number of listed and other historic buildings in the village.
  
- 3.2 Whilst the main shops, primary school, doctor's surgery, church and social/recreational facilities are located towards the north of the village, the secondary school is on the southern periphery. However, there are good footpaths linking the village north to south and the distances involved are less than 1250m with no substantial barriers to walking and cycling across the village.

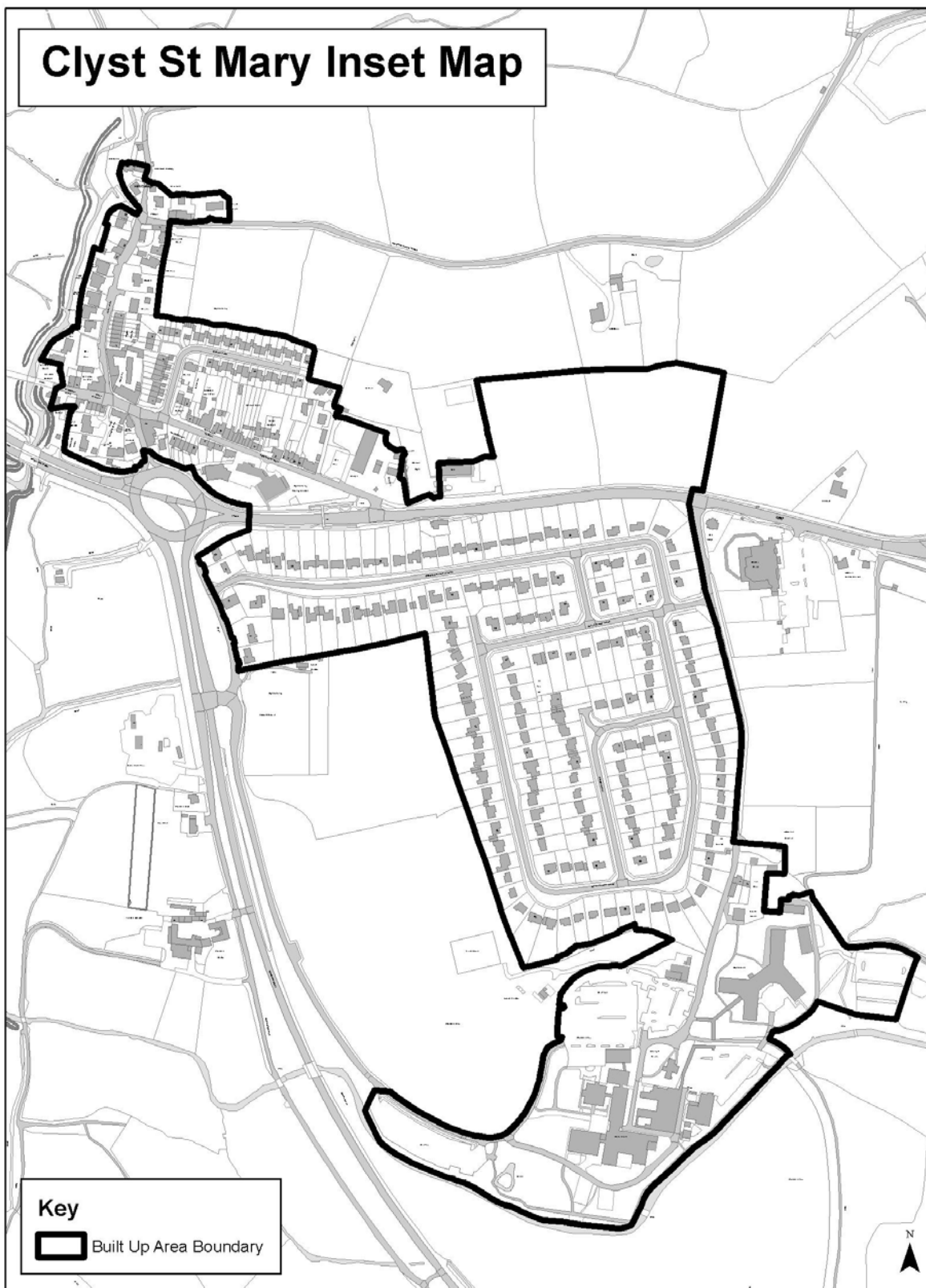




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## **4 Clyst St Mary**

- 4.1 Clyst St Mary is located east of Exeter, and within one kilometre (0.5 miles) of Junction 30 of the M5. The village centre is sited to the north and east of the large roundabout junction of the A376 and A3052. The older part of the village is located to the north of the A3052 with a late 20th Century housing estate to the south. To the south of this is a large office complex (Winslade Park) set in attractive parkland. Just to the east of the village is the County Showground and Westpoint Arena.
- 4.2 There is good public transport, access to employment opportunities and a range of services and facilities, but some of the village is at flood risk. Clyst St Mary is also very close to the city of Exeter which offers further facilities and employment.
- 4.3 The Winslade Park Office complex is vacant and has been allocated for a mixed use development to accommodate 150 dwellings and 0.7 hectares of employment land in the adopted Local Plan.



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## **5 Colyton**

- 5.1 Colyton has a good range of services and facilities that serve a wide rural area. It is an historic settlement with a large conservation area and numerous listed buildings (around 60 Listed Buildings in the Conservation Area).
- 5.2 Colyton has a small but diverse town centre which meets many of the day to day needs of local residents and the wider rural population. Such provision within the town is an incentive for local residents to support their local economy, build a thriving community and reduces the need to travel to other shopping centres by car. A healthy and vibrant local shopping centre helps to contribute towards the objectives of sustainable development.
- 5.3 The majority of the business premises are located around the Market Place although there are a small number elsewhere in the town centre. The main risk to the vitality of the area is the loss of business premises to residential uses and any erosion of shops and services would undermine the viability of the town centre and its functional importance as a meeting place and draw for tourism. Policy Colyton 01 – Town Centre Vitality will help to protect the diversity and vitality of the village centre.

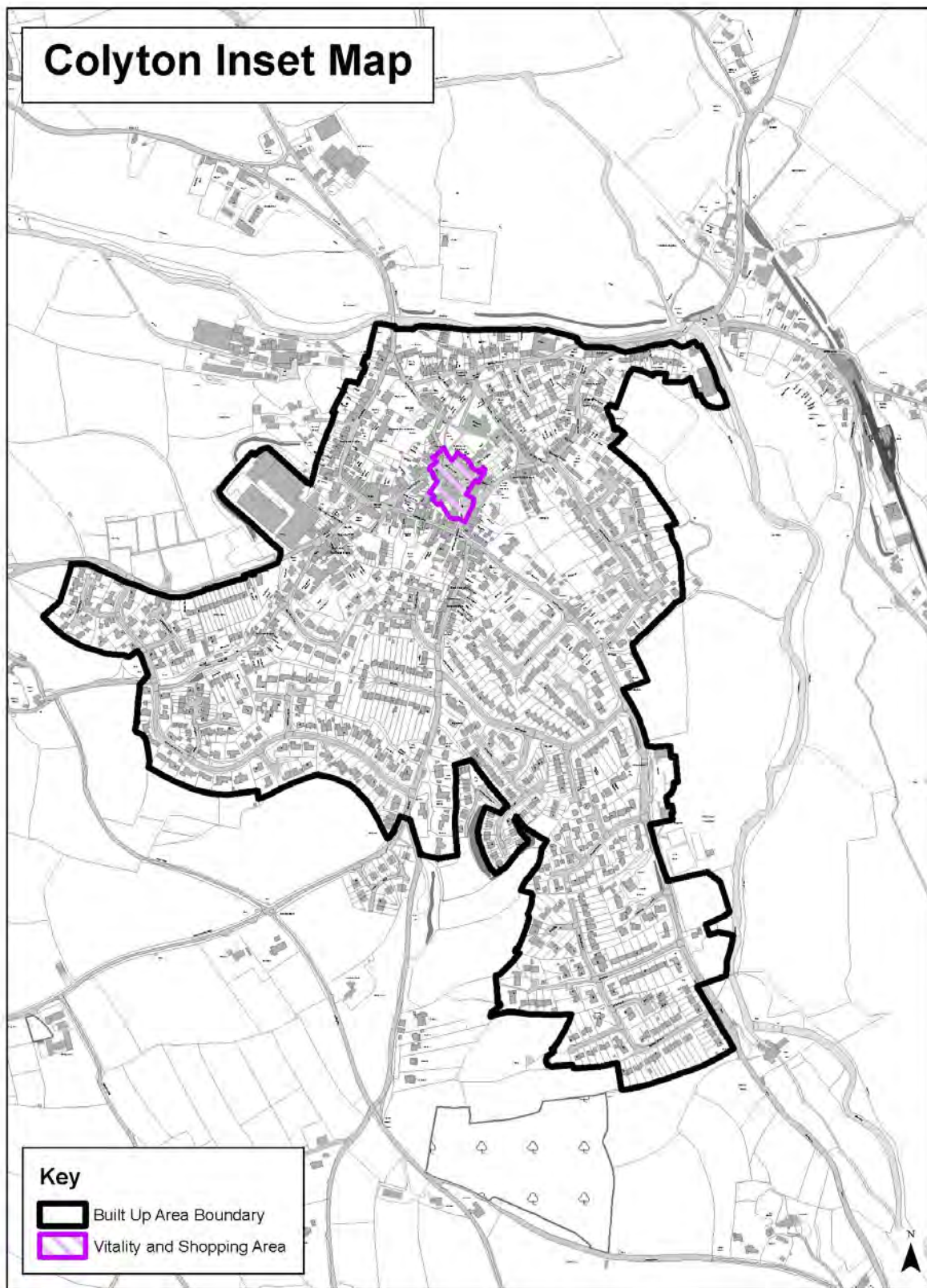
### **Policy Colyton 01 – Town Centre Vitality**

Within the Colyton vitality and shopping area defined on the Colyton inset map, proposals for main town centre uses (as defined in the National Planning Policy Framework) will be permitted provided the use would:

1. maintain or enhance the character and diversity of such uses in the town centre; and
2. maintain or enhance the vitality and viability of the town centre.

Proposals for other uses will not be permitted unless it has been clearly demonstrated that the site has been marketed without interest for all appropriate main town centre uses at a realistic price for at least 12 months (and up to two years depending on market conditions) and offered to the local community for their acquisition/operation.

Permission will be subject to the retention of the shopfront.

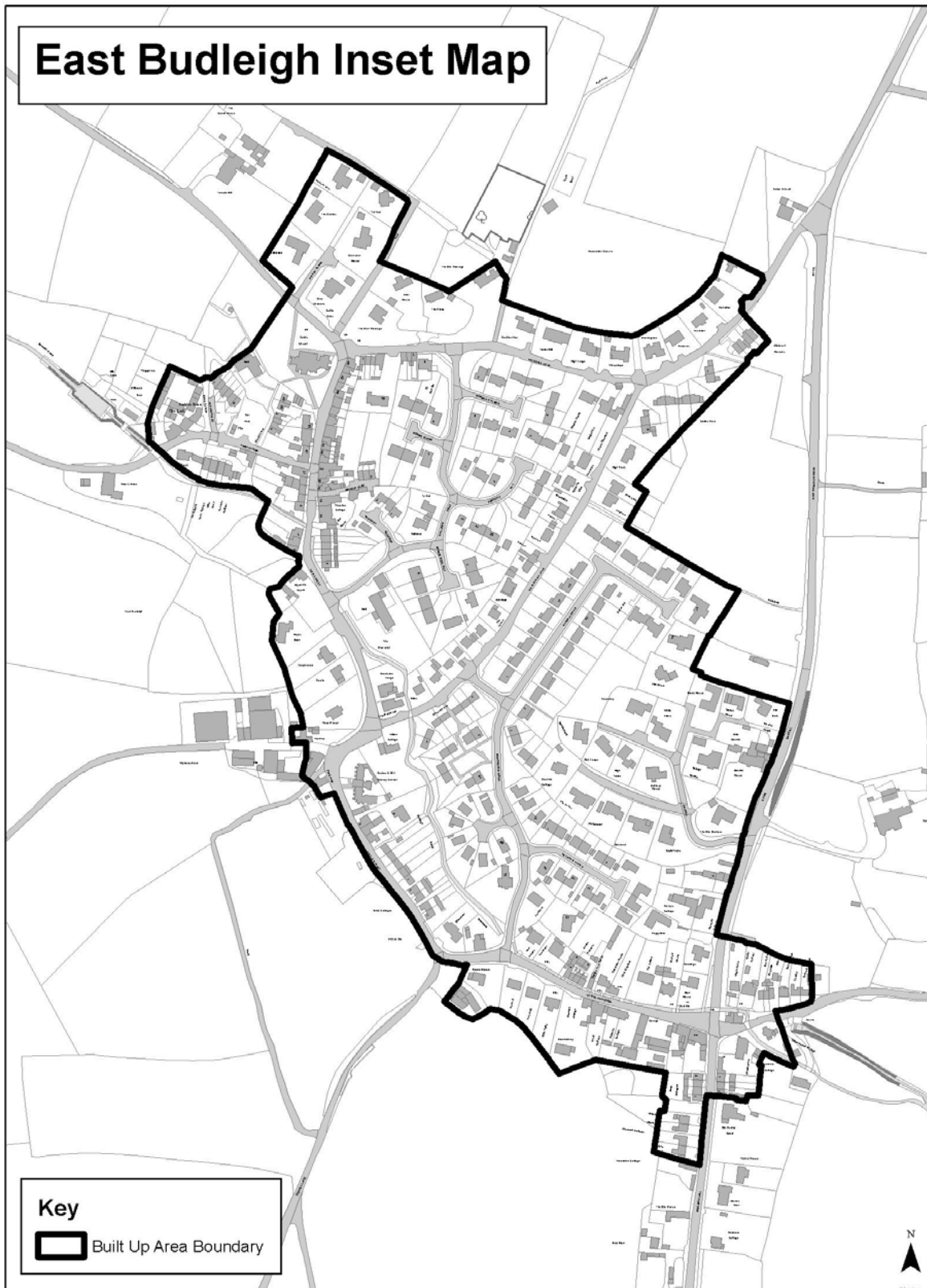


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0 0.04 0.08 0.16 0.24 0.32 Kilometers

## **6 East Budleigh**

- 6.1 East Budleigh is an attractive village containing many cob and thatched cottages. It lies within the East Devon AONB. The Conservation Area is relatively small in relation to the village as a whole and is mainly concentrated around High Street and the Parish Church.
  
- 6.2 The B3178 is a busy main road which bisects the village, creating a perception of separation between the main village and the small group of houses to the east.



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## **7 Feniton**

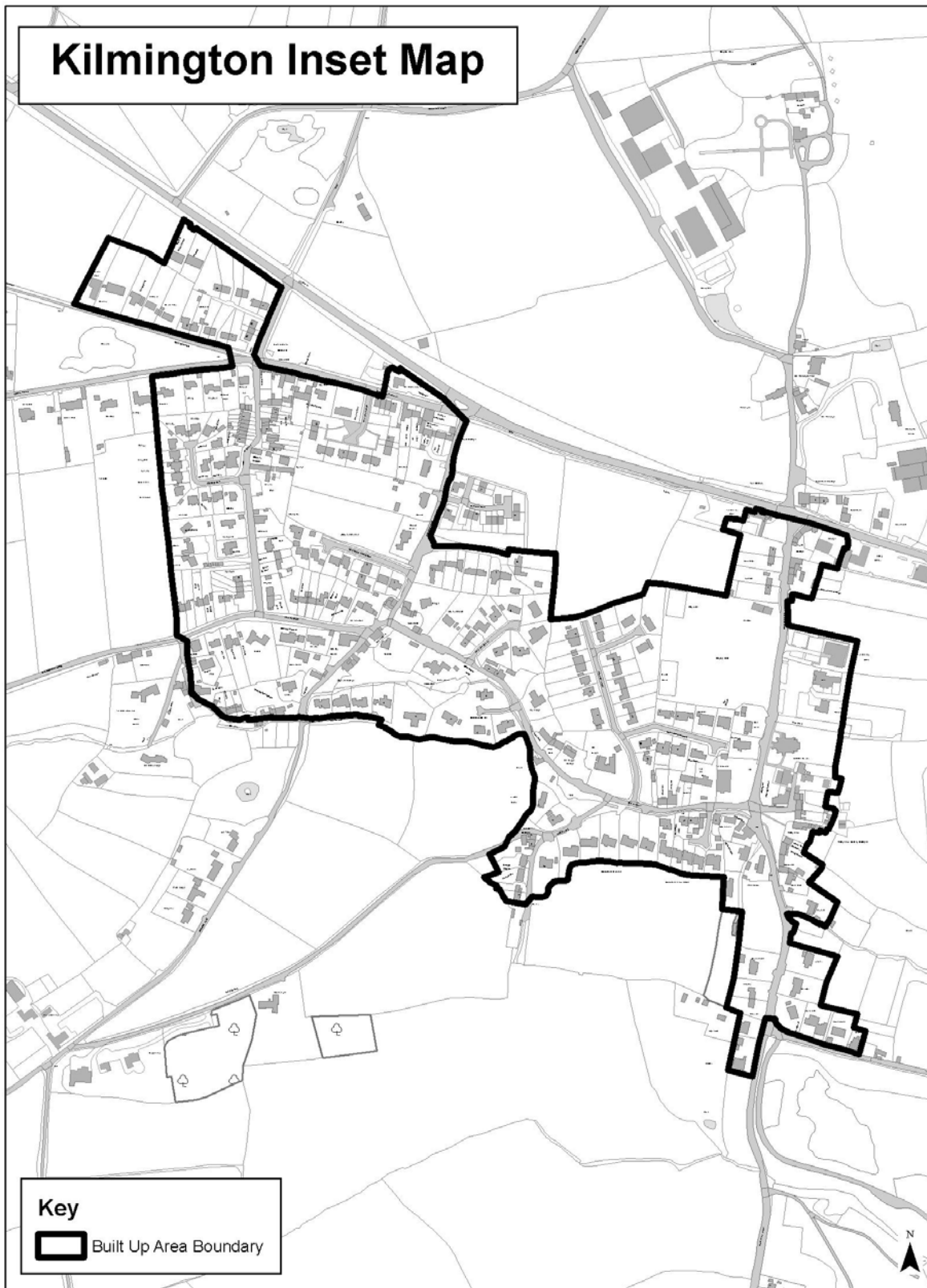
- 7.1 Feniton comprises two distinct separate parts. The original old Feniton lies to the east; it is small in size, centred around a small number of community facilities and many of its buildings are of historic interest.
- 7.2 The construction of the Exeter Waterloo railway line led to the creation of new Feniton around 1 kilometre to the west of the original old village. In its early Victorian days new Feniton was comprised of a small number of properties associated with the railway. It was, however, in the later part of the 20<sup>th</sup> century that the village expanded considerably to accommodate a larger number of new homes.
- 7.3 An ongoing concern in new Feniton had been flooding and ability of the drainage infrastructure to cope with surface water run-off; current and programmed works should, however, address problems.
- 7.4 New Feniton has sufficient facilities to warrant having a Built-up Area Boundary, though for its size it has few businesses and fulfils something of a dormitory function. Old Feniton also has some facilities but pedestrian access from the new village to the old is poor. Most of new Feniton lies beyond a one kilometre walk to the old village and it requires use of narrow lanes and which lack pedestrian footways, have only a few passing places for cars and some lengths run in narrow cliff edged cuttings.



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## **8 Kilmington**

- 8.1 Kilmington is situated on the western side of the Axe Valley, some two miles from the market town of Axminster.
  
- 8.2 The conservation area in relation to the village as a whole is small and centred on the eastern half of The Street. There are 9 listed buildings within the conservation area but more are spread throughout the village, indicating that it was once several small clusters of development which have joined through infilling.
  
- 8.3 Within the village centre there are several modern housing estates with street lighting and pavements but otherwise the lanes tend to be narrow and this increases to the south of the village where passing places are limited.



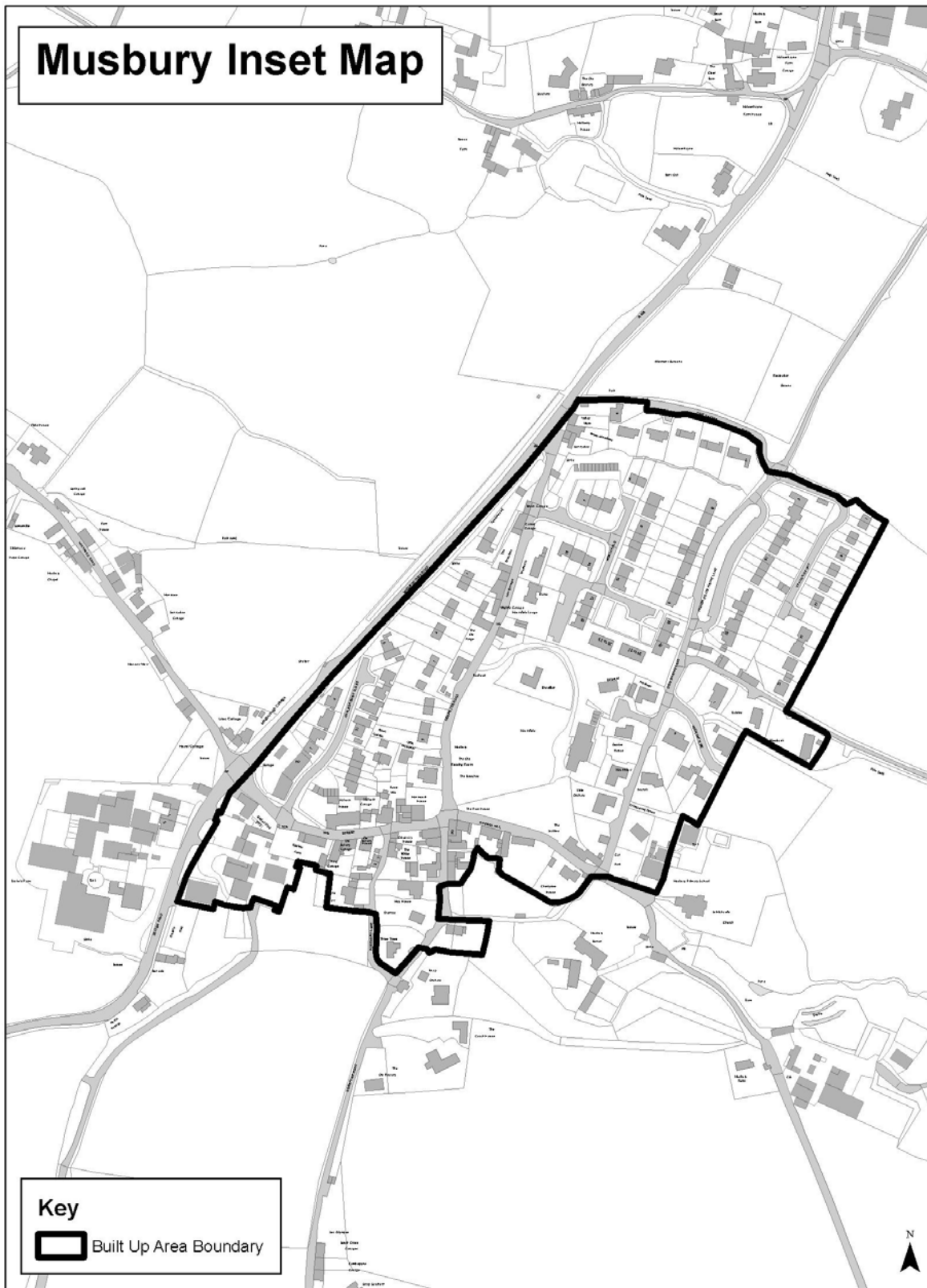
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## **9 Lympstone**

- 9.1 No proposals are put forward for Lympstone as there is a made neighbourhood plan that includes a Built-up Area Boundary. The Lympstone Neighbourhood Plan that shows the BUAB for Lympstone may be viewed at <http://eastdevon.gov.uk/media/1091870/lnp-final-referendum.pdf>

## **10 Musbury**

- 10.1 Musbury is the smallest settlement to have a built-up area boundary defined in the Villages Plan. It lies within the Axe Valley and is wholly within the East Devon AONB. A conservation area covers the historic core of the village.
- 10.2 There is a farm complex adjoining the village centre that has been supported locally for redevelopment for residential use. The site has been included within the BUAB, but is not allocated for development, although a development brief will be produced to inform any development proposals that may be put forward. Within the centre of the village is an area that was excluded from the BUAB defined in the previously adopted Local Plan. Whilst this has now been included in the BUAB, the open nature of this land coupled with its topography, tree cover and relationship with neighbouring listed buildings makes it unlikely that it will be suitable for development, except in exceptional circumstances.

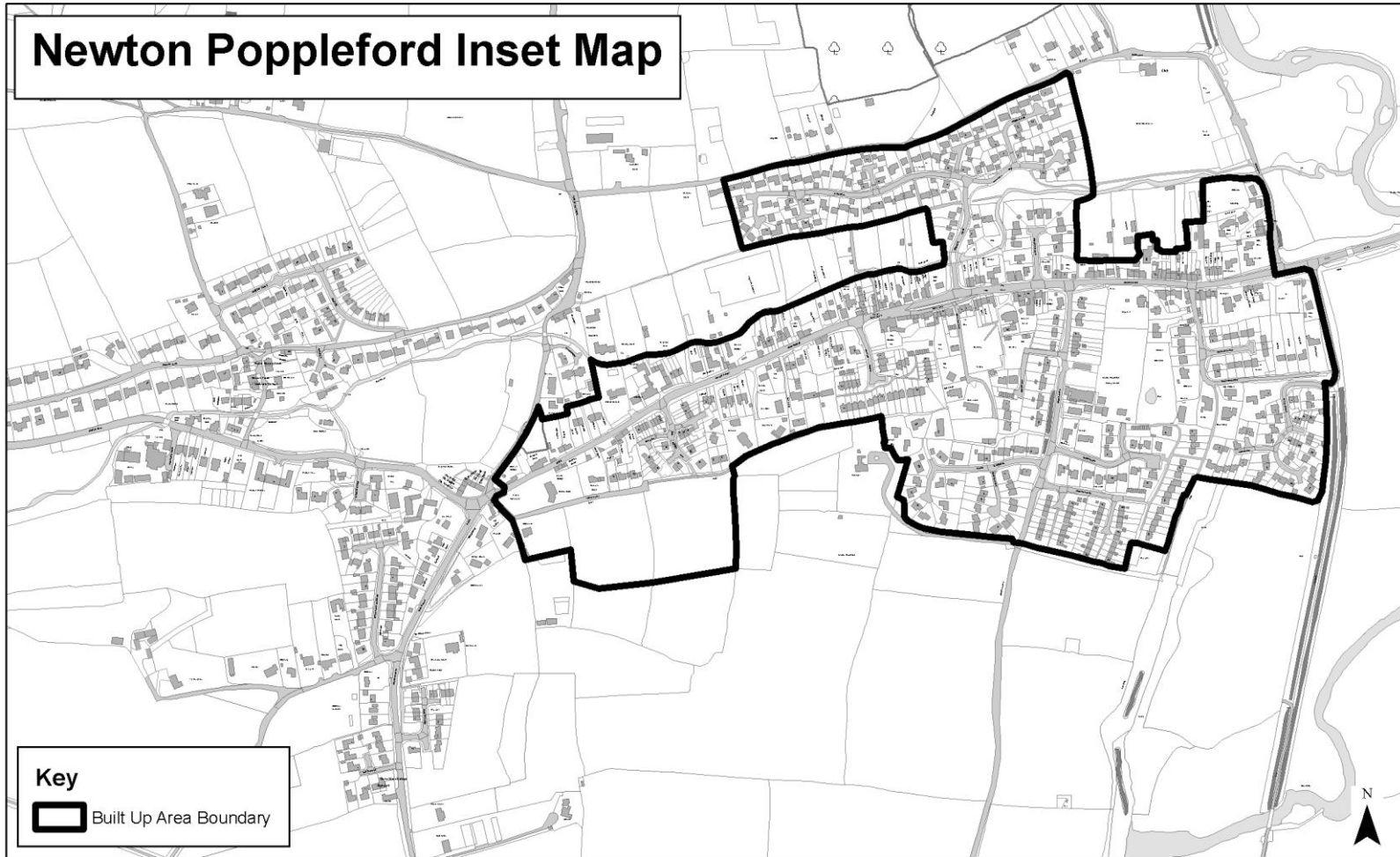


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## **11 Newton Poppleford**

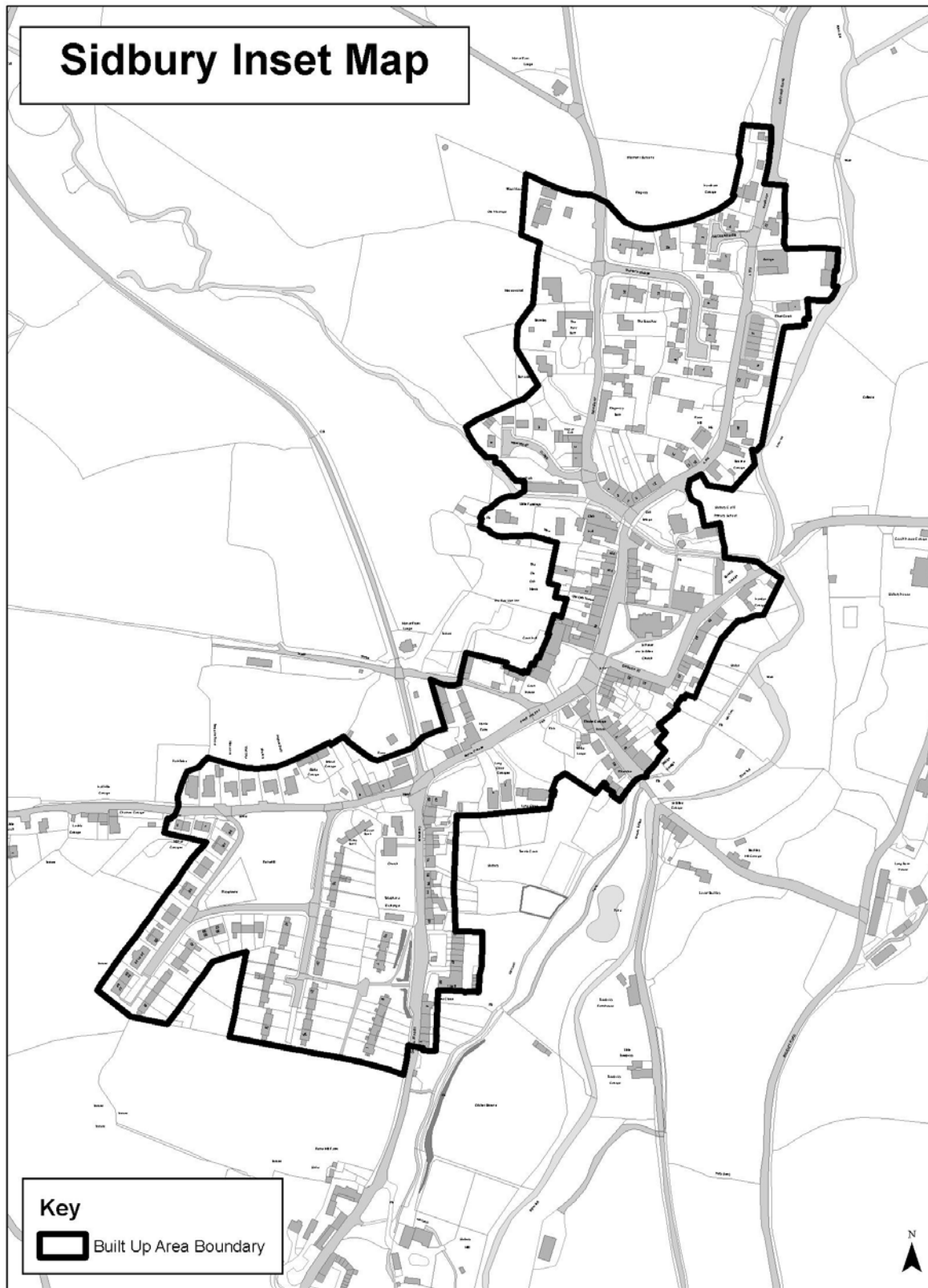
- 11.1 Newton Poppleford is located around 2 miles to the west of Sidmouth on the A3052 to Exeter. The whole of the village is within the East Devon AONB. The B3178 from Budleigh Salterton meets the A3052 in the west of the village at a small roundabout. To the east of this junction the heavily trafficked A3052 is narrow and lacking in pavements. Other roads in the village tend to be narrow and often have hedge banks to the side. There is an extensive network of footpaths within the village, but most lack lighting and paved surfaces.
- 11.2 The village extends for around 1.8 km (1.1 miles) from east to west and the majority of services and facilities are located in the east. The lack of footways on the A3052 near its junction with the B3178 and the limited alternatives for pedestrian access from that part of the village to the west of this point limit the appeal and safety to pedestrians of accessing the facilities on foot.





