

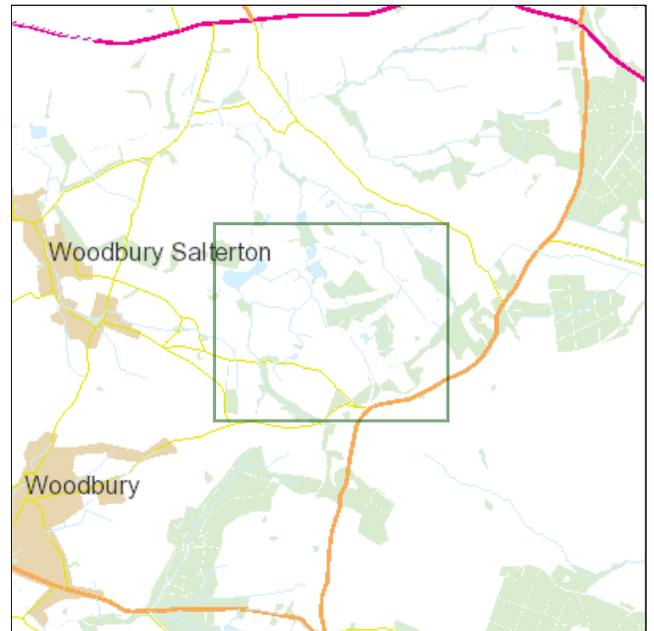
Ward Woodbury And Lymstone

Reference 19/2145/MFUL

Applicant The Club Company Ltd

Location Woodbury Park Hotel And Golf Club Woodbury Castle Woodbury Exeter Devon EX5 1JJ

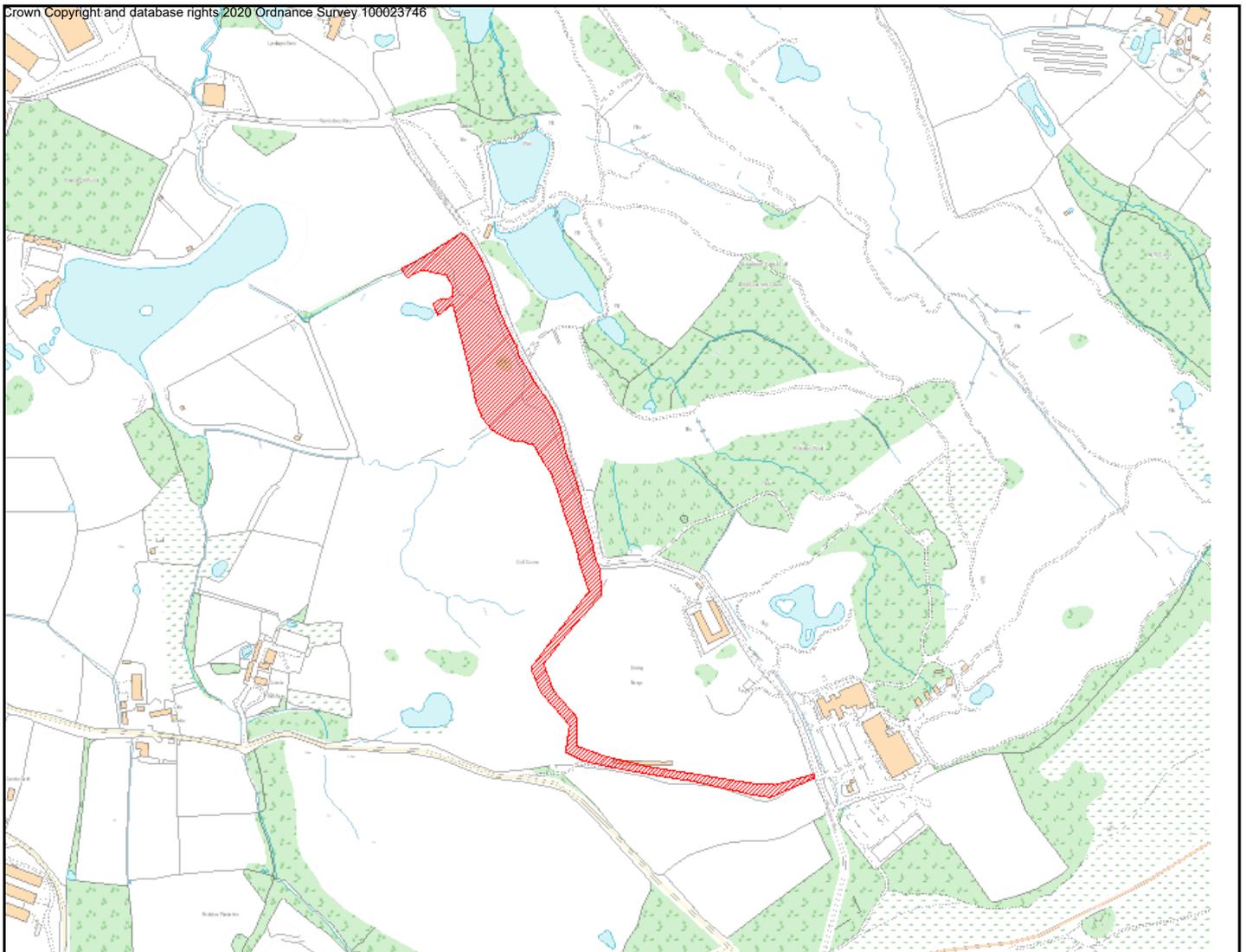
Proposal Change of use of land for the siting of 14 no. holiday lodge caravans and associated access and development.



RECOMMENDATION:

- 1. That the Habitat Regulations Appropriate Assessment outlined within the Committee Report be adopted; and,**
- 2. That the application be APPROVED subject to conditions.**

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		Committee Date: 7th January 2021
Woodbury And Lympstone (Woodbury)	19/2145/MFUL	Target Date: 28.01.2020
Applicant:	The Club Company Ltd	
Location:	Woodbury Park Hotel And Golf Club, Woodbury Castle	
Proposal:	Change of use of land for the siting of 14 no. holiday lodge caravans and associated access and development	

RECOMMENDATION:

- 1. That the Habitat Regulations Appropriate Assessment outlined within the Committee Report be adopted; and,**
- 2. That the application be APPROVED subject to conditions.**

EXECUTIVE SUMMARY

This application is before Members as the views of the Ward Members and Parish Council are contrary to the officer recommendation.

Planning permission is sought for the siting of 14 holiday lodges together with associated development within part of the existing nine-hole golf course at Woodbury Park Hotel and Golf Club.

The proposal has evolved since its submission with the lodges moved away from the green lane (Warkidons Way) to the east of the site and all access taken from the main hotel car park to the site where the individual lodges will be sited. Concerns raised in respect of the impact of the proposal on this historic lane are considered to have been overcome by the revisions to the proposed development, such that any potential impact will be limited to glimpsed views of the development through established hedging.

The development represents a diversification to the existing accommodation offer at Woodbury Park, and as a consequence will encourage further visitors to the site and surrounding area, which is also likely to provide wider economic benefit to the local economy. This is considered to comply with Policy E19 of the Local Plan.

There are no landscape designations pertaining to the site and the suggested siting is not considered to be visually intrusive or prominent within the countryside. The site is in relatively close proximity to the protected landscapes of the East Devon Pebblebed Heaths, however it is considered that appropriate

mitigation measures have been provided to offset any impact arising from additional activity generated by the proposed development.

Impacts arising from the proposed development in terms of traffic, landscape, trees, ecology and additional activity have been considered and subject to appropriate conditions the application is recommended for approval.

CONSULTATIONS

Local Consultations

Parish/Town Council

NOT SUPPORTED. Would regard the application more favourably if certain lodges were located a further distance from Warkidons Way. Conditions attached should include no alterations to Warkidons Way and its hedging, no vehicle access (except for golf carts) and not to be used for residential use (with guests staying no more than 28 days for one particular stay).

Woodbury And Lympstone - Cllr Ben Ingham

I recommend this application for refusal. I do not think this site is appropriate for caravan usage due to the proximity of the pebble bed heaths.

Woodbury And Lympstone - Cllr Geoff Jung

17.02.20:

I have viewed the further documentation regarding the Planning Application 19/2145/MFUL for the change of use of land for the siting of 14 holiday lodge caravans and associated access and development at Woodbury Park Hotel and Golf Club Woodbury Castle Woodbury

I did not support the Application and the further information provided do not provide information that changes my view, but I reserve my final views on the application until I am in full possession of all the relevant arguments for and against.

