

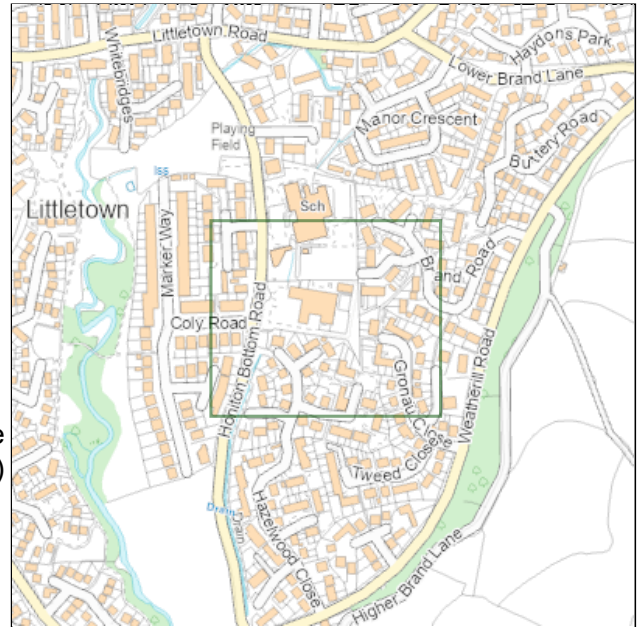
Ward Honiton St Michaels

Reference 25/1259/MFUL

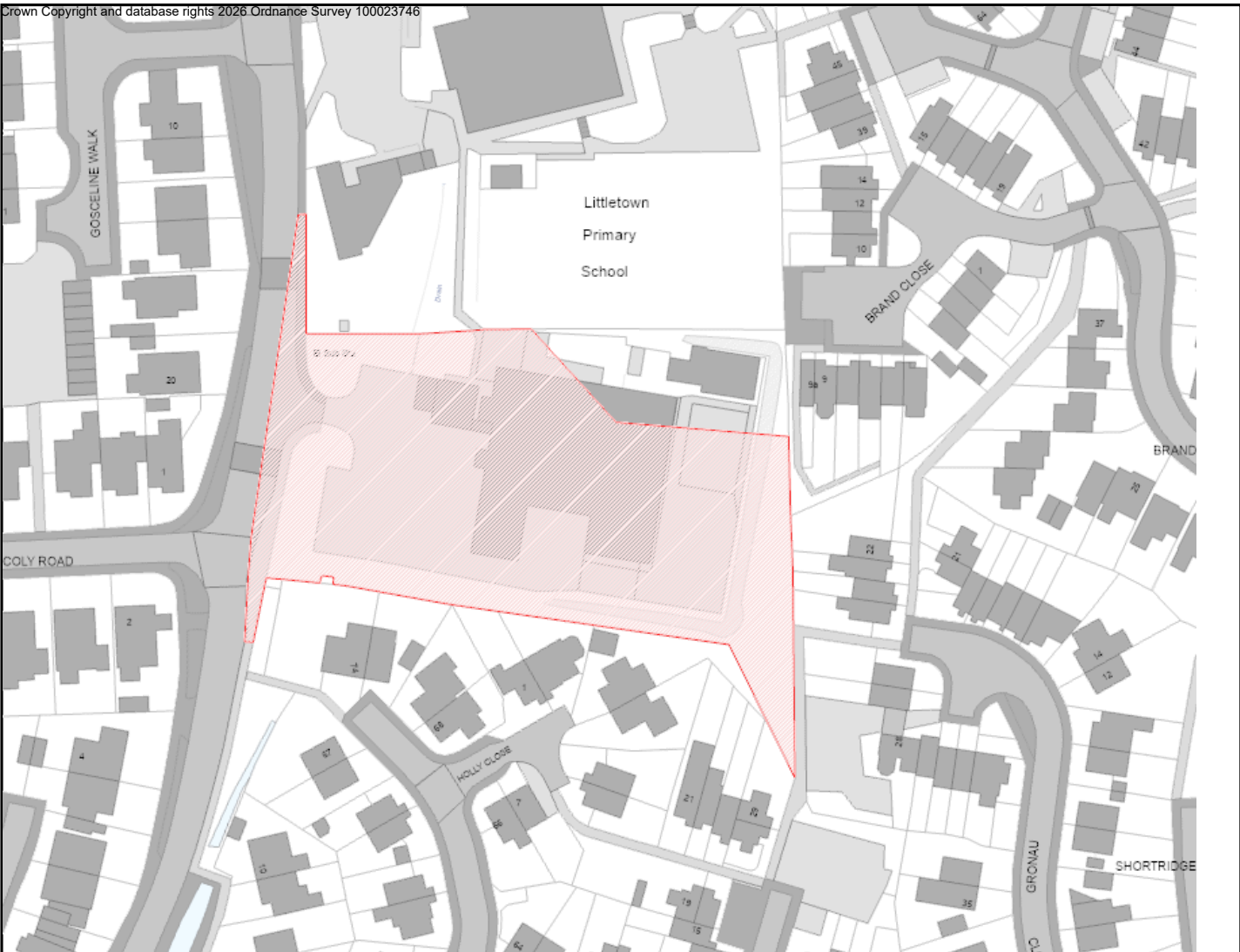
Applicant Frontier Estates (Mal Care) Limited

Location Former Mill Water School Honiton Bottom Road Honiton

Proposal Construction of a care home (within Class C2) with access, car parking, cycle parking, refuse storage, landscaping, boundary treatments, tree works including works to T15 (Pedunculate oak) protected by a tree preservation order (19/0073/TPO G1) and other associated works



RECOMMENDATION: Approval with conditions



		Committee Date: 09.06.2026
Honiton St Michaels (Honiton)	25/1259/MFUL	Target Date: 22.09.2025
Applicant:	Frontier Estates (Mal Care) Limited	
Location:	Former Mill Water School Honiton Bottom Road	
Proposal:	Construction of a care home (within Class C2) with access, car parking, cycle parking, refuse storage, landscaping, boundary treatments, tree works including works to T15 (Pedunculate oak) protected by a tree preservation order (19/0073/TPO G1) and other associated works	

RECOMMENDATION: Grant permission

EXECUTIVE SUMMARY

This application seeks full planning permission for the redevelopment of the former Mill Water School site in Honiton to provide a 70-bed care home (Use Class C2), together with associated access, parking, landscaping, and infrastructure works.