## **12 Sidbury**

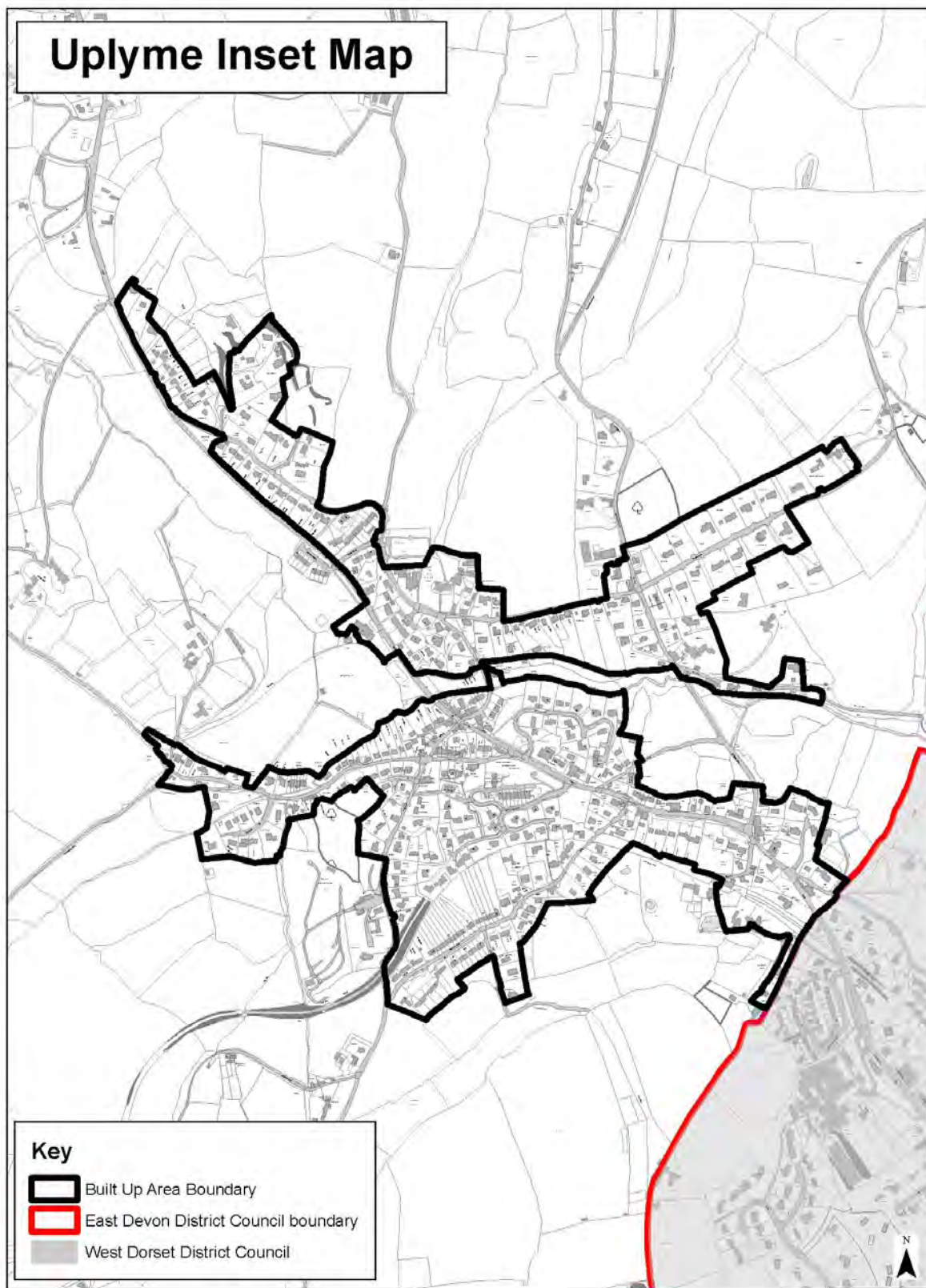
- 12.1 Sidbury is a fairly large village with a close-knit almost urban quality. It is particularly characterised by the extent and uniformity of cottages in thatch and rendered cob or stone, mainly white painted with a black tar band. Sidbury is completely within the East Devon AONB and is constrained by flood zones particularly along its Eastern boundary. The settlement has an extensive Conservation Area.
- 12.2 The A375 is a busy main road which runs through the centre of the village. There is a persistent lack of dedicated pedestrian footways throughout the village which make it challenging for pedestrians, particularly along the A375 where it can be dangerous in places.



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### **13 Uplyme**

- 13.1 Uplyme is a fairly dispersed village having spread up the immediate valley sides and along the valley above the floodplain. It lies within the East Devon AONB.
- 13.2 The village is set within steep valleys with access to core services and facilities at the base. Residential development is often set on a rising gradient, which can make accessing services and facilities on foot a challenge. The village of Uplyme abuts the Dorset town of Lyme Regis which supports a wider range of services and facilities.



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0.04 0.095 0.19 0.285 0.38 Kilometers

## **14 West Hill**

- 14.1 West Hill occupies a woodland setting with many fine individual trees and groups of trees. The village comprises predominantly of detached dwellings with a great many in large gardens.
- 14.2 Over recent years West Hill has seen comparatively high levels of infill village development as people have subdivided large gardens to accommodate additional new dwellings. There has, more recently, been outward expansion of the village to accommodate new houses.
- 14.3 West Hill extends in a straight line north-south distance of over 2 kilometres and east-west of around 1.5 kilometres. A number of busier roads cut through the village but there are also quieter lanes and suburban streets. Many roads, however, do not have footpaths and walking distances in and through West Hill, especially from the southern parts to facilities in the north, can be lengthy with routes being quite steep.

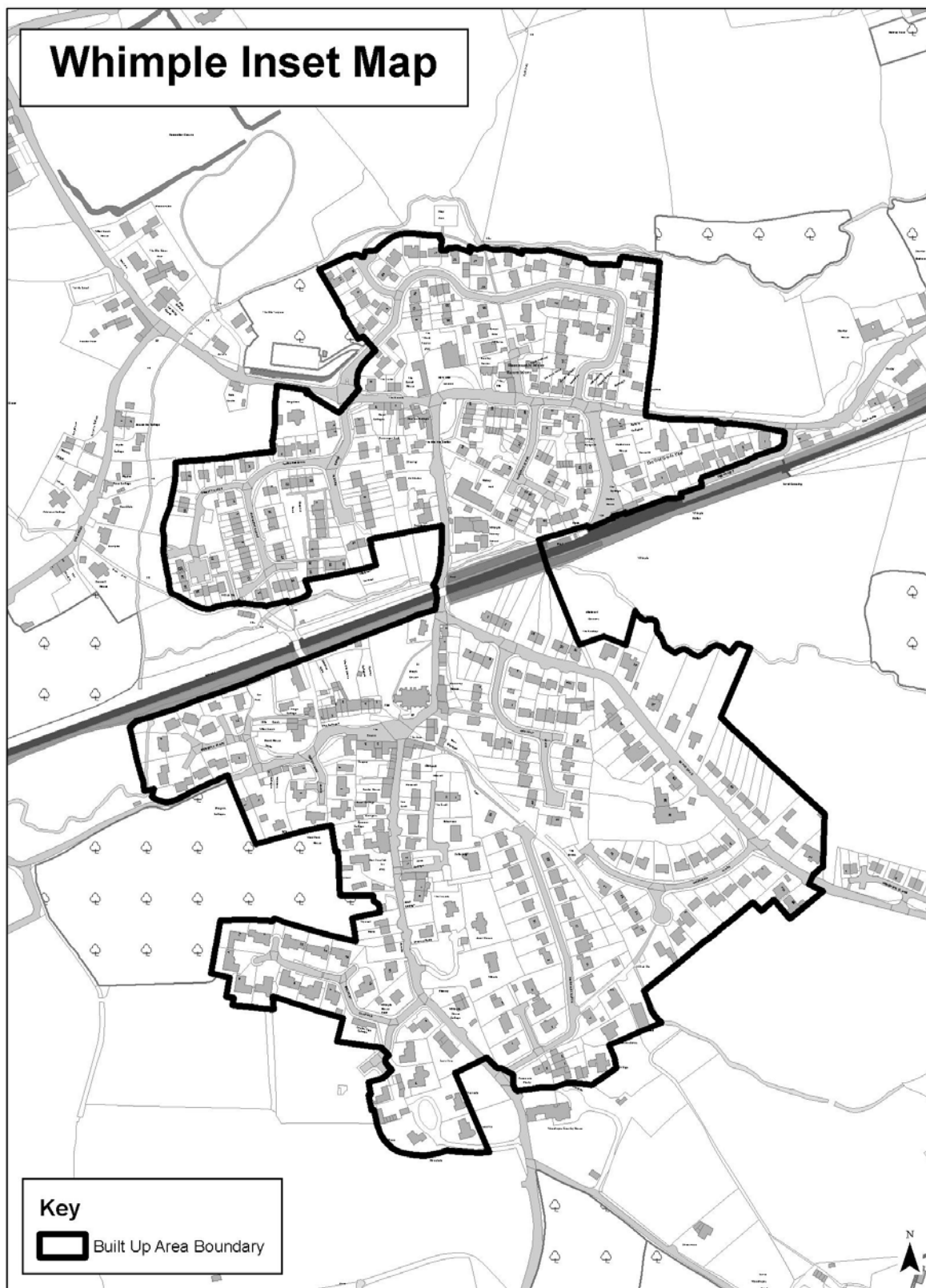


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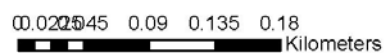
## **15 Whimble**

- 15.1 Whimble has a largely rural setting in gently undulating pasture, crossed by the London to Exeter railway.
- 15.2 The Conservation Area mainly comprises the nucleus set around The Square and Church Road to the south.
- 15.3 The village is divided into two halves by the narrowing of the road under the railway bridge which can cause congestion and danger to pedestrians/cyclists. Pedestrian access throughout the village is variable, with modern estate roads tending to be well lit with pavements, whilst other parts of the village are accessed via narrow lanes.



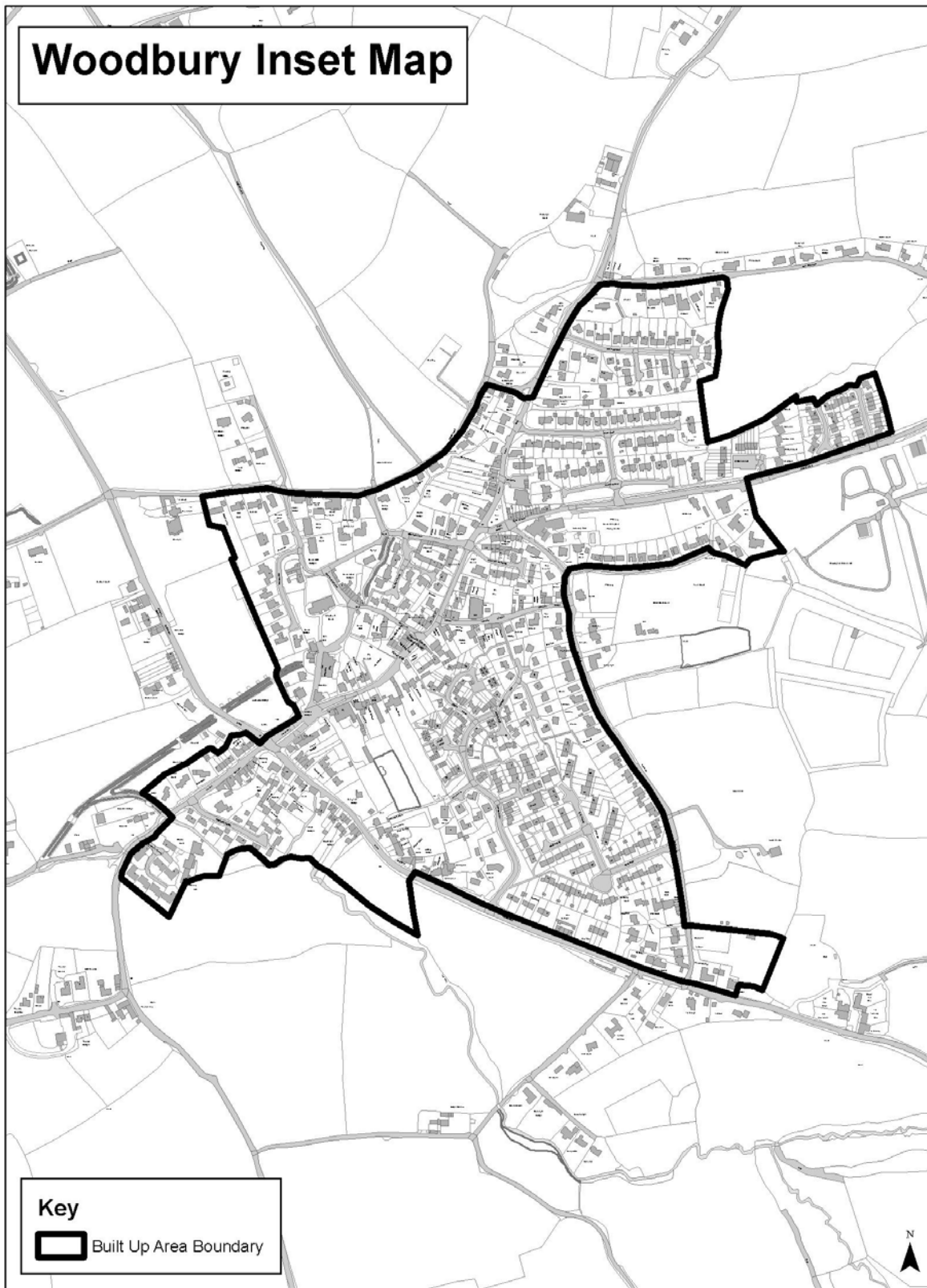


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## **16 Woodbury**

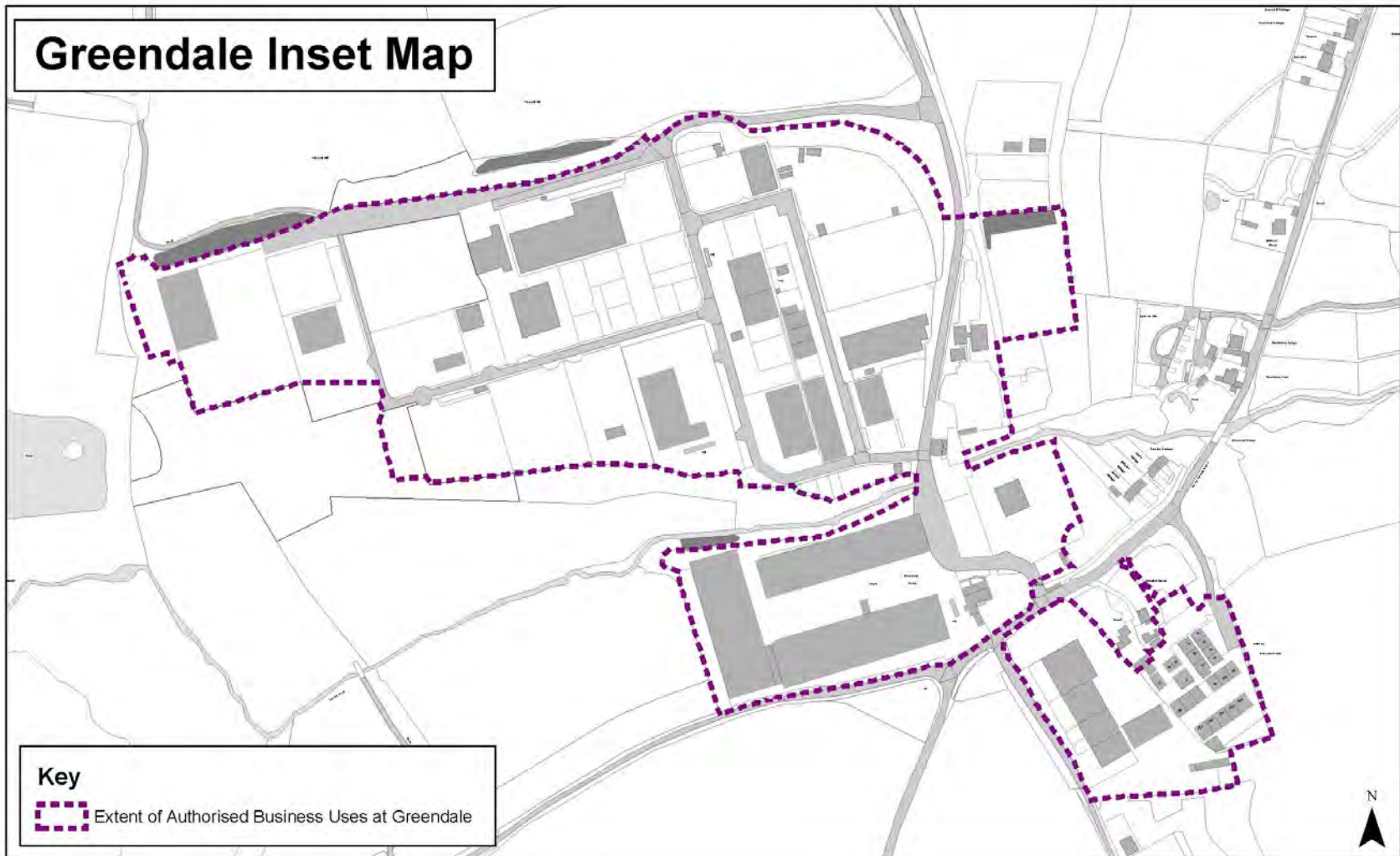
- 16.1 Woodbury is quite a large village that is set in a small hollow on rising ground. The B3179 runs through the south of the village and is well used by vehicles, including HGV's. There is a conservation area covering the historic core of Woodbury, which is the focus for numerous listed buildings.
- 16.2 Several Greenfield sites on the edge of the settlement have been developed since the start of the plan period and the BUAB has generally been extended to include these.



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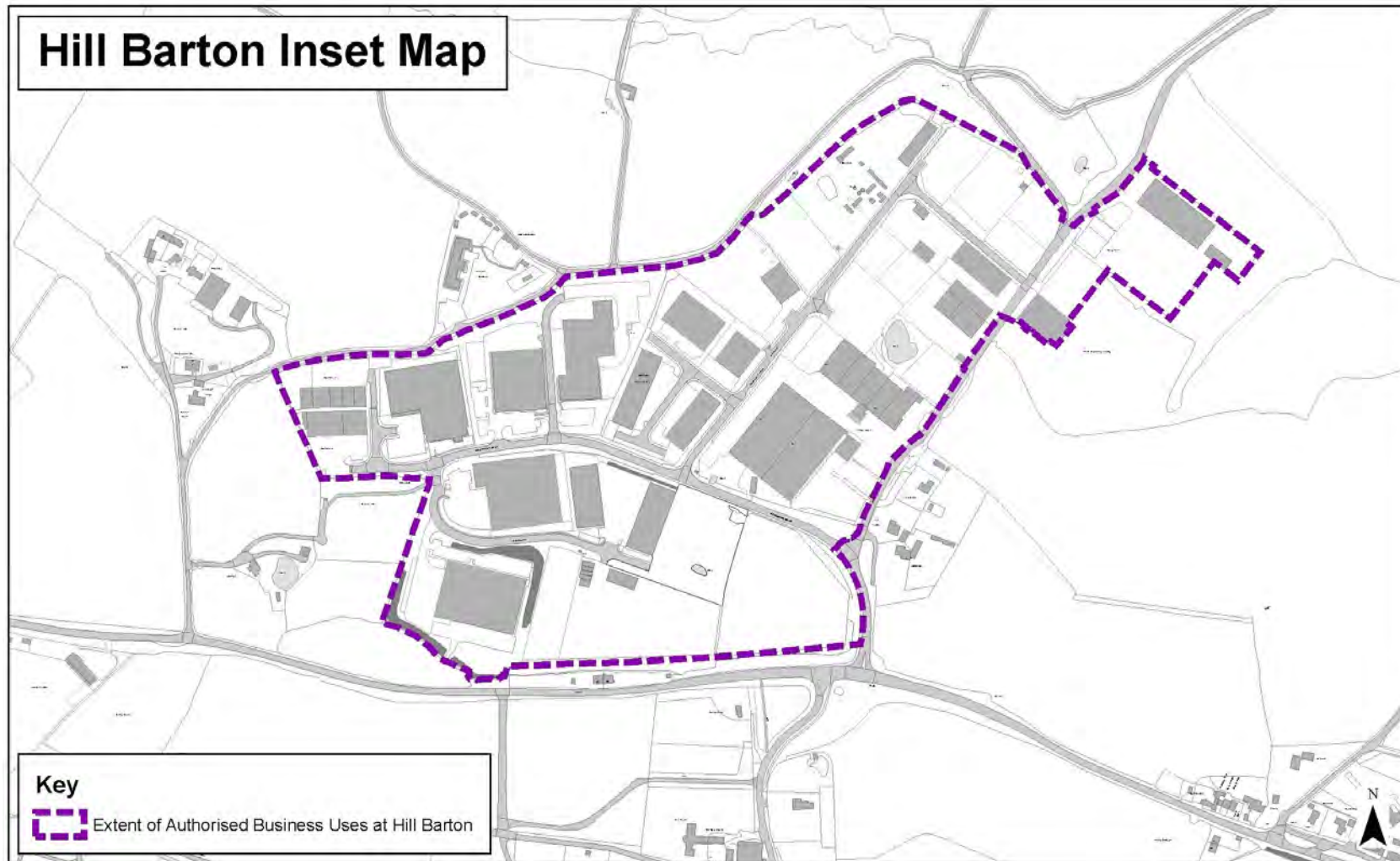
## **17 Land at and around Greendale Business Park**

- 17.1 Greendale Business park lies to the south of the A3052, the primary access is from this road. The business park dates back to the turn of the 20<sup>th</sup>/21<sup>st</sup> century and over the past 20 years has expanded from a small base, historically with limited buildings in agricultural use, to a substantial business park extending to over 20 hectares. Part of the business park lies on land that has been subject to landfill waste disposal and there are substantial current waste management activities (with Devon County Council as waste planning authority) undertaken at the site.
- 17.2 The site is home to a number of businesses, occupying a range of premises that employ a substantial number of people.
- 17.3 There are no specific policies for Greendale Business Park in the Villages Plan though there is a line on the inset map showing the full extent of the land authorised for business uses, this is provided to assist plan users. Policies of the adopted Local Plan will be used to determine planning applications at Greendale Business Park which is within the open countryside and the subject of countryside protection policies including Strategy 7 – Development in the Countryside.



## **18 Land at and around Hill Barton Business Park**

- 18.1 Hill Barton Business Park lies to the north of and is accessed from the A3052. The business park dates back to the 1990s and over the past 30 years has expanded from a small base, historically with buildings in agricultural use, to a substantial business park extending to over 20 hectares. Part of the business park includes land in waste management and minerals use (Devon County Council are the waste and minerals planning authority).
- 18.2 The business park is home to a number of businesses, occupying a range of premises that employ a substantial number of people.
- 18.3 There is no specific policy for Hill Barton Business Park in the village plan though there is a line on the inset map showing the full extent of the land authorised for business uses, this is provided to assist plan users. Policies of the adopted Local Plan will be used to determine planning applications at Hill Barton Business Park which is within the open countryside and the subject of countryside protection policies including Local Plan Strategy 7 – Development in the Countryside.



## **Appendix 1 - Extract from East Devon Local Plan 2013 – 2031 (Strategies 6 and 7)**

### **Strategy 6 - Development within Built-Up Area Boundaries**

Built-up Area Boundaries are defined on the Proposals Map around the settlements of East Devon that are considered appropriate through strategic policy to accommodate growth and development. Within the boundaries development will be permitted if:

1. It would be compatible with the character of the site and its surroundings and in villages with the rural character of the settlement.
2. It would not lead to unacceptable pressure on services and would not adversely affect risk of flooding or coastal erosion.
3. It would not damage, and where practical, it will support promotion of wildlife, landscape, townscape or historic interests.
4. It would not involve the loss of land of local amenity importance or of recreational value;
5. It would not impair highway safety or traffic flows.
6. It would not prejudice the development potential of an adjacent site.

For the main Local Plan the boundaries relate to the Towns of East Devon. For our Villages they will be defined in the Villages Development Plan Document.

Where a local community prepare a Neighbourhood Plan they may specifically allocate sites and/or include criteria based or other policies for promoting development/land uses beyond the boundary. Such 'outside of boundaries' policy provision would supersede relevant constraint considerations set out in 'Strategy 7 - Development in the Countryside' and also other relevant constraint policies.



## **Strategy 7 - Development in the Countryside**

The countryside is defined as all those parts of the plan area that are outside the Built-up Area Boundaries and outside of site specific allocations shown on the Proposals Map. Development in the countryside will only be permitted where it is in accordance with a specific Local or Neighbourhood Plan policy that explicitly permits such development and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located, including:

1. Land form and patterns of settlement.
2. Important natural and manmade features which contribute to the local landscape character, including topography, traditional field boundaries, areas of importance for nature conservation and rural buildings.
3. The adverse disruption of a view from a public place which forms part of the distinctive character of the area or otherwise causes significant visual intrusions.

## **Appendix 2 - Extract from East Devon Local Plan 2013 - 2031 (Strategy 27)**

### **Strategy 27 - Development at the Small Towns and Larger Villages**

The following settlements vary in size and character but all offer a range of accessible services and facilities to meet many of the everyday needs of local residents and they have reasonable public transport. They will have a Built-up Area Boundary that will be designated in the East Devon Villages DPD though they will not have land specifically allocated for development.

- Beer
- Broadclyst
- Clyst St Mary
- Colyton
- East Budleigh
- Feniton
- Kilmington
- Lympstone
- Musbury
- Newton Poppleford
- Sidbury
- Uplyme
- West Hill
- Whimble
- Woodbury

If communities wish to promote development other than that which is supported through this strategy and other strategies in the Plan (at the settlements listed above or any other settlement) they will need to produce a Neighbourhood Plan or promote community led development (for example Community Land Trusts) justifying how and why, in a local context, the development will promote the objectives of sustainable development.