24.09.20:

19/2145/MFUL Woodbury Park Hotel and Golf Club Woodbury Castle Woodbury.

I have viewed the further documents submitted in Sept for the planning application 19/2145/MFUL for the change of use of land for the siting of 14 no. holiday lodge caravans and associated access and development at Woodbury Park Hotel and Golf Club Woodbury Castle Woodbury.

My views are still the same as the location is considered "special" between the village of Woodbury Salterton and the common providing an almost vehicle free access to the open common.

I refer to my comments I submitted earlier this year, regarding access for emergency vehicles that has not been resolved. The access will be via Golf Buggy and not vehicles. Will this access be suitable for emergency vehicles (Fire Engines and Ambulances) and how is the treatment of refuse and recycling going to be managed?

I therefore did not support the Application , but I reserve my final views on the application until I am in full possession of all the relevant arguments for and against.

Further comments 20.04.20:

I have viewed the further documents for the planning application 19/2145/MFUL for the change of use of land for the siting of 14 no. holiday lodge caravans and associated access and development at Woodbury Park Hotel and Golf Club Woodbury Castle Woodbury.

This application is contentious as the location is considered "special" between the village of Woodbury Salterton and the common providing an almost vehicle free access to the open common.

Rereading most of the documents and comments, I would like to point out a further concern I have with the Application. The access will be via Golf Buggy and not vehicles. Will this access be suitable for emergency vehicles (Fire Engines and Ambulances) and how is the treatment of refuse and recycling going to be managed? I did not support the Application and this further information provided does not provide information that changes my view, but I reserve my final views on the application until I am in full possession of all the relevant arguments for and against.

Further comments 11.11.20:

I have viewed the documents for the planning application for 19/2145/FUL for the proposed change of use of land for the siting of 14 no. holiday lodge caravans and associated access and development at Woodbury Park Hotel and Golf Club Woodbury Castle Woodbury.

I have been contacted by a local conservation group who are very concerned regarding the byway next to this proposed development.

They say that Walkidons Way is a rare example in our locality of a green lane, a route adopted from at least Saxon times,

The boundaries banks, hedges and woodland edges, are features which can be seen along the length of Walkidons Way. The hedges and woodland edges here are particularly rich in examples of hedge-laying and coppicing of great age, and possibly also an ancient boundary trees.

In terms of bio-diversity, green lanes are mini-landscapes with their own micro-climate and ecology, due to the combination of the track and its boundary features. They may be more botanically species-rich than a single hedge, act as wildlife corridors, and their sheltered conditions are of great importance, for example, to butterfly populations.

The former agricultural land here has been much altered for leisure use, and the lane now passes between golf courses at the higher end, and fishing lakes lower down, which were both created during the 1990s. The Woodbury Park complex, which opened in 1995, was a highly controversial development at the time, but has become a generally accepted element of the modern landscape.

The track and its verges are unfortunately suffering degradation from modern vehicular traffic, but Walkidons Way offers a beautiful walk of very different character to that of most of our local lanes, to the open spaces of the Common."

Because of the sensitive nature of this byway I would like Historic England to be consulted on this application.

If this Application is to be agreed I would also like to see conditions attached to cover the appropriate management and continued maintenance.

Until Natural England and appropriate conditions are agreed I cannot support this application at this time.

I reserve my final views on this application, until I am in full possession of all the relevant arguments for and against.

Further comment 09.12.20:

Thank you for the report that explains the reason to support, however I will wish to speak at the meeting, and I still oppose the application.

Technical Consultations

Devon County Highway Authority

03.12.19

Observations:

Woodbury Park Hotel and Golf club resides on the C341. The proposal from this planning application has been reviewed under two pre-applications, 19/0049/preapp and 18/0199/preapp

The collision record for the last 5 years show no records of collisions in the vicinity on the immediate access onto the C341.

The 14 caravans will be providing for many golf visitors that are already day visitors to the golf club, however a travel plan to show how any increase in vehicle and pedestrian trip generation from both additional employees and visitors will be mitigated for is lacking from this application, also missing is a Construction and Environment Management plan (CEMP) to outline how the construction process will be managed including construction waste and disposal and the delivery route for the caravan units.

Though the dedicated parking spaces adjacent each holiday lodge are for golf buggies only, the planning statement does not show if the 14 additional vehicles can be accommodated for in the main car park. Also no details are given upon how the golf- buggies will be re-charged sufficiently to provide the shuttle service.

Therefore until the above documents are submitted for review, the County Highway Authority is unable to remain impartial to this application and recommends refusal.

Addendum 24.02.2020:

The CHA has been made aware of the updated documents submitted but does not believe the car park tally carried out at a specific time on one or two days in early December accurately reflects the demand upon the car park as an average. Therefore our stance remains the same.

Further comments 08.04.20:

Due to the current Covid-19 pandemic, the concern of this applications parking survey being over one day in December cannot be addressed by the usual increase of seasonal survey days/times. Therefore the applicant would like to raise the possibility of the following condition, which I believe they have already separately approached yourselves with.

We as the CHA would have no objection to this condition and if it was up taken, we would be willing to review our current stance upon this application.

'Car Parking Surveys of the existing Car Parking areas to be undertaken, at agreed peak times, over the next 12 month period, to establish car parking capacity and availability. A Parking Survey Report to then be submitted to DCC, including photographs and tabulated results. If it is found that insufficient car parking is available for the users of the 14 lodges, measures are to be taken to control the number of cars on-site at any one time which could include for example implementing a Travel Plan for the site'

Further comments 30/09/2020:

It is understood that the applicant has proposed a condition of planning permission where:

'Car Parking Surveys of the existing Car Parking areas to be undertaken, at agreed peak times, over the next 12 month period, to establish car parking capacity and availability. A Parking Survey Report to then be submitted to DCC, including photographs and tabulated results. If it is found that insufficient car parking is available for the users of the 14 lodges, measures are to be taken to control the number of cars on-site at any one time which could include for example implementing a Travel Plan for the site' and that the above proposed condition was put before the LPA for consideration. The CHA agreed with the wording of the proposed condition.

Unfortunately the LPA believes that the above proposed condition would not reach planning tests and has recommended that a condition requiring a Travel Plan to be approved in writing within twelve months of any planning permission would be more appropriate.

The CHA agrees with the LPA proposed condition.

Recommendation:

THE HEAD OF PLANNING, TRANSPORTATION AND ENVIRONMENT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

Note:

The County Highway Authority is content for the LPA to word a suitable Planning Condition requiring a Travel Plan to be approved in writing within 12 months of any planning permission.

Natural England

SUMMARY OF NATURAL ENGLAND'S ADVICE DESIGNATED SITES [EUROPEAN]

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FURTHER INFORMATION REQUIRED

Habitats Regulations Assessment - Recreational Impacts on European Sites

This development falls within the 'zone of influence' for the East Devon Pebblebed Heaths SAC, East Devon Heaths SPA and the Exe Estuary SPA, as set out in the Local Plan and the South East Devon European Sites Mitigation Strategy (SEDEMS). It is anticipated that new housing and tourist development in this area is 'likely to have a significant effect', when considered either alone or in combination, upon the interest features of the SAC/SPA due to the risk of increased recreational pressure caused by that development.

In line with the SEDEMS and the Joint Approach of Exeter City Council, Teignbridge District Council and East Devon District Council, we advise that mitigation will be required to prevent such harmful effects from occurring as a result of this development. Permission should not be granted until such time as the implementation of these measures has been secured.

Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, may need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make.

Other advice

PROTECTED LANDSCAPES

The proposed access to the development is within a nationally designated landscape, namely the East Devon AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal and that you have regard to the advice of the East Devon AONB Partnership.

PROTECTED SPECIES

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. The Standing Advice includes a decision checklist which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being

present. It also provides detailed advice on the protected species most often affected by development.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence may be granted.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Further comments:

Thank you for your email below, consulting Natural England on the attached Appropriate Assessment in accordance with Paragraph 63 (3) of the Conservation of Habitats and Species Regulations 2017.