The proposal has been referred to Planning due to the recommendation differing from the Ward Member view.

The site lies within the built-up area boundary of Honiton and represents previously developed land in a sustainable location. The principle of development is therefore acceptable. While the site is allocated for housing in the emerging Local Plan, the adopted Local Plan carries greater weight and the proposal accords with it. The loss of the former school use is not considered harmful, as the facility has been relocated elsewhere in the district and continues to serve the area.

A key consideration is the demonstrable need for care accommodation. Evidence submitted with the application identifies a significant shortfall in care home provision within Honiton and across East Devon, both quantitatively and qualitatively. The delivery of a modern, purpose-built care facility attracts substantial weight in support of the proposal and aligns with national and local policy objectives to meet the needs of an ageing population.

The proposal has been assessed in relation to design, residential amenity, highway safety, drainage, ecology, and trees. While concerns have been raised regarding the scale of development and its relationship with surrounding properties, the scheme is

considered acceptable in design terms and would not result in unacceptable harm to neighbouring amenity.

Although there is a high level of public objection, the impacts identified—particularly in relation to traffic, parking, and local character—are not considered to be severe or demonstrably harmful when assessed against policy and technical evidence.

Overall, the proposal represents sustainable development that complies with the Development Plan when read as a whole. The significant benefits of delivering much-needed specialist care accommodation outweigh the identified adverse impacts. The application is therefore recommended for approval, subject to planning conditions.

CONSULTATIONS

Local Consultations

Honiton St Michaels - Cllr Jenny Brown

24 June 2025

This is next to a school which causes havoc during pick up and drop of times. The development could create further traffic problems on an area already congested at peak times. Suitable parking provisions should be implemented to avoid further congestion, so, at the present time I cannot support this proposal.

If my view differs from the planning officer I would like this to go to committee.

Parish/Town Council

21 July 2025

The applicant and agent spoke in favour of the application.
5 members of the public spoke against the application.
Cllr Collins provided his views on the application.

Members RESOLVED to OBJECT to the application for the following reasons:

- Adverse impact on local infrastructure and health services. In particular Members had concerns regarding the impact the development would have on GP appointment waiting times.
- Increased flood risk from surface water drainage.
- Adverse impact on the local community
- Design and impact on neighbouring properties. The applicant's agent confirmed that the soil structure was such that pile driving was necessary. This could adversely impact the structural stability of neighbouring properties.

- Possible loss of habitat and adverse impact on local ecology such as bats and fauna.
- Insufficient provision of parking
- Increase in traffic in the surrounding areas
- Overdevelopment of the site. The proposal is for a three-storey building located in an area with only one or two-storey buildings.
- The proposal would lead to overlooking and privacy issues for neighbouring properties.

For: 4; Against 1; Abstentions 0

Technical Consultations

County Highway Authority
18 July 2025

Observations:

I have visited the site and reviewed the planning documents.

The site will have a benchmark trip generation from that of its previous use and permitted planning use.

Honiton Bottom Road has no recorded collisions from our rolling record period, currently January 2020 - December 2024.

The proposed site layout includes disabled vehicular parking and cycle parking, with care home sites tending to produce limited vehicle trip generation for residents. The proposed Travel Plan will help mitigate vehicle trip generation for visitors and staff.

The existing site access and visibility, together with the turning of service vehicles to and from the refuse store should be successful.

Therefore in summary the County Highway Authority (CHA) has no objection to this planning application.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, HAS NO OBJECTION TO THE PROPOSED DEVELOPMENT

EDDC Trees

15 Jan 2026 – No objection following site visit; scheme considered feasible without significant harm, though moving the building slightly north would be preferable.

12 Nov 2025 – Site visit identifies tight relationship to southern trees (notably T15 and T11); concerns remain, but proposal appears achievable overall.

20 Oct 2025 – No access gained; previous concerns maintained.

6 Aug 2025 – Objection due to insufficient separation from protected trees, conflict with BS5837, and risk of future pruning pressure.

Environmental Health

A Construction and Environment Management Plan (CEMP) must be submitted and approved by the Local Planning Authority prior to any works commencing on site and shall 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. Any equipment, plant, process or procedure provided or undertaken in pursuance of this development shall be operated and retained in compliance with the approved CEMP. 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 and no high frequency audible reversing alarms used on the site.

Reason: To protect the amenities of existing and future residents in the vicinity of the site from noise, air, water and light pollution.

Contaminated Land Officer

1 July 2025

Suggest condition for unexpected contamination.

DCC Flood Risk Management Team

29 Apr 2026

Recommendation:

Our objection is withdrawn and we have no in-principle objections to the above planning application at this stage, assuming that necessary pre-commencement planning conditions are imposed on any approved permission:

Observations:

The applicant has submitted Proposed Care Home, Honiton Response to LLFA Comments Technical Note (Report Ref. TN 003, Rev. -, dated 16th March 2026) to address the comments previously raised.

The applicant has confirmed that the playground area is at a high to medium chance of surface water flooding. It is mentioned by the applicant that the proposed scheme will alter and improve the topography of the site. This area will be positively drained in the proposed development and attenuated so as not to increase the flood risk off site. This shall be investigated in detailed during the detailed design to alleviate the surface water flooding.

The site is currently a brownfield site with a development area of 0.51ha. The proposed impermeable area is 0.21ha and the associated greenfield runoff rates, Q1 is 0.7l/s, Q30 is 1.8l/s and Q100 is 2.3l/s. Due to the site constraint, the applicant proposes to restrict the flow to 1.6l/s for the Q1 and 2.9l/s for the Q100. The applicant shall try to reduce the flow control from 84mm to 50mm during the detailed design to achieve a lower rate than 2.9l/s during the detailed design.

It is proposed to use attenuation tanks together with rain gardens, large tree pits and permeable paving to attenuate the flow as shown in Drainage GA (Drawing No. 25082-ARC-XX-00-DR-D-0001, Rev. P3, dated 09th March 2026). This will then discharge to the public surface water sewer which further discharge to a water body to the west. The applicant has also provided further clarification via Proposed Care Home Flow Direction Culvert Technical Note (Document ref. TN 004, Rev. -, dated 25th March 2025) regarding the flow direction of the culvert on the west of the site.