**Report to:** **Strategic Planning Committee**

**Date of Meeting:** 20 February 2017

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Agenda item:** 8

**Subject:** **Honiton Sports Pitch Strategy**

**Purpose of report:** To report back responses to the latest consultation on the Honiton Sports Pitch Strategy and recommend adoption of the strategy.

**Recommendation:**

- 1. That Members note the comments received in response to the latest consultation on the Revised Draft Honiton Sports Pitch Strategy and the officer responses to the comments as detailed in the Consultation Statement.**
- 2. That Members adopt the Honiton Sports Pitch Strategy for use corporately across the Council to help inform service delivery, investment priorities and as guidance/evidence in determining planning applications.**
- 3. That Members note the resourcing requirements necessary to deliver the strategy.**

**Reason for recommendation:** Adoption of the strategy will identify the Council's preference for how the pitch issues highlighted by the Playing Pitch Strategy (PPS) and the new pitches that are required should be delivered. This will enable access to funding opportunities and allow clubs, National Governing Bodies, the Council and other organisations to move towards implementation of plans. Adoption of the strategy does not obligate the Council to fund or deliver any of the projects but the Council should act as a facilitator to delivery and work with clubs etc to realise projects. In some cases this may include providing some funding towards projects, particularly in cases where a Compulsory Purchase Order is required, however the details of such specific investments will be subject to future reports.

**Officer:** Graeme Thompson, Planning Policy Officer,  
[gthompson@eastdevon.gov.uk](mailto:gthompson@eastdevon.gov.uk), 01395 571736

**Financial implications:** Potential cost of this project is £3 million, however there is no funding available or been identified other than £71,000 approved in the 2017/18 Capital Programme budget for Refurbishment of Allhallows pavilion changing rooms.

The council has and is not committed to finance any costs other than those earlier approved. This has been discussed with the report writer.

**Legal implications:** A number of consultation exercises have been carried out and Members must have regard to the comments received and the officer responses when deciding whether to adopt the strategy. Clearly there may well be

legal implications going forward in terms of delivering the strategy and appropriate advice will be given at relevant stages as necessary. Otherwise, there are no direct legal implications which require further comment.

**Equalities impact:** Low Impact

Adoption of the strategy is likely to have a low equalities impact. An EqIA Screening Report has been completed and can be found in the background documents.

**Risk:** Low Risk

There is low risk in adopting the strategy as it does not obligate the Council to fund or deliver any of the projects identified within it. The only notable risk that does arise is in relation to reputation. The strategy identifies that it may be necessary to Compulsory Purchase Order land which is owned by the Order of Augustinian Recollects Charitable Trust who are Catholic order of priests with headquarters in Madrid. The consultation responses received from the Order and local parishioners of the Holy Family Church suggest that such a move would be particularly unpopular amongst some parts of the populatio. However, the converse risk to reputation of continuing to under-provide sports pitches for the town of Honiton is considered to outweigh this concern. Without adopting a strategy identifying a way forwards for the provision of sports pitches it will be difficult to access grant funding from Sport England and National Governing Bodies to help deliver projects.

**Links to background information:**

- [Proposed final draft Honiton Sports Pitch Strategy](#)
- Appendices listed at <http://eastdevon.gov.uk/planning/planning-policy/environment-and-green-infrastructure/open-space/honiton-sports-pitch-strategy/>
- [Consultation Statement](#)
- [EqIA Screening Report](#)
- [SEA/HRA Screening Report](#)
- Full responses to the consultation can be found at <http://eastdevon.gov.uk/planning/planning-policy/environment-and-green-infrastructure/open-space/honiton-sports-pitch-strategy/>
- SPC 27/11/2016 [agenda](#) (item 9) and [minutes](#)
- Cabinet 10/02/2016 [agenda](#) (item 22) and [minutes](#)
- [Adopted Playing Pitch Strategy 2015](#)

**Link to Council Plan:** Encouraging communities to be outstanding; Developing an outstanding local economy; Delivering and promoting our outstanding environment; Continuously improving to be an outstanding council

## 1. Introduction

1.1 The adopted Playing Pitch Strategy (PPS) 2015 identified a number of issues with existing sports pitch stock in Honiton and a need to deliver additional pitches to meet current and future demand in the town and set out a number of action plans for how those issues could be resolved. A Honiton Sports Pitch Strategy is required to identify the Council's preferred approach to delivering against these action plans for Honiton.

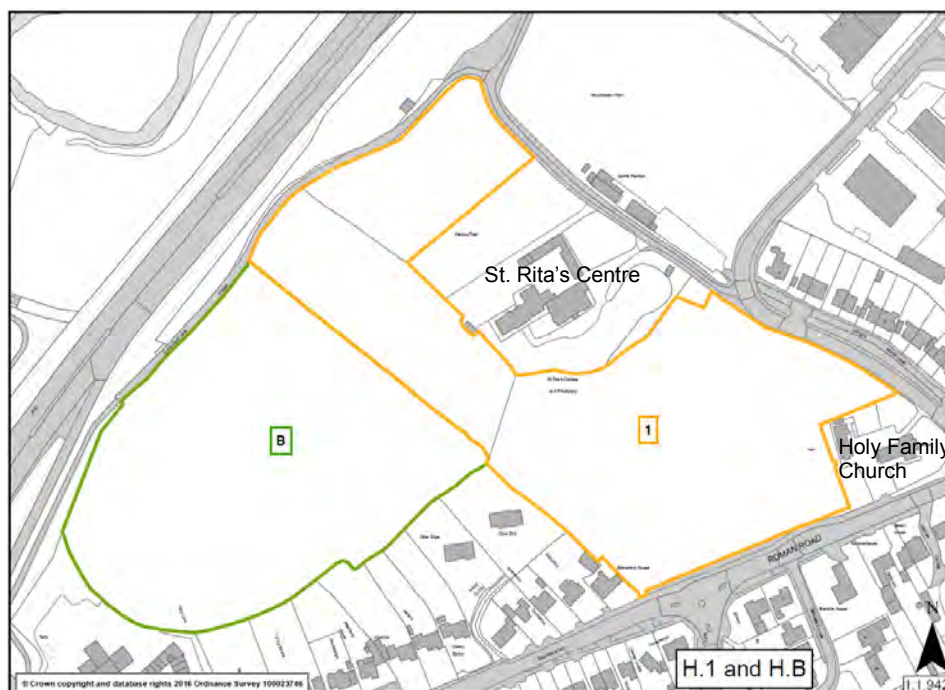
1.2 Work on the Honiton Sports Pitch Strategy began in Summer 2015, immediately following adoption of the PPS and the strategy is now considered to be ready for adoption. Members are recommended to adopt the strategy for use corporately across the Council to help inform

service delivery, investment priorities and as guidance/evidence in determining planning applications, but the strategy will also benefit and be used by clubs, National Governing Bodies and other organisations for the same purposes.

## 2. Consultation responses

- 2.1 In November 2016, Members of Strategic Planning Committee endorsed the Revised Draft Honiton Sports Pitch Strategy and supporting documents for public consultation. This consultation took place from 22 November 2016 through to 20 December 2016, however a significant number of responses to the consultation were received after the consultation end date, but have still been taken into account.
- 2.2 The Consultation Statement sets out the consultation that has taken place on the strategy throughout its production including summaries of the comments received during the latest consultation and officer responses to these. A summary of the *main* issues and an officer response is set out below but the Consultation Statement should be read for the full set of summarised comments and responses and copies of the full representations received can be found at <http://eastdevon.gov.uk/planning/planning-policy/environment-and-green-infrastructure/open-space/honiton-sports-pitch-strategy/>.

### Impact on the amenity of the St. Rita's Centre and Holy Family Church through development of pitches on the St. Rita's extension site (H1)

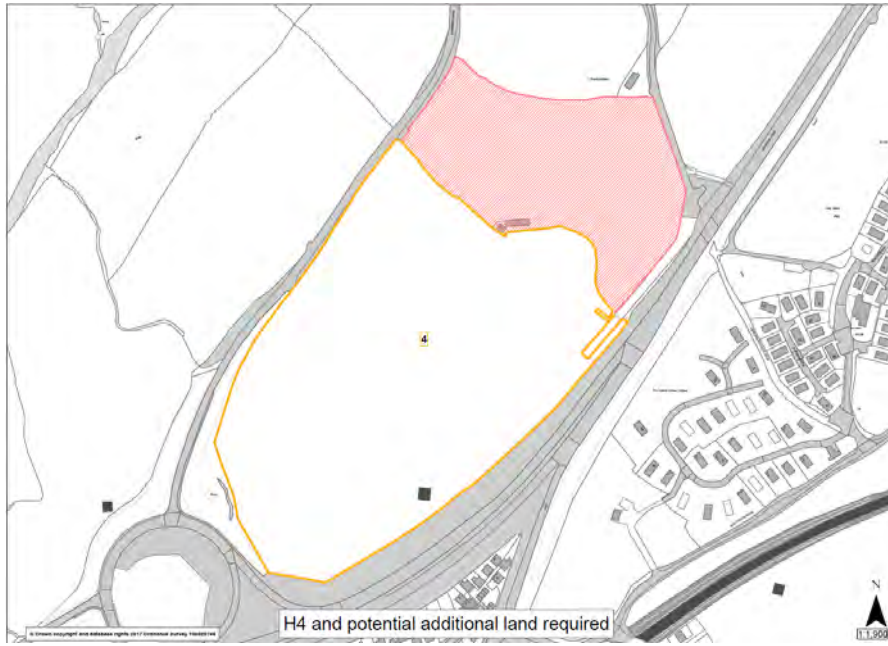


- 2.3 The map above identifies sites HB (existing sports pitches on land at St. Rita's) and H1 (St. Rita's extension) along with the location of the St. Rita's Centre and Holy Family Church. The proposal to locate additional sports pitches on site H1 has received significant objection from the Order of Augustinian Recollects (the owners of the site), parishioners of the Holy Family Church and neighbours of the site. It is contested that the provision of pitches on the land between the St. Rita's Centre and the Holy Family Church and their associated noise, traffic and parking would have a devastating impact on the peace and tranquillity that both require in order to continue delivering the services that they do. It should be noted that the St. Rita's Centre acts as a spiritual retreat and conference centre, hosts prayer and discussion groups, is a place for peaceful meditation and is increasingly being used as a nursing home for old and infirm friars. The Holy Family Church is the sole Catholic Church in Honiton, providing a space for Sunday Mass, baptisms, weddings and funerals. Principle use of both the centre and the church is on weekends and obviously Sunday mornings. However both are used at

times throughout the week, especially the centre which is home to a number of priests and friars. In addition to this, the Order explain that they already allow use of approximately one third of their land for sports uses (referred to as site HB throughout the strategy) and feel that it is unfair and unjust to require more of their land to be used for this purpose. The Order explain that they have previously turned down offers from land agents in the region of £3 million as it is more valuable as a “quiet buffer zone” from the hustle and bustle of daily life.

- 2.4 Officers agree that there would be some impact of noise, traffic and parking requirements by locating additional pitches on site H1, however, these impacts are felt to be significantly outweighed by the positives of the site allowing for co-location with existing sports pitches on site HA (Mountbatten Park) and HB; the ability to walk, cycle or use public transport to access the site; limited impact on the surrounding sensitive landscape in comparison to other options (including those within and outside of the AONB) and limited groundworks that would be required to deliver pitches here. It should be remembered that additional pitches in this location will be used primarily on weekends and only for a few hours at a time so they would not have a long and sustained impact in terms of noise. It is understood that the peak time for the pitches is likely to coincide with the peak time for use of both the centre and the church, however other examples of such activities existing side-by-side can be found across the country including for instance a sports centre in Chelsea, central London which includes two floodlit five-a-side pitches immediately adjacent to and overlooked by St Lukes Church which is obviously far beyond what is proposed here. It may well be possible to effectively timetable pitch use and church/centre use to minimise impacts if necessary and this is being explored by officers. In addition to this, officers have considered the concerns of the centre and suggested two options for the site. Option 1 would involve the delivery of additional football pitches on site H1, and option 2 would involve the relocation of the cricket ground from Mountbatten Park to site H1. Option 1 (football) is likely to have a greater impact on the amenity of the centre and the church as it is generally a louder sport and would take place for a longer period of the year (the majority including pre-season). Option 2 (cricket) would have a far lesser impact on the amenity of the centre and church and would only take place from March/April until September each year. It is therefore felt that the noise concerns can be overcome to a reasonable extent.
- 2.5 The Local Highways Authority comments explain that the local road network would be able to accommodate any additional traffic created by the delivery of pitches in this location. However, parking is an existing issue for the site that could be exacerbated by provision of additional pitches. The purpose of the strategy was to identify the most suitable and sustainable location for new pitches, it was not to produce detailed site plans for each site. In recommending site H1, a clear benefit is that its location will minimise the need for Honiton residents to access the site by car. Clearly away sides and some local users/supporters will access by car but the volume is hoped to be significantly reduced in comparison to other options. The strategy identifies some parking options to consider, however, it will be necessary for detailed planning in preparation of any future planning applications to thoroughly assess additional requirements and accommodate sufficient spaces.

## Impact of proposed Devon County Council A30 improvements on the Former Showground (H4)



- 2.6 As set out in the previous committee report in November 2016, Devon County Council have plans to improve the A30 between Honiton and Devonshire Inn. As part of this they are proposing the need for a link road between what will become the old A30 (Monkton Road) and Langford Road which would cross the Former Showground (site H4). In response to the revised draft strategy consultation, the County Council Environment section submitted a plan showing how the route of their proposed link road could be amended slightly to accommodate the pitches required by the strategy ([see consultation response on the website](#)). However, the plan was accompanied by comments which identified that technical constraints would stop the link road being able to be amended any further.
- 2.7 Officers acknowledge and appreciate the amendments that have been suggested but remain concerned that they do not allow enough room for the necessary cut and fill required to deliver the senior rugby pitches and address AONB landscape impact concerns raised through consultation. In addition to this a number of the technical constraints for the road alignment are being questioned. Officers and engineers of this Council continue to work with officers and engineers of Devon County Council on a suitable alignment and remain confident that a suitable arrangement can be agreed which will enable both sets of plans to be implemented. If, however, the link road is no longer required then delivery could be restricted to the originally considered site H4.



## Conflict of interest between rugby and dog walkers at All Hallows (HC)



2.8 Consultation responses, including a petition of 22 people voiced concerns over the continued conflict of interest between rugby and dog walkers at All Hallows. This is part of an ongoing dispute which last month resulted in a public meeting at the Beehive Centre. Consultation responses on this matter (including the petition) centred on ensuring that dogs continued to be allowed to access All Hallows, however it is known that Honiton Rugby Club and Honiton Community College have concerns about the health and safety of children in particular playing sport on All Hallows when dogs are allowed to recreate on the pitch. Generally dogs and sports pitches are considered an incompatible mix by Environmental Health and going forwards, the strategy identifies that any new pitches will need to be accompanied by dog bans from the very start. However, All Hallows is a community recreation ground that has historically been used by both. In addition to this, there are relatively few other alternatives for dog walkers in central Honiton. That being the case, the strategy has looked at whether it would be possible to wholesale relocate the rugby club to an alternative site, however this has proven to not be possible, therefore it is proposed to continue with the dual use of All Hallows in combination with the provision of additional rugby pitches on site H4. This is considered to be the most suitable and sustainable option for rugby in Honiton, however, it will require careful management of the site and considerate behaviour by users. The Council has committed through the Local Plan to produce a Green Infrastructure Study which will pick up on access to green infrastructure such as this and this may be the vehicle to identify and improve linkages to alternative green spaces for dog walkers in central Honiton.

### **3. Changes to the strategy**

3.1 Following the consultation it was not considered necessary to make any material changes from the revised draft strategy which was previously endorsed by Members. The summaries above and within the Consultation Statement clearly set out why officers feel there is no need to make any amendments to the strategy in response to comments received.

## 4. Adoption and implementation

- 4.1 It is now proposed that the strategy identifies the most sustainable and suitable way forwards for delivering against the action plans of the adopted PPS and as such should be adopted for use corporately across the Council to help inform service delivery, investment priorities and as guidance/evidence in determining planning applications.
- 4.2 As identified in the previous committee report, upon adoption the strategy will need to move into its implementation phase. There is little to no point in producing a strategy if there is no intention of implementation. However, implementation will require investment in staffing resources. Members have previously agreed that the Council should play a facilitating role in the delivery of the strategy's recommendations. This does not obligate the Council to pay for or deliver any of the recommendations in itself but to work with clubs and other bodies towards their delivery. This is likely to involve at a minimum negotiating with landowners, co-ordinating funding bids and providing advice on detailed plans ahead of planning applications being submitted, but potentially could extend to purchasing land (including Compulsory Purchase Orders), funding a proportion of project costs, and drawing up plans for sites. The extent of this involvement will be dependent on the abilities of relevant clubs and other bodies and the preferences of Members.
- 4.3 In addition to the implementation of the Honiton strategy, there will be a need to implement the recommendations of the Exmouth Sports Pitch Strategy in due course as well as other individual projects. It is considered that delivery of the proposals arising from the strategies require project management and surveying skills and it is understood that the new Service Lead Property and Estates will be asked to co-ordinate the Council's approach to the delivery of these strategies. The Planning Policy Team will provide planning support where necessary. Clearly resources for the delivery of projects like this are limited and so it will take time to deliver the identified projects. It is however important that the delivery of the strategy is prioritised by all parties for the following reasons:
- The Care Act 2014 places an onus on local authorities to promote the health and wellbeing of individuals including through preventative action. The delivery of new sports pitches and improvements to existing will improve participation numbers and percentages in comparison to doing nothing. Sport, physical exercise and recreation are important elements of many people's lives and it is important to ensure that people have the opportunity to participate in sports. Without increasing provision, participation rates will drop as populations grow. The Government is keen to encourage active lifestyles and sports participation as a preventative measure that can reduce healthcare costs in the long term.
  - There has historically been under-provision and under-investment in sports pitches in Honiton relative to the increase in housing. This has led to a reputational issue for the Council in the town as not investing in the necessary infrastructure to accompany population growth. Through the production of the PPS and subsequent Honiton Sports Pitch Strategy, the expectations of residents and clubs alike have been raised and it is important to now follow this through with delivery.
  - The Local Plan identifies in Strategy 2 a total of 630 dwellings to be delivered at Honiton during the plan period. These 630 dwellings have an associated Council Tax and New Homes Bonus income attached to them and it is important that the supporting infrastructure (including new and improved sports pitches) for these homes is delivered to enable that housing to come forwards.

- The Council has historically raised money for infrastructure including sports pitches through S106 Agreements associated with new housing development. Going forwards this is assumed to be a part of the CIL funds levied on new development. It is important that there are deliverable projects in the pipeline in order to spend this money appropriately, mitigate their impacts and avoid having to return money to the developer.

4.4 Sports clubs and/or National Governing Bodies will also have an important role to play to co-ordinate delivery of projects and it may be possible for them to deliver some projects where they involve improvements to existing sites but it is unlikely that they would be able to deliver new pitch sites on their own. A key part of delivering the strategy will of course be to bid for external funding such as that from Sport England etc. Securing such funding potentially helps to reduce the costs on the Council's budget for implementation.



## **East Devon District Council**

### **East Devon Playing Pitch Strategy**

### **Honiton Sports Pitch Strategy**

**February 2017**



## EXECUTIVE SUMMARY

This Honiton Sports Pitch Strategy assesses a number of options and makes draft recommendations on how to deliver on the sports pitch needs for Honiton to 2024 as identified in the East Devon Playing Pitch Strategy.

The report assesses a number of sites against a methodology and then recommends ways to meet the sports pitch needs of Honiton. The table below summarises these recommendations which are discussed in more detail within the strategy and identified on the plan found at Appendix 7.

Site	Recommendations*
Mountbatten Park (HA)	<ul style="list-style-type: none"> <li>• Install drainage to increase pitch capacity on site</li> <li>• Enhance/extend/replace existing clubhouse with up to 2 storey building to serve all proposed pitches in this vicinity</li> <li>• Explore options for additional car parking on-site</li> <li>• Install new cricket training nets</li> </ul>
St. Rita's (HB)	<ul style="list-style-type: none"> <li>• Install drainage to increase pitch capacity on site</li> <li>• Improve accessibility along Turks Head Lane</li> </ul>
All Hallows (HC)	<ul style="list-style-type: none"> <li>• Install drainage and floodlights</li> </ul>
Honiton Community College (HD)	<ul style="list-style-type: none"> <li>• Install floodlit sand-based AGP</li> </ul>
St. Rita's extension (H1)	<ul style="list-style-type: none"> <li>• New pitches site comprising of <i>either</i>:                             <ul style="list-style-type: none"> <li>○ 2x Youth 11v11 and 2x mini 5v5 football pitches;</li> <li><i>or</i></li> <li>○ Relocated 10x grass (plus 1x artificial) wicket cricket ground and small cricket pavilion</li> </ul> </li> <li>• Explore options for additional car parking</li> </ul>
Former Showground (H4)	<ul style="list-style-type: none"> <li>• New pitches site comprising of:                             <ul style="list-style-type: none"> <li>○ 2x Senior rugby pitches</li> <li>○ 3x Midi rugby pitches</li> <li>○ Changing facilities and parking</li> </ul> </li> </ul>
Former Manor House School (H5)	<ul style="list-style-type: none"> <li>• Bring playing field back into community use on a temporary and overflow basis for use by football and rugby clubs until other projects are completed.</li> </ul>

\*It is important to note that the recommendations in this strategy are not a substitute for planning permission and do not mean that such proposals would necessarily gain planning permission. All planning applications are considered on their own merits against the development plan and any relevant material considerations at the time.

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- Appendix 1 – Stage 1 sites – Honiton
- Appendix 2 – STRI Stage 1 Report
- Appendix 3 – Stage 2 sites – Honiton
- Appendix 4 – Early consultee comments
- Appendix 5 – STRI Stage 2 Report and potential site plans
- Appendix 6 – Site by site sustainability and suitability assessment
- Appendix 7 – Recommendations plan
- Appendix 8 – Honiton Development Trust plans for Tower Hill



### VERSION CONTROL

Version Number	Reason for Update	Date
01	Public Consultation Draft	27/05/2016
02	Draft for Strategic Planning Committee and second public consultation	24/10/2016
03	Proposed final draft for adoption at Strategic Planning Committee	27/01/2017

## INTRODUCTION

- I.1 The East Devon Playing Pitch Strategy (PPS) was adopted in June 2015. The PPS is a robust evidence base which considers strategic and site specific issues for sports pitches around the district and recommends action plans for their resolution.
- I.2 This report responds to the PPS action plans with regards to sports pitch development in Honiton. It does not aim to review the core data or information that went into the PPS, rather it takes that information from it and aims to deliver solutions to the issues which have been highlighted.
- I.3 Honiton is a market town in the central part of East Devon district. In 2012 it had an estimated population of 11,608<sup>1</sup>. It's location in the Otter river valley on the edge of the Blackdown Hills and East Devon AONBs, sandwiched between the A30 trunk road and floodplain to the north and west and the hills of the East Devon AONB to the south and east makes it a particularly difficult place to find relatively flat land suitable for sports pitch development.
- I.4 The PPS highlighted the following strategic action plans for Honiton for **F**ootball, **R**ugby, **C**ricket, **H**ockey and **O**ther users:

Action Ref.	Sport	Action
HO.1	<b>R</b>	Explore possibilities for the rugby club to move to a new site capable of providing a total of 3x senior pitches, 5x mini/midi pitches, floodlit grass training areas and appropriate ancillary facilities preferably all on the same site. Definite plan of action to be agreed through the ongoing PPS Steering group by December 2015. If no alternative options are found to be deliverable then Tower Hill proposals should be explored more fully. Should the rugby club stay at All Hallows, efficient drainage must be installed.
HO.2	<b>O</b>	Ensure that All Hallows remains available for Honiton Community College to use.
HO.5	<b>F</b> <b>C</b>	Explore the possibility of moving the senior football club to a new site capable of providing 2 stand-alone, well-drained football pitches with suitable ancillary facilities. Cricket and mini football pitches could remain at Mountbatten. Definite plan of action to be agreed through the ongoing PPS Steering group by December 2015. If no alternative options are found to be deliverable then Tower Hill proposals should be explored more fully.
HO.13	<b>F</b>	Explore options for delivering additional youth football pitches at St Rita's and levelling and draining existing pitches. If this is not possible then consider alternative options. Definite plan of action to be agreed through the ongoing PPS Steering group by December 2015.
HO.18	<b>F</b> <b>C</b> <b>R</b> <b>H</b> <b>O</b>	Explore the possibility of addressing all Honiton pitch issues on alternative sites better related to the existing town and outside of the AONB first but if there are no realistic alternatives then some pitches may need to be delivered on Tower Hill.
HO.20	<b>H</b> <b>O</b>	Encourage and support the provision of a full size, floodlit, <u>sand-based</u> AGP at Honiton Community College available for community use outside of school times, along with suitably accessible changing facilities for such community use (accessible without the main school building being open). Pitch must be suitable for local football and rugby teams to conduct non-contact all weather floodlit training.

<sup>1</sup> PPSA (2012) "2012 PPSA population estimate for East Devon"

I.5 This subsequent report sets out recommendations on how to implement the actions and resolve the core issue of undersupply of sports pitches in Honiton.

I.6 The PPS included an appendix which covered Honiton pitch issues in greater detail than other locations. This appendix showed that in 2014 there was demand for the following sports pitches in total in Honiton with no overmarking (assumes capacity of provision at “standard” quality):

Pitch type	Sport	Number
Adult 11v11	Football	1
Youth 11v11	Football	2
Youth 9v9	Football	2
Mini 7v7	Football	1
Mini 5v5	Football	1
Grass wicket	Cricket	9
Senior rugby	Rugby	2
Mini/Midi rugby	Rugby	4
Sand-based AGP	Hockey	1

I.7 It then showed that by 2024 there would be the following demand for sports pitches in total in Honiton.

Pitch type	Sport	Number	Increase
Adult 11v11	Football	2	+1
Youth 11v11	Football	2	0
Youth 9v9	Football	3	+1
Mini 7v7	Football	2	+1
Mini 5v5	Football	2	+1
Grass wicket	Cricket	6	0
Junior grass wicket	Cricket	5	+2
Senior rugby	Rugby	3	+1
Mini/Midi rugby	Rugby	5	+1
Sand-based AGP	Hockey	1	0

I.8 Currently the following provision exists:

Pitch type	Sport	Number (overmarked)	Under/over supply on 2014 reqs	Under/over supply on 2024 reqs
Adult 11v11	Football	2	+1	0
Youth 11v11	Football	2	0	0
Youth 9v9	Football	1(1)	-1	-2
Mini 7v7	Football	0(2)	-1	-2
Mini 5v5	Football	0(2)	-1	-2
Grass wicket	Cricket	10 +1 artificial	+2	0
Senior rugby	Rugby	2	0	-1
Mini/Midi rugby	Rugby	0	-4	-5
Sand-based AGP	Hockey	0	-1	-1

I.9 In addition to the above it is important to note that whilst there are potentially sufficient numbers of adult 11v11 and youth 11v11 football pitches there is an ongoing issue of shared use with the cricket ground at Mountbatten Park which may require either the football pitches or cricket pitch to relocate.

I.10 With so many additional pitches required to meet both current (2014) and projected (2024) demands it is important to think strategically and holistically about the provision of new pitches in Honiton. This means exploring options for wholesale relocation of clubs/facilities as well as potentially just improvements to existing and additional pitches to supplement existing and weighing up the pros and cons of each option.

## Methodology

I.11 A methodology was worked up by an officer working group to consider the site options for new sports pitches. This involved 4 stages broken down into 9 steps.

### Stage 1 – Identification of sites

- Step A – Objective search for potential sites to take sports pitch development
- Step B – Rationalisation through basic feasibility assessment

### Stage 2 – Site assessments

- Step C – Site surveys
- Step D – Potential site plans
- Step E – Basic sustainability and suitability assessment

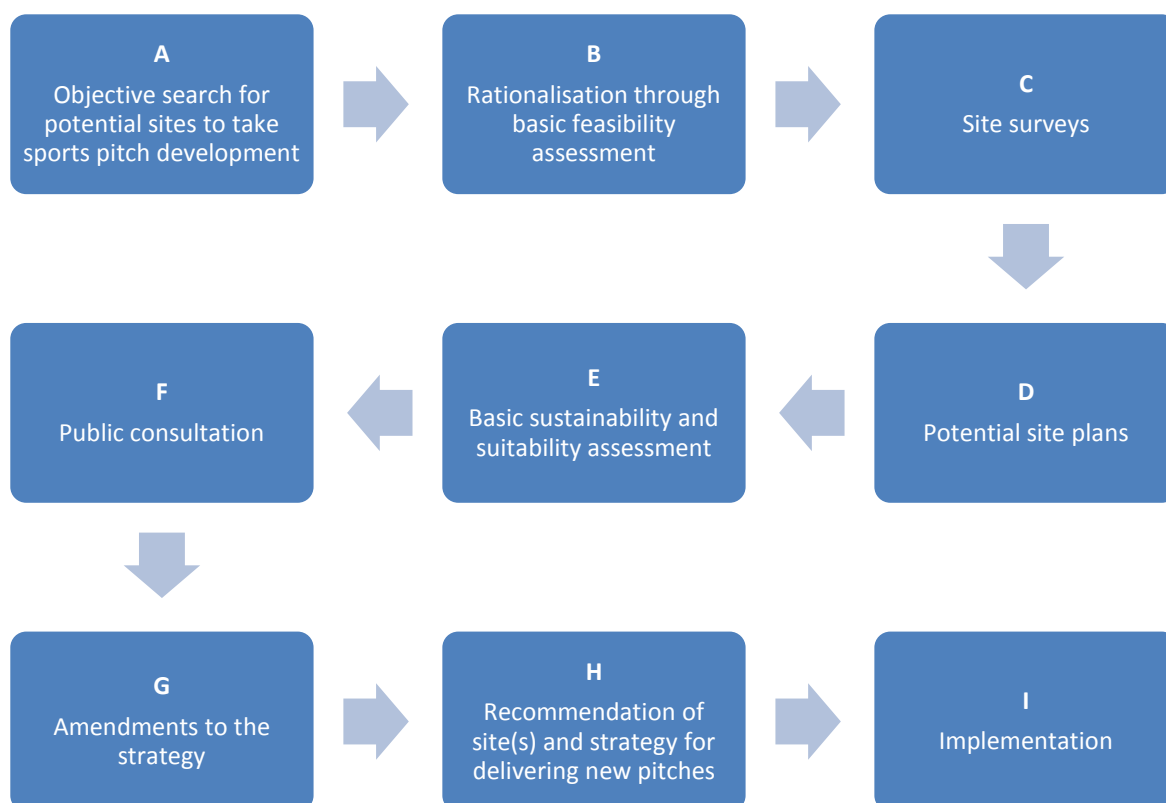
### Stage 3 – Finalising recommendations

- Step F – Public consultation
- Step G – Amendments to strategy
- Step H – Recommendation of site(s) and strategy for delivering new pitches

### Stage 4 – Implementation

- Step I - Implementation

The diagram below sets out the general process of this methodology.