Please be advised that, on the basis of the appropriate financial contributions being secured to the South-East Devon European Sites Mitigation Strategy (SEDESMS), Natural England concurs with your authority's conclusion that the proposed developments will not have an adverse effect on the integrity of Dawlish Warren SAC, the Exe Estuary SPA, Exe Estuary RAMSAR and the East Devon Pebblebed Heaths SAC.

DCC Flood Risk Management Team

Recommendation:

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy CP12 (Flood Risk) of Exeter City Council's Core Strategy (2012) which requires all developments to mitigate against flood risk and utilise sustainable drainage systems, where feasible and practical. The applicant will therefore be required to submit additional information in order to demonstrate that all aspects of the proposed surface water drainage management system have been considered.

Observations:

The applicant must note that infiltration tests, undertaken in strict accordance with BRE Digest 365 Soakaway Design (2016) must be undertaken in order to demonstrate whether infiltration is a viable means of surface water drainage management on this site. A representative number of tests must be conducted in order to provide adequate coverage of the site, with particular focus placed on the locations and depths of potential infiltration devices.

In accordance with the hierarchy of drainage solutions, infiltration must first be explored as a means of surface water drainage management. Discharging the surface water runoff from this site to a watercourse will only be permitted once the applicant has submitted evidence which adequately demonstrates that infiltration is not a viable means of surface water management on this site (e.g. results of percolation testing conducted in accordance with BRE Digest 365 Soakaway Design (2016)).

Where infiltration is not used, long term storage must be provided to store the additional volume of runoff caused by any increases in impermeable area, which is in addition to the attenuation storage required to address the greenfield runoff rates. Long term storage should therefore be included within the surface water drainage management plan to ensure that each element is appropriately sized, and this should discharge at a rate not exceeding 2 litres/second/hectare.

The applicant currently proposed the permeable driveway and access road but there is no concrete evidence of the suitability of rainwater to infiltrate through the surface and into underlying soil layers.

Should infiltration is not viable, the applicant should review the 300mm freeboard allowance for the proposed attenuation pond as the submitted MicroDrainage model outputs indicate that this allowance is not met.

Further comments:

- We will not be providing a comment as this stage as the plans submitted are unrelated to drainage. Our previous response dated 11/02/2020 still stands.

Further comments:

At this stage, we have no in-principle objections to the above planning application, from a surface water drainage perspective, assuming that the following pre-commencement planning conditions are imposed on any approved permission:

- No part of the development hereby permitted shall be commenced until a programme of percolation tests has been carried out in accordance with BRE Digest 365 Soakaway Design (2016), and the results approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations of the proposed infiltration devices/permeable surfaces.

Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.

Reason for being a pre-commencement condition: This data is required prior to the commencement of any works as it will affect the permanent surface water drainage management plan, which needs to be confirmed before development takes place.

- No part of the development hereby permitted shall be commenced until the full results of a groundwater monitoring programme (should infiltration is viable), undertaken over

a period of 12 months, has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This monitoring should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.

Reason: To ensure that the use of infiltration devices on the site is an appropriate means of surface water drainage management.

Reason for being a pre-commencement condition: This data is required prior to the commencement of any works as it could affect the permanent surface water drainage management plan, which needs to be confirmed before development takes place.

- No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk Assessment & Outline Drainage Strategy Woodbury Park Hotel and Golf Club, Woodbury Castle, Woodbury, Exeter, EX5 1JJ (Report Ref. 01B902911, Rev. 1, dated September 2019). No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.

Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

- No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.

Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Reason for being a pre-commencement condition: A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

- No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface

water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

Reason for being a pre-commencement condition: These details need to be submitted prior to commencement of any works to ensure that suitable plans are in place for the maintenance of the permanent surface water drainage management plan, for the reason above.

Observations:

Following my previous consultation response (FRM/ED/2145/2019, dated 19th November 2019), the applicant has submitted additional information in relation to the surface water drainage aspects of the above planning application, for which I am grateful.

The applicant has provided the Response to DCC Flood Risk Management Team Recommendation Regarding Application Ref: 19/2145/FUL at Woodbury Park, Woodbury Castle, Woodbury, EX5 1JJ, dated 2nd December 2019.

Should infiltration is not viable, the proposed attenuation pond should be provided with a 300mm freeboard allowance.

An ordinary watercourse runs through this site, so if any temporary or permanent works need to take place within this watercourse to facilitate the proposed development (such as an access culvert or bridge), Land Drainage Consent must be obtained from Devon County Council's Flood and Coastal Risk Management Team prior to any works commencing. Details of this procedure can be found at:

<https://new.devon.gov.uk/floodriskmanagement/land-drainage-consent/>.

Environment Agency

Environment Agency position

We object to the proposed development on the grounds that insufficient information has been provided to demonstrate that an adequate non-mains foul drainage arrangement is in place to support the proposed development. The reason for this position and advice is provided below.

Reason - This application proposes a major development which, as the Flood Risk Assessment & Outline Drainage Strategy (Avison Young, September 2019) states, requires a new pumping station to discharge foul water to an existing foul water treatment plant south east of the development site.

We consider that further information is required in order to ascertain whether there is currently a lawful or unlawful discharge on site and to consider whether the additional sewage from the addition of the caravans is likely to cause an environmental risk if discharged to the current treatment plant.

We have no record of granting a permit for the discharge of treated effluent from a sewage treatment plant at this site. The applicant needs to provide confirmation on whether there is a current permit for this activity and provide a copy of the permit if they do.

To be able to comment further on if the proposed non-mains arrangement is acceptable, the applicant needs to confirm the peak flow of foul water to the treatment plant as per the flows and loads code of practice, and also advise where the effluent from the treatment plant discharges in the form of an NGR to confirm whether this is to ground or to surface water.

Overcoming our objection

The applicant may overcome our objection by submitting further information to cover the deficiencies outlined in this letter. Please re-consult us on any revised information and we will respond within 21 days.

Further comments:

Thank you for the re-consultation regarding the above referenced application. We consider that the revised red line boundary and landscaping detail does not change our position as outlined in our letter dated 3rd February 2020 (reference DC/2019/121055/02-L01).

Further comments:

Thank you for re-consulting us on this application.

Environment Agency position

Following review of the letter from Michaela Kekerri of Avison Young regarding the foul drainage arrangement, we have no objection to the proposed development. The reason for this position and advice is provided below.

Reason - The letter from Michaela Kekerri of Avison Young dated 17th January 2020 outlines the proposed foul drainage arrangement. We consider that the arrangement described whereby the effluent will eventually discharge to the public foul sewer is acceptable.

Advice to the applicant - We note from the further information submitted that the water supply to the site is from a borehole. We recommend that the operators of the site investigate further whether they will be able to operate within the conditions of their abstraction license considering the proposed expansion of the site.

EDDC Landscape Architect - Chris Hariades

1 INTRODUCTION

This report forms the EDDC's landscape response to the full application for the above site.

The report provides a review of landscape related information submitted with the application in relation to adopted policy, relevant guidance, current best practice and existing site context and should be read in conjunction with the submitted information.

2 LOCATION, SUMMARY PROPOSALS, SITE DESCRIPTION AND CONTEXT

2.1 Site location and summary of proposals

The proposed site is situated to the northern edge of Woodbury Park Golf Club, 1.5km east of Woodbury Salterton and 1.5km north of Woodbury Common.

The proposals comprise the erection of 14 holiday lodges within a new planted woodland strip on the edge of the golf course accessed from Warkindows Way via a new access track to the northeast of the site.

2.2 Site description and context

The site is located on gently sloping ground with a northwesterly aspect at approximately 110m AOD and is presently part of an established 9-hole golf course. The site is bounded to the east by Warkindows Way, the boundary being marked by established, high Devon hedgebanks topped with a mix of native trees and shrubs. A further established hedgebank marks the northern site boundary with meadow beyond forming part of the grounds of Meerhaven Manor. Land to the south and west of the proposed site is open to the golf course.

Warkindows Way itself is a narrow, historic track and unclassified county road connecting between Woodbury Common and the edge of Woodbury Salterton. It is presently metttled at its western end between Woodbury Salterton and the entrance to Lyndhayne Farm to the northeast of the site, and from its southern end at Woodbury Common as far as the Country Club complex. Between these points, a distance of about 1km, the track is unmetttled.

Surrounding land use to the north is generally agricultural. Land to the east, south and west is leisure use (golf course and fishing lakes).