The requirement for hydrocarbon interceptors, like Smart Sponge® gulleys, or similar, in areas receiving runoff from vehicular pavements will also be considered during the detailed design.

Housing Strategy/Enabling Officer - Liam Reading

There is no affordable housing required on this development because it is a care home and falls within C2 of the Use Class Orders.

Devon County Archaeologist

2 July 2025

I refer to the above application and your recent consultation. The Historic Environment Team has no comments to make on this planning application.

EDDC District Ecologist

1 Introduction

This report forms the EDDC Ecology response to the above application. The report provides a review of ecology 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 Review of submitted details

The application is supported by an Ecological Impact Assessment (GE Consulting, June 2025), a Biodiversity Net Gain Statement and Assessment (GE Consulting, June 2025), a Statutory Biodiversity Metric (completed by Rosie Buckley, 09/06/25), pre and post development habitat plans and habitat condition assessments.

The site has been subject to ecological surveys in 2023 and 2024 with the most recent updated walkover survey in May 2025. The buildings (which were assessed as having negligible potential to support bats and nesting birds) and several habitats onsite were demolished/removed in 2024.

Ecological Surveys

The EclA identifies the site as having potential to support a range of protected and notable species, including roosting bats, badgers, invertebrates, reptiles, common amphibians, and hedgehogs. Ecological surveys conducted in May 2025 confirmed the presence of ground-nesting herring gulls.

Additionally, the report acknowledges the bramble scrub along the eastern boundary may provide suitable habitat for badgers and potentially contain setts. Due to specific site constraints, this area could not be surveyed directly. However, the report provides justification for this limitation and outlines appropriate and acceptable precautionary working methods to be implemented during construction activities.

Bats - roosting

A mature pedunculate oak tree, referenced as Target Note 1 (TN1) in the submitted EclA, was identified as containing multiple potential roost features (PRFs) suitable for bats. Three aerial inspections were undertaken, two in August and September 2024 respectively, and a follow-up survey in May 2025. No evidence of bat roosting activity was recorded during any of these surveys.

Whilst the absence of confirmed roosts is noted, the tree retains ecological value and the presence of PRFs warrants a precautionary approach. It is understood that pruning works are proposed to facilitate development.

We recommend that any tree works are scheduled outside of the main bat activity season where possible, and that a pre-works inspection by a licenced bat ecologist is undertaken immediately prior to pruning to confirm the continued absence of roosting bats.

Lighting

The EclA acknowledges that bats and other nocturnal species are likely to forage and commute through the site; therefore, the lighting recommendations in Section 5.3.3.3 of the EclA should be followed and secured by condition.

Biodiversity Net Gain (BNG)

During the summer of 2024, the site was subject to a Section 80 Demolition Notice, which permitted the removal of two buildings, six trees, approximately 0.015 ha of bramble scrub, and an area of modified grassland. This authorised clearance has been accurately accounted for in the biodiversity assessment, with the baseline value reflecting the ecological condition of the site prior to these demolition and removal works.

However, the following inaccuracies and/or omissions have been noted:

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The onsite area habitat baseline (Tab A-1) includes the retention of 0.02 ha of 'other woodland: broadleaved' in poor condition. No mention of this habitat is provided in the BNG report, nor mapped on the On-site Baseline Habitat Plan (Ref: 1922-BNG-F1, GE Consulting, June 2025). Further clarity is requested as an accurate pre-development biodiversity assessment must be submitted prior to determination.

o

There are discrepancies between the Arboricultural Impact Assessment (GE Consulting, May 2025) and the Biodiversity Net Gain Statement and Assessment (GE Consulting, June 2025) concerning the baseline number of trees. The Arboricultural report identifies several on-site trees that are not recorded in the BNG

metric. For instance, the oak tree labelled T15 in the Arboricultural report appears to be missing from the metric. It is possible that T15 corresponds to the oak tree recorded as TN1 (see above under Bats - Roosting) in the Ecological Impact Assessment (EclA), but this is not clearly stated.

3 Conclusions

The BNG baseline assessment is not currently considered an accurate measure of the onsite habitats, particularly the number of trees onsite and the inclusion of the 'other woodland' within the metric calculations. Therefore, I submit a holding objection until further clarity is provided.

Reason:

It has not been demonstrated that the proposals have met the minimum validation requirements for Biodiversity Net Gain as set in Article 7 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

Therese Goodwin. Ecology Officer, EDDC

South West Water

22 July 2025

The applicant/agent is advised to contact South West Water if they are unable to comply with our requirements as detailed below.

Asset Protection

No assets show within the application site. This should be confirmed with on-site checks.

Surface Water Services

The applicant should demonstrate to your LPA that its prospective surface run-off will discharge as high up the hierarchy of drainage options as is reasonably practicable (with evidence that the Run-off Destination Hierarchy has been addressed, and reasoning as to why any preferred disposal route is not reasonably practicable):

1. Water re-use (smart water butts, rainwater harvesting, grey flushing toilets)
2. Discharge into the ground (infiltration); or where not reasonably practicable,
3. Discharge to a surface waterbody; or where not reasonably practicable,
4. Discharge to a surface water sewer, highway drain, or another drainage system; or where not reasonably practicable,
5. Discharge to a combined sewer. (Subject to Sewerage Undertaker carrying out capacity evaluation)

SWW Surface Water Sewer

Having reviewed the current information for the proposed surface water disposal for this development (domestic roof and driveway run off only) discharging to the public surface water sewerage network meets with the Run-off Destination Hierarchy.

However before South West Water can approve this method of discharge we will require clear evidence to demonstrate why the other higher methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

Surface water will be managed in a sustainable manner via a surface water sewer and attenuation provided on-site, following consideration given to the use of sustainable drainage systems as shown in drawing no. EC 2024-DD 001

South West Water response relates to surface water discharge to our network, where the discharge is from buildings and yards belonging to buildings. Where the applicant has highlighted that the surface water does not connect to South West Water network, we are not commenting on this as it is not our responsibility.