- I.12 Following this process would ensure there was a clear audit trail and robust evidence base as to how and why options were selected and developed. Having such a clear evidence base should help to streamline the planning application process, site acquisition process and delivery process further down the line.

## **Policy context**

### National policy

- I.13 Paragraph 73 of the National Planning Policy Framework (NPPF) requires planning policies on sport and recreation and their application to be underpinned by robust evidence:

*'Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up to date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision. The assessments should identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area. Information gained from the assessments should be used to determine what open space, sports and recreational provision is required.'*

- I.14 The Playing Pitch Strategy and the Open Space Study provide the robust evidence base required by paragraph 73 and these are translated into policy in Strategy 43 of the new Local Plan (2013-2031).

- I.15 Paragraph 74 of the NPPF protects open spaces including playing pitches from development unless certain criteria are met:

*'Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements, or*
- The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.'*

### East Devon Local Plan (2013-2031)

- I.16 Policy RC1 of the new Local Plan (2013-2031) builds on NPPF paragraph 74 in protecting existing open space sites from development.
- I.17 Policy RC2 allows for the provision of new or enhancing of existing recreation facilities including playing pitches where certain criteria are met. Compliance with this policy will be key for delivery of new sports pitch sites at Honiton.
- I.18 Policy RC4 allows for the provision of new recreation facilities in the countryside and on the coast where certain criteria are met. This policy may apply where sites are more remote from the main urban area of Honiton.

- I.19 Policy RC5 allows for new community buildings and developer contributions to be sought towards their provision. This covers sports clubhouse facilities which may be required on new sites.
- I.20 Policy RC6 allows for new or enhanced community facilities to be provided where certain criteria are met. Compliance with this policy will be key where there is a requirement for built facilities on site such as changing rooms, clubhouse etc.
- I.21 Policy RC7 requires new community facilities to be capable of dual use where appropriate. It will be expected that any new built facilities are designed to be usable by other community groups as well as the specific sports club(s) that they serve. This will ensure effective and efficient use of land and space as well as potentially enabling greater viability for the club/owner of the facility.
- I.22 In addition to sports and community facility specific policies, proposals for new sports pitch sites will need to have due consideration to design, environment and transport policies amongst others.
- I.23 Strategy 3 sets the Local Plan's objective for sustainable development.
- I.24 Strategy 4 sets out how social and community facilities which would include sports clubs are an integral part of creating balanced communities.
- I.25 Strategy 5B requires all developments to contribute towards or be located in suitable locations to allow sustainable travel.
- I.26 Strategy 6 sets out when development within Built-up Area Boundaries (BuABs) will be permitted. No new sites are proposed within the Honiton BuAB, however All Hallows is within the BuAB.
- I.27 Strategy 7 restricts development in the countryside to only allow for it when it is in accordance with specific policies and criteria. All sites being considered are outside of the Honiton Built-up Area Boundary (BuAB) and are therefore within the countryside.
- I.28 Strategy 23 sets out proposals and ambitions for development at Honiton. Key points from the strategy in relation to sports pitch development are an aspiration for the town *"to remain compact enough to minimise car travel and not to extend into a ribbon development"*, and to *"support the schools, health and other service providers to meet their accommodation needs and local aspirations for new and improved facilities"*. The supporting text to the strategy also states in the list at paragraph 11.6 that *"We will enhance Honiton by: Directing new retail, leisure, tourist and major community uses to the town centre, unless there are no suitable sites available...Improving sporting cultural and community facilities to serve Honiton and the surrounding rural area by requiring new provision in any large new development and supporting community initiatives to develop these...Encouraging the provision of sports pitches on hill top land to the South of the town in line with community aspirations"*. It is important to note the preference to direct development to sites within and well related to the existing built form of the town, but that if no suitable sites exist that meet this then proposals for sports pitches at Tower Hill to the south of Honiton will be supported and encouraged. Tower Hill proposals are considered alongside all other sites in this report.
- I.29 Strategy 46 requires developments to conserve and enhance the quality and local distinctiveness of the natural and historic environment. It applies across the district but is of particular importance in relation to Areas of Outstanding Natural Beauty (AONBs).

- I.30 Strategy 47 requires developments to conserve and enhance biodiversity and geodiversity and minimise fragmentation of habitats. It protects internationally and nationally designated sites from direct or indirect adverse effect and sets out how effects or potential effects will be mitigated.
- I.31 In terms of the development management policies of the plan, in addition to policies RC1, RC2, RC4, RC5, RC6, and RC7 (covered above), policies D1, D2, D3, EN7, EN13, EN14, EN16, EN21, EN22, TC2, TC4, TC7 and TC9 are of particular note and sites will be considered against these. In summary, proposals will need to respect local design and distinctiveness; not adversely impact on and where applicable mitigate impact on amenity, biodiversity and landscape; be safely designed; respect trees and hedgerows where relevant; consider sites of potential archaeological importance, quality of agricultural land, control of pollution, potentially contaminated land, potential for flooding, and surface run-off implications of development; and ensure that the site is accessible by a range of transport modes, accessible by persons with reduced mobility and that a suitable amount of car parking is provided for.

### Sports guidance

- I.32 In addition to specific policies there are a number of important guidance documents that will need to be considered and taken account of at a more detailed stage of planning including (though not limited to) the following:
- The FA Guide to Pitch and Goalpost Dimensions (FA)
  - Facilities Guidance Note 2: Grass Pitches for Rugby (RFU)
  - Recommended Guidelines for the construction, preparation and maintenance of cricket pitches and outfielders at all levels of the game (TS4) (ECB)
  - Successful Management of Dual Use Cricket and Football Sites (ECB, FA, Sport England and Institute of Groundsmanship)
  - Natural Turf for Sport (Sport England)
  - Pavilions and Clubhouses (Sport England)
  - Facilities Guidance Note 5: Changing Rooms and Clubhouses (RFU)
  - Pavilions and Clubhouses (TS5) (ECB)
  - Artificial Surfaces for Outdoor Sport (Sport England)
  - Accessible Sport Facilities (Sport England)
  - Artificial Sports Lighting (Sport England)

### **SEA/HRA Screening**

- I.33 Officers have conducted a Strategic Environmental Assessment (SEA) and Habitat Regulations Assessment (HRA) Screening Report of the Honiton Sports Pitch Strategy which concludes that neither SEA or HRA is required to accompany the strategy.

### **Consultation**

- I.34 A Draft Honiton Sports Pitch Strategy was consulted on for 6 weeks from 27<sup>th</sup> May 2016 to 8<sup>th</sup> July 2016. Representations were received from 34 different people and organisations on a range of issues and regarding a number of the sites that were considered. In response to this a number of changes were made to this strategy. The Consultation Statement sets out the consultation that took place, summarises the

responses by topic area and details the changes made in response to representations that were made.

- I.35 A Revised Draft Honiton Sports Pitch Strategy, along with SEA/HRA Screening Report, Consultation Statement and Equalities Impact Assessment was consulted on for 4 weeks from Tuesday 22<sup>nd</sup> November 2016 to Tuesday 20<sup>th</sup> December 2016. Representations were received from 37 different people and organisations. The Consultation Statement sets out the consultation that took place, summarises the comments of each respondent and responds to the issues raised. No further material changes were made to the strategy following this consultation.

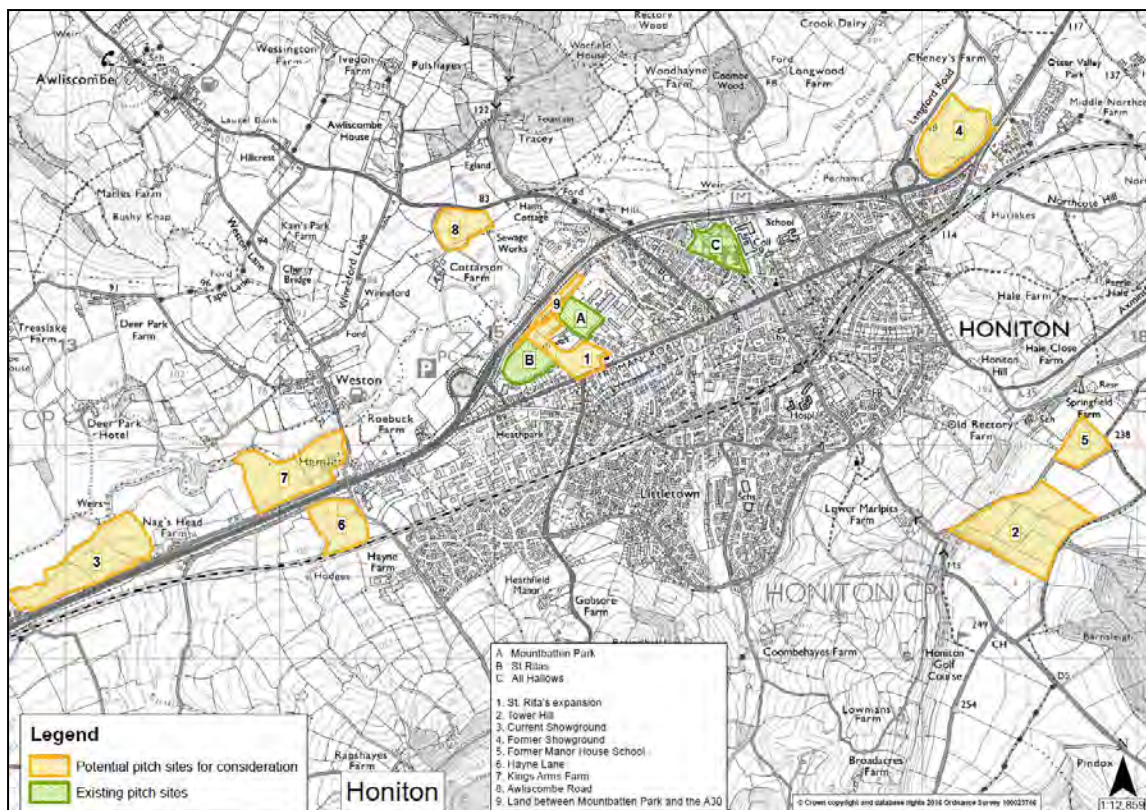


## STAGE 1 – IDENTIFICATION OF SITES

### Step A - Objective search for potential sites to take sports pitch development

- 1A.1 The process began by doing desk-based map searches for land that might be suitable for sports pitches. The criteria here was that land: should not be too steeply sloped; preferably out of the floodplain; and relatively close to the town; or that the site had been identified by third parties during the PPS process. There was not a requirement for sites to be located within the Honiton Town Council administrative area but they did have to be relatively close to the town.
- 1A.2 Honiton Town Council was invited to identify sites they felt ought to be considered in October 2015. At that stage a number of sites were suggested which aligned with sites already identified as potentials by officers. Later, during the Draft Strategy consultation in Summer 2016, a further site on land between Macauley Close and Northcote Hill Road was floated by the Town Council, however, officers considered the site to be likely to fail at Step B (rationalisation) due to the flattest part of the site being in the floodplain, the remainder being relatively sloped and an irregular shape which would not allow for suitable sports pitch development. The site would also be difficult to gain access to. That being the case it was not considered any further.
- 1A.3 As a result the following sites were identified as potential sites to take sports pitch development at Honiton. These are identified on the plan below which is replicated at a more legible scale in Appendix 1. No other possible land areas met the basic tests of suitability set out in paragraph 1A.1 above. It should be noted that the Honiton Community College playing field (referred to as site HD elsewhere in this strategy) was not considered as it has already been identified for the location of a floodlit sand-based AGP in the PPS.

Site ref	Site name
<u>Existing pitch sites</u>	
HA	Mountbatten Park
HB	St. Rita's
HC	All Hallows
<u>Potential new sites</u>	
H1	St. Rita's extension
H2	Tower Hill
H3	Current showground
H4	Former showground
H5	Former Manor House School playing field
H6	Hayne Lane
H7	Kings Arms Farm
H8	Awliscombe Road
H9	Land between Mountbatten Park and the A30



Plan showing Stage 1 potential sites for consideration (reproduced at Appendix 1).

## Step B - Rationalisation through basic feasibility assessment

- 1B.1 Following the objective identification of sites with potential to take sports pitch development the Council appointed consultants STRI (Sports Turf Research Institute) in November 2015 to provide technical expertise on the project.
- 1B.2 All existing and potential sites were visited by both officers and consultants to see first-hand what potential each site had for sports pitch development. The consultants then produced an initial assessment report (available at Appendix 2 and from here on referred to as the STRI Stage 1 report) considering agronomic<sup>2</sup> issues and site potential.
- 1B.3 Sites were assessed against a standard methodology which considered key aspects of the site location, access, general topography, current vegetation, soil type and drainage characteristics, size of the site and other mitigating risks or factors that would make the site difficult to potentially develop. Each aspect was weighted and scored appropriately with the resultant overall score for each site providing a guide as to whether a site would be feasible or not. Sites were scored out of 100, with sites scoring 56 or more being considered worth taking forwards to the next stage (full surveys and plans to be drawn up) and sites scoring 55 or less considered as “Poor Quality” or “Unacceptable” and therefore being removed from the process as they would have little prospect of being feasible for sports pitch development.

Overall Weighted and Adjusted Scores /100				
Unacceptable	Poor Quality	Unsatisfactory	Acceptable	Good Quality
≤ 30	30 - 55	56 - 70	71- 85	> 85

Stage 1 feasibility assessment scoring matrix

- 1B.4 Those sites identified as being in the “Unsatisfactory” category would require significant works and investment to bring them up to sports pitch standards, but it would be feasible. Sites identified as “Acceptable” would possibly need improvement and investment. Sites identified as “Good Quality” would require few or no works and investment.
- 1B.5 The table below summarises the findings of the STRI Stage 1 Report listed in priority and score order. It should be noted that the scores and comments on potential works required and potential pitch numbers were based solely on the consultant’s opinion having carried out non-technical site visits. Surveys and plans to be drawn up as part of Stage 2 would refine the detail of what works would be required and potentially how many pitches could be delivered on site.

Priority	Site	Site ref	Score	Key reasons	Potential works required	Potential pitch numbers
1	Land between Mountbatten Park and A30	H9	76	Narrow strip of land possible use for mini pitches	Drainage and surface works	2x mini
1	St Rita’s extension	H1	75	Good site but next to St.	Drainage and	2x adult

<sup>2</sup> Agronomy is the science of soil management

Priority	Site	Site ref	Score	Key reasons	Potential works required	Potential pitch numbers
				Rita's	surface works	
1	All Hallows	HC	75	Space for 2 pitches, very wet and soft	Drainage	2x adult
1	St Rita's	HB	65	Undulating site with some expansion possible, access poor and soft	Drainage	2x adult 1x junior
2	Former Showground	H4	63	Good site but with slopes and large pylon	Levelling and drainage	4x adult
3	Mountbatten Park	HA	82	Football and cricket with limited space, pitches wet	Drainage	2x adult
3	Former Manor House School	H5	64	Site reasonable but out of town and now part of an exclusive pavilion development	Limited works but may need drainage	2x adult
3	Kings Arms Farm	H7	61	Large site but on edge of town and on floodplain	Drainage and surface works	3x adult
3	Tower Hill	H2	58	Large site able to accommodate a number of pitches, out of town	Drainage and infrastructure	5x adult
4	Honiton Showground	H3	57	Large site but out of town and on floodplain	Reject	
5	Hayne Lane	H6	50	Steeply sloped and pylon across site	Reject	
5	Awliscombe Road	H8	34	Steeply sloped, out of town and with large pylon	Reject	

### Honiton Showground (H3)

1B.6 Honiton Showground (site H3) was recommended for rejection despite the fact it scored 57/100 in exception to the methodology . Most of the site was steeply sloped and considered nearly impossible to re-grade, with the only areas of the site that might be suitable lying within the floodplain. In addition to this the soil was stoney and made of a silty clay loam which would drain poorly. The location of the site, at best 1km from the western edge of Heathpark industrial estate to the eastern edge of the site, but more significantly around 3.2km from the town centre to the centre point of the site weighed heavily against taking this site any further forwards and with such a borderline score it was considered appropriate to reject the site at Stage 1.

### Hayne Lane (H6)

1B.7 Hayne lane (site H6) was recommended for rejection. The site is steeply sloped and would need significant re-grading. If the site were to be re-graded then this would result in only being able to accommodate two pitches. In addition to this there is a low voltage pylon that crosses the site which would need to be diverted or undergrounded, the site is currently divided up by multiple hedgerows, the soil is stoney and made of a silty clay loam which would drain poorly, and it is located right on the western end of the town, around 2km from the town centre to the centre point of the site. It was considered that it would be unfeasible to develop the site for sports pitches without significant costs that would not outweigh the benefits considering that other better sites exist.

1B.8 This site is owned by East Devon District Council. It was originally purchased for recreational purposes with the intention for the site to host new sports pitches for the town. A covenant exists on the site's title deeds restricting usage to recreation. Having purchased the site in 1999, the Council subsequently looked into ways to

bring the site into recreational use but the topography of the site and the need to divert or underground the pylon meant that it simply was not feasible to deliver. As such, the intended recreational use has not been possible to deliver. The new Local Plan (2013-2031) now allocates the land for employment use.

### **Awliscombe Road (H8)**

1B.9 Awliscombe Road (site H8) was recommended for rejection. The site is steeply sloped and were it to be re-graded then there would likely be only room for a single pitch. In addition to this the site is out of town, it has a pylon crossing the southern corner of the site, and the soil is stoney and made of a silty clay loam which would drain poorly. It was considered that it would be unfeasible to develop the site for sports pitches.

### **Sites proceeding to Stage 2**

1B.10 Mountbatten Park (site HA), St Rita's (site HB) and All Hallows (site HC) are existing pitch sites and all scored relatively highly. All Hallows and St Rita's were both recommended as priority 1 sites for investment and improvement in terms of needing drainage urgently to be able to continue in their current usage. Mountbatten Park was listed as a priority 3 site despite its high score. The lower priority reflects the fact from an agronomic/sports turf specialist point of view it is capable of continuing in its current usage but ideally it will require adequate drainage to be installed.

1B.11 Land between Mounbatten Park and the A30 (site H9) and St. Rita's extension (site H1) were both recommended as priority 1 sites with significant potential to provide sports pitches with relatively minimal drainage and surface works to bring them up to standard. They appeared to show the best prospects for new pitch delivery from an agronomic/sports turf perspective.

1B.12 The Former Showground (site H4) was recommended as a priority 2 site identified as requiring significant levelling and drainage works to bring it into use for sports pitches, but of such a size, gentle slope, location and with limited stones in the soil to make it a realistic prospect for sports pitch delivery. Benefits here would likely outweigh the costs. It's location the opposite side of the A30 to the rest of the town, high voltage powerline cutting across the southern corner of the site, and silty clay loam soil make up detract slightly from the positives but overall it was considered a feasible site to take forward to Stage 2.

1B.13 The Former Manor House School (site H5) was recommended as a priority 3 site. Whilst being a large flat site with limited stone and weed cover, it's silty clay loam soil and drainage potential plus location out of town and current usage for weddings and other events meant that its overall score was compromised. Had the site been closer to town and the current use been known to not be an issue it may have scored higher.

1B.14 Kings Arms Farm (site H7) was recommended as a priority 3 site. Whilst being a large site with extensive flatter areas, close to town with good access, the pitches would have to be delivered on the floodplain, a powerline across part of the site could cause an issue and the stoney soil with a silty clay loam make up would drain poorly. The site holds some potential, although the fact that pitches would have to be delivered on the floodplain would potentially be an issue.

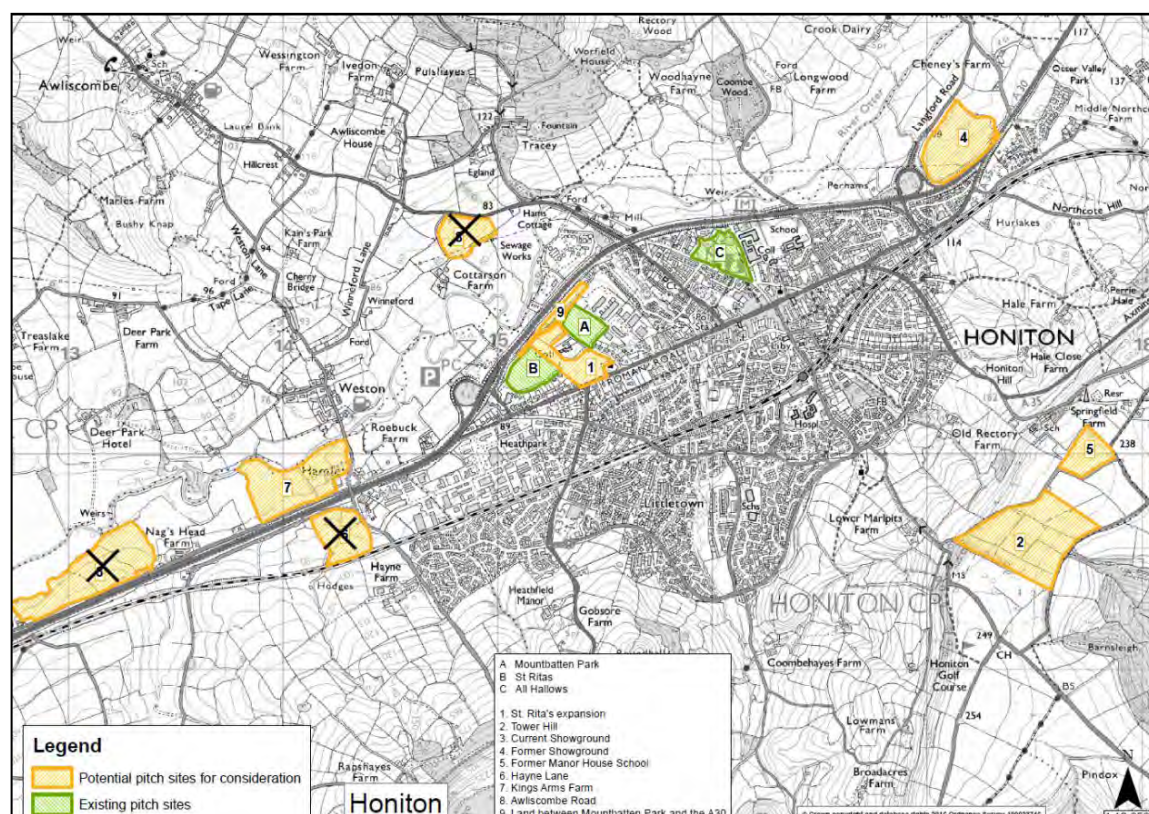
- 1B.15 Tower Hill (site H2) was recommended as a priority 3 site, however, similar to the Honiton Showground site it may have also been considered suitable for rejection due to its borderline score, location and potential costs of delivery. However, there is a known willing land owner and project that has been worked up by Honiton Development Trust and the PPS specifically states that if no other suitable sites are found through this strategy then Tower Hill will become the preferred option. That being the case, Tower Hill has remained in the process at this stage.
- 1B.16 The STRI Stage 1 Report also included commentary on how Devon hedgerows, stoney soil issues and the floodplain impact on the delivery of sports pitches in general. All three can pose potential constraints to pitch development.
- 1B.17 In some circumstances hedgerows can be removed or even moved to facilitate development, however more detailed ecological assessment of the hedgerows in question would be required to understand whether this could be possible. Older hedgerows supporting a wide range of biodiversity or forming key links between biodiversity rich areas would always be more sensitive to movement or removal.
- 1B.18 Stoney soil is a recurrent issue across most of the sites assessed in Honiton. Whilst some stones can be removed or buried effectively some smaller stones can remain which can cause significant injuries. The report suggests installing a “sand cap” if pitches are delivered on sites with particularly stoney soil.
- 1B.19 The floodplain of the River Otter is a particular challenge. Most of the flatter areas of land around Honiton are within the floodplain. Potentially, technically pitches can be provided on the floodplain, however, there are a number of important issues to be taken account of. It is important to remember the functional purpose of floodplains and as such the fact that little built form or land re-forming could take place within them without express consent of the Environment Agency. In addition to this, when rivers flood they potentially can contaminate land as they bring with them pesticides, sewage and other contaminants and put pitches out of action whilst the problem is resolved at sometimes significant expense. Drainage systems for pitches can also be capped off by silt which then would potentially need removing from the system. Above all though, pitches delivered on floodplains may well be out of action for extended periods of the year as and when the river floods. The only site remaining in the process where this is an issue is Kings Arms Farm (H7) part of which has flooded on a number of occasions over recent years. It remains in the process for now so that the pros and cons can be weighed up against other sites.

## STAGE 2 – SITE ASSESSMENTS

### Step C – Site Surveys

2C.1 Six potential sites and three existing sites were taken forward into Stage 2. The map below shows these sites with the sites that dropped out of the process at Stage 1 crossed out. The map is replicated at a more legible scale in Appendix 3.

Site ref	Site name
<u>Existing pitch sites</u>	
HA	Mountbatten Park
HB	St. Rita's
HC	All Hallows
<u>Potential new sites</u>	
H1	St. Rita's extension
H2	Tower Hill
H4	Former showground
H5	Former Manor House School playing field
H7	Kings Arms Farm
H9	Land between Mountbatten Park and the A30



Plan showing Stage 2 sites for consideration (reproduced at Appendix 3).

2C.2 Of these sites it was considered necessary to get full Computer Aided Design (CAD) surveys completed for sites HB, H1, H4, H7 and H9. Where sites were considered flat or simple enough to develop drawings without the need to understand the topography any further, surveys were not carried out. In this case only the Former Manor House School site (H5) was considered not to need a survey for that reason out of the potential new sites.

- 2C.3 It was considered unnecessary to survey Mountbatten Park (HA) or All Hallows (HC) as they are both flat sites hosting existing pitches and the only works necessary to improve the sites would be the installation of new drainage systems and improved maintenance. St. Rita's (HB) was felt necessary to survey to understand whether the site could be levelled out to address the undulating surface of the existing pitches or even provide additional pitches.
- 2C.4 Tower Cross (H2) was not surveyed as plans already exist as part of the Honiton Development Trust proposals for a sports hub on the site.
- 2C.5 The Honiton Community College playing field (HD) was not surveyed nor plans produced as it has already been identified for the delivery of a floodlit sand-based AGP through the PPS.



## Step D – Potential site plans

- 2D.1 After conducting the relevant site surveys, potential site plans were drawn up for each of the Stage 2 sites with the exception of Tower Hill (H2) for which plans already existed showing the intentions of Honiton Development Trust.
- 2D.2 For potential new sites the intention was for plans to show what and how many pitches plus ancillary facilities could be accommodated on each site. The process would look to maximise provision on each site by showing a range of grass pitch types and sizes that could be delivered. This would enable officers to understand how the required pitch combinations for the town could be delivered across a combination of sites if necessary. For existing pitch sites plans would show how site capacity could be maximised.
- 2D.3 At the end of Stage 1, a number of technical experts were consulted to understand what technical constraints there may be to sports pitch development on a number of the sites. Comments were sought (where relevant) from Devon County Council's Highways and Historic Environment teams, and the District Council's Landscape Architect and Countryside and Environmental Health teams. The full comments from these consultees were passed to the consultants (STRI) to help inform their site plans. Comments received for each site are detailed in Appendix 4 in full.
- 2D.4 Consultants STRI were required to provide a second report (from here on referred to as the STRI Stage 2 Report – found at Appendix 5 to this report) to which the site plans would be appended, and which would detail what pitches each site could accommodate, how that would be made possible and the reasons for this. The report was also required to include indicative costings on the delivery of the plans (excluding land purchase costs).
- 2D.5 The potential site plans for each site are discussed below. It should be noted that these are *potential* site plans and show what potentially *could* be accommodated on each site according to STRI as agronomic and sports turf experts. It is not to say that such plans would be acceptable in all cases and is not a signal that the Council intends to deliver or would support delivery of such plans on any site at this stage. They and this report are also not a substitute for planning permission and do not mean that such proposals would necessarily gain planning permission. All planning applications are considered on their own merits against the development plan and any relevant material considerations.
- 2D.6 The plans themselves should be viewed alongside the following explanations which can be accessed as part of the STRI Stage 2 Report at Appendix 5 to this strategy.
- 2D.7 The discussion below explains what was required of the consultants (STRI), what the plans show, what alternative options there potentially could be, and the approximate costs for delivery of the pitches themselves (including associated earthworks, primary drainage systems, cultivations, sand amelioration, secondary drainage, seed bed preparation, seeding, initial maintenance and a 10% contingency), and appropriate clubhouse and car parking facilities. It should be noted that STRI are specialist agronomic and sports turf experts and as such costings for any ancillary facilities are outside their area of expertise and provided as ballpark figures based on experiences elsewhere. Costings do not include VAT, removal of excess spoil, Sustainable Urban Drainage Systems (SUDs), diversion of existing utilities/services such as powerlines, or other ancillary requirements such as covered stands, perimeter rails, etc. Land

costs and ownerships are also not covered here and are considered later in the report.