There are views from the site westwards to the recent development of Meerhaven Manor and lake and northwestwards to the large farm complex and anaerobic digesters of Hogsbrook Farm 500m distant and beyond this to Mill Park Industrial Estate and Windmill Hill on the A3052.

Views to the south and east are restricted by landform and nearby trees and woodland.

2.3 Landscape and Conservation designations

The East Devon AONB boundary lies 700m to the south. Rockham Wood County Wildlife Site (CWS) comprising deciduous and part ancient woodland is situated 80m to the east.

3 RELEVANT PLANNING POLICY

The following local plan policies are applicable to the proposal in terms of landscape and green infrastructure:

Strategy 3 - Sustainable Development

The objective of ensuring sustainable development is central to our thinking. We interpret sustainable development in East Devon to mean that [inter-alia] the following issues and their inter-relationships are taken fully into account when considering development:

- a) Conserving and Enhancing the Environment - which includes ensuring development is undertaken in a way that minimises harm and enhances biodiversity and the quality and character of the landscape.
- b) Prudent natural resource use - which includes minimising fossil fuel use therefore reducing carbon dioxide emissions. It also includes minimising resource consumption, reusing materials and recycling. Renewable energy development will be encouraged
- c) Promoting social wellbeing - which includes providing facilities to meet people's needs such as health care, affordable housing, recreation space and village halls.

Strategy 7 - Development in the Countryside

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.

Strategy 46 - Landscape Conservation and Enhancement and AONBs

Development will need to be undertaken in a manner that is sympathetic to, and helps conserve and enhance the quality and local distinctiveness of, the natural and historic landscape character of East Devon, in particular in Areas of Outstanding Natural Beauty.

Development will only be permitted where it:

1. conserves and enhances the landscape character of the area;
2. does not undermine landscape quality; and
3. is appropriate to the economic, social and well-being of the area.

D1 Design and Local Distinctiveness

Proposals will only be permitted where they:

1. Respect the key characteristics and special qualities of the area in which the development is proposed.
2. Ensure that the scale, massing, density, height, fenestration and materials of buildings relate well to their context.
3. Do not adversely affect inter alia:
 - Important landscape characteristics, prominent topographical features and important ecological features.
 - Trees worthy of retention.
4. Have due regard for important aspects of detail and quality and should incorporate inter alia:
 - Use of appropriate building materials and techniques respecting local tradition and vernacular styles as well as, where possible, contributing to low embodied energy and CO2 reduction.
 - Appropriate 'greening' measures relating to landscaping and planting, open space provision and permeability of hard surfaces.

D2 Landscape Requirements

Landscape schemes should meet all of the following criteria:

1. Existing landscape features should be recorded in a detailed site survey, in accordance with the principles of BS 5837:2012 'Trees in Relation to Construction' (or current version)
2. Existing features of landscape or nature conservation value should be incorporated into the landscaping proposals and where their removal is unavoidable provision for suitable replacement should be made elsewhere on the site. This should be in addition to the requirement for new landscaping proposals. Where appropriate, existing habitat should be improved and where possible new areas of nature conservation value should be created.
3. Measures to ensure safe and convenient public access for all should be incorporated.
4. Measures to ensure routine maintenance and long term management should be included.
5. Provision for the planting of trees, hedgerows, including the replacement of those of amenity value which have to be removed for safety or other reasons, shrub planting and other soft landscaping.
6. The layout and design of roads, parking, footpaths and boundary treatments should make a positive contribution to the street scene and the integration of the development with its surroundings and setting.

D3 Trees and Development Sites

Permission will only be granted for development, where appropriate tree retention and/or planting is proposed in conjunction with the proposed nearby construction. The council will seek to ensure, subject to detailed design considerations, that there is no net loss in the quality of trees or hedgerows resulting from an approved development. The development should deliver a harmonious and sustainable relationship between structures and trees. The recommendations of British Standard 5837:2012 (or the current revision) will be taken fully into account in addressing development proposals.

No building, hard surfacing drainage or underground works will be permitted that does not accord with the principles of BS 5837 or Volume 4 National Joint Utilities Group (NJUG) Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees - Issue 2 (or the current revision or any replacement) unless, exceptionally, the Council is satisfied that such works can be accommodated without harm to the trees concerned or there are overriding reasons for development to proceed.

The Council will as a condition of any planning permission granted, require details as to how trees, hedges and hedge banks will be protected prior to and during and after construction. The Council will protect existing trees and trees planted in accordance with approved landscaping schemes through the making of Tree Preservation Orders where appropriate or necessary.

Planning permission will be refused for development resulting in the loss or deterioration of ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.

E19 - Holiday Accommodation Parks

Outside of designated landscape areas, proposals for new sites and extensions of existing sites will be permitted where they meet the following six criteria:

1. The proposal relates sensitively in scale and siting to the surroundings and includes extensive landscaping and visual screening to mitigate against adverse impacts. They do not affect habitats or protected species.
2. They are within, or in close proximity, to an existing settlement but would not have an adverse impact on the character or setting of that settlement or the amenities of adjoining residents.
3. They would not use the best and most versatile agricultural land.
4. They will be provided with adequate services and utilities.
5. Traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.

6. The development will be subject to the provisions of plan policy in terms of sustainable construction and on site renewable energy production.

4 Review of landscape related documents

4.1 Landscape and visual impact assessment (LVIA)

Instead of a full LVIA, a visual assessment only has been submitted with the application. The assessment finds that, beyond the golf course itself, there are very limited locations which afford views of the site, the principle ones being a section of Warkindows Way to the east of the site (viewpoint 4); in the vicinity of Hogsbrook Farm (viewpoint 6); and from the entrance to Greendale Business Park south of the junction with the A3052 (viewpoint 9).

In respect of view point 6, the accuracy of the indication of the site location on the context baseline photograph is questioned. The correct site location seems to be to the right (south) of the large conifer in the mid-distance where it would largely be screened by the northern boundary hedgerow. This should be checked and confirmed, however, if anything, it is likely to result in a lowering of the assessed visual impact for this viewpoint. Otherwise, in so far as it goes, I would accept the findings of the visual assessment.

There is no indication in the submitted details of how required utilities services are to be brought to site and the route of these and extent of any above ground cabling or apparatus should be confirmed and considered in the visual assessment.

The visual assessment does not cover the construction phase and further consideration should be given to this which should include any impacts arising from the delivery and unloading of the lodge units.

Consideration should also be given to the landscape effects of the proposed development. These include the introduction of new buildings and associated infrastructure including lighting into the landscape, the creation of a new hedge-break approx. 6-7m wide on to Warkindows Way, the felling of two trees, one of which is a mature oak, and the impacts of the proposal on the character and tranquillity of Warkindows Way.

4.2 Reports and surveys

Tree survey - Not provided.

Ecological assessment - The ecological assessment finds no issues with the application although it recommends that consideration should be given as to whether a Habitat Regulations Assessment should be carried out with respect to possible indirect impacts.

It notes the opportunity for bio-diversity enhancement through additional woodland planting proposed and makes the following recommendations:

- Further surveys to be carried out for bats in respect of any trees to be felled and dormice in respect to any hedgerow removal.
- Installation of bat/ bird boxes in trees around the site and integrated bird boxes on the lodges themselves.

- Creation of an additional area of rough grassland as reptile habitat to compensate for losses elsewhere.

Flood risk assessment (FRA) including drainage strategy - The drainage strategy provides for the collection of surface water by underground drains discharging to a new swale and attenuation pond with controlled discharge to the existing drainage system to the north of the site. Foul drainage is directed to a proposed new pumping station in the northwest of the application site from where it is to be pumped to an existing treatment plant north of the service yard.

4.3 Landscape proposals

The proposed lodges should be set a minimum of 7m off the centre line of the existing hedgebank forming the eastern site boundary to ensure that there is sufficient visual and sound buffer between them and Warkindows Lane.

The proposed access drive is shown coming off Warkindows Lane at the southwestern corner of Rockham Wood. This would entail the creation of a new hedge-break and associated grading works which is considered unnecessary and will adversely impact the character of Warkindows Lane. The proposed new track should instead be extended on golf course land around the back of the driving range ball-stop fence (which requires replacement) to meet the existing path to the north of the service yard and join Warkindows Way via the existing access.

