

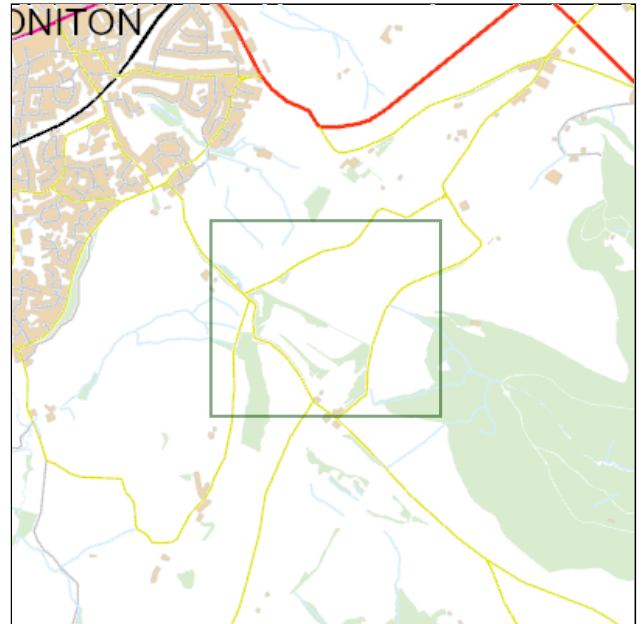
Ward Honiton St Pauls

Reference 24/0841/MFUL

Applicant Honiton Town Community Football & Sports Association

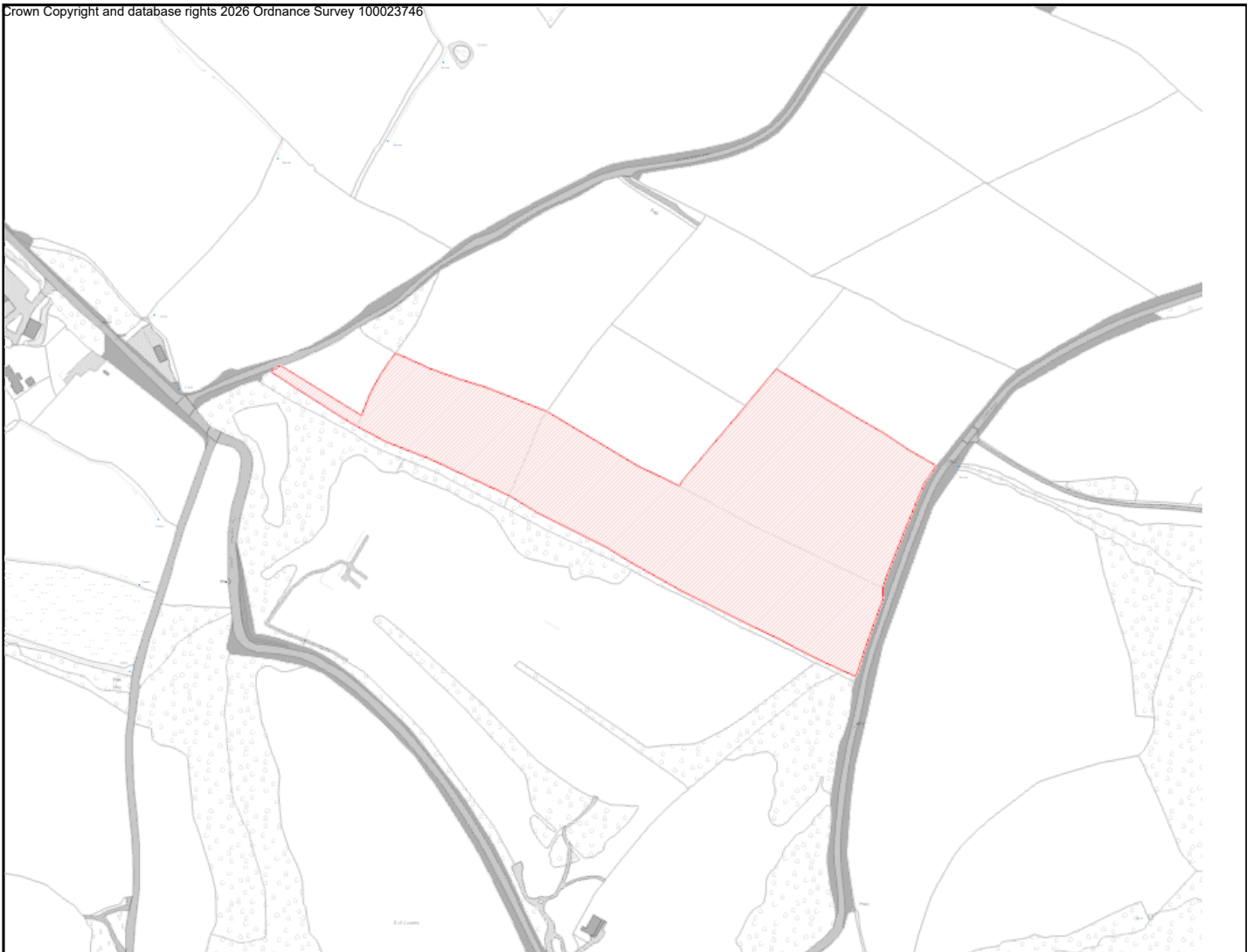
Location Land West Of Tower Road And East Of Cuckoo Down Lane Honiton