South West Water has no duty to accept land drainage runoff, flows from natural watercourses or groundwater to the public sewer system, and this is not permitted to discharge to the South West Water network. The applicant should make alternative arrangements to deal with this separately during the development and once the construction work is complete.

South West Water are not responsible for Highway Drainage and our comments do not relate to accepting any of these flows. The applicant should discuss and agree with the Highway Authority, where the highway water connects to.

If the applicant wishes to connect this development to the South West Water network, they should engage with us separately to see if we can accommodate this. No highway drainage will be permitted to be discharged to SWW foul or combined public sewer network either directly or indirectly.

If the applicant is looking to get their sewers adopted (surface and foul), they should design and construct the sewers to the current version of the Design and Construction Guidance. The process for doing this can be found on South West Water's website at Adoption of new sewers | Building & Development | South West Water

Clean Potable Water

South West Water is able to provide clean potable water services from the existing public water main for the above proposal. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

Foul Sewerage Services

South West Water is able to provide foul sewerage services from the existing public foul or combined sewer in the vicinity of the site. The practical point of connection will be determined by the diameter of the connecting pipework being no larger than the diameter of the company's existing network.

Devon County Council Waste Planning

This major application has come to the attention of the Waste Planning Authority.

Paragraph 8 of the National Planning Policy for Waste and Policy W4 of the Devon Waste Plan requires major development proposals to be accompanied by a Waste

Audit Statement. This ensures that waste generated by the development during both its construction and operational phases is managed in accordance with the waste hierarchy, with a clear focus on waste prevention in the first instance. A key part of this will be to consider the potential for on-site reuse of inert material which reduces the generation of waste and subsequent need to export waste off-site for management. It is recommended that these principles are considered by the applicant when finalising the layout, design and levels.

As a Waste Audit Statement has not been submitted, it is recommended that a condition is attached to any consent to require the submission of a Waste Audit Statement prior to the commencement of the development.as stated

Other Representations

21 letters of objection raising the following matters:

1. Overdevelopment & Poor Design Fit

- The proposal is widely seen as too large, too tall, and overly dominant
- Considered out of character with the surrounding low-rise residential area
- Viewed as an institutional building that does not belong in this setting

2. Traffic, Parking & Highway Safety Impacts

- Insufficient parking provision is a major concern
- Expected overspill parking onto nearby streets
- Existing congestion (especially from the school) would be significantly worsened
- Strong concerns about highway safety and pedestrian risk

3. Harm to Residential Amenity

- Overlooking and loss of privacy from upper floors
- Overbearing impact on neighbouring homes
- Increased noise, activity, and disturbance from a 24/7 use
- Overall erosion of the quiet residential character

4. Conflict with Planning Policy / Intended Use

- Site expected to deliver housing, not a care home
- Proposal seen as contrary to Local Plan intentions
- Regarded as a different land use (institutional/commercial)
- Concern about loss of housing opportunity

5. Pressure on Infrastructure

- Fears that local services are already at or beyond capacity, including:
 - Sewer and drainage systems
 - Healthcare (GP/NHS)
 - Utilities (e.g. electricity)
- Development seen as adding unsustainable demand

6. Construction Impacts

- Concerns about pile driving, noise, and vibration
- Potential structural impacts on nearby homes
- Anticipated prolonged disruption during construction

7. Trees & Environmental Constraints

- Objections to impacts on a protected oak tree (TPO)
- View that the scheme fails to properly respond to site constraints

8. Relationship with Adjacent School

- Safety concerns from combined traffic pressures
- Compatibility issues between:
 - School activity
 - Care home residents (especially dementia care)
- Some concern about overlooking and safeguarding

9. Overall Suitability of the Site

- General conclusion that the site is unsuitable for a development of this type and scale
- Perception that the proposal represents the wrong development in the wrong location

1 letter of support:

- A care home will be a positive use of the site and be an advantage to Honiton where care facilities are in demand.

PLANNING HISTORY

Reference	Description	Decision	Date
79/C1165	CONSTRUCTION OF ENCLOSED SWIMMING POOL WITH CHANGING ROOMS ETC	Approval with conditions	16.08.1979
86/P2080	Extensions.	Approval - standard time limit	09.12.1986
92/P1384	Temporary Mobile Classroom And Provision Of Four Additional Parking Spaces.	DCC Application - No objections	16.11.1992
03/P2006	Extension To Enlarge Two Class Rooms	DCC Application - No objections	03.09.2003
09/0238/CM	Erection of temporary building to provide 2 no. classrooms and w.c.	DCC Application - Objection raised	23.02.2009
12/0217/CM	Renewal of planning permission for 1no temporary classroom building	DCC Application - No objections	10.02.2012

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 1 (Spatial Strategy for Development in East Devon)

Strategy 2 (Scale and Distribution of Residential Development)

Strategy 3 (Sustainable Development)

Strategy 4 (Balanced Communities)

Strategy 5B (Sustainable Transport)

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 23 (Development at Honiton)

Strategy 32 (Resisting Loss of Employment, Retail and Community Sites and Buildings)

Strategy 34 (District Wide Affordable Housing Provision Targets)

Strategy 36 (Accessible and Adaptable Homes and Care/Extra Care Homes)

Strategy 38 (Sustainable Design and Construction)

Strategy 47 (Nature Conservation and Geology)

D1 (Design and Local Distinctiveness)

D2 (Landscape Requirements)

EN14 (Control of Pollution)

EN16 (Contaminated Land)

EN22 (Surface Run-Off Implications of New Development)

H2 (Range and Mix of New Housing Development)

TC2 (Accessibility of New Development)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP01: Spatial strategy

Strategic Policy SP05: Development inside Settlement Boundaries

Strategic Policy SP07: Delivery of infrastructure

Strategic Policy SP08: Phased Delivery of Infrastructure and Services

Strategic Policy SD03: Honiton and its development allocations

Policy HN03: Housing to meet the needs of older people

Policy HN04: Accessible and adaptable Housing

Strategic Policy DS01: Design and local distinctiveness

Policy DS02: Housing density and efficient use of land

Strategic Policy TR01: Prioritising walking, wheeling, cycling, and public transport

Strategic Policy TR02: Protecting transport sites and routes

Policy TR03: Travel plans, transport statements and transport assessments

Policy TR04: Parking standards

Policy PB08: Tree, hedges and woodland on development sites

Policy PB09: Monitoring requirements for new planting schemes

Policy CF02: Loss of community facilities

There is no Neighbourhood Plan for Honiton

Site Location and Description

The application site relates to the former Mill Water School located on the western side of Honiton Bottom Road within the built-up area of Honiton. The site comprises previously developed land accommodating former educational buildings, associated hardstanding and areas of landscaping.