The width of the proposed new track is 4.1m which is wide enough for two cars to pass. As golf buggies are only 1.2m wide a track width of 2.7m would be adequate for 2-way buggy use and occasional service vehicle access. This would reduce visual impact and loss of soft ground to hardstanding.

A mature oak tree (tree T2 in ecological report) is proposed to be removed, apparently to accommodate the new track. Dependent on arboricultural advice, the alignment of the track should be adjusted to avoid this or suitable no-dig construction measures specified to prevent adverse impact on the root protection area.

The proposed access track is also shown passing through scrub thicket to the southeast of the green south of the lodges and the track alignment should be adjusted to skirt around this.

4.4 Other issues to be addressed

The lodges have a total visitor capacity of 56 people which is likely to require 20+ parking spaces for visitors. The applicant should submit details to verify that sufficient car parking capacity currently exists to accommodate this extra demand.

Although the application is based on visitors leaving their cars in the main car park and using golf buggies to access the lodges, there is nothing to prevent the applicant at some future time allowing visitors to drive down to the lodges and park there. This is likely to have adverse impacts on the amenity and tranquillity of Warkindows Way and should be prevented through an appropriately worded section 106 agreement.

Warkindows Way is a public highway and as such, for golf buggies to legally cross it, or use any section of it, they would need to be DVLA registered and compliant with relevant vehicle standards for highway use. While that is not in itself a planning issue, failure to comply with this requirement is likely to endanger the public using Warkindows Lane and negate public liability insurance in the event of an accident involving a buggy and other path user. Other users of Warkindows Way should be safeguarded by requiring that buggies are DVLA registered as part of an S106 agreement.

5 CONCLUSION & RECOMMENDATIONS

5.1 Acceptability of proposals

There are a number of shortcomings with the submitted information as noted at sections 4.1, 4.3 and 4.4 above, which should be satisfactorily addressed prior to determination of the application, and unless it is the application should be considered unacceptable in terms of landscape/ visual impact and design and contrary to local plan policies E19 (1), Strategy 3(a), Strategy 7(2), Strategy 46(2), D1, D2 and D3.

5.2 Conditions

In the event that satisfactory amended information as noted at sections 5.1 above is provided prior to determination and approval is granted, the following condition(s) should be imposed:

1) No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme shall include the following:

- A Green infrastructure statement describing the various types of proposed planting and features, and how they tie into the local landscape character and other elements of the proposed development.
- A tree survey prepared in accordance with BS5837, 2012 - Trees in relation to design, demolition and construction recommendations.
- Measures for protection of existing perimeter trees/ hedgerows/ undisturbed ground during construction phase in accordance with BS5837: 2012. Approved protective measures shall be implemented prior to commencement of construction and maintained in sound condition for the duration of the works.
- Detailed layouts providing the following information:
 - Planting proposals.
 - Hard or soft boundary treatments.
 - Hard surface treatments.
 - Proposed external lighting scheme incorporating recommendations from the Ecological Impact Assessment and in compliance with Guidance note 08/18 - Bats and Artificial Lighting in the UK, Institute of Lighting Professionals/ Bat Conservation Trust, 2018.
 - Existing and proposed levels and extent of proposed earthworks.

- An ecological enhancement and mitigation plan indicating the extent and locations of measures as recommended in the submitted ecological assessment together with copies of any further surveys required.

- Soft landscape proposals shall be accompanied by a specification detailing the proposed species, their planting size, the density at which they will be planted, any specific planting matrices, the number of plants of each species and notes describing how the scheme will be implemented.

- Hard landscape proposals shall be accompanied by a material specification.

- If the scheme has significant level changes, sections shall be provided showing how the proposed development will integrate into the existing context.

- Construction details of any proposed walls, fences and other boundary treatments

- The various tree pits and/or Devon bank construction details.

The landscaping scheme shall be carried out in the first planting season after completion of the groundworks and the building construction works or prior to first occupation whichever is the earliest unless otherwise agreed in writing by the Local Planning Authority and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) and Policy D3 (Trees in relation to construction) of the East Devon Local Plan. The landscaping scheme is required to be approved before development starts to ensure that it properly integrates into the development from an early stage.)

2 A 25 year Landscape and Ecology Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape/ habitat areas shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place. The plan shall include the following:

- Extent, ownership and responsibilities for management and maintenance.

- Inspection and monitoring arrangements for existing and proposed trees and hedgerows

- Detailed schedules covering management and maintenance of the following:

- Trees and hedgerow.

- Grass areas.

- Measures for enhancement of biodiversity value.

- Management and maintenance of any boundary structures, drainage swales and other infrastructure.

The proposals shall be carried out for the full duration of the approved plan.

(Reason - To ensure that the details are considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in

accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the East Devon Local Plan.

Further comments:

Having reviewed the amended Concept Masterplan, drawing no. P18-2176-05 Revision F, recently submitted in respect of the above scheme I confirm I am happy with the amendments made and subject to conditions as set out in my previous response dated 5.5.2020 and an S106 agreement to prevent future access to the cabins by cars consider the proposed scheme acceptable in terms of landscape and visual impact and design.

Further comments:

Please see below my comments in response to amended information received in respect of the above application.

I have reviewed the amended site masterplan and accompanying agent's letter dated 25.6.2020 in response to my previous comments. I am generally satisfied that these address my previous concerns except in relation to the following:

Access track width: I note the requirement for emergency vehicle access over the proposed access track. Having checked relevant standards including Building Regs it seems that a minimum access width of 3.7m rather than 4.1m as proposed is required for fire appliances. As a fire tender is not more than 2.6m wide a 3.7 m wide track would seem to be ample provision, widening out if necessary by the lodges. Please could this be checked and reduced if possible, although I would accept that on tight bends some additional width may be required.

Construction access: I note the confirmation that construction access will be over the route of the proposed path and not from Warkindows Lane and a suitably worded condition should be included to this effect, should the application be approved.

Need for s106 agreement: I do not accept the agent's argument against this that 'if cars were to be brought on the site, parking bays provision would be required which would not accord with the submitted plans and therefore a new application would have to be submitted for new planning permission' as the buggy parking bays as proposed are wide enough and mostly deep enough to accommodate a car and any minor adjustments required are likely to be too small to necessitate planning approval. I therefore recommend that a section 106 agreement is needed to prevent this.

Further landscape conditions should be imposed as set out in my previous response dated 5.5.2020.

Sports England

06.07.20

Thank you for consulting Sport England on the above application.

Sport England has no further comment to make on this particular application. Please refer to our previous responses.

Should you require any further information, please do not hesitate to contact me on the number provided.

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

Previous response to pre-app 09.04.19:

Original comments:

The nature of this specific proposal is such that Sport England does not consider that this development would fall under any requirement to consult Sport England as a statutory (Statutory Instrument 2015/595) or non-statutory consultee (Planning Practice Guidance 'Open Space, Sports and Recreation Facilities, Public Rights of Way and Local Green Space, Paragraph 003).

As such Sport England has not provided detailed pre application comments in this instance and would not expect to be consulted on the planning application, unless any revisions would require consultation in accordance with the Statutory Instrument or National Planning Practice Guidance referenced above.

If the proposal involves the provision of local sports facilities then guidance, in relation to design, can be found on our website:

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

If the proposal involves the loss of local sports facilities then National Planning Policy Framework Para. 97 and any relevant local plan policy, need to be considered in determining whether the application is acceptable in terms of planning policy.

If the proposal involves the provision of less than 300 houses and the existing sports provision cannot meet the additional demand generated, sufficient new provision should be provided by implementing either local policy, standards or CIL charging schedule and recommendations and priorities set out in any local playing pitch and/or built facility strategy.

Should you require any further information, please do not hesitate to contact the planning administration team on the number provided.

Other Representations

A total of 12 representations have been received in relation to the application. Of these 10 raise objections, 1 makes a representation with the other supporting. The observations are summarised below

Objections

- Impact on ancient drove road Warkidons Way through additional usage
- Additional noise and disturbance
- Impact on wildlife and ecology
- Further traffic
- Damage to the green lane
- Will destroy ancient woodland
- Conflict with users of Warkidons Way
- Construction traffic will cause damage to verges and hedgerows
- The lane should be maintained for walkers and horses
- Light pollution
- Increased surface water run-off and potential flooding
- Detrimental visual impact from additional development in the countryside
- Exacerbate existing parking problems
- No need for further holiday accommodation
- Loss of residential amenity due to pro

Representation

- There is great potential for high quality development which will benefit the area
- Access needs to be addressed so that no impact on Warkidons Way
- New woodland beneficial to wildlife
- Will improve ecology through loss of low ecological quality grassland
- Chalets are located too close to the ancient hedgerow
- Opportunity to improve existing ecology

PLANNING HISTORY

There have been a number of planning applications relating to the hotel and golf club facilities, although none of relevance to the application site.