### **Mountbatten Park (HA)**

- 2D.8 STRI were not required to produce plans to show accommodation of additional pitches on this existing pitches site as it is already used to its full potential. However, the site requires primary sports pitch drainage for the football pitches which is indicatively costed at around £45,000.
- 2D.9 If additional pitches were laid out on sites adjacent to Mountbatten Park then the existing clubhouse facilities would need to be extended/replaced. Further plans will be necessary to understand exactly how this may be accommodated on site, but in principle it could be possible. However, additional car parking could need to be provided on an alternative site (H1 or H9).

### **St. Rita's (HB)**

- 2D.10 STRI were required to produce a plan showing how this existing pitches site could be levelled and pitch space maximised. The plans show how potentially the site could be levelled to accommodate 2x youth 11v11 and 2x mini 5v5 football pitches. Currently, the site accommodates 2x youth 11v11s and 1x youth 9v9 with various other pitches overmarking these base pitches. The STRI report explains that it may not be considered cost beneficial to carry out the full suite of levelling works shown in their plan and in fact improve the worst of the undulations and drainage.
- 2D.11 If the plans shown were to be delivered the indicative costs for the pitches would be £148,000. However, if just drainage were to be installed then costs would likely be in the region of £61,000.

### **All Hallows (HC)**

- 2D.12 STRI were not required to produce plans to show accommodation of additional pitches on this existing pitches site as it is already used to its full potential. However the STRI Stage 1 report states that the site desperately requires drainage to be installed and this is anticipated to cost in the region of £100,000 for combined primary and secondary drainage covering the entire playing field.

### **St. Rita's extension (H1)**

- 2D.13 STRI were required to produce a plan showing two adult football pitches being delivered on the land immediately to the south-east of the St. Rita's Centre with the hope that overspill car parking could possibly be accommodated in the eastern most edge of the site. However, this was not possible due to the dimensions of the site and requirement to retain and respect the existing hedgerows and trees on site.
- 2D.14 The plans show provision of 2x U15/16 youth 11v11 football pitches delivered in this area with a further 2x mini 5v5 pitches in the field to the west of the St. Rita's Centre, between the centre and the existing pitches site (HB). The STRI Stage 2 Report explains that alternatively the area to the south-east of the centre could accommodate a single adult 11v11 pitch and 2x mini 5v5 pitches.
- 2D.15 Whilst no car parking or clubhouse facilities are shown as being deliverable on this site, it could potentially be possible to deliver either/or facility on the land immediately

to the north-west of the St. Rita’s Centre on the south side of Turk’s Head Lane if necessary.

2D.16 Indicative costs for this work would be approximately £157,000 for the pitches. If just the area to the south-east of the centre were delivered then this would cost in the region of £130,000.

### **Tower Hill (H2)**

2D.17 Plans already existed showing how a range of pitches could be delivered at Tower Hill (see Appendix 8). As such STRI were not required to produce any further plans. The Honiton Development Trust plans for Tower Hill show a total of 3x senior rugby pitches, 3x midi rugby pitches, 2x adult football pitches, 3x youth 11v11 football pitches, 2x mini 5v5 football pitches, a standalone cricket ground, a second cricket square overmarking midi rugby pitches and a small MUGA (Multi-Use Games Area) together with a clubhouse and car parking facilities.

2D.18 As these plans were drawn up a number of years ago (2009) many of the pitch sizes are no longer in conformity with relevant FA / RFU/ECB/ Sport England standards, however the plans give an idea of what could in theory be accommodated on site.

2D.19 A feasibility report produced by Business Information Point (BIP) was produced in 2012 to accompany these plans and this suggested the following costs as minimums. The costs do not include car parking, land purchase, off-site infrastructure improvements, or internal fittings and fixtures for the clubhouses. The figure for groundwork, pitch drainage and establishment was provided by STRI in June 2011 and discussion with them has highlighted that this cost would likely only be revised upwards as a result of inflation and works that have been carried out to the field since that original estimate was provided.

	Total Estimate Cost £ (excl VAT)
Ground work, pitch drainage and establishment	£600,000
Pavillion, changing rooms	£1,606,330
Machinery store, changing rooms	£312,457

### **Former Showground (H4)**

2D.20 STRI were required to produce a plan showing multiple senior and midi sized rugby pitches, clubhouse and car parking. Plans show a total of 2x senior rugby pitches and 3x midi rugby pitches capable of being delivered on site. It had been hoped to provide for more pitches than this on this site, however, the significant slope requires major cut and fill re-profiling to create flat platforms for the pitches and the powerlines at the southern end of the site are a major constraint to expansion of the platform to accommodate more pitches.

2D.21 Indicative costs for this work would be approximately £475,000 for the pitches and £650,000 for the clubhouse and car parking.

### **Former Manor House School (H5)**

2D.22 STRI were required to produce a plan showing delivery of a cricket square with football and/or rugby pitches overmarking the outfield. Plans were also required to show expansion of car parking provision and extension to the existing cricket pavilion.

2D.23 The plans show that it would be possible to accommodate an 8x wicket cricket ground with a senior rugby pitch and an adult football pitch overmarking the outfield. It would not be possible to accommodate 2x senior rugby pitches as the south-western end of the site is too narrow to fit the full length required.

2D.24 Indicative costs for this work would be around £101,000 for the pitches. Clubhouse and car parking extensions would be in addition to this.

### **Kings Arms Farm (H7)**

2D.25 STRI were required to produce a plan showing delivery of a range of football and rugby pitches of varying sizes together with a clubhouse and car parking. As the majority of the site is within the floodplain of the River Otter, only the area closest to the road was surveyed and only this area was modelled for pitch provision, however, additional pitches could potentially be delivered on the floodplain although there would be risks involved with this.

2D.26 The plans show provision of 1x adult 11v11, 1x youth 11v11, 1x mini 7v7 and 1x mini 5v5 football pitch delivered on cut and fill platforms above the floodplain plus an indicative location for a clubhouse and car parking. The STRI Stage 2 Report explains that potentially there could be room for up to two adult sized pitches to be laid out in the floodplain if necessary, however these would obviously be at risk of flooding and potentially be out of action for long periods at the wettest times of the year.

2D.27 Indicative costs for the plans would be approximately £205,000 for the pitches and £350,000 for the clubhouse and car parking. If pitches were laid out in the floodplain as well then there would likely be some additional costs involved for this, however the effectiveness of installing drainage would be questionable and no groundworks would be required so costs could be minimal at the outset.

### **Land between Mountbatten Park and the A30 (H9)**

2D.28 STRI were required to produce a plan showing delivery of mini football pitches and potentially a clubhouse and additional car parking to meet the expanded needs of all the sites in this vicinity. The site is only just wide enough to accommodate mini 5v5 football pitches and could not fit any larger format pitches.

2D.29 The plans show provision of 3x mini 5v5 football pitches plus an indicative area that could potentially accommodate a clubhouse and additional car parking.

2D.30 Indicative costs for this work would be around £55,500 for the pitches and £200,000 for the clubhouse and car parking.

## **Step E – Basic sustainability and suitability assessment**

- 2E.1 In addition to understanding whether it is technically feasible to deliver pitches on sites and what pitches might be able to be accommodated on them, it is key to assess the basic sustainability and suitability of the sites to host sports pitches. Essentially this means conducting a basic policy test and considering a number of pros and cons for each of the sites.
- 2E.2 The policy context for delivering sports pitches at Honiton is set out in the introduction to this strategy. These are the key policies and the key guidance that any new sports pitch proposal at Honiton will need to be considered against. Some policies will apply to some sites and not others, whilst other policies will apply to all.
- 2E.3 The full basic sustainability and suitability assessment for each relevant site can be found at Appendix 6, however, the section below discusses the key issues at hand for each site, makes conclusions about their suitability and sustainability in planning terms and recommends whether pitches should be delivered on sites or not. All potential new sites have been assessed. Existing pitch sites are automatically considered to be appropriate for simply grass pitch provision.
- 2E.4 It should be noted that this assessment and recommendation in this strategy is not a substitute for planning permission and does not prejudice the formal consideration of any submitted application taking into account the comments and views of any statutory consultees, interested 3rd parties, policies laid out in the East Devon Local Plan (as well as other policy guidance), and the views of the Service Lead - Planning and the Chairman and Development Management Committee.
- 2E.5 Following the site by site assessments, the various costs involved with delivering each site are compared and sport by sport and overarching conclusions are made explaining why pitches should be delivered on specific sites. This is followed by a table setting out the draft recommendations and explanation of how they meet the requirements for sports pitches in Honiton to 2024.

### **General Environmental Health comments**

- 2E.6 When consulted, the Council's Environmental Health team gave some general advice that would apply to any site regarding floodlighting, hours of use, dogs, and drainage outfall:
- Lighting – It is always possible to design, install and maintain lighting so that it does not overspill into gardens or cause nuisance through windows. What needs to be achieved is to conform with the Institute of Lighting Engineers standards for the avoidance of light pollution – this is not the same as just achieving illumination levels which is what designers usually do.
  - Hours – all weather pitches provide important extra time for exercise and this can only be welcomed. We see elsewhere that evening hirings usually end at 9pm or 10pm at latest. At this time both the noise level dies down and the lighting is switched off. The use therefore does not encroach on the night hours of 11pm to 7am. There will be some people noise but the impact of this should be balanced against the health and well-being benefit of providing better facilities over longer hours.
  - Dogs – I strongly recommend that dogs are prohibited from all playing pitches from the outset. This is easier where the pitches are fenced and a nearby alternative for dog walking off lead is preferable, but we can help with this in

due course. Any pitches which are leased to private clubs and the like can be subject to their own rules and enforcement.

- Drainage of the pitches is of course essential and again care must be taken where the pitches are on previously developed land. All drainage must go to a suitable running outfall and this must be evaluated if not already in significant use – it would not be appropriate just to assume that a nearby dry ditch is in a fit state to accept piped run-off. We are also happy to help with this too if you wish us to look at specific sites.

### **St. Rita's extension (H1)**

2E.7 The PPS specifically identifies in action plan HO.13 that options for delivering additional youth football pitches at St. Rita's should be explored. It would be possible to lay out two of the largest youth 11v11s plus 2x mini 5v5s on additional land at St. Rita's. It may also be possible to accommodate additional grass cricket wickets between the youth 11v11 pitches. This would enable the youth football club to spread current and future usage out over additional pitches (reducing the impact on the quality of existing pitches) and the cricket club to expand in the future. It would not be possible to accommodate two FA compliant adult pitches without unreasonable impact on protected trees and hedgerows, (although a single adult pitch would be possible). U15/16 Youth 11v11 pitches, at 91m x 55m (excluding run-offs) would be slightly smaller than the pitches at Mountbatten Park. An option could be for the adult football club to utilise the pitches when the cricket season takes over at Mountbatten Park, reducing the issues of ground sharing that currently exist. However, the football club has raised issue with this and explained that they would not be able to compete at Peninsula League level (which is the club's ambition) on smaller than official adult sized pitches or on the current arrangement of using an adult pitch overmarking a cricket outfield (they require sole occupancy for football). That being the case, another option might be to consider relocating the cricket ground to site H1, and then improving Mountbatten Park (HA) to allow development of a Peninsula League standard football ground in due course. This would enable the adult football club's current and future needs to be met on one site, and the increased quality and capacity provided by drainage and sole occupancy would enable additional junior football to be met through overmarking the adult pitches with youth/mini pitches. This would also address the issue of adult football and cricket sharing their home ground. This option would, however, be less appealing to the cricket club who's ambitions to expand would be tempered and who would not be able to take advantage of potential sponsorship and catering/bar functions and the important revenue stream these bring at the main clubhouse. Co-location with existing pitches makes the sustainability and viability credentials of the site for the delivery of sports pitches in general impossible to overlook.

2E.8 In addition to this, the potential cost of laying out pitches on this site as proposed by the STRI plans is relatively low at an estimated £157,000 because the land is fairly flat already, therefore requiring less re-profiling. The costs may vary for the above mentioned alternative including a relocated and suitably prepared cricket square. Additional changing and car parking facilities would need to be accommodated through a review of the existing provision at Mountbatten Park (HA). If the above alternative arrangement were pursued then it could be possible to move the first XI football pitch on Mountbatten Park (HA) slightly north-west (over what is currently the cricket square). This should provide room to construct additional car parking to the south-east of the pitches along Ottery Moor Lane.

- 2E.9 The site is located outside the floodplain, on land classified as “urban” in agricultural land terms and less sensitive in landscape terms than some other sites being considered. Having said that, the amenity impact on neighbouring properties would be more significant than others.
- 2E.10 Floodlights are not proposed for this site, however added noise pollution during daylight hours, particularly on weekends and summer evenings could potentially be an amenity issue for neighbouring properties. Having said that, the site would be unlikely to add significantly to the noise pollution created by the pre-existing sports facilities and would likely be dwarfed by the noise pollution of the A30 dual carriageway. When taken in the wider cost/benefit of providing pitches in town on this site or on a site more removed from the town, the benefits clearly outweigh the potentially slightly increased noise pollution impact on the amenity of neighbouring properties. Some additional boundary planting could help as a noise buffer.
- 2E.11 Despite all of the obvious benefits of the site, the owners of the site have stated that they would not be willing to let any further land at St. Rita’s be used for sports pitches. In essence this means they would not be open to selling or leasing the land for such purpose. The reason for this was that the St. Rita’s Centre is a retreat / convention centre and any further increase in sports provision around it would be at odds with the peaceful and reflective nature of its use. However, the benefits of the site’s location would appear to clearly outweigh any increases in noise pollution when the pitches were in use. The main concerns of the retreat are the location of pitches in close proximity to the centre and the general impact that intensified use of land surrounding the centre might have on the peaceful and reflective nature of the centre’s use. It might be possible to reduce the impacts on the centre by exchanging the football pitches shown on the STRI plans with a relocated cricket ground which may have a less significant impact in terms of noise and in any case only be used from May to September.

#### Recommendation

2E.12 The St. Rita’s extension site should be progressed as a priority site for the provision of additional sports pitches to meet the needs of Honiton in conjunction with improvements to existing pitches and ancillary facilities at St. Rita’s and Mountbatten Park. Two alternative options exist for use of the site:

- (1) 2x Youth 11v11 and 2x mini 5v5 football pitches (as per the plans produced by STRI); *or*
- (2) A relocated 10x grass (plus 1x artificial) wicket cricket ground and small pavilion building

In order to progress this site it may be necessary to exercise a Compulsory Purchase Order (CPO) depending on further negotiations with the landowner. Which option is pursued will be at least partly dependent on these negotiations..

#### **Tower Hill (H2)**

2E.13 The PPS has specific action plans regarding Honiton Development Trust’s Tower Hill proposals. It explicitly states in HO.18: to “explore the possibility of addressing all Honiton pitch issues on alternative sites better related to the existing town and outside of the AONB first but if there are no realistic alternatives then some pitches may need to be delivered on Tower Hill”, and in HO.19: “Only support the development of such a facility if all clubs involved are willing to move, a sustainable travel plan can be developed and it would not adversely affect existing club, viability of other clubs and facilities in the area and access to open access pitches in Honiton and surrounding villages”.

- 2E.14 Clearly, the site could potentially accommodate a significant number of pitches, but this would come at a high price, financially, environmentally and socially. The 2012 BIP Report suggests that excluding land costs their plans would cost more than £2.5 million. Considering these cost estimates were made in 2012, this is likely to have increased with inflation.
- 2E.15 The above assessment clearly shows how development of sports facilities at Tower Hill would be contrary to multiple policies of the Local Plan. The lack of accessibility by sustainable means, potential impact on the local road networks and significant anticipated impact on the landscape and AONB make the site wholly inappropriate for sports pitch delivery. Considering the alternative options that are assessed in this report it is therefore not an appropriate site to take sports pitch development.

#### Recommendation

- 2E.16 No sports pitches should be delivered on this site.

#### **Former Showground (H4)**

- 2E.17 Whilst the Former Showground is located on high quality agricultural land within the AONB and potentially has issues regarding safe accessibility by foot/bike, it clearly is well related to the town and has potential to deliver significant numbers of pitches to help meet the sporting needs of the town. It is moderately sensitive to development in landscape terms, and whilst being within the AONB it is potentially less sensitive than other parts of the AONB due to its close proximity to the town and A30 Honiton bypass. The fact that it is high quality agricultural land is a drawback of the site, however, other sites of lower quality agricultural land are not suitable for other reasons outlined in this report and therefore development of this site for sports pitches would be possible. A suitable safe pedestrian/cycle access would likely need to be achieved for this site to be progressed.
- 2E.18 Particular care would need to be given to the design of any built facilities due to its AONB location to ensure that they are reflective of their surroundings and do not cause unnecessary intrusion into the landscape. The cut and fill banking should also be minimised as much as possible and effectively mitigated through design and screening to reduce the impact of such an engineered landform in this location. It may be that RFU/Sport England cross fall gradient guidelines need to be exceeded to achieve a suitable outcome. The Blackdown Hills AONB team highlighted concerns with the impact of this site on the wider AONB as part of the consultation on the draft strategy.
- 2E.19 In addition to this, during the consultation, Devon County Council published plans for the improvement and re-alignment of the A30 trunk road from Honiton to Devonshire Inn. These plans showed potential for a new link road linking what would then become the old A30 Monkton Road to Langford Road cutting directly across this site. If delivered exactly as proposed through their consultation plans then it would undermine the ability of the site to deliver sports pitches as proposed in the draft strategy. Initial discussions with the County Council have intimated that they would like to accommodate plans for the sports pitches as much as possible within reason and it appears that a suitable solution to accommodate both plans may be possible, but the final design and decision will rest with Highways England. If there is a requirement to accommodate the new link road then it is expected that it would be necessary to also need to utilise the adjoining field immediately to the north-east of the field identified as site H4. That may then enable the new link road to be delivered but also improve the landscape impact of the pitches.



2E.20 By splitting out the pitches across two separate fields, it would be possible to create multiple different “platforms” rather than siting them all on a single level. This would mean a less engineered and harsh reprofiling of the land could be possible which it is hoped would help to address concerns voiced by the Blackdown Hills AONB.

2E.21 As things stand there are two potential ways of achieving a safe pedestrian/cycle access to the site:

- Utilise Clapper Lane which passes under the A30 approximately 400m west of where Langford Road appears on the north side of the A30. In this option, a new footpath/cycleway would need to be laid along the north side of the A30 between Clapper Lane and Langford Road.
- Improve existing footways and crossing points on the A30/A35 junction bridge and run a new footpath along the remainder of Langford Road to the site entrance.

However, it is perhaps unlikely that either of these arrangements would be supported by the County Council highways department on safety grounds. The only other option would be to potentially consider a new bridge over the A30 as part of the plans to improve/re-align the A30 in this location, though this would be at significant cost and the realistic number of people likely to access the site by foot/cycle in that situation would need to be weighed up to understand if it was of reasonable cost/benefit.

2E.22 The cost of delivering pitches in this location would be significant, mainly due to the sheer quantity of earthworks required to create a flat platform(s) for the pitches. However, in combination with existing facilities at All Hallows it could provide enough pitch space for current and future rugby needs in Honiton for years to come.

2E.23 The site would not be large enough to host all of Honiton RFC’s required rugby pitches on its own without continued reliance on All Hallows and its location within the AONB means it would not be a suitable location for floodlights. Therefore this option is reliant on retention and improvement of All Hallows as Honiton RFC’s main ground capable of being floodlit if necessary.

2E.24 The owners of the site (who also own the field immediately to the north-east which may potentially also be required) have stated that they would potentially be open to the idea of making the site available for sports pitches.

### Recommendation

2E.25 The Former Showground should be progressed as a priority site for the provision of additional rugby pitches to meet the needs of Honiton in conjunction with improvements to existing pitches and ancillary facilities at All Hallows. In order to progress this it may be necessary to exercise a Compulsory Purchase Order (CPO) depending on further negotiations with the landowner.

### **Former Manor House School (H5)**

2E.26 The Former Manor House School site (H5) has many of the same issues as Tower Hill (H2), being located almost immediately next door to it. The difference here is the former use as a school playing field and the scale of development. Pitches could be simply marked out on this site and be used by clubs without a need for planning permission due to its current use being as a playing field (albeit that it has no user at present) and lack of need for engineering works. However, if drainage needed installing, additional car parking and a new clubhouse were required to enable intensification of the use of the playing field as modern sports pitches then this would require permission and it is unlikely that an increase in traffic and noise pollution in this tranquil AONB setting would be appropriate. The existing pavilion would need to

be utilised and any extensions kept to a minimum and designed in keeping with the original building to have any likelihood of being considered appropriate.

- 2E.27 That being the case, it might be possible for the site to be utilised as temporary or even permanent overspill sports pitch provision. However, the pitches would be unlikely to be able to be improved or ancillary facilities extended. This may put clubs off wanting to use the site as part of a permanent solution.
- 2E.28 In addition to this, the site could host at most 1x adult 11v11 football pitch and 1x senior rugby pitch overmarking an eight wicket cricket ground. If football or rugby pitches were laid out here then clubs would have to maintain multiple sites for their pitches which might be considered to be unviable. The cricket club could potentially move to this site wholesale and increase the number of wickets to 11 meaning that current issues regarding sharing at Mountbatten could be resolved and they would only need to maintain one site. However, they would then be detached from the town and this would discriminate against users that do not have access to a car. This may have serious membership issues which in turn could undermine the long term viability of the club.
- 2E.29 The fact that the site has previously been used as a school playing field and therefore could be used as sports pitches without a need for planning permission means it makes sense for this site to be made available as a temporary solution to pitch issues in Honiton until the sites for the permanent solution are completed, however, long term it is not a suitable location for sports pitches.
- 2E.30 The owner of the site has indicated that it would be able to be used for sports pitches, so long as use did not encumber the existing/proposed wedding and educational businesses running out of the pavilion. Further negotiation would be required to reach a suitable arrangement.

#### Recommendation

- 2E.31 The Former Manor House School site (H5) should be considered as a temporary solution for sports pitches in the Honiton area usable by any of the sports clubs in the town with the existing pavilion/toilets available for users as changing facilities/clubhouse. Once permanent sites have been completed then the site could either continue as an unimproved playing field, be returned to its natural state or an agricultural field. The site is not suitable for the long term permanent location of sport pitches to meet the needs of Honiton considering the other options that are available.

#### **Kings Arms Farm (H7)**

- 2E.32 Kings Arms Farm (site H7) is a good site for sports pitch delivery in many ways (easily accessible, close to town, minimal land re-profiling required, outside the AONB and not on high quality agricultural land. Delivery of pitches as per the plans prepared by STRI could be possible and would potentially be able to accommodate all of the additional football pitch requirements but in a less suitable location in comparison to St. Rita's. The area on which STRI have identified pitches being constructed (out of the floodplain) could only accommodate up to 2x senior rugby pitches which would not meet the needs of the rugby club. Delivery of more pitches than this would require use of the floodplain which is undesirable and in fact unsuitable. If new pitches are not available during the wettest periods of the year (the time of peak demand) then there is little point to their provision and regular flooding would result in higher maintenance costs. Indeed, Strategy 43 of the Local Plan which sets out the amounts and types of open space required for new housing development specifically rules out delivery of open space (excluding natural and

semi-natural greenspace) within floodzone 2. That being the case, only the smaller area of the site which lies outside the floodplain could reasonably be acceptable for sports pitch use.

- 2E.33 This part of the site is not big enough to accommodate the number of rugby pitches required for the town or a cricket ground and as such could only accommodate additional football pitches. The site could potentially accommodate a better mix of football pitch sizes than St. Rita's extension (H1), however it would clearly not have the same accessibility and co-location credentials.

#### Recommendation

- 2E.34 No pitches should be delivered here unless it proves impossible to deliver additional pitches at St. Rita's extension (H1), additional capacity at Mountbatten Park (HA) and St. Rita's (HB) or that provision does not satiate demand.

#### **Land between Mountbatten Park and the A30 (H9)**

- 2E.35 As with delivering additional pitches on site H1 (extension to St. Rita's), additional pitches here would have the benefit of close links and good access to the town as well as the existing pitches and facilities at Mountbatten Park and St. Rita's. Delivering pitches here would have very few detrimental impacts so long as they were designed correctly and could ensure that more sensitive landscapes were protected.
- 2E.36 However, the site is only able to accommodate 3x mini 5v5 football pitches which means it would be limited to use by under 7s / under 8s. No other pitch types (football, rugby or cricket) could fit on this site. The site is therefore not that flexible in terms of ability to be used by multiple age ranges or sports. It would not be prohibitively expensive to lay pitches out on this site, but the benefits of doing so would be fairly minimal. The STRI potential plans for site H1 show how two additional mini 5v5 pitches could be accommodated on land directly to the west of the St. Rita's Centre. If these are provided alongside the larger format provision potentially proposed to the south of the centre, then there would likely be little demand for additional mini 5v5 pitches on site H9. If, however, these pitches are not delivered or the alternative arrangement of a relocated cricket ground on site H1 is pursued then there may be an increased likelihood of needing this site (H9) to deliver some mini football pitches depending on how much capacity can be increased at Mountbatten Park (HA) and St. Rita's (HB) through other improvements.
- 2E.37 The plans show how potentially extended clubhouse or car parking facilities could be accommodated on the site as well as pitches. If delivering additional car parking or clubhouse facilities on sites HA and/or H1 turns out not to be possible then it may be necessary to deliver some extended facilities here, but this need will have to be subject to more detailed site planning across all of the Mountbatten Park and St. Rita's sites.
- 2E.38 In response to the consultation on the draft strategy, the owners of the site stated that they would not be willing to allow use of their land for sports pitch related uses. That being the case, if it transpired that the site were required for the delivery of additional mini soccer pitches then CPO might be required.

#### Recommendation

- 2E.39 Consider this site as a backup in case plans for other sites in the vicinity do not create sufficient capacity to accommodate all mini football. Depending on the exact plans for extension and improvement of clubhouse and car parking facilities at

Mountbatten Park, additional facilities could potentially be accommodated here. However, if required, a CPO would likely be needed to acquire the site.

### **Mountbatten Park (HA)**

2E.40 The existing Mountbatten Park pitches site (HA) currently hosts a 10x grass + 1x artificial grass wicket cricket square with 2x adult 11v11 football pitches overmarking the outfield. Mini 7v7 football pitches further overmark the second XI pitch. The key issues identified for this site by the PPS are the need for sports pitch drainage and the ongoing difficulties associated with sharing the site between football and cricket. With appropriate drainage the site has potential to be an excellent facility in an easily accessible location within the town and as such should be retained and enhanced. The indicative costs for primary drainage only on this site would be around £45,000.

2E.41 In terms of football and cricket sharing issues there would appear to be three realistic options:

- 1) Honiton Cricket Club relocate to the Former Manor House School playing fields (H5) and Mountbatten Park is then used solely by Honiton Football club; or
- 2) Mountbatten Park continues to be used by both the cricket and football club but when the cricket season starts the football club utilise the youth 11v11 football pitches that potentially could be laid out on site H1.
- 3) Honiton Cricket Club relocates onto site H1 and Mountbatten is then used solely for football but would need to cater for some additional usage by the Honiton Youth Football Club.

Considering the sustainability issues with utilising site H5 and the significant benefits in terms of sustainability and viability in using sites HA and H1 in combination it is clear that either option 2 or option 3 would be preferable.

2E.42 In addition to this, to cater for an intensification and increase in use of facilities and pitches in this vicinity as recommended above then the existing clubhouse and car parking facilities at Mountbatten will need to be extended or replaced. If the cricket club relocated onto site H1, then that site would need to host a small cricket pavilion containing changing rooms and room for teas etc. The existing clubhouse buildings on Mountbatten Park could then be enhanced/extended or replaced with a new up to two storey building containing sufficient changing for all the intended football pitches and social facilities for both sports. Furthermore, relocation of the cricket ground would enable the two adult football pitches on Mountbatten Park to be squeezed a little closer together (closing the gap currently taken up by the cricket square) and this could create room for additional car parking alongside Ottery Moor Lane. These options will need to be explored further at a more detailed stage of planning.

### Recommendation

2E.43 Install primary drainage to increase pitch capacity and enhance/extend/replace the existing clubhouse facilities with an up to two storey building capable of accommodating users of all pitches on sites HA, HB and H1. Explore options for accommodating additional car parking on-site.