Proposal Detailed planning application for the change of use of land to football pitches, erection of clubhouse, new access and parking, landscaping, engineering and ancillary works.



RECOMMENDATION: Refusal

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		Committee Date: 07.07.2026
Honiton St Pauls (Honiton)	24/0841/MFUL	Target Date: 25.07.2024
Applicant:	Honiton Town Community Football & Sports Association	
Location:	Land West Of Tower Road And East Of Cuckoo Down Lane	
Proposal:	Detailed planning application for the change of use of land to football pitches, erection of clubhouse, new access and parking, landscaping, engineering and ancillary works.	

RECOMMENDATION: REFUSE

EXECUTIVE SUMMARY

The application is referred to Planning Committee as the application is considered to be a departure from the development plan and where the recommendation differs to that of the town council and one of the ward members.

Permission is sought for the change of use of agricultural land to football pitches together with associated engineering works to provide level and suitably surfaced and drained pitches. In addition, the proposal would include drainage works and landscaping as well as the construction of a clubhouse and car park. Vehicular access would be from Tower Road, to the southeast of the site, with a separate pedestrian access proposed from Cuckoo Down Lane to the northwest.

The site is located to on higher land to the southeast of Honiton and some 640 metres outside of the built-up area boundary, as currently defined. It lies in open countryside on the edge of an inland plateau within the designated East Devon National Landscape (NL) and close to the boundary with the Blackdown Hills NL.

The proposal has been brought forward by the applicants to seek to address the club's needs for additional pitch provision and improved facilities. The Club (Honiton Town Youth Football Club) provide coaching, competitive football and associated activities for ages 5 -18 and are currently based at St. Rita's Fields close to the west of the town centre. The club consider the continued use of this site to be untenable in the longer term as; it lacks space for adequate pitch provision; has no toilets/changing rooms or other basic facilities (and no potential for the provision of these); has poor access for emergency vehicles and a lack of parking provision. The lease on the use of the site has also expired.

Policies in the adopted Local Plan that address sport and recreation facilities (RC2 and RC4) require provision to be made within/adjoining built-up area boundaries and, amongst other criteria, to be accessible by sustainable modes of transport. Policy OS03 of the emerging Local Plan has similar requirements. The proposal would not meet these criteria and therefore fails to find the explicit policy support required by Stgy. 7 of the current Local Plan or SP06 of the emerging plan, for development in the countryside.