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 5 (Environment)

Strategy 7 (Development in the Countryside)

Strategy 33 (Promotion of Tourism in East Devon)

Strategy 46 (Landscape Conservation and Enhancement and AONBs)

Strategy 47 (Nature Conservation and Geology)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

D3 (Trees and Development Sites)

EN13 (Development on High Quality Agricultural land of the Local Plan)

E16 (Proposals for Holiday or Overnight Accommodation and Associated Facilities)

E19 (Holiday Accommodation Parks)

RC1 (Retention of Land for Sport and Recreation)

TC2 (Accessibility of New Development)

TC4 (Footpaths, Bridleways and Cycleways)
TC9 (Parking Provision in New Development)

Government Planning Documents

NPPF (National Planning Policy Framework 2019)
National Planning Practice Guidance

Site Location and Description

The application site forms part of the land associated with Woodbury Park Hotel and Golf Club a well-established golf course and leisure/spa venue located on the edge of Woodbury Common.

The site is located on the northern edge of the golf club around 1.5km to the east of Woodbury Salterton and a similar distance to the north of Woodbury Common. It comprises part of the existing nine-hole golf course and is bounded to the east by Warkidons Way, a narrow and historic unclassified county road which connects the edge of Woodbury Salterton to the Common. The boundary with the road comprises an established hedgebank with a number of native trees and shrubs on top of this. The northern boundary of the site also comprises an established hedgebank which defines the boundary between the golf course and the grounds associated with Meerhaven Manor. Land to the south and west of the site is undefined and forms part of the golf course.

The site is accessed from the main hotel car park via the existing driveway to the nine-hole course which is to be extended to serve the area within which it is proposed to site the lodges.

Proposed Development

Planning permission is sought for the siting of 14 self-contained holiday lodges together with associated development. The submitted information indicates that the lodges measure 12.2m by 6.7m, with a timber decked area to the front and site, and an inset area housing a sunken hot tub to the rear. The proposed accommodation comprises an open lounge, kitchen and dining area, with 2 en-suite bedrooms.

It is proposed to site the lodges on a concrete base with a permeable paved area to the front for a golf buggy. The proposed access drive serving the lodges is also to have permeable paving.

The layout plan and supporting information suggest extensive new planting to the west of the proposed lodges adjacent to the golf course, together with reinforced native woodland planting to the existing hedge banks to the north and east abutting Warkidons Way.

During the course of the application, and in response to some of the concerns raised the access to serve the proposed lodges has been amended and is proposed to be taken from the main car park serving the hotel and golf course, following an existing track leading to the golf driving range, and then extending northwards across the nine-hole golf course to the site.

ANALYSIS

The main issues in the determination of this application relate to the policy context and principle of the development together with an assessment of the proposed development on:-

Visual and Landscape Impact
Surface Water Run-off and Flood Risk
Access and Highway Safety
Ecology
Economic Benefit
Residential Amenity

Policy Context and Principle of the Development

Planning law requires that applications for planning permission be determined in accordance with the development plan, including local and neighbourhood plans, unless material considerations indicate otherwise.

The Council formally adopted the East Devon Local Plan 2013-2031 on 28th January 2016 and the policies contained within it are those against which applications are being determined and carry full weight. There is no Neighbourhood Plan which covers this area.

In planning terms, the site is located in open countryside where Strategy 7 (Development in the Countryside) of the Local Plan states that development 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.

Strategy 33 (Promotion of Tourism in East Devon) states that tourism growth should be sustainable and should not damage the natural assets of the District but aim to attract new tourism related businesses that can complement the high quality environment of East Devon.

Whilst there is no support within the adopted plan for new build holiday accommodation in the open countryside, there is support for the expansion and improvement of businesses within the countryside, and the promotion of tourism. Adopted policy E16 (Proposals for Holiday or Overnight Accommodation and Associated Facilities) support conversions of existing buildings to holiday accommodation as opposed to the provision of new buildings; and policy E4 (Rural Diversification) and E5 (Small Scale Economic Development in Rural Areas) allow rural diversification and small scale economic development to support existing businesses, agricultural enterprises and A class uses where appropriate.

The thrust of adopted policy is to guide new tourism development (unless they are conversions of existing buildings to holiday accommodation) away from environmentally sensitive areas such as AONBs, Coastal Preservation Areas and the countryside and instead into existing holiday sites, main holiday accommodation areas

(the coastal towns) and more sustainable locations including those parts of the district with built-up area boundaries. The site is located within the countryside and relatively close to protected landscapes, although not within any designated sites.

Policy E19 (Holiday Accommodation Parks) of the East Devon Plan is also relevant and it is considered that the facilities and accommodation offered at Woodbury Park are similar in form to those offered by many of the 'accommodation parks' within the district, having leisure facilities, including accommodation, both within the hotel and existing lodges, restaurants a wellness spa and health centre. As such it is considered that the policy lends support to the proposal and as such an assessment of the proposed development against the criteria within this policy is required. The policy stating the following:

Outside of designated landscape areas, proposals for new sites and extensions of existing sites will be permitted where they meet the following six criteria:

- 1. The proposal relates sensitively in scale and siting to the surroundings and includes extensive landscaping and visual screening to mitigate against adverse impacts. They do not affect habitats or protected species.*
- 2. They are within, or in close proximity, to an existing settlement but would not have an adverse impact on the character or setting of that settlement or the amenities of adjoining residents.*
- 3. They would not use the best and most versatile agricultural land.*
- 4. They will be provided with adequate services and utilities*
- 5. Traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.*
- 6. The development will be subject to the provisions of plan policy in terms of sustainable construction and on site renewable energy production.*

In terms of compliance with the criteria, this is considered below.

Landscape and Visual Impact

The area where the lodges are proposed lies to the north of the edge of the East Devon Area of Outstanding Natural Beauty, although part of the access drive extends over the existing golf course and just within the AONB. No built development is proposed within this area.

The siting of the proposed lodges and any visual impact arising from these has been the subject of considerable discussion, with a detailed visual appraisal having been undertaken and the potential impact having been fully appraised by the Councils Landscape Architect. The site is located at a higher level than the neighbouring Warkidons Way, and forming part of the existing open golf course has the potential to be seen in wider ranging views from the west and northwest.

Having said this the proposed location of the lodges is such that there would be limited views from beyond the golf course, with the principle ones being long range views from the entrance to Greendale Business Park, from Hogsbrook Farm, and from a section of Warkidons Way to the east of the site. Although the lodges would introduce some built form within what is essentially a natural environment, albeit a manicured

golf course, it is not considered that they would appear to be unduly prominent or alien within this part of the countryside, given their scale and positioning. No other physical structures are proposed within the site. As a result of this it is considered that the landscape impact arising from the siting of the proposed lodges is limited and subject to appropriate conditions relating to landscaping and operational management of the development, including external lighting, the proposal is considered to be acceptable in terms of landscape impact.

Proximity to a settlement

Criteria 2 to Policy E19 requires site to be in close proximity to an existing settlement. The site is within the land associated with the existing hotel and golf course and adjacent Woodbury Common and there are therefore a range of leisure opportunities within close proximity. Woodbury which has additional facilities and services is located around 2.5km to the south west of the site, although this would not be easily accessible by foot, given the nature of the narrow and unlit roads. Any visits to the town or other services would therefore require journeys to be made by alternative means of transport which would fail to meet this criteria as the site is not considered to be sustainable.

Having said this the lodges are proposed to be an alternative to the accommodation already existing within the complex, and are proposed to be offered as part of the wider Woodbury Park experience, with the golfing and leisure offer being the main attraction. Whilst visitors would be likely to leave the site to access wider services or facilities, and in doing so journeys would probably be undertaken by private vehicle, it would not be necessary to do so for a short break given the level of facilities available on the site.