### **St. Rita's (HB)**

2E.44 The existing pitches site at St. Rita's (HB) currently hosts 2x youth 11v11 and 1x youth 9v9 football pitches with various smaller format pitches overmarking these. The site slopes off fairly significantly in the corners which means that one of the youth 11v11 pitches and the youth 9v9 pitch exceed Sport England/FA guidelines. The plans produced by STRI show how potentially the site could be levelled to provide for

an adult 11v11, youth 11v11 and mini 7v7 within guidelines but it would be impossible to expand the provision any further due to the existence of a large pipe running across the site. It therefore would appear to not necessarily be cost beneficial to level the site completely but the worst undulations could be ironed out and primary and secondary drainage installed for around £61,000.

2E.45 The site is easily accessible (although the access track could potentially be improved), has very limited landscape impact and is already in use as sports pitches. Continuation of pitch provision in this location is an obvious choice, and if additional pitches are located on adjoining fields (H1) and the existing pitches on Mountbatten Park (HA) are improved then in combination with the above mentioned drainage improvements, all of Honiton's football needs can be met in one hub location.

#### Recommendation

2E.46 Retain and enhance the site through the installation of primary and secondary drainage. Explore options for improving the access track to site HB as part of more detailed plans for enhancement of clubhouse and car parking facilities in this vicinity.

#### **All Hallows (HC)**

2E.47 The existing All Hallows pitches site (HC) currently hosts 2x senior rugby pitches and there is no room to lay out additional pitches. The site currently hosts all of Honiton RFC's teams, however is significantly overused as a result of this. Honiton Community College also uses the site. As a site in the town centre with easy access to all members of the community it is an ideal location for a sports club to exist. In order to continue being used by the rugby club and the school sports pitch drainage would need to be installed as a priority project at an indicative cost of around £100,000 for full primary and secondary drainage.

2E.48 As explained above there are no sites capable of taking the entire pitch requirements of Honiton RFC on a single site except for potentially Tower Hill, however this would be an unsustainable location contrary to a number of policies in the Local Plan. The only site capable of taking multiple rugby pitches otherwise that is entirely outside of the floodplain is the Former Showground (H4) however floodlights would likely not be appropriate in this location. Honiton RFC require a floodlit pitch to progress further through leagues and to enable training on winter evenings and as such All Hallows provides the most suitable location for this provision. Whilst the amenity of neighbouring properties would need to be a key consideration in the design and exact location of the floodlights, as well as the impact on various heritage assets within the town (including the Grade II\* listed St. Paul's Church amongst others), All Hallows represents the least sensitive location for floodlights in comparison to any new sites in wider landscape terms due to its location within the urban fabric adjacent to existing small floodlit hard courts and outside of the AONB. The full impact of floodlights on the AONB, heritage assets and amenity of neighbours will need to be fully considered as part of any planning application, but in principle it would appear to be the least sensitive location for floodlights between All Hallows and the Former Showground sites.

2E.49 One drawback of All Hallows in terms of sport is its open community access. This means that it is used for casual recreation and more importantly dog walkers. Despite significant action on behalf of the Council and the rugby club to deter dog walkers from using the pitches themselves and to pick up, the issue of dog fouling remains a concern. Due to their location in the town centre, and the lack of other available green spaces in this vicinity it is vital that All Hallows remains available for other community users including dog walkers, however, management of this will be vital.

### Recommendation

2E.50 Retain and enhance grass rugby pitches at All Hallows through the installation of primary and secondary sports pitch drainage and floodlights.

## **Sports**

### Football

2E.51 Currently the senior football club uses the pitches at Mountbatten Park (HA). The youth football club uses the pitches at St. Rita's (HB) plus mini pitches overmarking the second XI adult pitch on Mountbatten Park. In addition to improvements of the existing pitches (drainage, clubhouse and access to St. Rita's existing pitches), the senior club need access to an adult pitch all year round so that their season is not cut short by the cricket season and the youth club need access to additional pitches as they simply don't have enough capacity at present. The obvious solution is for additional pitches and/or capacity in close proximity to the existing pitches to encourage a football hub complex. The St. Rita's extension (H1) and Land between Mountbatten Park and the A30 (H9) present the opportunity to deliver this in a location that is less harmful than any other, will encourage club viability, and mean that users can easily walk to the site. Provision of these pitches would need to be accompanied by drainage and surface improvements to both existing sites, improvements to the access track round to the existing St. Rita's pitches, and the extension/replacement of clubhouse and parking facilities.

2E.52 A further issue is that the senior football club have aspirations to compete at Peninsula League level and this will in time require them to have access to a full-sized adult sized pitch all year round, full perimeter rail, covered stand and ability to install floodlights in due course. Sharing with the cricket club at Mountbatten Park restricts their ability to progress in this regard, even if they had access to additional pitches on site H1 for once the cricket season starts. That being the case, a preferential arrangement *could* be to relocate the cricket club to site H1. This would free up additional capacity on the ground which in combination with drainage and surface improvements on Mountbatten Park and the existing St Rita's pitches could then accommodate all football activity on the existing sites. It would, however, be less desirable for the cricket club.

2E.53 Other options for resolution of football issues in Honiton could have been on the Former Showground site (H4) or on land at Kings Arms Farm (H7). The Former Showground site would be suitable, however it would require additional clubhouse/changing facilities to be provided and it is the only suitable site capable of taking anywhere near the number of senior rugby pitches that are required for the town without using the floodplain. STRI potential plans for Kings Arms Farm show that more and a better range of football pitches could be provided here than on either site H1 or H9 without utilising the floodplain but it would mean splitting the club between the existing sites and one on the edge of the town and needing to provide additional clubhouse/changing facilities in a less accessible location. The benefits of co-locating all pitches at Mountbatten Park and St. Rita's far outweigh any other factor here.

2E.54 The combination of either additional football pitches on site H1 and new sports pitch drainage and surface improvements at Mountbatten Park (HA) and St. Rita's existing pitches (HB) or the improvements to the existing pitches in combination with the relocation of the cricket ground should ensure sufficient pitch space for football in Honiton for years to come. The table below sets out how the football demands for Honiton to 2024 could be met in comparison with the requirements arising from the

PPS. Potential provision on site H1 is shown in brackets as is the overall supply if site H1 is used for football. This shows sufficient adult 11v11 and youth 11v11 pitches but under provision of youth 9v9, mini 7v7 and mini 5v5 pitch sizes if cricket is re-located to H1, but over-provision of youth 11v11 and sufficient provision of mini 5v5s if football provision is made on site H1. However, the PPS requirements were based on all pitches being of “standard” quality. The combined improvement of pitches at Mountbatten Park and St. Rita’s existing plus the relocation of the cricket ground would enable “good” quality pitches with higher capacity. Therefore, in this scenario it would likely be possible to meet the football pitch requirements for Honiton without laying out any additional pitches. If in due course additional capacity were required, either additional youth/mini pitches overmarking the relocated cricket ground on site H1 or additional mini pitches on site H9 could be considered.

Site	Adult 11v11	Youth 11v11	Youth 9v9	Mini 7v7	Mini 5v5
Mountbatten Park (HA)	2				
St. Rita’s (HB)		2	1		
St. Rita’s extension (H1)		(2)			(2)
<b>TOTAL</b>	<b>2</b>	<b>2 (4)</b>	<b>1</b>	<b>0</b>	<b>0 (2)</b>
Required by 2024	2	2	3	2	2
Difference	+0	+0 (+2)	-2	-2	-2 (+0)

2E.55 The clubhouse at Mountbatten Park would need to be either extended or preferably replaced with an up to two storey building comprising sufficient changing accommodation for all of the pitches across sites HA, HB and H1 and additional car parking provision made in the vicinity.

2E.56 Subject to agreement with the landowner, the Former Manor House School playing fields (H5) could be made available as temporary overflow provision until the above recommendations are completed.

### Cricket

2E.57 Currently the cricket club uses Mountbatten Park (HA). The main issue for the cricket club is sharing with football, the state of the outfield at the start of the season and the outdated clubhouse facilities. The cricket club are also in urgent need of new cricket practice nets. The provision of additional football pitches on the extension to St. Rita’s (H1) plus installation of drainage on Mountbatten Park and improved clubhouse facilities would enable a more effective football-cricket sharing arrangement to be established and ensure the outfield is in good condition at the start of the cricket season. During the initial consultation, this arrangement was supported by the cricket club, however objected to by the senior football club who felt it did not address their key issues. In addition to this, comments from the St. Rita’s Centre explained that these proposals would have an unacceptable impact on the centre’s existence as a retreat. That being the case, an alternative arrangement whereby the cricket ground is relocated across the road to St. Rita’s (site H1) would allow the cricket club to continue to run in its current format, address issues regarding sharing of facilities, and may lead to a more acceptable arrangement for the landowner and neighbours of the site. In order to deliver this, a small cricket pavilion would be required on the site but social facilities could remain at Mountbatten Park as part of an extended/replaced clubhouse facility there. This would be less acceptable to the cricket club than the original plans as detailed in the sections above but may resolve more issues with the football club and be more acceptable and ultimately deliverable with the landowner.

2E.58 The only other possible option for cricket would be to wholesale move the club to the Former Manor House School playing fields (H5), however, this would be unlikely to be appropriate in terms of club membership which would likely decline as a result of the out of town location and inability to walk to the site. Kings Arms Farm (H7) would only be able to accommodate a cricket square in the floodplain which would likely not be appropriate and have significantly higher maintenance costs per annum. The Former Showground (H4) is large enough to accommodate a cricket ground, however this would make it difficult to accommodate the required number of rugby pitches on the site and considering that is the only suitable site capable of taking enough rugby pitches that would not be a realistic opportunity.

### Rugby

2E.59 Currently the rugby club uses the pitches at All Hallows (HC). The main issue is that there are simply not enough pitches to accommodate all of the clubs needs and the pitches are of poor quality due to overuse and in desperate need of sports pitch drainage. The only site that has potential for the entire relocation of the rugby club is Tower Hill (H2), however, the above assessment is clear that Tower Hill is not a suitable or sustainable option. This means that the rugby club will have to be split across two sites in order to have access to a suitable number of pitches to support the number of teams it currently has and will need to have in the future. The Former Showground (H4) is the only suitable site large enough to take a significant number of additional rugby pitches without them being located in the floodplain. However, floodlights would likely not be appropriate in this location and full perimeter rail could be unlikely due to landscape impacts in the AONB. As such it would be important for the rugby club to retain All Hallows as the location for its main floodlit pitch which would be much less sensitive to such provision.

2E.60 The only other option would be to deliver additional rugby pitches at Kings Arms Farm (H7), however only a maximum of 1x senior and perhaps 2x midi pitches could be provided outside of the floodplain. For any further pitches (which the PPS states are required) then these would have to be delivered on the floodplain which has the potential to mean significant extra expense on an annual basis and acceptance that the pitches may not be available at the wettest time of the year (when they would need to be available the most). No other sites considered would be large enough to host senior rugby pitches. Delivering multiple rugby pitches of both senior and midi size and minimal changing provision at the Former Showground site (H4) in combination with drainage works and floodlights at All Hallows should ensure that Honiton has enough rugby pitch provision for years to come.

2E.61 The potential impact of plans for the realignment and upgrading of the A30 trunk road between Honiton and Devonshire Inn would mean that additional land immediately adjacent to the Former Showground site would likely need to be utilised in addition to site H4 itself in order to deliver the full suite of additional rugby pitches that are required in combination with the proposed new link road.

### **Overarching conclusion**

2E.62 Through the improvements to the existing pitches at Mountbatten Park (HA) and St. Rita's (HB) and either the provision of additional football pitches or relocating the cricket ground to the St. Rita's extension site (H1) all of the adult and junior football needs for Honiton should be capable of being accommodated in a single hub location. The co-location of pitches on a site located within the town that is easily accessible significantly outweighs the benefits of being able to accommodate more pitches on other sites which are more remote, less suitable, sensitive to



development, more readily available and which would require new clubhouse facilities to be delivered in the open countryside.

2E.63 Delivery of these plans would require an element of compromise on the part of either the senior football club or the cricket club depending on the final pitch arrangements for the St. Rita’s extension site (H1). However, the sustainability and suitability of this site cannot be overlooked. In either scenario, the cricket club would be able to continue at its current levels, although if they were to remain at Mountbatten Park then it may be possible to deliver additional wickets on site H1 to enable the club to grow. This would not be possible if the club relocated to site H1 in full. The final pitch arrangements for site H1 will be determined in due course, informed in part at least through negotiations with the landowner.

2E.64 Delivery of additional senior and midi rugby pitches on the Former Showground (H4) in addition to retention and enhancement of the existing rugby pitches at All Hallows (HC) through drainage and floodlighting would be the most appropriate way to meet the needs of rugby in Honiton to 2024. The benefits of locating additional pitches close to town and outside of the floodplain on a less sensitive site in landscape terms outweigh the possible benefits of using more remote, sensitive sites at Tower Hill (H2) or which would require use of the floodplain at Kings Arms Farm (H7).

### Draft Recommendations

2E.65 The table below shows the proposed total pitch provision for Honiton assuming that the recommendations of this report and the PPS are implemented. The alternative scenarios for sites HA and H1 are indicated through brackets and italics.

Site	Football	Cricket	Rugby	AGP
Mountbatten Park (HA)	2x adult 11v11	<i>(10x grass 1x artificial)</i>		
St. Rita’s (HB)	2x youth 11v11 1x youth 9v9			
All Hallows (HC)			2x senior rugby	
Honiton Community College				1x full size sand-based AGP
St. Rita’s extension (H1)	<i>(2x youth 11v11 2x mini 5v5)</i>	10x grass 1x artificial		
Former Showground (H4)			2x senior rugby 3x midi rugby	

2E.66 The table below shows the proposed provision against the requirements of the PPS by 2024. Whilst on the surface proposed provision does not appear to meet requirements, it is likely (whichever scenario is followed with regards to sites HA and H1) that the increased quality and capacity of pitches and the provision of an additional senior rugby pitch, will allow for more flexible spaces capable of being more intensively used and mean that all demand should be met in full.

Pitch type	Sport	Requirement by 2024	Proposed provision	Under/over supply
Adult 11v11	Football	2	2	0
Youth 11v11	Football	2	2 (4)	0 (+2)
Youth 9v9	Football	3	1	-2
Mini 7v7	Football	2	0	-2
Mini 5v5	Football	2	0 (2)	-2 (0)
Grass wicket	Cricket	11	10+1	0
Senior rugby	Rugby	3	4	+1
Mini/Midi rugby	Rugby	5	3	-2
Sand-based AGP	Hockey	1	1	0

### Land ownership and interest

- 2E.67 The draft recommendations set out in the table above are based on an objective assessment of the best locations for the delivery of sports pitches in and around Honiton to meet demands. This means they have not considered whether or not there is a willing landowner, the potential cost of purchasing or leasing that land, or who should enter into any such negotiations.
- 2E.68 Mountbatten Park (HA) and All Hallows (HC) are in Council ownership. However, St. Rita's (HB and H1) and the Former Showground site (H4) are not and are in private ownership.
- 2E.69 The Council currently leases the existing St. Rita's pitches (HB) and the lease is expiring. Whilst the landowners may be willing to extend the current lease they have been explicitly clear that they do not wish to see any further land in their ownership surrounding the St. Rita's Centre (H1) to be used for sports pitches as this would conflict with their purpose as a retreat. Comments submitted to the draft strategy consultation suggest that the main issue here is the potential amenity impact of the proposed football pitches on site H1 (particularly significant noise from football that would be in such close proximity to their buildings which are used as a retreat for convalescing priests amongst other uses). It is hoped that the identification of an alternative option whereby the cricket ground could relocate to site H1 instead might be more acceptable to St. Rita's and open up more constructive negotiations as the cricket season lasts only from May to September and is typically less noisy. However, this may still not be considered acceptable by the landowners. That being the case, it may be that a Compulsory Purchase Order (CPO) would be required to acquire this land.
- 2E.70 The owners of the Former Showground (H4) have stated that they would potentially be interested in accommodating pitch provision on their land.
- 2E.71 The owners of Tower Hill (H2) have stated that they would be willing to sell their land, however the above assessment clearly shows that delivering sports pitches in this location would be unsuitable and unsustainable.
- 2E.72 Despite multiple attempts, the owners of the Kings Arms Farm site (H7) have not responded to enquiries over the availability of their land to date, however, the assessment above suggests that this site would not be suitable for pitch provision when considering other more suitable and sustainable sites.

- 2E.73 The owners of the Former Manor House School playing fields (H5) have said that they would be willing to let their land be used for sports pitches so long as that use did not compromise the current/proposed use of the site for weddings and educational purposes. The above assessment recommends exploring whether the site could be used on a temporary and overflow basis until permanent solutions are delivered.
- 2E.74 The owners of the Land between Mountbatten Park and the A30 (H9) have stated that they would not be willing to allow use of their land for sports pitches. The strategy outlines that this site would be suitable, however, recommends other options in the first instance. If in due course through review of this strategy this site becomes required then CPO would likely be needed to acquire it.
- 2E.75 The purpose of the sustainability and suitability assessment is to ensure that the most appropriate sites are recommended for delivery. Therefore it essentially would not support delivery of pitches on alternative sites unless they were proven to be less sensitive or more suitable than those that have been recommended or the undesirable impacts could be mitigated effectively and appropriately.

## **STAGE 3 – FINALISING RECOMMENDATIONS**

### **Step F – Public consultation**

- 3F.1 An initial draft strategy was consulted on from Friday 27<sup>th</sup> May 2016 through to Friday 8<sup>th</sup> July 2016. Statutory consultees, Sport England, relevant National Governing Bodies, sports clubs, town and parish councils, neighbours of sites and other interested parties were invited to comment and the consultation was published on the planning policy section of the East Devon Website together with a press release which was subsequently reported on in local newspapers so anyone could make a representation.
- 3F.2 The consultation received representations from 34 separate people, clubs or organisations regarding a range of sites, however, understandably most received were with regards to the Former Showground (H4) and the St. Rita's extension site (H1). Comments were received objecting to and supporting the proposals with a range of views expressed, however no realistic or suitable alternatives were suggested.
- 3F.3 Key issues arising from the consultation were taken into account and the strategy revised in response. The Consultation Statement details the consultation which took place, summaries of comments received and changes made to the strategy in response.
- 3F.4 A revised draft strategy was produced taking account of comments received in the initial consultation. The revised draft strategy included amendments in a number of key areas. Consultation on the revised draft strategy took place from Tuesday 22<sup>nd</sup> November 2016 through to Tuesday 20<sup>th</sup> December 2016, however a number of late comments were received up to Tuesday 17<sup>th</sup> January 2017 and these were still taken into account. The Consultation Statement details the consultation which took place, summarises the comments received and responds to the issues raised. No further material amendments were made to the strategy following this consultation.

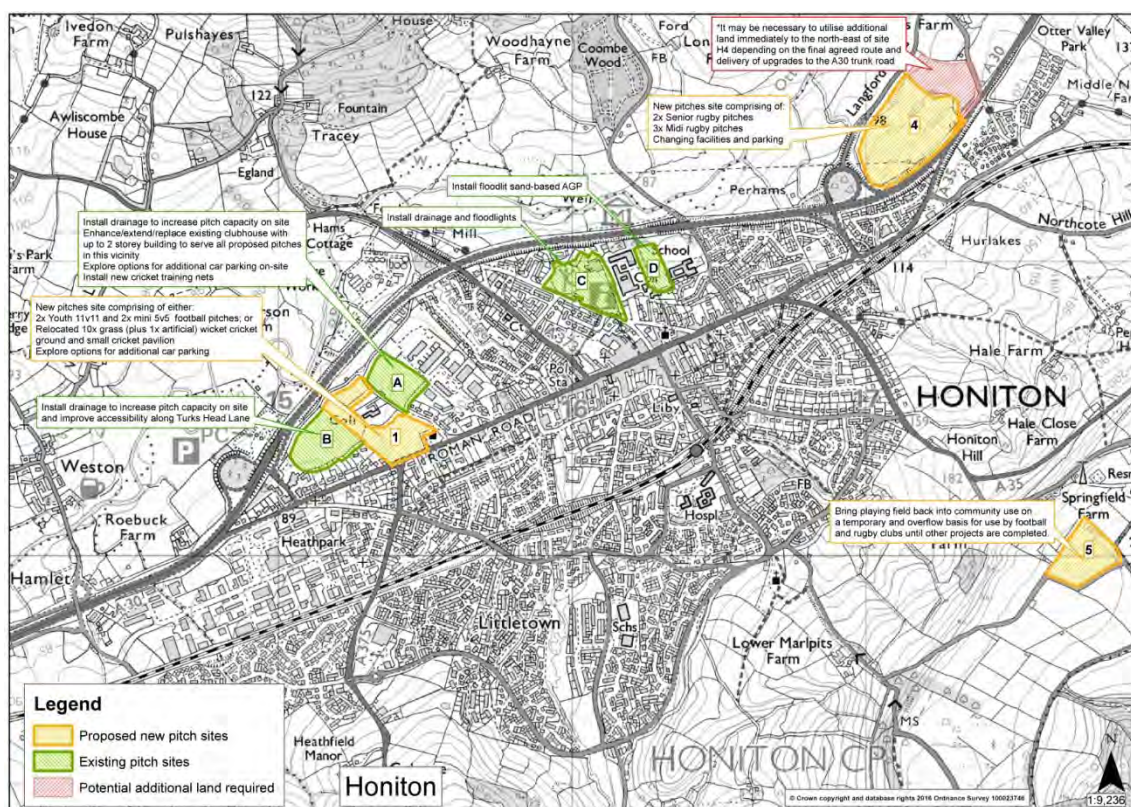
### **Step G – Amendments to the strategy**

- 3G.1 Comments made in response to the consultations have informed the production of the Honiton Sports Pitch Strategy. The full set of changes that were made to the strategy as a result of consultation are set out in the Consultation Statement but key changes with regards to recommendations at Mountbatten Park (HA), St. Rita's (H1) and the Former Showground (H4) are explained below.
- 3G.2 The strategy revised the recommendations regarding Mountbatten Park (HA) and the St. Rita's extension site (H1) to allow for the development of two alternative scenarios. These alternative options were put forward in response to comments made during the consultation and recognise that there is a balance to be struck between the demands and aspirations of the senior football club, the cricket club and the potential deliverability of site H1 considering the potential impacts on neighbouring land uses.
- 3G.3 The strategy acknowledges the significance of the impacts that development of the Former Showground (H4) could have on the AONB and wider landscape. It explains that combined with the new link road being proposed as part of the project to upgrade

and realign the A30 trunk road, it may be necessary to utilise the field immediately to the north-east of site H4 and to separate out the pitches on site to enable a more natural (or at least less harsh) landform to be developed.

### Step H – Recommendation of sites and strategy for delivering new pitches

3H.1 The table and plan below set out the strategy’s recommendations to meet Honiton’s current and future sports pitch demands as set out in the PPS based on the sustainability and suitability of the options available.



Plan showing recommendations for pitch sites in Honiton (reproduced at Appendix 7)

Site	Recommendations
Mountbatten Park (HA)	<ul style="list-style-type: none"> <li>• Install drainage to increase pitch capacity on site</li> <li>• Enhance/extend/replace existing clubhouse with up to 2 storey building to serve all proposed pitches in this vicinity</li> <li>• Explore options for additional car parking on-site</li> <li>• Install new cricket training nets</li> </ul>
St. Rita’s (HB)	<ul style="list-style-type: none"> <li>• Install drainage to increase pitch capacity on site</li> <li>• Improve accessibility along Turks Head Lane</li> </ul>
All Hallows (HC)	<ul style="list-style-type: none"> <li>• Install drainage and floodlights</li> </ul>
Honiton Community College (HD)	<ul style="list-style-type: none"> <li>• Install floodlit sand-based AGP</li> </ul>
St. Rita’s extension (H1)	<ul style="list-style-type: none"> <li>• New pitches site comprising of <i>either</i>:                             <ul style="list-style-type: none"> <li>○ 2x Youth 11v11 and 2x mini 5v5 football pitches; <i>or</i></li> <li>○ Relocated 10x grass (plus 1x artificial) wicket cricket ground and small cricket pavilion</li> </ul> </li> <li>• Explore options for additional car parking</li> </ul>

Former Showground (H4)*	<ul style="list-style-type: none"> <li>• New pitches site comprising of:             <ul style="list-style-type: none"> <li>○ 2x Senior rugby pitches</li> <li>○ 3x Midi rugby pitches</li> </ul> </li> <li>• Changing facilities and parking</li> </ul>
Former Manor House School (H5)	<ul style="list-style-type: none"> <li>• Bring playing field back into community use on a temporary and overflow basis for use by football and rugby clubs until other projects are completed.</li> </ul>

\*It may be necessary to utilise additional land immediately to the north-east of site H4 depending on the final agreed route and delivery of upgrades to the A30 trunk road.

3H.2 These recommendations are based on officer assessment of the sustainability and suitability of the sites that have been considered, public consultation and ongoing dialogue with landowners, clubs, National Governing Bodies and local Members.

3H.3 Adoption of this strategy means that it will act as corporate policy across the Council to help inform service delivery, investment priorities and as guidance/evidence in the determining planning applications. This essentially means it is planning guidance on the same level as the Playing Pitch Strategy and the Open Space Study and would be a material consideration on any future planning applications for sports pitches at Honiton or on land recommended for their delivery. In addition to this, the strategy will form part of the evidence base used in negotiating developer contributions (be they through S106 or CIL) from relevant housing sites in the Honiton area.

3H.4 It is important to note that the recommendations of this strategy are not a substitute for planning permission and do not mean that such proposals would necessarily gain planning permission. All planning applications are considered on their own merits against the development plan and any material considerations at the time (of which this would be one).

## STAGE 4 – IMPLEMENTATION

### Step I – Implementation

- 4I.1 Following adoption of the final strategy, the projects will move into the implementation stage. This will involve negotiating purchase/lease arrangements for the land; working up planning applications for the various sites; identifying and applying for funding streams; hiring contractors; working with clubs, NGBs and the public to ensure that projects deliver what is needed; and ultimately building out new facilities and improvements.
- 4I.2 This will be an ongoing project that will take a number of years to be fully realised. The significant costs involved plus the potential need to CPO land in order to deliver against the strategy means that unfortunately some of the larger projects may well take a long time to come to fruition. Conversely, some smaller projects including renewals of leases and improvements to existing facilities could be progressed relatively quickly.
- 4I.3 This strategy will need to be kept under review in response to progress against the recommendations. If, after five years it has not been possible to make progress on certain projects due to land ownership issues etc then the strategy will need to consider whether alternative sites should be progressed or not, noting the reasons why this strategy has chosen one site over another in the first place. However, until that point the strategy should be seen as the definitive plan for delivery of sports facilities at Honiton.
- 4I.4 The exact role of the Council going forwards is yet to be determined; however, at the least it would appear reasonable for the Council to perform a facilitating role. Where delivery requires CPO then the Council will perhaps have to take a more in-depth role due to the fact that other organisations would not be in a position to do so
- 4I.5 The table below sets out the list of projects recommended by this strategy and the potential approximate costs for delivery. Some costs (for instance those for leasing or purchasing land) are unknown at present, and considering some may require CPO they are likely to be significant. Other costs are taken from the approximate costings set out in the STRI Stage 2 Report or are based on research / experience of similar projects.
- 4I.6 The Council is not obligated to fund or deliver any of these projects, however it will work closely with key partners towards their realisation.

Site	Project	Approximate cost
Mountbatten Park (HA)	Install primary sports pitch drainage system	£45,000
	Enhance/extend/replace clubhouse with an up to two storey extended facility to cater for all cricket, adult and junior football use across Mountbatten Park and St. Rita's	Unknown
	Explore options for additional car parking on-site	£30,000
	Purchase of new moveable goals, nets etc (including new cricket practice nets)	Unknown
St. Rita's (HB)	Renew lease or purchase land	Unknown

	Install primary and secondary sports pitch drainage system	£61,000
	Explore options for improvement of access track	£75,000
All Hallows (HC)	Install primary and secondary sports pitch drainage system	£100,000
	Install floodlights	£50,000
	Complete improvements to existing clubhouse	£65,000
Honiton Community College (HD)	Install floodlit sand-based AGP	£720,000
St. Rita's Extension (H1)	Lease or purchase land	Unknown
	Level and drain platform for the laying out of either 2x youth 11v11 and 2x mini 5v5 football pitches or a relocated cricket ground	£157,000
	Purchase of new moveable goals, nets etc	Unknown
	Explore options for additional car parking	£30,000
	Potential construction of new cricket pavilion	Unknown
Former Showground (H4)	Lease or purchase land	Unknown
	Level and drain platform(s) for the laying out of 2x senior and 3x midi rugby pitches	£475,000
	Construction of new changing facilities and car parking	£650,000
	Purchase of new goals etc	Unknown
	Improvements to foot/cycle access	Unknown

4I.7 These projects should be prioritised as follows. Timescales are indicative and cannot be guaranteed:

Priority	Project	Site	Timescale for delivery
1	Install primary and secondary sports pitch drainage system	All Hallows (HC)	2017/18
2	Install primary sports pitch drainage system	Mountbatten Park (HA)	2018/19
3	Renew lease or purchase land Install primary and secondary sports pitch drainage system	St. Rita's (HB)	2018/19
4	Complete improvements to existing clubhouse	All Hallows (HC)	2018/19
5	Install floodlit sand-based AGP	Honiton Community College (HD)	2019/20
6	Lease or purchase land Level and drain platform for the laying out of either 2x youth 11v11 and 2x mini 5v5 football pitches or a relocated cricket ground Potential construction of new cricket pavilion	St. Rita's extension (H1)	2020/21
7	Explore options for additional car parking on-site Enhance/extend/replace clubhouse with an up to two storey extended facility to cater for all cricket, adult and junior football use across Mountbatten Park and St. Rita's	Mountbatten Park (HA)	2020/21



8	Explore options for improvement of access track	St. Rita's (HB)	2020/21
9	Install floodlights	All Hallows (HC)	2021/22
10	Lease or purchase land Level and drain platform(s) for the laying out of 2x senior and 3x midi rugby pitches Construction of new changing facilities and car parking Purchase of new goals etc Improvements to foot/cycle access	Former Showground (H4)	2023/24

**Report to:** **Strategic Planning Committee**

**Date of Meeting:** 20 February 2017

**Public Document:** Yes

**Exemption:** None

**Review date for release** None



**Agenda item:** 9

**Subject:** **Neighbourhood Plan Update**

**Purpose of report:** To brief members on the recent ministerial statement on Neighbourhood Planning and provide a general update on Neighbourhood Plans in the District

**Recommendation:**

- 1. That members note the potential implications of the recent ministerial statement on Neighbourhood Planning.**
- 2. That members note the progress of Neighbourhood Plans across the District, and the overall current provision in Neighbourhood Plans for approximately 110 houses on allocated sites beyond Local Plan provision.**

**Reason for recommendation:** So that members are aware of the implications of the recent ministerial statements in relation to five year housing land supply and are kept abreast of the progress of Neighbourhood Plans across the District.