The site occupies a broadly regular shaped parcel (with a cut-out section of land in the northeast) and lies at a slightly elevated level in relation to surrounding residential properties, increasing its prominence within the locality. Existing built form on the site is low-rise in nature.

The surrounding area is characterised by established residential development, comprising predominantly single-storey bungalows and two-storey dwellings. Residential properties adjoin the site to the south and east, including those at Hazelwood Close, Gosceline Walk and Coly Road. A primary school and associated nursery lie immediately adjacent to the site to the north.

The site is enclosed by a combination of boundary treatments including fencing, walls and vegetation. There are a number of trees within and adjacent to the site, including three trees at the front of the site subject to their own Tree Preservation Orders (TPO) and a belt of trees on the southern boundary subject to a group TPO.

Access to the site is taken from Honiton Bottom Road, which also serves the surrounding residential area and adjacent school.

The site lies within the defined built-up area boundary and is recognised as a previously developed site.

The development is proposed as a Class C2 residential institution in the form of a purpose-built care home, providing accommodation and care for older people with varying levels of need.

The facility would deliver 24-hour residential and nursing care, including for individuals with more advanced needs such as dementia, within a managed care environment.

The building is arranged to provide approximately 70 individual bedrooms, each with associated facilities, supported by a range of communal living spaces including lounges, dining areas and activity rooms. These spaces are intended to support both day-to-day living and social interaction within the home.

The operation of the development would involve:

- A permanent staff presence operating on shift patterns
- Regular visiting by family members, healthcare professionals and service providers
- Associated servicing, including deliveries and waste collection

Externally, the development would function with ancillary uses, including parking, landscaping and amenity areas for residents, forming part of a self-contained care environment.

Overall, the proposal represents a specialist accommodation use delivering care-led housing, rather than general residential development, with on-site support and facilities tailored to meet the needs of elderly and vulnerable residents.

The proposed development comprises a purpose-built care home arranged over predominantly 2.5 to 3 storeys, forming a large, L-shaped building footprint. The scale and massing are articulated through changes in roof form, set-backs and variation in elevation treatment in order to break up the overall bulk.

The building is designed to reflect a domestic architectural approach, drawing on residential character through the use of pitched roofs, gables and varied materials, rather than a singular institutional form. Elevations incorporate a regular arrangement of windows, including larger glazed areas serving communal spaces such as lounges and dining rooms.

The layout is internally organised around a series of bedroom wings and communal areas, providing approximately 70 bedrooms alongside shared facilities. The design seeks to provide outward-facing rooms and natural surveillance across the site.

Externally, the scheme includes landscaped grounds, amenity areas for residents, and boundary treatments, with parking and servicing areas located to one side of the site to minimise visual impact.

ANALYSIS

The site clearly lies within the bounds of Honiton and so therefore is in principle an acceptable place for development considering Strategies 6 and 23 of the Local Plan. The site has no specific allocation in the adopted Local Plan but the site is allocated for 30 homes (Honi_06) in the emerging Local Plan. The current adopted plan

carries more weight at present. Therefore the main considerations in relation to this proposal are considered to be:

- The loss of the site for community uses;
- Strategy 36 (Accessible and Adaptable Homes and Care/Extra Care Homes)
- The effect on amenity of neighbouring properties and compatibility with adjoining land uses;
- The effect on protected trees on the site;
- Whether the design is acceptable;
- The effect on highway safety;
- Effects on biodiversity
- Whether the site manages surface water run-off appropriately.

The loss of the site for community uses

“Strategy 32 - Resisting Loss of Employment, Retail and Community Sites and Buildings

In order to ensure that local communities remain vibrant and viable and are able to meet the needs of residents we will resist the loss of employment, retail and community uses. This will include facilities such as buildings and spaces used by or for job generating uses and community and social gathering purposes, such as pubs, shops and Post Offices.

Permission will not be granted for the change of use of current or allocated employment land and premises or social or community facilities, where it would harm social or community gathering and/or business and employment opportunities in the area, unless:

- 1. Continued use (or new use on a specifically allocated site) would significantly harm the quality of a locality whether through traffic, amenity, environmental or other associated problems; or*
- 2. The new use would safeguard a listed building where current uses are detrimental to it and where it would otherwise not be afforded protection; or*
- 3. Options for retention of the site or premises for its current or similar use have been fully explored without success for at least 12 months (and up to 2 years depending on market conditions) and there is a clear demonstration of surplus supply of land or provision in a locality; or*
- 4. The proposed use would result in the provision or restoration of retail (Class A1) facilities in a settlement otherwise bereft of shops. Such facilities should be commensurate with the needs of the settlement.*

Employment uses include those falling into Class B of the Use Classes Order or similar uses classified under planning legislation as ‘Sui Generis’ uses. Redundant petrol filling stations and associated garage facilities will fall within the scope of this policy as do public and community uses and main town centre uses and other uses that directly provide jobs or employment, community meeting space or serve a community or social function.”

It has been held on appeal elsewhere in the District (the Doyle Centre, Exmouth) that before considering criteria 1-4 of S32 it must first be established if there is any harm to social or community gathering and/or business and employment opportunities occurs.

The site lies next to an existing school and was once itself a separate school for pupils with significant learning difficulties known as Mill Water School. No buildings appeared to remain on site at the time of the site visit although the hard surfaces on the site were still evident. Mill Water School relocated from the site in 2015 to a purpose-built school in the grounds of Bicton College in January 2015. While not in the town, this specialist school serves much of East Devon including Honiton. The facility has not been lost and therefore it can be concluded that no harm would arise as the facility has simply moved from the site. It will not be coming back to the site and in relation to other current planning applications in Honiton, Devon County Council is not advising that any increase in school capacity (requiring new buildings) is required (see DCC response to 25/2595/MFUL). DCC has retained a portion of the site (situated outside of the red line area) for any potential needs of the adjacent Littleton Primary School. The development is therefore considered to comply with Strategy 32 of the Local Plan.