However, Policy E19 supports the extension of existing facilities, which this applications represents, and as such its close proximity to Woodbury and the existing facilities at the site are considered to meet this criteria with the site being well located and by the nature of the proposal and facilities at the golf club, reduce reliance upon the car.

Loss of agricultural land

The land is designated Grade 3, but believed to be Grade 3b, and as such is not considered to represent the best and most versatile agricultural land. In any case the extent of agricultural land to be lost is not significant and the site could be brought back into agricultural use in the future if needed. The proposal is not therefore in conflict with Policy EN13 – Development on High Quality Agricultural land of the Local Plan.

Adequate Services and Facilities

The site will benefit from the full range of services and facilities available at the golf course.

Access and Highway safety

Public highway arrangement serving the site are considered to be adequate, with the existing road network offering safe and suitable access to the strategic highway network.

During the course of the application, the proposed access arrangements to the lodges have been amended so that no access to the site is now proposed from Warkidons Way, with access being taken directly from the car park serving the main hotel and golf course, using an existing golf buggy track which leads to the driving range, and then extended to the north across part of the nine hole course to the application site. The access driveway is proposed to be 4.1m wide which is considered to be reasonable to accommodate the golf buggies, pedestrians and the occasional maintenance vehicles. It is noted that this would be of sufficient width to accommodate emergency vehicles should the need arise.

No vehicular access is proposed to serve the lodges, with access only by golf buggies, with parking and electric charging points provided by each of the lodges. Parking for guests is proposed within the existing car parks, and whilst the submitted traffic survey was undertaken over a limited period of time, it is considered that the submission of a travel plan to ensure that appropriate parking and travel arrangements can be made would ensure that the additional traffic attracted to the site can be accommodated. On this basis no highway safety objection is raised.

It has been suggested that a Section 106 Agreement should be entered into to ensure that no parking of guest vehicles takes place within the site, however whilst the need to restrict the vehicular movements within the site is considered to be reasonable it is considered that this could be achieved by a suitably worded condition, and that a legal agreement would be unduly onerous.

A construction and environment management plan will also be necessary to ensure that the construction process, caravan delivery and construction waste is managed appropriately.

Surface Water Run-off and Flood Risk

It is understood that the surface water is proposed to be disposed of through a combination of infiltration measures and attenuation ponds and the use of gravel/crushed shell surfacing for the tracks, with the only hardsurfacing proposed being that on which the lodges are proposed to be sited. The submissions have been the subject of discussion and revision by the Flood Risk Management Team and subject to appropriate conditions have been found to be acceptable.

Sustainability

In light of the nature of the proposal, the provision of renewable energy is not possible or necessary.

Ecology

The application site has been the subject of a preliminary ecological assessment, which has found that due to the relatively manicured and managed nature of the site

there is generally little ecological value, other than in the surrounding hedgerows, particularly those to the north and east of the site, abutting Walkidons Way, which are recognised as mature species-rich intact hedgerows and considered to meet the 'important' criteria under the Hedgerow Regulations of 1997. Whilst the land within the protected landscapes to the south of the site are recognised for their significant ecological importance there is little of this within the main body of the site itself.

The nature of the proposed development is such that minimal disturbance of the land is proposed, with the access track and siting of the lodges within the areas of the site which have the least ecological value and unlikely to disturb the more valuable hedgerow boundaries of the site. Subject to appropriate management it is not considered that the proposed development will have a significant impact on the wider ecological value of the area, and that there is the opportunity for further enhancement of the ecology of the immediate environment through significant additional planting and managing and improving the boundary hedging to provide enhanced ecological value.

Economic Benefit

The application is accompanied by supporting information suggesting that whilst there is a decrease in the numbers of participants playing golf, and that a number of golf facilities have closed as a result of this, those clubs which remain successful are those which have been able to diversify their business model to adapt to changing circumstances. Such alterations include providing a wider range of leisure facilities and the offer of different types of accommodation for those attracted to the site. Such facilities are considered to attract not only those playing golf, but other family members who are attracted by the other leisure activities.

In this respect it is considered that offering self-catering accommodation will attract a wider range of visitors to the country club than those currently using the hotel accommodation, and will also contribute to the wider tourism activity, and local economy.

Whilst it is difficult to quantify the exact benefit to the local economy arising from the proposed accommodation, the location of the country club which is well related to a number of local visitor attractions and the surrounding coast and countryside, in conjunction with the on-site facilities is likely to result in some increase in visitors to the area which in turn will have a positive impact on the local tourism offer.

Residential and other Amenity

The application site is located within the open countryside, with the nearest residential properties not associated with the country club being located to the north and west of the site, around 350m away. The site is not visible from either of these locations, due to boundary planting and the topography of the land. It is therefore not considered that the siting, access or occupation of the proposed lodges would have any significant impact on the residential amenities presently enjoyed by the occupiers of these dwellings.

The use of external lighting has the potential to create some loss of amenity and nuisance in the form of light pollution, and it is therefore considered to be appropriate to ensure that suitable conditions be included in any permission to ensure that this issue is addressed.

The other main amenity issue raised by this proposal was the impact of additional use and potential conflict between existing users of Warkidons Way and those visiting the lodges. These concerns have been addressed by amending the access arrangements so that the existing track serving the 9-hole golf course directly from the main car park would be used to provide access, thereby negating any potential conflict.

Habitats Mitigation

The nature of the application and its location close to the Exe Estuary and East Devon Pebblebed Heaths and their European Habitat designation is such that the proposal requires a Habitat Regulations Assessment. The Appropriate Assessment is required as a result of the Habitat Regulations Assessment and Likely Significant Effects from the proposal. In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in combination have a detrimental impact on the Exe Estuary and East Devon Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of the designation. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential developments within 10km of the designations. This development will be CIL liable and the financial contribution has been secured. On this basis, and as the joint authorities are working in partnership to deliver the required mitigation in accordance with the South-East Devon European Site Mitigation Strategy, this proposal will not give rise to likely significant effects.

Other Matters

The application site lies within an area identified as being within the consultation zone of the Barrington to Kenn Hazzard Pipeline, and as such the acceptability of new development has to be assessed using the Health and Safety Executive (HSE) guidance.

Using the HSE Planning Advice Web App, the nature of the development is considered to have a level 2 Sensitivity (DT2.2 – HOTEL / HOSTEL / HOLIDAY ACCOMMODATION Hotels, motels, guest houses, hostels, youth hostels, holiday camps, holiday homes, halls of residence, dormitories, accommodation centres, holiday caravan sites, camping sites Accommodation up to 100 beds or 33 caravan / tent pitches) and falls within the Middle Zone where the advice is 'DAA = Don't Advise Against development'.

On this basis there is no HSE objection to the proposed development.

CONCLUSION

The application is submitted to diversify the offer at the golf course and is considered to gain support from Policy E19.

There are economic benefits from the proposal and subject to conditions, the proposal will not result in any harm to the local area or local amenities.

RECOMMENDATION

1. Adopt the Appropriate Assessment

2. APPROVE subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. A Construction and Environment Management Plan must be submitted to and approved by the Local Planning Authority prior to any works commencing on site, and must be implemented and remain in place throughout the development. The CEMP shall include at least the following matters: Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements. Construction working hours shall be 8am to 6pm Monday to Friday and 8am to 1pm on Saturdays, with no working on Sundays or Bank Holidays. There shall be no burning on site. There shall be no high frequency audible reversing alarms used on the site.
(Reason: A pre-commencement condition is required to ensure that the details are agreed before the start of works to protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution in accordance with Policies D1 - Design and Local Distinctiveness and EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)
4. No part of the development hereby permitted shall be commenced until a programme of percolation tests has been carried out in accordance with BRE Digest 365 Soakaway Design (2016), and the results approved in writing by the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. A representative number of tests should be conducted to provide adequate coverage of the site, with particular focus placed on the locations of the proposed infiltration devices/permeable surfaces.
(Reason: To ensure that surface water from the development is discharged as high up the drainage hierarchy as is feasible.

Reason for being a pre-commencement condition: This data is required prior to the commencement of any works as it will affect the permanent surface water drainage management plan, which needs to be confirmed before development takes place.