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**Financial implications:** There are no financial implications.

**Legal implications:** This written ministerial statement is to be taken into account as a material consideration in the determination of planning applications. The statement operates to ensure that where the qualifications are met, policies in a neighbourhood plan that seek to control the supply of housing are still relevant and should be given full weight as part of the development plan when determining a planning application, even where the local planning authority can't demonstrate a 5 year supply of housing such that the Local Plan policies on the supply of housing may be of little or no weight. Where a 5 year supply of housing can be shown, then nothing changes in terms of the weight to be given to the neighbourhood plan policies and they are considered in the normal way in conjunction with the other relevant policies of the development plan. The statement is purportedly going to be subject to legal challenge which may result in it being withdrawn or quashed, although until any challenge is successful it will remain a material consideration. Nonetheless, the Council has a 5 year supply of housing at this time and therefore this statement is unlikely to be of practical relevance to the Council's decision making for the

foreseeable future. Notwithstanding this, the potential approach that some neighbourhood plan producers may adopt as set out in the report should be noted, although if the plan is compliant with the legal requirements as they apply to the production of a neighbourhood plan then little could be done to prevent such action.

**Equalities impact:** Low Impact  
No specific negative equality impact issues have been identified.

**Risk:** Low Risk  
There are no specific risks associated with this report.

**Links to background information:**

- The full ministerial statement can be found here: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-12/HCWS346/>
- Details on the progress of Neighbourhood Plans across the District can be found here: <http://eastdevon.gov.uk/planning/neighbourhood-and-community-plans/neighbourhood-plans/neighbourhood-plans-being-produced-in-east-devon/>
- Neighbourhood Planning roadmap guide: <http://locality.org.uk/wp-content/uploads/Neighbourhood-planning-roadmap-2016.pdf>

**Link to Council Plan:** Encouraging communities to be outstanding, developing an outstanding local economy and delivering and promoting our outstanding environment.

## 1. Introduction

- 1.1 This report seeks to update members on the recent ministerial statement and its practical implications relating to five year housing land supply. It also provides an update on Neighbourhood Plan progress, particularly highlighting those plans that are seeking to allocate sites for housing development, and therefore meet the criteria set out in the ministerial statement.
- 1.2 A Neighbourhood Plan is a planning policy document that will form part of the statutory development plan for East Devon once 'made', alongside the Local Plan and the Devon Minerals and Waste Plans. They are produced by Parish Council's working alongside their communities and there are 40 currently in production or completed across the District.

## 2. Ministerial Statement

- 2.1 On 12<sup>th</sup> December 2016, the Minister for Housing and Planning, Gavin Barwell MP made a statement in relation to the strengthening of adopted Neighbourhood Plans in the decision making process. It represents a significant policy change and is reflective of the general trend towards increasing the significance of Neighbourhood Plans.
- 2.2 In essence, the statement provides a new layer in the application of paragraph 49 of the National Planning Policy Framework (NPPF) and the critical issue of whether a Local Authority can demonstrate a five year housing supply, and therefore whether policies for the supply of housing should be considered out of date.

- 2.3 Paragraph 49 of the NPPF states that where the Local Authority cannot demonstrate a five-year supply of deliverable housing sites then the relevant policies for the supply of housing should not be considered up-to-date, and housing applications should be considered in the context of the presumption in favour of sustainable development.
- 2.4 Members will be aware that we are currently able to demonstrate a five year housing land supply and we undertake regular monitoring of housing delivery in the District. This statement will only be relevant in East Devon if we were unable to demonstrate this in the future.
- 2.5 The key extract from the Ministerial Statement made in December confirms that relevant policies for the supply of housing in a 'made' (or adopted) neighbourhood plan, should not be deemed to be 'out-of-date' under paragraph 49 of the National Planning Policy Framework, where **all** of the following circumstances arise at the time the decision is made:
- The written ministerial statement is less than two years old, or the neighbourhood plan has been part of the development plan for two years or less;
  - The neighbourhood plan allocates sites for housing; and
  - The local planning authority can demonstrate a three-year supply of deliverable housing sites.
- 2.6 Simply put, if we as a Local Authority can demonstrate a three year housing land supply across the district then adopted Neighbourhood Plans that allocate sites for housing should hold full weight in decision making.
- 2.7 Whilst the implications of this statement on Neighbourhood Plan production largely rely on speculation until further details are provided, a number of potential scenarios could be anticipated.
- 2.8 Crucially, it could encourage Neighbourhood Plan groups to proactively allocate sites for housing where they normally wouldn't, under the assurance that should the Local Authority lose its five year housing land supply in the future, then schemes that local people may see as inappropriate would be less likely to gain planning permission.
- 2.9 However, some Neighbourhood Plans in East Devon are currently in the advanced stage of production or have been adopted and have not looked at allocating sites. In this way, they may be disappointed as the five year supply threshold will continue to apply and may encourage them to undertake an early review of their Neighbourhood Plan or to re-look at allocating housing sites.
- 2.10 The statement provides no further indication as to the level of housing that Neighbourhood Plans will be expected to provide in order to meet the criteria of the statement. For example, as currently read, two respective Neighbourhood Plans; one for a large town and one for a small village, could allocate a sole site for 5 houses and both would be considered to meet the criteria, not taking into account the greatly disproportionate populations of the two areas.
- 2.11 There is reference in the statement to the Government's White Paper on Housing which is expected imminently and an amendment to legislation to ensure that "new neighbourhood plans meet their fair share of local housing need and housing is being delivered across the wider local authority area". This is hoped to provide further clarification on how the ministerial statement is to be interpreted.

### 3. Neighbourhood Plan update

- 3.1 As members may be aware, East Devon District Council is one of the most active Neighbourhood Planning Districts in the country with 40 plans currently in production.
- 3.2 Using the best knowledge of officers, this section will provide a brief overview of plans that are currently in production, highlighting those that are specifically allocating housing sites (not taking into account allocations of the Local Plan) and could therefore be considered to potentially meet the criteria set out in the ministerial statement.
- 3.3 The table below shows that beyond sites that already have planning permission or are included in the Local Plan, Neighbourhood Plans across the district at the later stages of plan production are allocating in total in the region of 110 houses.
- 3.4 Members should also note that we have demonstrated that we are meeting our objectively assessed need for housing through the policies in the adopted Local Plan. We do not require Neighbourhood Plans to actively seek housing sites and any allocations made in Neighbourhood Plans should therefore be seen as additional sites that we do not need to rely on to maintain our five year housing land supply.
- 3.5 For the purposes of the table below, the plan making process has been separating into the following stages:
- Stage 1- Consultation and evidence gathering in progress/completed
  - Stage 2- Draft Plan produced
  - Stage 3- Final Plan submitted
  - Stage 4- Referendum completed/ 'made'
- 3.6 A conclusion on housing allocations is considered to be 'inconclusive' where the Neighbourhood Plan is not yet sufficiently advanced to be able to ascertain that housing allocations are going to be included in the Plan. Therefore we are anticipating that the number of allocated homes in Neighbourhood Plans will increase as plans reach the latter stages of production.

<b>Neighbourhood Plan</b>	<b>Stage of production</b>	<b>Housing allocations</b>
Axminster	Stage 1	Inconclusive
All Saints	Stage 1	Inconclusive
Axmouth	No longer producing a Plan	No allocations
Aylesbeare	Stage 2	Allocation for 10 houses
Beer	Stage 2	Allocation for approximately 30 houses
Bishops Clyst (Clyst St Mary and Sowton)	Stage 4	No allocations
Broadclyst	Stage 1	Inconclusive
Broadhembury	Stage 2	No allocations
Budleigh Salterton	Stage 3	No allocations
Chardstock	Stage 3	No allocations
Clyst Honiton	Stage 1	Anticipated allocations for approximately 45 houses

Clyst St George	Stage 2	Inconclusive
Colyton	Stage 1	Inconclusive
Cotleigh	Stage 1	Inconclusive
Dalwood	Stage 1	Inconclusive
Dunkeswell	Stage 2	No allocations
East Budleigh and Bicton	Stage 3	No allocations
Exmouth	Stage 1	Inconclusive
Farringdon	Stage 1	Inconclusive
Feniton	Stage 2	No allocations
Hawkchurch	Stage 1	Inconclusive
Honiton	Stage 1	Inconclusive
Kilmington	Stage 1	Inconclusive
Luppitt	Stage 2	No allocations
Lympstone	Stage 4	Housing allocations for 40 houses (34 of these already have planning permission)
Membury	Stage 2	No allocations
Monkton	Stage 1	Inconclusive
Newton Poppleford	Stage 1	Inconclusive
Otterton	Stage 1	Inconclusive
Ottery St Mary	Stage 1	Inconclusive
Payhembury	Stage 1	Inconclusive
Rockbeare	Stage 1	Inconclusive
Seaton	Stage 1	Inconclusive
Sidmouth	Stage 1	Inconclusive
Stockland	Stage 4	No allocations
Uplyme	Stage 3	Housing allocations for up to 19 houses
Upottery	Stage 1	Inconclusive
Whimple	Stage 1	Inconclusive
Woodbury	Stage 1	Inconclusive
Yarcombe	Stage 3	No allocations

- 3.7 Number of plans known to be allocating sites: 5  
Current estimated number of allocated homes: 110  
Number of plans known to not be allocating sites: 12  
Number of plans not yet sufficiently advanced to have considered allocating sites: 23

**Report to:** **Strategic Planning Committee**

**Date of Meeting:** 20 February 2017

**Public Document:** Yes

**Exemption:** None

**Review date for release** None

**Agenda item:** 10

**Subject:** **Pre-application charter and other planning related fees**

**Purpose of report:** To seek agreement to a revised pre-application Charging Schedule and Customer Charter and to the introduction of further planning related fees to cover the costs of the services provided.

**Recommendation:**

- 1. That Members recommend to Council that the changes to the Pre-application Charging Schedule and Customer Charter as attached as Appendix 2 be agreed.**
- 2. That Members recommend to Council that the further planning related fees as per the charging schedule attached as Appendix 3 be introduced.**

**Reason for recommendation:** In order to better cover the costs of the service provided, to reflect increased costs since the original introduction of the pre-application charging schedule in 2009, to enable an improved service to customers, and to increase income in accordance with the Transformation Strategy.

**Officer:** Chris Rose - Development Manager e-mail: [chris.rose@eastdevon.gov.uk](mailto:chris.rose@eastdevon.gov.uk) Tel: 01395 571495

**Financial implications:** These are included in the body of this report.

**Legal implications:** It is entirely permissible for the Council to charge for discretionary services under section 93 of the Local Government Act 2003, provided the income received does not exceed the costs of providing the services. There are no other legal issues requiring comment.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Link to Council Plan:** Encouraging communities to be outstanding; Developing an outstanding local economy; Delivering and promoting our outstanding environment; Continuously improving to be an outstanding council.



## Report in full

### Introduction

In December 2009 the Council introduced a Pre-application Customer Charter. This Charter outlined the scale of fees to be charged for pre-application advice and provided guidance on the service that would be provided. The Charter was updated in January 2011 to reflect the increase in VAT from 17.5%-20% (attached as Appendix 1). The basis for the charges has not therefore been reviewed in over 7 years.

The purpose of this report is to seek agreement from Committee to amend and update the charges and to make some changes to the Charter to better reflect current working practices and workloads. In addition, this report seeks agreement to introduce a range of other planning related fees as well as a small increase in the charge for providing advice regarding whether planning permission is required.

The fees being charged are on a cost recovery basis and follow a comparison with charges provided by other Local Planning Authorities in the South-West and in some cases following consultation at the Planning Agents Forum. For comparison, the maximum fees charged by nearby authorities for large scale major developments are as follows (equivalent to EDDC's £900 charge):

Exeter – Free

Teignbridge - Free

Cornwall - £350

Mid-Devon - £1,000

North Devon - £1,000

Taunton - £1,100

Sedgemoor - £1,500

West Devon and South Hams - £5,000 (includes 6 meetings)

As further comparison, for Minor developments and Changes of use (where EDDC are proposing to charge £180), the same authorities charge as follows:

Exeter – Free

Teignbridge – Free

Cornwall - £50 per 100sqm

Sedgemoor - £120

Mid-Devon - £150

North Devon - £150

Taunton - £220

West Devon and South Hams - £360 (includes 2 meetings)

As well as updating charges to better reflect current costs of provision, there is a commitment within the Council's Transformation Strategy and budget to increase fee income, particularly from a review of pre-application charges.



## Pre-Application Charging Schedule and Customer Charter Review

Following a review of the pre-application service and the costs of provision, the following changes are proposed (current Charging Schedule and Charter attached as Appendix 1 with the proposed Charging Schedule and Charter attached as Appendix 2):

- Increase in the fee for Minor residential schemes (single dwellings or conversions to create a single dwelling) from £150 (including VAT) to £180 (including VAT) to better reflect the time and expense involved. In addition, it is proposed that this fee category cover all proposals for a change of use where no external works are proposed. Previously changes of use, where no external alterations to a building were proposed, would have fallen under the relevant fee category depending upon the number of units proposed. For example, a change of use of a building to 10 flats would have generated a fee of £600. However the issues involved and length of response required is reduced if there are no external alterations to a building or site proposed. This is considered to be excessive bearing in mind that a site visit may not be required and the issues/response could be similar regardless of whether, for example, 5 or 12 units are proposed. It is expected that the additional income generated from the increase in this fee from £150 to £180 will be off-set by the reduction in fees for changes of use, however this represents a fairer fee structure overall.
- Introduction of a new fee category covering the provision of pre-application advice for works to a Listed Building. Until now the view has been taken that as applications for works to listed buildings do not attract an application fee, it would be unreasonable to charge a pre-application fee. However, a number of local planning authorities (Torbay, Cornwall, West Devon and South Hams, Sedgemoor, Plymouth, Mid-Devon) are now charging for this work (between £60 and £200) and the Conservation Officers are receiving an increased number of pre-application enquiries. These inquiries usually involve the need for a visit to view the inside of properties along with a substantial amount of background work into the history and significance of the listed building. An applicant is receiving specialist advice from the Council and it is considered reasonable to charge for this work similar to a planning application, bearing in mind that this could lead to less application costs and a smoother processing of a subsequent listed building application for the customer. It is considered that a flat fee of £125 (£150 including VAT) be charged to cover the cost of this service. This fee category will only relate to works that only require listed building consent and if those works also require planning permission, a response on listed building matters will be included within a pre-app response on the wider planning matters that will fall under one of the other fee categories. Unfortunately, due to workloads and lack of capacity, we will not be able to respond to requests from prospective purchasers, although guidance for prospective purchasers is available on East Devon District Councils website. The reasons for this being that we receive a high number of speculative requests from potential purchasers who may have various ideas but no clear plans for what they would like to do. As a result they can be time consuming as various options are discussed with many people not proceeding with the purchase and so this work yields no conservation benefit. Prospective purchasers also have limited access to the property and so we can only be of limited help anyway as a site visit will often be required.

From the 124 Listed Building pre-application submissions EDDC received in 2016, it is expected that at least 100 of these would have resulted in a fee and therefore additional income of approximately £12,500. Experience from speaking to other local planning authorities such as Cornwall and Mid-Devon that have introduced such charges suggests that they have not seen a noticeable drop in the number of pre-application submissions as applicants welcome the early involvement by Conservation Officers as it can save considerable time, money and effort at a later date.

- It is also proposed to introduce a new fee category, of half of the relevant fee, for those customers who are seeking advice on the principle of development only. This would be a desk-based exercise where planning officers can advise on whether the principle of development is acceptable. The customer would then be able to submit a full pre-application enquiry if they wanted to pursue the proposal and seek further advice on other matters such as layout, design or highway safety etc. This should give the customer greater flexibility on the type of response they require and provide a reduced fee if they are unsure at that stage of the detail of their proposal and are simply seeking to establish if the principle of their proposal will be supported. This should also enable a quicker response to a number of enquiries and should be cost neutral as although the fee is reduced by half, if the applicant wished to follow this with a pre-application enquiry seeking comments on the details of the proposal, this will generate a new fee. Consideration has been given to offering a 50% reduction for the second pre-app asking for comments on the detail of a proposal, but given that pre-application advice is based on a specific moment in time and may change, it is considered that this would be too complicated and open to confusion, as well as being more difficult to administer.

There are no changes proposed to the fees for the large scale majors, medium majors, small majors or minors (categories 1-4 on the revised Charging Schedule and Charter). These fees are still considered to cover the cost of the service and are generally in line with similar fees from other local planning authorities in the south-west.

There are also changes proposed to the accompanying guidance notes to reflect the above changes, to remove the requirement to pay a fee for pre-app for employment uses within the Greater Exeter Enterprise Zone (this is to further encourage business in that area and is expected to reduce fee income by approximately £2,000 per year), and to make a commitment to provide either a full, or at least an initial, response to planning pre-application enquiries within 4 weeks of receipt of the necessary plans and fee that are required before any work can commence. It is also proposed to require all pre-application fees to be paid in advance. Currently developers are allowed to access pre-application advice if they agree to be invoiced for the cost, however this generates work and expense for the council in generating an invoice, can take time if the invoice is queried for any reason and expense in chasing payment. These administrative burdens and costs can be avoided by requiring upfront payment.

It is also proposed to remove the guidance notes on submission details and the Members Advisory Panel and to provide these as text on the relevant pre-application page of the website.

### Other Related Planning Fees

The Council can charge for various other areas of work that are not related to an application or pre-application enquiry. The changes proposed fall into two categories; a change to existing charges and the introduction of new charges. As with the pre-application charges, the fees are based on a cost recovery basis and have also been informed by charges being applied by other local planning authorities in the south-west. The charges are designed to cover those circumstances where a demand is being placed on the service but is not currently covered by the payment of an application or pre-application fee. Full details of these charges are outlined in Appendix 2 to this report with target dates for responses. It should be noted that in a number of cases the information being requested may already be available on the website and as such the planning pages of the website will be updated to advise people to check the website themselves before making a request and paying a fee.

## Change to existing charges:

A fee of £35 (including VAT) was introduced in 2013 for a written response to requests asking whether planning permission is required for extensions to residential properties. Following a review of this service, it is proposed that this rises to £40 (including VAT) to cover the full cost of the service and that the scope of this charge be extended to cover requests that relate to non-residential extensions as well. On the basis of a current yearly fee income of approximately £12,000 from these enquiries, it is expected that this increase will generate a further £1,700 per year.

## New charges:

The new charges are proposed for the following areas of work. These additional fees are considered to be reasonable on the basis that the written response of the council involves work carried out by officers. The work can be time consuming and in some cases involve a site visit and the charges have been designed to reflect the time and resources involved thereby representing a fair and reasonable charge for the service offered.

- Confirmation of closure of enforcement case - £50 (including VAT). This covers those circumstances where we have investigated and found a breach of planning control but by agreement with the chairman of Development Management Committee have decided to take no further action. It is proposed that we advise the owner of the property by telephone that no further action is being taken but charge for a letter confirming this.
- Confirmation of compliance with any formal enforcement action - £50 (including VAT). This would cover those situations where written confirmation is sought that formal enforcement action has been complied with.
- Confirmation of compliance with listed building consent - £90 (including VAT). This would cover those situations where written confirmation is sought that works to a listed building have been carried out in accordance with the consent.
- Confirmation of discharge of planning conditions - £90 (including VAT) for the first condition on each Notice of Decision and £30 (including VAT) for any additional conditions on that Notice of Decision requested at the same time. This would cover those situations where written confirmation is sought that planning conditions have been discharged.
- Confirmation of compliance with planning and listed building conditions - £90 (including VAT) for the first condition on each Notice of Decision and £30 (including VAT) for any additional conditions on that notice of Decision requested at the same time. This would cover those situations where written confirmation is being sought that a condition has been complied with.
- Confirmation of compliance with section 106 planning obligations - £90 (including VAT) for those who seek confirmation of compliance with a clause within a legal agreement with an additional £30 (including VAT) for any additional clauses within that legal agreement requested at the same time. This would cover those situations where written confirmation is being sought that a legal agreement, or particular clause within a legal agreement, has been complied with.

- Other Enquiries - £50 (including VAT). This will cover all other written requests for information or confirmation (e.g. confirmation of the meaning of a condition, whether a building is curtilage listed, planning history for a site, confirmation of details submitted with an application or comments received etc.)

The above mentioned additional charges are anticipated to generate additional income of around £10,000 per annum.

It is also proposed that the LPA cease to offer the free pre-application advice for house extensions. Whilst at present we offer this service free of charge where there is no Agent acting for the applicant, it is on occasions abused by people submitting proposals themselves that have obviously been drawn up in conjunction with an Agent. In addition, the number of such enquiries is falling with guidance and assistance available on-line. It is proposed that officers will publish guidance on the EDDC website to guide the design of house extensions.

## Conclusion

It is appreciated that this is a wide range of new fees being introduced but at present this work is carried out by officers without any fee and impacts upon the day-to-day work of processing planning applications and dealing with fee paying customers. The changes are projected to result in an overall increase in fees of approximately £25,000.

Whilst a lot of information is available on the planning pages of East Devon's website, and elsewhere on the web, there is still a value to the customer from a written response from an officer on behalf of the Council and these charges are simply trying to recover the cost of work currently being carried out. It has been long established and accepted by Central Government that a LPA can charge these types of fees for this type of work and this is reflected by similar fees and arrangements by a number of south-west LPA's.

It is hoped that the fees will either reduce the demands on the service (by people searching for the information themselves/relying upon the website) that will enable more time for officers to spend processing applications. In the event that demand for these services continues to rise that some of the additional fee income can be put towards providing more resources to meet customer demand.

## **APPENDIX 1 – CURRENT CHARGES AND CUSTOMER CHARTER**

### **EAST DEVON DISTRICT COUNCIL PLANNING SERVICE - PRE APPLICATION ADVICE**



### **CUSTOMER CHARTER -**

**Valid from 04 January 2011**

The Council's Planning Service has introduced a scale of charges for pre application advice following the resolution of the Council's Executive Board on 2 December 2009. This Charter sets out the scale of charges, what the Council will expect to receive as part of any pre application enquiry, and what customers can expect of us.

### **Scale of Charges**

<b>Category</b>	<b>Scale of application</b>	<b>Description</b>	<b>Charge per meeting/request for pre application advice(excluding VAT)</b>
1	Large scale Majors	Large scale major schemes including:- <ul style="list-style-type: none"> <li>➤ Residential development of more than 200 houses.</li> <li>➤ Non residential floor space of more than 10,000 square metres.</li> <li>➤ Site area of more than 4 ha.</li> </ul>	£750  (£900 including VAT)
2	Medium major	<ul style="list-style-type: none"> <li>➤ Residential development of between 31 – 199 houses.</li> <li>➤ Non residential floor space of 1000 – 9,999 square metres.</li> <li>➤ Site area of between 2 – 4 ha.</li> </ul>	£625  (£750 including VAT)
3	Small major	<ul style="list-style-type: none"> <li>➤ Residential development between 10 – 30 houses.</li> <li>➤ Non residential floor space of 500 – 1000 square metres.</li> <li>➤ Site area up to 2 ha.</li> </ul>	£500  (£600 including VAT)
4	Minor	Residential proposals (including holiday units) involving the erection of or change of use to between 2 – 9 residential units. All minor non-residential schemes for new buildings or change of use.	£250  (£300 including VAT)
5	Minor	All residential schemes for the replacement or erection of a single dwelling or conversion of a building to one residential unit	£125  (£150 including VAT)

- (i) Any meeting charged for will be overseen by a Senior Planning Officer or above and will include a range of other disciplines and representatives of infrastructure providers as appropriate.
- (ii) The fees for a lawyer present at a meeting to deal with Section 106 requirements will be the subject of separate payment previously negotiated.
- (iii) Advice will be provided in writing following the meeting.
- (iv) All advice will be provided on a **without prejudice** basis.
- (v) The written advice will lay out clearly the issues which would be raised by the development and specify what improvements can be made to the scheme to make it acceptable or if the principle of the development is unacceptable what the grounds for refusal will be.
- (vi) Written advice will identify what level of community consultation will be expected in order to meet the requirements of the Council's Statement of Community Involvement.
- (vii) Advice will be given on the nature and quality of information required including a comprehensive list of supporting documents.
- (viii) Where the application is in the major category a timetable will be established for project managing the application to decision.
- (ix) Advice will be given on the relevant heads of terms that would be included in any Section 106 Agreement as necessary.
- (x) The fee includes a site visit being undertaken by a planning officer if necessary and any research work undertaken prior to any meetings.
- (xi) A Members pre-application panel will constitute 1 meeting.
- (xii) 100% affordable housing schemes or any scheme submitted under the terms of the Interim Affordable Housing Statement during the next 12 months will be exempt from any charge for pre-application advice.
- (xiii) Any other category of planning application which has an exemption/reduced fees will also be exempt from charge for any pre-application advice.
- (xiv) Payments can be made either by cheque or we can invoice with the letter sent out

With regard to householder applications it is anticipated that all agents will have the necessary experience to deal with these schemes without needing specific pre application advice from the planning service. The Council intends in the future to update design guidance. The Council will respond to householder requests from those who do not have agents to assist them. There will be no fee for these.

## **Submission Details Required**

The following advice is aimed at agents acting on behalf of applicants. So that you can think about your proposals and how they may take shape and before contacting the Planning Service for pre-application advice on draft development proposals, we ask you to first wherever possible to:-

- Fully investigate the planning history of the site. Does this tell you anything, which may be relevant to your proposals? All recent previous applications on the site are now scanned to the Council's planning web pages for you to look at.
- Familiarise yourself with the relevant Development Plans and other supplementary planning documents the Council may have adopted which may be of relevance. In addition you may wish to consider any advice available from the Planning Portal and Department for Communities and Local Government web sites. The Planning Portal for instance contains a great deal of information on good practice.
- Provide a site analysis (with photographs) dealing with site characteristics, constraints opportunities and the surroundings. Accurate site survey plans and tree condition surveys and wildlife surveys (where applicable) will be required if a planning application is to be submitted. Therefore, these survey plans are likely to be useful in the process of designing a scheme too.

Once you have gone through the above checklist, you should be in a much better position to begin to design your scheme. The Council appreciates that some schemes will be more difficult to assess than others so we aim to be flexible in the amount of information we expect dependant on the complexity of the scheme. There is no form needed.

A bare minimum however would be an Ordnance Survey location plan showing the site marked in red and any other land in your client's ownership edged blue, sketch layout and if possible elevation plans and some photographs. For major applications the Council will however expect more detailed plans which need to be submitted in advance of any meeting.

The Council also understands that in some cases there may be significant doubt as to whether or not the proposal will be acceptable in principle. In those cases the Council would not wish to impose undue financial burdens on the prospective applicant and will accept a lesser amount of information.

The Council on receipt of your pre application advice request will assess the information to ensure it has enough to give a detailed response. If further information is deemed necessary you will be contacted and asked to provide additional details. The request for advice will be logged on our computer system and given a unique reference number so we can track it.

We do not intend to give officers a target for the written advice because the Council considers it is preferable to provide a quality advice service rather than send out a letter which may be incomplete just to meet an arbitrary deadline. In some cases the Council will need to talk to other parties such as the Highway Authority, Environment Agency and other statutory consultees. Advice received from those bodies will be incorporated into the Council's letter. The Council monitors the performance of its planning teams on any requests to ensure the service offered is not subject to unacceptable delays.

Where a meeting is thought necessary either on site or in the office a member of the appropriate planning team or other senior officer will contact you to arrange a mutually convenient time and place. These meetings may well be attended by other bodies in the case of major schemes.

Once you are ready to contact us or wish to submit written details please send your information in hard copy form to the relevant planning team. At the present time we would like to receive all information in paper form. We are working towards receiving electronic submissions in the future. If you wish to be invoiced then we can arranged for that to be sent with our letter. Alternatively you can submit a cheque with your submission and we will send you a receipt with our letter of response.

## **Members Advisory Panel**

The Council also offers a Members Advisory Panel for major applications. This is a group of senior officers and Councillors and other interested parties who can listen to a presentation from the agent and then through its officers respond in writing. The Council has a protocol for dealing with requests

from agents to put a proposal before the MAP. Officers can advise if a particular scheme warrants a submission to the MAP.