Strategy 36 (Accessible and Adaptable Homes and Care/Extra Care Homes)

Insofar as the need for the care home is concerned, Strategy 36 of the Local Plan identifies that Honiton requires 50 care/extra care homes spaces over the plan period. Proposals for specialist housing should be accompanied by a Care Needs Assessment which justifies the proposal's scale, tenure and accommodation type.

The NPPF emphasises the need to meet housing requirements for older people, including care homes. National Planning Practice Guidance identifies provision for older people as "critical" due to increasing life expectancy. Additionally, The Care Act 2014 requires local authorities to ensure sufficient quantity and quality of care provision.

The emerging Local Plan (2020–2042) continues this support, specifically referencing residential and nursing homes. Honiton is identified as requiring additional specialist accommodation.

The application is accompanied by a Care Needs Assessment. This identifies that much care home provision in the area is formed from the conversion of existing older buildings. This identifies that East Devon has 56 care homes with 6 in Honiton (183 beds). The economic viability of smaller care homes (below 30 spaces) has declined and in the last 10 years no new care homes have been developed in Honiton (the recent Cattle Market development by Churchill is a retirement complex not a care home) while one home has closed. Honiton is calculated to have a 183 bed shortfall (537 District wide) and demand is predicted to rise with the current demographic in the area. It also makes the case that care home demand is not only quantitative but also qualitative (modern and fit for current care practices).

In summary, there is a very high need for the type of accommodation being proposed and this supported by both National and Local planning policy and so the

benefits of the proposal in meeting that need are considered to attract significant weight in the planning balance.

The effect on amenity of neighbouring properties and compatibility with adjoining land uses

The development site abuts existing housing on its eastern and southern sides. More housing is located across Honiton Bottom Road to the west. To the north lies an existing primary school.

The eastern and western boundaries benefit from mature existing trees and other plants. These provide a good level of screening of the site for properties on Gronau Close to the east and to Holy Close to the south. There will be some gaps due to the natural form of the trees and cover in winter months is not as extensive due to the deciduous nature of most of them. However, in terms of a mid-town brownfield development, the use of an existing mature tree screening belt is the best scenario that could be expected as the cover is already in place and at a height, even accounting for the height of the proposed building (11 metres to ridge, approximately 7.6 to mid-level of the highest windows), which should help maintain privacy and amenity to an acceptable level for neighbouring properties.

The properties to the west across the road would not benefit from such an extensive cover of trees but these are much further away from the site and can be readily viewed from the road and pavements already. The presence of the proposed care home therefore is not considered represent a significant change in the amenity or privacy these homes enjoy.

Due to the separation distances between the care home and existing housing, there will be no significant loss of light or overbearing impact to neighbours.

The proposal is acceptable in this regard in relation to policy D1 of the Local Plan.

The effect on protected trees on the site

As mentioned above, the site has belt of protected trees on the eastern and southern boundaries, with three individual protected trees on the western boundary. The arboricultural assessment shows all of these trees being retained and this is also reflected in the landscape strategy plan. Root protection areas are identified.

Additional planting is also included with three new trees at the frontage of the site with other supplemental understorey planting and more ornamental garden landscapes proposed around the building.

Subject to suitable conditions the proposal will not have any adverse effects on protected trees and the proposal complies with policies D2 and D3 of the Local Plan in this regard.

Design

The proposed care home provides accommodation across three floors and as noted, reaches a height of 11m (from the adjacent ground level). The upper floors set accommodation within the roof, using a mix of dormer windows and gabled windows.

The retention of the slice of land on the northern side of the site for the benefit of the primary school means the planform is 'L' shaped. Like many such modern care home developments, the form and bulk of the building is broken up with different sections being formed with different finishing materials. In this case, a mix of red brick and light-tone mortar is used, with some detailing using soldier courses and string courses to add some texture to the facades. Some contrast is added though use of lighter buff/cream coloured brick. Many of these materials are used locally as identified in the Design and Access Statement. The roof would use standing seam zinc covering on the principal elevation, while a more modern material, this has been used successfully in locations such as the town centre where it reflects the grey tones of natural slate.

The layout of the site provides for parking spaces at the front with 22 spaces provided including 2 disabled spaces and delivery/drop off area with turning head. 10 covered cycle parking spaces are provided for staff and visitors close to the front entrance to the building. A close-boarded refuse store is located at the north end of the frontage allowing access for waste vehicles to access it.

A modest amount of communal garden space is proposed around the building with some terraced areas, some planting beds, a water feature and gazebo around the periphery.

The design is considered to deal with the apparent bulk of the building well, the elevational treatments helping to break up its mass and give the impression of a 'terrace' of buildings rather than a singular block. The materials are considered appropriate subject to samples being agreed and the layout of the development on the site and its landscaping are considered acceptable.

The parking spaces are considered to be appropriately located and designed, as are the cycle spaces.

Overall, the design is considered to be acceptable in accordance with policy D1 of the Local Plan.

Highway Safety and Accessibility

Despite concerns expressed by objectors, Devon County Council has not raised any concerns about the development in relation to highway safety. This takes account of the Transport Assessment, the former use as a school and proposed uses. It notes that the parking provision for this type of land use is adequate and appropriate for the location in question. The type of accommodation being offered means that it is unlikely that residents would have a car that would be kept on site, so provision is mainly for staff and visitors. The visibility of the access onto the road is appropriate. Despite concerns expressed by interested parties, the development would not have a severe adverse effect on highway safety (NPPF) and is deemed acceptable to the

highway engineer. The proposal is therefore considered to comply with policies TC7 and TC9 of the Local Plan.

The site is well located in the town being a 0.9km walk to the train station and a bit further to the town centre. The Honiton Bottom Road benefits from the 367 bus service which circulates the town hourly. The proposal also includes 10 covered cycle spaces.