5. No part of the development hereby permitted shall be commenced until the full results of a groundwater monitoring programme (should infiltration is viable), undertaken over a period of 12 months, has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This monitoring should be conducted to provide adequate coverage of the site, with particular focus placed on the locations and depths of the proposed infiltration devices.
(Reason: To ensure that the use of infiltration devices on the site is an appropriate means of surface water drainage management.

Reason for being a pre-commencement condition: This data is required prior to the commencement of any works as it could affect the permanent surface water drainage management plan, which needs to be confirmed before development takes place.

6. No part of the development hereby permitted shall be commenced until the detailed design of the proposed permanent surface water drainage management system has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. The design of this permanent surface water drainage management system will be in accordance with the principles of sustainable drainage systems, and those set out in the Flood Risk Assessment & Outline Drainage Strategy Woodbury Park Hotel and Golf Club, Woodbury Castle, Woodbury, Exeter, EX5 1JJ (Report Ref. 01B902911, Rev. 1, dated September 2019). No part of the development shall be occupied until the surface water management scheme serving that part of the development has been provided in accordance with the approved details and the drainage infrastructure shall be retained and maintained for the lifetime of the development.
(Reason: To ensure that surface water runoff from the development is managed in accordance with the principles of sustainable drainage systems.
Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

7. No part of the development hereby permitted shall be commenced until the detailed design of the proposed surface water drainage management system which will serve the development site for the full period of its construction has been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority. This temporary surface water drainage management system must satisfactorily address both the rates and volumes, and quality, of the surface water runoff from the construction site.
(Reason: To ensure that surface water runoff from the construction site is appropriately managed so as to not increase the flood risk, or pose water quality issues, to the surrounding area.

Reason for being a pre-commencement condition: A plan needs to be demonstrated prior to the commencement of any works to ensure that surface water can be managed suitably without increasing flood risk downstream, negatively affecting water quality downstream or negatively impacting on surrounding areas and infrastructure.

Advice: Refer to Devon County Council's Sustainable Drainage Guidance.

8. No part of the development hereby permitted shall be commenced until the full details of the adoption and maintenance arrangements for the proposed permanent surface water drainage management system have been submitted to, and approved in writing by, the Local Planning Authority, in consultation with Devon County Council as the Lead Local Flood Authority.

(Reason: To ensure that the development's permanent surface water drainage management systems will remain fully operational throughout the lifetime of the development.

Reason for being a pre-commencement condition: These details need to be submitted prior to commencement of any works to ensure that suitable plans are in place for the maintenance of the permanent surface water drainage management plan, for the reason above.

9. No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority; such a scheme shall include the following:

- A Green infrastructure statement describing the various types of proposed planting and features, and how they tie into the local landscape character and other elements of the proposed development.
- A tree survey prepared in accordance with BS5837, 2012 - Trees in relation to design, demolition and construction recommendations.
- Measures for protection of existing perimeter trees/ hedgerows/ undisturbed ground during construction phase in accordance with BS5837: 2012. Approved protective measures shall be implemented prior to commencement of construction and maintained in sound condition for the duration of the works.
- Detailed layouts providing the following information:
 - Planting proposals.
 - Hard or soft boundary treatments.
 - Hard surface treatments.
 - Proposed external lighting scheme incorporating recommendations from the Ecological Impact Assessment and in compliance with Guidance note 08/18 - Bats and Artificial Lighting in the UK, Institute of Lighting Professionals/ Bat Conservation Trust, 2018.
 - Existing and proposed levels and extent of proposed earthworks.
 - An ecological enhancement and mitigation plan indicating the extent and locations of measures as recommended in the submitted ecological assessment together with copies of any further surveys required.
 - Soft landscape proposals shall be accompanied by a specification detailing the proposed species, their planting size, the density at which they will be planted, any specific planting matrices, the number of plants of each species and notes describing how the scheme will be implemented.
 - Hard landscape proposals shall be accompanied by a material specification.
 - If the scheme has significant level changes, sections shall be provided showing how the proposed development will integrate into the existing context.
 - Construction details of any proposed walls, fences and other boundary treatments
 - The various tree pits and/or Devon bank construction details.

The landscaping scheme shall be carried out in the first planting season after completion of the groundworks and the building construction works or prior to first occupation whichever is the earliest unless otherwise agreed in writing by the Local Planning Authority and the landscaping shall be maintained for a period of 5 years. Any trees or other plants which die during this period shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.

(Reason - In the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Strategy 3 (Sustainable Development), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness) and Policy D2 (Landscape Requirements) and Policy D3 (Trees in relation to construction) of the East Devon Local Plan. The landscaping scheme is required to be approved before development starts to ensure that it properly integrates into the development from an early stage.)

10. A 25 year Landscape and Ecology Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape/ habitat areas shall be submitted to and approved in writing by the Local Planning Authority prior to any development taking place. The plan shall include the following:

- Extent, ownership and responsibilities for management and maintenance.
- Inspection and monitoring arrangements for existing and proposed trees and hedgerows
- Detailed schedules covering management and maintenance of the following:
 - Trees and hedgerow.
 - Grass areas.
 - Measures for enhancement of biodiversity value.
 - Management and maintenance of any boundary structures, drainage swales and other infrastructure.

The proposals shall be carried out for the full duration of the approved plan.

(Reason - To ensure that the details are considered at an early stage in the interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D2 - Landscape Requirements of the East Devon Local Plan.

11. Before development above foundation level is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

(Reason - To ensure that the materials are sympathetic to the character and appearance of the area in accordance with Policy D1 - Design and Local Distinctiveness of the Adopted East Devon Local Plan 2013-2031.)

12. Notwithstanding the submitted details, within 6 months of the date of the decision notice, a travel plan should be submitted to and approved in writing by the Local Planning Authority. This should include details of the peak traffic times, parking capacity and how sufficient spaces will be available for the holiday units at all times. This should also provide details of how any increase in vehicle and

pedestrian trip generation from both additional employees and visitors will be managed and mitigated.

(Reason – To ensure that adequate and safe provision is made for visitors to the holiday accommodation and users of the existing facilities in the interests of highway safety and with the requirements of Policy TC7 (Adequacy of Road Network and Site Access) of the East Devon Local Plan 2013-2031.)

13. Notwithstanding the submitted details, and with the exception of golf buggies, service/maintenance or emergency vehicles, no other vehicular traffic shall be brought onto or permitted to park on the site at any time.

(Reason – in the interests of highway safety and to promote sustainable travel in accordance with Policies TC7 (Adequacy of Road Network and Site Access) and TC9 (Parking Provision in New Development) of the East Devon Local Plan 2013-2031.)

14. The development hereby permitted shall only be occupied for holiday purposes under the supervision and management of the owners or occupiers of the Woodbury Park Hotel and Country Club and shall not be occupied as a person's sole or main place of residence. A register (including names and main home addresses) of all occupiers of the holiday unit shall be collated and maintained by the owners or occupiers of Woodbury Park Hotel and Country Club, and this information shall be available at all reasonable times on request by the Local Planning Authority.

(Reason - To ensure that the accommodation hereby permitted may not be used as a separate dwelling in this open countryside location where new development is restricted in accordance with Policy E19 (Holiday Accommodation Parks) and Strategy 7 - Development in the Countryside of the Adopted East Devon Local Plan 2013-2031.)

15. No external lighting shall be installed on site unless details of such lighting, including the intensity of illumination, have been first submitted to, and approved in writing by, the Local Planning Authority prior to first occupation/use of the site. Any external lighting that is installed shall accord with the details approved and maintained as such in perpetuity.

(Reason - To protect the amenity of adjoining occupiers in accordance with Strategy 7 - Development in the Countryside and Policies D1 - Design and Local Distinctiveness and EN14 - Control of Pollution of the Adopted East Devon Local Plan 2013-2031.)

16. The development hereby permitted shall be carried out in accordance with the mitigation and enhancement measures set out in the Preliminary Ecological Appraisal report dated July 2019 prepared by BSG Ecology unless otherwise agreed in writing by the Local Planning Authority.

(Reason: In the interests of nature conservation and to comply with Policy EN5 (Wildlife Habitats and Features) of the East Devon Local Plan 2013-2031)

Plans relating to this application:

1A : floor/elevations	Proposed Plans	Combined	23.10.19
P19-2176_05 F	Landscaping		07.09.20
AY01.02B82030 4.01 REV B (amended)	Location Plan		29.06.20

List of Background Papers

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