However, evidence in the form of the East Devon Playing Pitch Strategy, 2015 (PPS) identified a significant need for additional youth pitch provision and the Honiton Sports Pitch Strategy, 2017 (SPS) considered how such need might be met. At the time a site at Tower Hill (which included the current application site) was dismissed on sustainability and costs to develop grounds, and expansion at St Rita's was identified as the preferred option. There has been no subsequent pitch development at the existing site since that time, and the identified need remains unmet. A new Playing Pitch Strategy has been carried out and initial findings indicate that the demand for youth pitches remains and will increase moving forwards. It is also noted that there is considerable additional housing development proposed for Honiton in the emerging LP with no specific provision for new sports pitch provision.

The applicant has explored alternative locations, including others identified in the Honiton SPS to meet their needs but consider there are no other suitable or available sites, officer view concurs with the conclusion and that if provision is not made at this site it is likely to remain unmet.

Whilst the proposal would provide a strong benefit in looking to meet an unmet and growing demand for youth pitch provision, with associated well-being and community benefits and has received a strong level of community support, it would also have impacts that need to be weighed against these.

Firstly, the site is not considered to be sustainably located, and most journeys are likely to be undertaken by car. Secondly, there would be some landscape and visual impact on the National Landscape and change to its character as a result of the built form of the car park and clubhouse, the removal of existing landscape features (hedgerow), the land raising and engineered form of the pitches and the use of the site. Although such harm would be localised and control over lighting and requirements for landscaping would help to mitigate this over time, some harm would still arise. Similarly, the initial construction works to form the pitches would result in the loss of a significant extent of native hedgerow which would need to be compensated for with replacement habitat. Further harmful impacts could arise from any requirement to provide mitigation measures to address any safety risk associated with the site's position adjacent to a golf course.

In other regards, there is a lack of information in relation to the means of surface and foul drainage and the safety risk arising from the relationship with the golf course. With regards to drainage details, the applicant has indicated that they are not in a position to fund this at this stage and requested further information to be conditioned in the event of an approval. Devon County Council as the Lead Local

Flood Authority and the Environment Agency have confirmed that outstanding information could be secured by means of Grampian style conditions. However, in relation to safety risk it is not considered that additional information or mitigation measures could be reasonably conditioned.

Para. 200 of the NPPF seeks to ensure that new development can be effectively integrated with existing businesses or community facilities, without such existing uses having unreasonable restrictions placed on them. Where the operation of such existing uses could have a significant adverse effect on the proposed development it requires the applicant, as the agent of change, to provide suitable mitigation. In this case, the close relationship with the golf course could give rise to a significant adverse effect from wayward golf balls entering the site were these to hit someone. To assess the degree of risk and determine any mitigation requirements the applicant has been requested to provide a ball-strike assessment but has declined to do, considering the agent of change principle not to apply in this case and for the responsibility for the provision of any risk assessment and mitigation measures to lie with the golf course. This view is not shared by officers and without an assessment of risk it is not possible to determine whether a safe relationship can be achieved and what mitigation measures may be required to do so. Furthermore, it is not clear that where mitigation measures are required that they could be satisfactorily accommodated on the site, given how tight the pitches are to the boundary and the presence of a mature treeline along the shared boundary. This being the case it would not be appropriate to seek to condition an assessment and any mitigation measures this may identify.

The proposal would not result in the loss of Best and Most Versatile (BMV) agricultural land and in all other regards including highway safety, arboricultural and amenity impacts is considered to be acceptable, or can be made so by condition.

The provision of additional youth football pitches to serve the town against a longstanding and ongoing need, as well as providing associated facilities not currently available, is a recognised benefit. On the other hand, the location is not considered to be sustainably located, and the proposal would result in a change to the character of the site and some localised landscape harm and ecological impact. Were it not for the safety risk issue, and the unknown associated impacts of any mitigation requirements, a very balanced recommendation of approval could be supported, however without information to understand the level of safety risk and the implications of this in terms of mitigation measures it is not possible to draw such a conclusion and the application is therefore recommended for refusal for the reasons set out at the end of the report.