Effects on biodiversity

The site comprises a former school with predominantly hardstanding and areas of managed grassland. Overall ecological value is considered low to moderate, with some value associated with trees, vegetation and potential protected species use.

Ecological Impacts are likely to include:

- Habitat loss: Removal of limited vegetation and grassland of generally low ecological value.
- Bats: Potential for roosting within trees; risk of disturbance and loss of roost features; impacts on commuting routes.
- Nesting birds: Risk of disturbance or destruction of nests during vegetation clearance.
- Other fauna: Low potential for species such as hedgehogs; impacts considered minor.
- Construction impacts: Temporary disturbance, including noise, lighting and potential pollution.

Impacts are considered to be generally low, with bats representing the most sensitive receptor. Without mitigation, impacts could be moderate for bats, but with mitigation are reduced to minor or negligible.

Mitigation measures proposed include:

- Bats: Pre-commencement checks, supervised works, provision of bat boxes or integrated roost features, and sensitive lighting design.
- Birds: Clearance outside the nesting season or supervised checks, and provision of bird boxes.
- Habitats: Retention of vegetation where possible and new native planting.
- General fauna: Precautionary working methods during site clearance.
- Construction controls: Pollution prevention measures and ecological toolbox talks.

The Councils ecologist is concerned that not all of the impacts are understood but if the mitigation measures in the Ecological Impact Assessment are provided there is unlikely to be any significant harm on this previously developed site. The standard biodiversity gain conditions will be applied which may require the purchase of off-site

credits if the gain plan for the site is not suitable. The proposals are in accordance with Strategy 47 of the Local Plan.

Surface Water Run-off

The site does not lie within a flood zone but needs to provide a sustainable drainage solution in order to comply with policy EN22 of the Local Plan.

The proposals use a SuDS-based attenuation system discharging to the existing 375mm surface water culvert at the site frontage. It is a non-infiltration design (due to site constraints), relying on storage and controlled discharge.

SuDS features include 6 rain gardens, 2 tree pit drainage areas, and permeable paving/porous drives integrated within the landscaping. Below ground there would be a network of geo-cellular (crate) tanks across the site located around the building perimeter and car park.

The scheme achieves a very large betterment over existing runoff (approximately 97–98% reduction).

DCC as the Lead Local Flood Authority is content the proposal are acceptable subject to conditions and the proposals are therefore considered to comply with policy EN22. This is also considered to satisfy SWW's requirements regarding surface water drainage hierarchy.

Other matters

Care provision –

Some objectors to the scheme are stating that there would be an adverse effect on local health care provision and services. This overlooks the efficiencies that provision of such care in a single location can make however. Various planning appeals, as cited by the applicant in its letter dated 25th March 2026, indicate that Planning Inspectors generally acknowledge this. Further, close care provision being offered can avoid vulnerable persons coming to harm in their own homes, which brings its own savings to local healthcare provision.

The site is allocated for other uses –

The site is allocated for 30 dwellings in the emerging Local Plan but this plan has not yet been put forward for examination in public, whereas the existing Local Plan has. The preceding report has not found any conflict with the existing Local Plan and therefore section 38(6) of the Town and Country Planning Act and the presumption in favour of sustainable development in the NPPF applies suggesting the planning permission should be granted for this different proposal, which itself is a form of housing and can lead to the freeing up of existing local housing in the area.

Construction impacts –

Some objectors have raised concerns over possible noise and disruption during construction including possible pile driving. This is a matter to be managed as part of the usual construction process. An engineer report submitted with the application identifies that bore piling would instead be recommended for the site due to ground conditions which is less noisy and disrupting than pile driving. Construction phase impacts can be mitigated to an extent through conditions.

Planning Balance

The proposed development accords with the adopted Local Plan and the provisions of the NPPF. The adopted plan identifies a specific need for a quantum of care home provision in Honiton, which is forecast to be even greater now than when the Plan was adopted. Applying the requirement to determine applications in accordance with the development plan and looking at the high demand and need for this type of accommodation, both the Local Plan and material considerations strongly point towards approving the proposals. The former use on the site has been relocated elsewhere in the district and still serves the town (with DCC's current specialist school provision strategy).

It is noted that the development does not accord with the allocation in the emerging Local Plan, however this allocation carries limited weight at present.

The site is sustainably located, can be sustainably drained, will not give rise to any severe highways' safety risks, is well designed, protects and uses existing trees to help maintain the amenity of neighbouring properties. In accordance with paragraph 11 of the NPPF the development is considered to be sustainable development that accords with the development plan read as a whole and should be approved without delay.

RECOMMENDATION

APPROVE subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.
(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.
(Reason - For the avoidance of doubt.)
3. No development hereby permitted shall commence until the following information has been submitted to, and approved in writing by, the Local Planning Authority:

(a) A detailed drainage design based upon the approved Proposed Care Home, Honiton Response to LLFA Comments Technical Note (Report Ref. TN 003, Rev. -, dated 16th March 2026).

(b) Detailed proposals for the management of surface water and silt runoff from the site during construction of the development hereby permitted.

(c) Proposals for the adoption and maintenance of the permanent surface water drainage system.

(d) A plan indicating how exceedance flows will be safely managed at the site.

No building hereby permitted shall be occupied until the works have been approved and implemented in accordance with the details under (a) - (d) above.

(Reason: The above conditions are required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in line with SuDS for Devon Guidance (2017) and policy EN22 (Surface Run-Off Implications of New Development) of the Local Plan 2013-2031, and the provisions of the National Planning Policy Framework and National Planning Practice Guidance. The condition is pre-commencement since it is essential that the proposed surface water drainage system is shown to be feasible before works begin to avoid redesign / unnecessary delays during construction when site layout is fixed.)

4. Prior to commencement of any works on site (including demolition), tree protection details, to include the protection of hedges and shrubs, shall be submitted to and approved in writing by the Planning Authority. These shall adhere to the principles embodied in BS 5837:2012 and shall indicate exactly how and when the trees will be protected during the site works. Provision shall also be made for supervision of tree protection by a suitably qualified and experienced arboricultural consultant and details shall be included within the tree protection statement. The development shall be carried out strictly in accordance with the agreed details.