The Member's Planning Advisory Group is comprised of:-

- The Chairman of the Development Management Committee.
- The Chairman of a possible Policy sub-committee or Policy Champion.
- Strategic Planning Portfolio Holder.
- Environment Portfolio Holder.
- Economy Portfolio Holder – as appropriate
- Communities Portfolio Holder as appropriate.
- Ward Members.

The system for running this group would be as follows:-

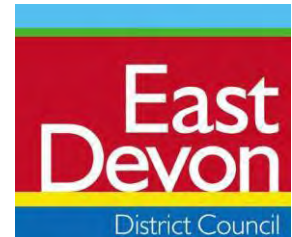
- (i) Developers to make presentation to Member's Planning Advisory Group with Officers present.
- (ii) Members to have previously acquainted themselves with the site in question by a site visit with Officers.
- (iii) Members to ask questions of the Developers, seek clarification, test arguments but not to give any form of view in support or against the proposals.
- (iv) Advice on the way forward or changes to be made to the proposal would be provided by the Officers to the Developers in writing following advice from Members in a debate once the developers have left the meeting.
- (v) Any Member of the Planning Advisory Group who has a personal or prejudicial interest in the proposal should not form part of the group for that particular site.

***E Freeman Development  
Manager January 2011***



## **APPENDIX 2 – PROPOSED CHARGES AND CUSTOMER CHARTER**

### **EAST DEVON DISTRICT COUNCIL PLANNING SERVICE - PRE APPLICATION ADVICE**



### **PRE-APPLICATION CHARGING SCHEDULE AND CUSTOMER CHARTER - Valid from February 2017**

The Council's Planning Service introduced a scale of charges for pre application advice in December 2009 that was reviewed in January 2017. This Charter sets out the scale of charges and what customers can expect of us.

#### **Scale of Charges**

<b>Category</b>	<b>Scale of application</b>	<b>Description</b>	<b>Charge per meeting/request for pre application advice(excluding VAT)</b>
1	Large scale Majors	Large scale major schemes including:-  ➤ Residential development of more than 200 houses. ➤ Non residential floor space of	£750  (£900 including VAT)
2	Medium major	➤ Residential development of between 31 – 199 houses. ➤ Non residential floor space of 1000 – 9,999 square metres.	£625  (£750 including VAT)
3	Small major	➤ Residential development between 10 – 30 houses. ➤ Non residential floor space of 500 – 1000 square metres.	£500  (£600 including VAT)
4	Minor	Residential proposals (including holiday units) involving the erection of between 2 – 9 residential units. All minor non-residential schemes for new buildings.	£250  (£300 including VAT)
5	Minor and changes of use	All residential schemes for the replacement or erection of a single dwelling or conversion of a building to one residential unit. All changes of use without any associated external works.	£150  (£180 including VAT)

6	Listed Building works	Works to listed buildings that do not require planning permission.	£125  (£150 including VAT)
7	Comments on the principle of development only.	Desk-based assessment of all planning applications where an opinion on the principle of the development only is required.	Half of the relevant above fee.

Notes:

- (i) Please advise as part of your pre-application submission the detail of the response required and any particular matters you require consideration.
- (ii) Advice will be provided in writing with an initial response, and where possible a full response, within 4 weeks of receipt of a valid pre-application submission (receipt of relevant plans and fee). Timescales for responses on works to a Listed Building may take a little longer due to the need for an accompanied site visit in most cases.
- (iii) The fee for planning advice includes an unaccompanied site visit (where considered necessary) being undertaken by a planning officer and any research work undertaken. The need for a meeting as part of the pre-application submission will be at the discretion of the local planning authority except for categories 1 and 2 above where a meeting will be offered due to the scale of the development and fee scale. The fee for Listed Building Advice will usually include a site meeting of up to an hour (due to the need to enter the property) by a Conservation Officer and any research work undertaken. The need for a meeting will be at the discretion of the Conservation Officer and will not be necessary in cases where the works can be adequately assessed without entering the property. Unfortunately, due to workloads and lack of capacity, we will not be able to respond to requests from prospective purchasers, although guidance for prospective purchasers is available on East Devon District Councils website.
- (iv) All advice will be provided on the basis that it represents the informal opinion of officers only at that moment in time and will not prejudice the final decision of an application by the Local planning Authority.
- (v) The written advice will lay out clearly the issues which would be raised by the development and specify what improvements can be made to the scheme to make it acceptable or if officers feel that the principle of the development is unacceptable, what their recommendation may be.
- (vi) Payments will be required before any work commences and payment can be made either by cheque or by card over the telephone.
- (vii) Advice will be given on the nature and quality of information required including a comprehensive list of supporting documents.
- (viii) Advice will be given on the relevant heads of terms that would be included in any Section 106 Agreement as necessary.
- (ix) 100% affordable housing schemes will be exempt from any charge for pre-application advice.
- (x) Any other category of planning application which has an exemption/reduced fees will also

be exempt from charge for any pre-application advice.

- (xi) There will be no pre-application charges for pre-application enquiries for employment uses (B1, B2, B8 and related Sui Generis uses) within the Greater Exeter Enterprise Zone.
- (xii) Any meeting agreed will be overseen by a Planning Officer/Conservation Officer and will include a range of other disciplines and representatives of infrastructure providers as deemed appropriate by the planning officer except where the principle of development only is sought.
- (xiii) The fees for a lawyer present at a meeting to deal with Section 106 requirements will be the subject of separate payment previously negotiated.
- (xiv) A Members Advisory Panel (see guidance on website) constitutes a separate pre-app and is subject to the relevant pre-application fee.

With regard to householder applications it is anticipated that all agents will have the necessary experience to deal with these schemes without needing specific pre-application advice from the planning service. The Council will publish householder design guidance on its website in due course as an additional aid for applicants. The Council will no longer respond to householder requests for pre-application advice whether or not they are represented by an agent.

Further advice on the information to submit with your pre-application enquiry (minimum of a 1:1250 site location plan, indicative layout and covering letter) and on the Members Advisory Panel is available on the planning page of East Devon District Councils website.

**C Rose**  
**Development Manager**  
**February 2017**

## **APPENDIX 3 – PROPOSED OTHER CHARGES**

### **OTHER PLANNING RELATED CHARGES:**

On a cost recovery basis the Local Planning Authority will charge for the following work:

#### **Requests for a check as to whether planning permission and/or listed building consent is required.**

There is a charge of £40 inclusive of VAT that needs to be paid in advance. A written response will be sent with 10 working days. This is a desk-based exercise and as such these enquiries should be submitted in writing with as much detail as possible to enable the Local Planning Authority to establish if planning permission/listed building consent are required.

#### **Confirmation of closure of enforcement case.**

If the Council has investigated, found a breach of planning control at your property and determined that no further action will be taken, you will be verbally advised of the outcome. However, if you require a letter of comfort confirming the Council's decision on the matter, this can be provided once the payment of £50 (including VAT) has been received. The fee needs to be paid in advance and the Council will provide a written response within 10 working days.

#### **Confirmation of compliance with any formal enforcement action.**

There is a charge of £50 (including VAT) for those who seek written confirmation as to whether any formal enforcement action has been complied with. The fee needs to be paid in advance and the Council will respond within 10 working days.

#### **Confirmation of compliance with listed building consent.**

There is a charge of £90 (including VAT) for those who seek confirmation of compliance with Listed Building Consents. The fee needs to be paid in advance and the Council will respond within 10 working days.

#### **Confirmation of discharge of planning conditions.**

There is a charge of £90 (including VAT) for the first condition on each Notice of Decision and £30 (including VAT) for any additional conditions on that notice of Decision requested at the same time. This is for those who require confirmation as to whether the Planning Conditions have been discharged on any single decision notice. When making the request the relevant decision notice reference number and condition numbers will need to be provided.

This will involve a desktop assessment of the files and will not confirm whether the conditions, if discharge, have subsequently been complied with (see further service below).

The fee needs to be paid in advance and the Council will respond within 10 working days.

Note: This service is different from the formal process of applying to discharge a planning condition.

#### **Confirmation of compliance with planning and listed building conditions.**

There is a charge of £90 (including VAT) for the first condition on each Notice of Decision and £30 (including VAT) for any additional conditions on that notice of Decision requested at the same time. This is for those who seek confirmation as to whether planning and listed building conditions have been complied with on any single decision notice. When making the request the relevant decision notice reference number and condition numbers will need to be provided.

The fee needs to be paid in advance and the Council will respond within 10 working days.

Note: This service is different from the formal process of applying to discharge a planning condition.

### **Confirmation of compliance with section 106 planning obligations.**

There is a charge of £90 (including VAT) for those who seek confirmation of compliance a clause within legal agreements with an addition £30 (including VAT) for any additional clauses within that legal agreement requested at the same time.

The fee needs to be paid in advance and the Council will respond within 10 working days.

### **Other Enquiries**

There is a charge of £50 (including VAT) for those who seek written confirmation of information not included above (e.g. confirmation of the meaning of a condition, planning history for a site, confirmation of details submitted with an application or comments received etc.)

The fee needs to be paid in advance and the Council will respond within 10 working days.

Report to: **Strategic Planning Committee**

Date of Meeting: 20 February 2017

Public Document: Yes

Exemption: None

Review date for release: None



Agenda item: 11

Subject: **Housing Viability Issues: Vacant Building Credit, Overage provisions and Rent to Buy Housing Products**

Purpose of report: To ensure members are aware of three key issues affecting housing viability negotiations, and endorse the approach proposed by officers.

Recommendation:

- 1. Members are asked to endorse the approach that Vacant Building Credit will be considered on a case by case basis but that other than in exceptional circumstances the following criteria shall be applied:**
  - VBC will only be granted where it would help to secure the redevelopment of vacant brownfield land or buildings
  - VBC will not be granted where land has been purchased for redevelopment and a 'vacant' period of time is a normal part of the development process
  - VBC will not be applied when the 'vacant' period is a policy requirement for demonstrating the land is not longer required for its current use
- 2. Members are asked to endorse the approach that overage (also known as clawback) clauses will be applied to all planning permissions where viability information has resulted in a less than policy compliant amount of affordable housing being accepted. Overage will be applied to all applications, including single phase developments, and will be applied without any periods of deferral or other restrictions.**
- 3. Members endorse the re-worded principles to drafting overage clauses as detailed in the report.**
- 4. Members are asked to note the emergence of Rent to Buy housing delivery models and endorse them as one of the options that can be considered as part of viability discussions as affordable housing, but only where more traditional forms of affordable housing are not viable or in other exceptional circumstances and where it will meet a local need.**

Reason for recommendation: To ensure that viability appraisals and negotiations are carried out in on a consistent and transparent basis that has been endorsed by Members.

Officer: Rachel Danemann – Development Enabling and Monitoring Officer  
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**Financial implications:** None.

**Legal implications:** Legal have had input into the suggested approach to VBC and overage and it is considered that the recommendations accord with the intention of the national planning practice guidance. It will be important to ensure that each case is assessed on its own merit rather than adopting a blanket approach to its application. With respect to the Rent to Buy model, provided the occupation of the units is restricted to those in Housing Need then it is considered that the approach advocated is permissible and acceptable.

**Equalities impact:** Low Impact

**Risk:** Low Risk

**Links to background information:**

- RICS guidance “Financial Viability in Planning”  
<http://www.rics.org/uk/knowledge/professional-guidance/guidance-notes/financial-viability-in-planning-1st-edition/>
- Planning Practice Guidance on viability:  
<https://www.gov.uk/guidance/viability>
- S106 Agreements – Viability and Overage, Development Management Committee 16 July 2013: <http://eastdevon.gov.uk/media/143379/urgent-item-overage-report-dmc-16-july-.pdf>

**Link to Council Plan:** Delivering and promoting our outstanding environment, Continuously improving to be an outstanding council.

## Report in full

### 1. Introduction

1.1 Members will be aware that viability is a key issue for planning to consider, both in relation to plan-making and development management. The Local Plan was adopted in January 2016 and included policies that set out the amount of affordable housing that should be provided in Strategy 34. The policy states that this requirement is subject to viability. Members will also be aware that Community Infrastructure Levy (CIL) was introduced in Sept 2016. Where a scheme is required to pay CIL, this charge is non-negotiable. CIL replaced many of the Section 106 requirements, which were negotiable.

1.2 The appointment of the Development Enabling and Monitoring Officer, who started in post in Jan 2016, has provided additional capacity and expertise in relation to viability issues. This work has identified three issues in relation to viability policy interpretation and negotiations where member input is now sought; Vacant Building Credit, Overage, and Rent to Buy housing delivery models. Each of these issues has the potential to impact on viability negotiations and a clear steer from members on the approach that the Council should be adopting is now sought.

1.3 Developers can use viability arguments to provide a lower level of affordable housing than policy requires in one of two ways. Firstly, under Strategy 34, they can seek to reduce the amount of affordable housing being offered as part of their planning application. Secondly, viability arguments can also be used to seek to renegotiate the level and type of affordable housing previously secured, through seeking variations to agreed section 106 agreements. National planning policy and guidance highlight the importance of viability as a key consideration for planning, and require any arguments made in relation to viability to be given full consideration.

1.4 The aim of planning is to enable appropriate development, and if a development is unviable it will not be delivered. Vacant Building Credit, Overage and Rent to Buy are all factors that can affect the viability and deliverability of housing schemes. Vacant Building Credit is a credit against affordable housing contributions requirements that can be given to incentivise the redevelopment of brownfield land. Applying VBC results in a lower amount of affordable housing being provided, and in some cases removes the requirement for any provision at all. Overage is the mechanism for clawing back any additional profits over and above those included in the viability appraisal which should otherwise have been spent on providing affordable housing. Rent to Buy housing is a new type of provision targeted at households who struggle to access home ownership due to a lack of a deposit. As such it targets a different group of people than those requiring social renting housing. Changing a more traditional affordable housing unit to a Rent to Buy product would usually improve the viability of that scheme.

## **2 Vacant Building Credit**

2.1 Members may recall that the Government sought to introduce new affordable housing thresholds through a Written Ministerial Statement in November 2014. The Ministerial Statement also sought to introduce Vacant Building Credit (VBC). This was subject to legal challenge and then a High Court appeal. The WMS was ultimately supported, and amendments to the Planning Practice Guidance (PPG) were made in May 2016. These reinstated the guidance in relation to both affordable housing thresholds and Vacant Building Credit.

2.2 Planning Practice Guidance states that “National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace”.

2.3 However it also states that “the policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy, In doing so, it may be appropriate for authorities to consider:

- Whether the building has been made vacant for the sole purposes of re-development.
- Whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development.”

2.4 Officers are of the view that this means Vacant Building Credit (VBC) does not have to be rigidly applied in all cases, rather there may be circumstances which mean it is not appropriate to apply it. For example, there would seem to be occasions, as envisaged in the PPG, where the building or site has been purchased for re-development. In these cases the land or building may be technically ‘vacant’ for a period of time whilst plans for its re-use are being drawn up and approved. This however is a normal part of the re-development process, and seems materially different from a site that has sat unused and abandoned for many years.

2.5 Therefore, in cases where a ‘vacant’ period of time would be expected as part of the normal site development process, there would seem to be no requirement to use VBC to incentivise development, as the re-development would be proceeding any way. In these cases the granting of VBC would in fact simply be a used device to reduce the amount of



affordable housing requirements, without this being offset against the wider public benefits deriving from redevelopment of a vacant site. As such, in these circumstances, it may not be appropriate to grant it.

- 2.6 The Local Plan policies in relation to protecting employment land also require a site to be actively marketed for continuing employment uses, for a minimum period of twelve months before a change of use, including to residential, would be considered. In these cases, it would seem illogical that the period of time when policy required active and adequate marketing in order to justify the loss of employment land could also count as a 'vacant' period, justifying the need to incentive re-development.
- 2.7 Similarly, there may be occasions where a landowner undertakes a rationalisation of their land assets and seeks to dispose of their land. In many such cases the land is marketed for its current use, or residential use with the caveat that this would be subject to planning. In these cases the offer to purchase land is often conditional on securing planning permission for change of use. Again as these sites are often vacant whilst these negotiations are ongoing, it would also seem illogical that this 'vacant' period of time could be used to trigger the requirement for VBC to facilitate re-development, as the vacant period is to enable discussion around any re-development for change of use.
- 2.8 Experience to date indicates that applicants and viability consultants are assuming that Vacant Building Credit will be applied in all cases where a site or building that has been vacant for any period of time. Going forward, officers recommend the Council, having regard to the PPG as a material consideration, consider each case on its merits as to whether or not it is appropriate to be applying the VBC, and this will include consideration of the specific redevelopment requirements of the site and time periods that buildings have been vacant.

### **3 Overage**

- 3.1 Strategy 34 of the Local Plan requires that 'an overage clause will be sought in respect of future profits and affordable housing provision, where levels of affordable housing fall below policy targets'. This means that where the Council is satisfied that evidence has been provided to demonstrate viability issues with a scheme, the Council would accept a lower amount of affordable housing (on site or in kind) subject to an overage clause.
- 3.2 Overage clauses in Section 106 agreements require a reassessment of viability after completion of the scheme using actual costs and values, rather than the informed assumptions used in development appraisals at planning permission stage. Overage would become payable where a scheme is found to have made additional profit over and above that initially anticipated in the viability appraisal used to justify the reduced affordable housing contribution. East Devon overage clauses seek to recover 50% of any additional profit made.
- 3.3 Viability appraisals offer informed assessments of how much affordable housing could be viably provided on a particular scheme, by calculating presumed costs and values. Obviously the actual costs and values of a scheme can only be known after the scheme is built. Viability appraisals are therefore snapshots in time including various assumptions and contingencies, albeit assumptions usually informed by professional guidance and experience. The use of overage clauses offers a way to seek some redress where overly pessimistic assumptions about values and/ or an overestimation of costs, have been used to justify a lower level of affordable housing contributions, when the scheme could actually have provided more.

- 3.4 Before the adoption of the Local Plan, some overage clauses were drafted in a way to incentivise development to happen quickly. As such these agreements often included a specific time period before the overage clause kicked in. This meant that if a development was completed within that time period, there was no requirement for revised viability information to be submitted. Therefore no overage calculation was undertaken, and no overage would be payable. This reflected the market conditions at that time, the lack of a five year housing land supply, as well as the Council's desire for schemes to be built out quickly to ensure that the much needed homes were delivered.
- 3.5 This position changed considerably with the adoption of the Local Plan. Strategy 34 which, specifically includes reference to overage, was considered through the Local Plan making process and found sound at the Local Plan Examination. As such officers are actively seeking overage clauses on all applications which succeed in making a viability argument for a reduced affordable housing provision or contribution on the grounds of viability, this requirement would be effective immediately.
- 3.6 The current approach to overage reflects the intentions expressed in Local Plan Strategy 34 which states "Where a proposal does not meet the above targets it will be necessary to submit evidence to demonstrate why provision is not viable or otherwise appropriate. An overage clause will be sought in respect of future profits and affordable housing provision, where levels of affordable housing fall below policy targets."
- 3.7 There is however an ongoing debate within planning and surveying about the application of overage clauses. The National Planning Policy Framework and Planning Practice Guidance do not mention overage specifically, but do stress the importance of ensuring that planning policies do not undermine viability.
- 3.8 In 2012 the Royal Institute of Chartered Surveyors (RICS) issued a guidance note entitled 'Financial Viability in Planning'. This guidance offers best practice advice for RICS members undertaking viability work in planning, primarily aimed at those providing scheme specific appraisals. Section 3.6.4 of the guidance is entitled Viability Re-appraisals (Viability reviews) and sets out the RICS position in relation to re-appraisals, acknowledging that they may be appropriate for longer term/multi phased schemes and should be undertaken prior to the implementation of a scheme or phase.
- 3.9 Section 3.6.4.3 of the RICS advice says "the methodology (for re-appraisals) may include, for example, specifying: the process involved, the basis of model, inputs, basis of return, and Site Value. It is stressed that the re-appraisal should always be undertaken prior to the implementation of a scheme or phase in order to fully account at the time for the risk the developer is undertaking, and, therefore, the appropriate return. From a technical perspective, so-called 'overage' arrangements (post-development appraisals) are not considered appropriate, as development risk at the time of implementation cannot be accounted for in respect of the inevitable uncertainty of undertaking a development or individual phase. It also undermines the basis of a competitive return as envisaged by the NPPF by introducing uncertainty post the implementation of the development. This may make funding the scheme difficult or unlikely in many cases." Developers argue that overage, as we are seeking to apply it is contrary to the RICS guidance.
- 3.10 Unusually in East Devon we have an adopted Local Plan policy adopted in 2016, which includes specific reference to the requirement for overage. However, the RICS Guidance on Viability was also discussed at the Local Plan/CIL Examination, and the Inspector still endorsed the wording of Strategy 34. However, despite this it is still frequently quoted by developers seeking to argue against overage provisions. The inclusion of the specific reference to the NPPF within paragraph 3.6.4.3 means that it is often referred to as if it is planning policy, whereas it is in fact advice to RICS members on

how to undertake their functions. At best the guidance could be viewed as a material consideration.

- 3.11 Recently, questions have been raised by some developers about how the requirement for overage in the Local Plan is being put into practice. Particular reference has been made to the time delay, intended to incentivise delivery, applied to some overage clauses in the past. However, the adoption of the Local Plan is a very significant factor, and as such officers remain of the view, that policy now requires overage to be sought in all cases where a reduced affordable housing provision or contribution has been accepted. At no point did the Local Plan Inspector suggest that application of the overage clause would be unacceptable or that it should be subject to certain criteria/conditions, and therefore officers also remain of the view that where required overage clauses will be effective immediately.
- 3.12 Officers are of the view that this approach is also not contrary to the NPPF, PPG or the RICS advice because the inclusion of overage clauses in line with the approach detailed above does not introduce any uncertainty. The overage clause only applies to any additional profit (over and above that already anticipated by the developer) to offset the affordable housing provision that would have otherwise been required. So in fact by enabling the developers' actual purchase price, actual developments costs, actual sales receipts and actual percentage profit to be accounted for, overage clauses actually provide certainty, including in relation to the developer's return.
- 3.13 Members considered the issue of viability and overage through a paper to Development Management Committee on 16 July 2013 endorsing the approach at the time. A link to this report is contained in the Background Papers section at the start of this report. Since then the context within which the report was written has changed considerably. Economic circumstances have improved and the Local Plan has been adopted. Provisions allowing Section 106BA applications and Section 106BC appeals, which Members may recall were introduced to consider only viability, have been repealed, so any viability arguments in relation to changes to s106 agreements can be considered in the round, and national guidance on viability was issued in the Planning Practice Guidance in March 2014.
- 3.14 The principles endorsed by Development Management Committee in 2013 have been reviewed in light of all of the changes and other factors highlighted within this section of the report. While all of the principles remain valid and appropriate the wording of some of them has been revised to ensure that they are suitably clear and precise. To reflect the fact that they have been reviewed and slightly amended Members are asked to endorse these principles which are detailed below:
- (i) Any overage clause will be drafted by the Legal Department in consultation with the planning officers to suit the specific circumstances of the site.
  - (ii) Consideration will be given to the requirement to provide development accounts throughout the construction phase of the development based on the size of the development and projected delivery time / phasing – this may result in a requirement for the submission of annual accounts, bi-annual accounts or one account at the end of the development and, if appropriate due to the size of the scheme, delayed submission of the first account following commencement of development.
  - (iii) If there are occasions where the viability appraisal shows a loss, any overage payment will only be required to be paid where that loss is recouped and the developer goes into net profit.

- (iv) The default position will be to require 50% of any net profit element to be paid to the Council, unless a different percentage can be robustly justified by the Developer or the Council .
- (v) The overage payments will be capped to an amount equivalent to the full cost of the mitigating benefit (including affordable housing provision) that has been reduced or waived.
- (vi) Any monies recovered pursuant to an overage clause will be spent proportionately of the elements that have been reduced or waived. In practice this means all Affordable Housing overage must be spent on Affordable Housing.

3.15 These principles once re-endorsed by Members would form the basis for overage clauses in the future will be used to inform the Planning Obligations Supplementary Planning Document which is currently be prepared and further guidance documents to be published on the Council's web-site in due course. These documents will ensure that a consistent and transparent approach is taken.

#### **4 Rent to Buy Housing Models**

4.1 On 6<sup>th</sup> Dec 2016 Development Management Committee considered application 16/1062/V106 to vary the Section 106 application for a housing scheme at Woodbury due to viability reasons. The application was approved as per officer recommendations, so the Section 106 agreement will be amended to secure 7 RentPlus units or similar affordable housing product. The viability evidence presented set out various options in relation to affordable housing options, and agreeing a change to RentPlus maximised the affordable housing provision.

4.2 As the committee report explained "RentPlus is a particular kind of affordable housing product. Although the model does not secure affordable housing in perpetuity it is currently one of the very few initiatives still able to deliver rented affordable housing." The RentPlus model utilising private investment finance. In summary, RentPlus is a Rent to Buy model where tenants benefit from an affordable rent, whilst they save up to buy. At the end of five, ten, fifteen or twenty years tenants are then given the option to purchase their house, at a reduced price.

4.3 At the moment RentPlus are the only providers of Rent to Buy models currently actively working in East Devon. However, the Rent to Buy grant funding stream would seem to be open to other Housing Associations and potentially even private developers looking to provide Rent to Buy housing. It would also seem reasonable to expect that if this idea finds favour with Government, there may be new providers seeking to enter this market.

4.4 National Planning Policy Framework (NPPF) defines Affordable housing as "Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision."

4.5 The NPPF definition then goes on to provide more detailed information in relation to social housing, affordable rented housing and intermediate housing. As Rent to Buy models, including RentPlus and others, represent a kind of hybrid product which sees tenants paying an affordable rent for a pre-defined period before being offered for purchase there is an argument that it does not currently fall under the definition of affordable housing in National Planning Guidance, and reflected in the Glossary of the adopted Local Plan.

- 4.6 There is wider debate for housing in terms of how much support East Devon gives to Rent to Buy models, such as RentPlus as opposed to other kind of housing delivery options including for social rent, affordable rent, mid market rent, market rent, outright sale, starter homes, self-build and custom build plots and other innovative products and delivery methods. However, from a planning perspective the issue is whether or not Rent to Buy models, such as Rentplus, are deemed to fall under the definition of affordable housing.
- 4.7 Government policy is increasingly supportive of Rent to Buy housing models. The Homes & Communities Agency's (HCA) prospectus for grant funding for affordable housing is looking for at least 10,000 rent to buy homes to be delivered by 2021. The capital funding guide includes detailed information on how any public funding for rent to buy products would work in practice including how any funding for this product should be recycled. It is therefore be possible to make an argument that Rent to Buy models, including RentPlus are affordable products under the current NPPF definition, albeit ones that switch from affordable renting to a discounted sale option later on. The RentPlus model includes provisions or future purchasers to be given a 10% gifted deposit. As such both the renting and purchasing elements of the scheme, are, or at least could be, defined as affordable, as such could be viewed as already falling within the definition. Other Rent to Buy schemes would need to be considered on a case by case basis to ensure both the renting and the buying parts are affordable. The current government funded Rent to Buy scheme would see all the Rent to Buy houses offered for purchase after only five years.
- 4.8 Providers of Rent to Buy products have been successful in getting some local authorities to amend their definition of affordable housing to include these kinds of delivery options. It is anticipated that the revisions to the NPPF and the starter homes legislation will include some provision for Rent to Buy either to come under the NPPF definition of affordable housing, or possibly for Rent to Buy to fall within the starter homes definition, which the Government has already stated will be classed as affordable housing. Latest information suggests the starter homes definition will be set out as part of the work on the Housing and Planning White Paper expected imminently, and will be made effective in the summer. In the interim though, as can be seen from the Woodbury example, where viability is an issue, Rent to Buy products offer a way to improve the viability of the scheme. Rather than losing affordable housing units to the open market, these products secure the delivery of rented units albeit not in perpetuity and appealing to those who are 'just about managing'.
- 4.9 In the absence of clear government guidance there are three approaches that could be taken. Firstly, if Rent to Buy products, such as RentPlus, are deemed not to be affordable housing, any applications which included this, or sought to introduce it to help with a scheme's viability would need to be viewed as a departure from policy. Alternatively, if it is acknowledged that Rent to Buy models do not currently meet the definitions of affordable housing as set out in our Local Plan, but that wish to include them within the affordable housing definition. The affordable housing definition could then be expanded to include Rent to Buy models though inclusion within an Supplementary Planning Documents or an Interim Policy Statement, as required. The third option would be to accept that Rent to Buy products can be viewed as already falling within the definition of an affordable housing product and as such could be switched for any other affordable housing products without affecting policy compliance on this issue. Officers recommend the third approach as being the most logical and sensible way forward.
- 4.10 If Rent to Buy products are accepted as affordable housing, this raises the issue of if and how we account for the product in relation to our affordable housing tenure split. Strategy 34 sets a target for 70% of affordable housing across the plan period to take the form of social or affordable rent accommodation and 30% intermediate or other affordable housing. This presents a difficulty for Rent to Buy products. Although an argument could be made that any properties that are intended to be sold during the plan period should be

counted towards the 30% intermediate product, and those remaining available for affordable rent during the plan period could be considered under the 70%, this does not acknowledge the loss of the units, from affordable rented, and then discounted sale over time. In the case of Rent to Buy, once the house has been purchased there is a two year window in which the gifted deposit would need to be repaid if the house was sold on. However after two years the houses are unrestricted market houses. Officers therefore recommend that rent to Buy Products are not included within the 70:30 split. This also reflects the exceptional nature of when we consider them, which at the moment would be limited to only where no other type of affordable housing product is viable.