In any event, the following restrictions shall be strictly observed:

(a) No burning shall take place in a position where flames could extend to within 5m of any part of any tree to be retained.

(b) No trenches for services or foul/surface water drainage shall be dug within the crown spreads of any retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority. All such installations shall be in accordance with the advice given in Volume 4: National Joint Utilities Group (NJUG) Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2) 2007.

(c) No changes in ground levels or excavations shall take place within the crown spreads of retained trees (or within half the height of the trees, whichever is the greater) unless agreed in writing by the Local Planning Authority.

(Reason - A pre-commencement condition is required to ensure retention and protection of trees on the site during and after construction. The condition is required in 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 D3 - Trees and Development Sites of the Adopted East Devon Local Plan 2013-2031.)

5. A Construction and Environment Management Plan (CEMP) must be submitted and approved by the Local Planning Authority prior to any works commencing on site and shall 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. Any equipment, plant, process or procedure provided or undertaken in pursuance of this development shall be operated and retained in compliance with the approved CEMP. 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 and no high frequency audible reversing alarms used on the site.

(Reason: This is a pre-commencement condition 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 East Devon Local Plan 2013-2031.)

6. Should any contamination of soil and/or ground or surface water be discovered during excavation of the site or development, the Local Planning Authority should be contacted immediately. Site activities in the area affected shall be temporarily suspended until such time as a method and procedure for addressing the contamination is agreed upon in writing with the Local Planning Authority and/or other regulating bodies.

(Reason: To ensure that any contamination existing and exposed during the development is identified and remediated in accordance with policy EN14 - Control of Pollution of the East Devon Local Plan 2013-2031.)

7. The building hereby permitted shall not be brought into use until the parking area shown on the deposited plans is surfaced and completed and the cycle parking has been provided and is ready for use.

(Reason - To ensure that adequate and safe provision is made for the occupiers and in the interests of highway safety in accordance with the requirements of Policy TC9 - Parking Provision in New Development of the East Devon Local Plan 2013-2031.)

8. The mitigation and enhancement measures within the Ecological Impact Assessment (08 December 2025) shall be provided prior to the first occupation of the building hereby approved.

(Reason: To minimise disturbance to bats in accordance with Strategy 47 (Nature Conservation and Geology) of the East Devon Local Plan 2013-2031).

9. Prior to the commencement of development, a waste audit statement shall be submitted to, and approved in writing by the Local Planning Authority. This statement shall include all information outlined in the waste audit template provided in Devon County Council's Waste Management and Infrastructure Supplementary Planning Document. The following points shall be addressed in the statement:

- o Identify measures taken to avoid all waste occurring.
- o Demonstrate the provisions made for the management of any waste generated to be in accordance with the waste hierarchy.
- o The amount of construction, demolition and excavation waste in tonnes, set out by the type of material.
- o Identify targets for the re-use, recycling and recovery for each waste type from during construction, demolition and excavation, along with the methodology for auditing this waste including a monitoring scheme and corrective measures if failure to meet targets occurs.
- o The details of the waste disposal methods likely to be used, including the name and location of the waste disposal site, and justification as to why this waste cannot be managed more sustainably.
- o The predicted annual amount of waste, in tonnes, that will be generated once the development is occupied.
- o Identify the main types of waste generated when development is occupied.

The development shall be carried out in accordance with the approved statement.

(Reason: To minimise the amount of waste produced and promote sustainable methods of waste management in accordance with Policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document. This information is required pre-commencement to ensure that all waste material is dealt with in a sustainable way from the outset of the development including any groundworks, demolition, construction and operation.)

10. Prior to any construction above foundation level, details of materials to be used externally shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be built in the materials approved.

(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.)

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

(Reason: To ensure the design and appearance of the development is good quality in accordance with policies D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements) of the East Devon Local Plan 2013-2031).

12. The bin store shown on the plans hereby approved shall be provided in accordance with the plans hereby approved prior to the first occupation of the building.

(Reason: To ensure there are adequate waste management facilities at the site in accordance with policy D1 (Design and Local Distinctiveness) of the East Devon Local Plan 2013-2033 and policy W4 of the Devon Waste Plan and the Waste Management and Infrastructure Supplementary Planning Document).

13. Notwithstanding the approved plans no external plant, machinery or other external additions shall be installed on the building unless the details (including noise levels) of the plant or machinery has previously been agreed in writing by the local planning authority

(Reason: To ensure the appearance of the building is as authorised and to avoid any undue disturbance to nearby residents in accordance with policies D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031).

Material samples?

Provision of hard and soft landscaping (assuming we have full details already)

Provision of bin store

Provision of visibility splays

External plant to be agreed prior to installation

Plans relating to this application:

DR-R-0056 P01 : Additional Information 18.12.25
box van

DR-R-0055 P02 : Additional Information 18.12.25
visibility splays
(App C -
transport
statement)

DR-R-0052 P05 : Other Plans 18.12.25
light van (App C -
transport
statement)

DR-R-0053 P04 : Other Plans 18.12.25
ambulance plan
(App C -
transport
statement)

DR-R-0051 P04 (App C - transport statement)	Other Plans	18.12.25
DR-A-0500-P15 :	Other Plans	18.12.25
proposed externa works		
DR-D-002-P01 :	Additional Information	18.12.25
flood exceedance routes		
DR-D-001-P02 :	Additional Information	18.12.25
drainage - general arrangement		
DD709L02 rev C	Landscaping	22.04.26
DR-A-0400 P02 :	Sections	23.06.25
proposed GA site		
DR-A-200 P06 :	Proposed Floor Plans	23.06.25
ground		
DR-A-201 P05 :	Proposed Floor Plans	23.06.25
first		
DR-A-202 P05 :	Proposed Floor Plans	23.06.25
GA level 02		
DR-0300 P04 PROPOSED GA ELEVATIONS : SHEET 1 OF 1	Proposed Elevations	23.06.25

List of Background Papers

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

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality Act:

In arriving at this recommendation, due regard has been given to the provisions of the Equality Act 2010, particularly the Public Sector Equality Duty and Section 149. The Equality Act 2010 requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities. Protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race/ethnicity, religion or belief (or lack of), sex and sexual orientation.