CONSULTATIONS

Local Consultations

Honiton Town Council
Support

Should planning consent be granted would wish to see a planning condition attached requiring the applicant to carry out the development in accordance with the recommendations and mitigation measures in the Ecological appraisal provided.

Members would then wish to be provided with the evidence submitted by the applicant to show compliance with the recommendations of the Ecological appraisal.

Offwell Parish Council (Adjoining Parish Council)

Offwell Parish Council object to the application, their grounds of objection are summarised as follows:

- Lack of consultation of parish council or nearby residents on proposals by applicant
- Proposal contrary to conclusions of Honiton Playing Pitch Strategy
- Lack of information on proposed water supply and potential impact of use of existing aquifer on other users that rely on this
- The Transport Statement contains inaccuracies in relation to the nature of approach roads; parking requirements and pedestrian accessibility
- Wildlife surveys don't include consideration of netting to protect from golf balls or from noise associated with use
- Opening hours of clubhouse excessive
- Drainage proposals suitability and ground conditions
- Wildlife Impact and BNG requirements
- Lack of archaeological information
- Inconsistencies with submitted statements
- Weather conditions at the site make it less than ideal for intended use
- No details on site security
- Concerns over future proposals for pitch lighting
- Unsustainable location
- Impact on undeveloped and tranquil part of the AONB
- EDDC should work with the applicants to find a more suitable site

The parish council has also provided a detailed critique of the submitted Transport Statement with points raised summarised as:

- Development contrary to a number of paragraphs in the NPPF relating to transport/accessibility
- Significant hedge removal will be required to provide access visibility
- Narrowness of and lack of passing provision on approach roads
- Traffic associated with the site could lead to tailback on the A35 and resulting increased highway safety danger
- Inadequate/unsuitable access by alternative modes of transport
- Lack of public transport provision

- Inadequate parking provision

Honiton St Pauls - Cllr Tony McCullom

As a ward member for St Pauls Ward Honiton, I am in full support of this application for Honiton Youth Football.

Honiton is in need of more youth sport services, this when approved will fulfill one of the needs for increased sports facilities in the town.

If my opinion differs from that of the planning officers then I would like this to go before committee where it can be debated in a frank and open manner.

Honiton St Michaels (Adjoining Ward) - Cllr Jenny Brown

Good morning

I am in favour of this application for the youth football pitches and ancillary buildings.

If the officers opinion is different to mine then I would like it to go to committee where I will keep an open mind until I have heard all the information both for and against.

Honiton St Michaels (Adjoining Ward) - Cllr Violet Bonetta

I support this application. It is important to keep Youth Football in Honiton for the various physical and mental health benefits this provides to our community.

I have interacted with the organisation involved and know how much they are struggling at the moment in their not fit-for-purpose site, and this proposal will provide the much needed space and facilities for this to continue well into the future.

Honiton St Michaels (Adjoining Ward) - Cllr Roy Collins

Roy Collins supports objectors for this application.

Application to be rejected.

Technical Consultations

County Highway Authority

Though there are currently two accesses for the current site as an agricultural field, it is agreed that the most suitable, is a single two-way suitable access point to the west of the two existing access points, due to this point having sufficient visibility both ways of Tower Cross Road, with the visibility splay shown Figure 3 (north-east view) and Figure 4 (south-west view) of the Transport Assessment being acceptable.

Tower Road being the preferred routing option for vehicles has a number of passing places, though typical two-way traffic frequently passes simultaneous.

A second footway access leads to the Cuckoo down Lane/Lower Marlpits Hill cross-road, with this short stretch of lane facilitating a shared space road to Honiton itself.

The proposed development will mostly be utilised outside of daily peak travelling hours, therefore I do not believe trip generation intensification will be a problem.

The site layout allows for 52 suitable parking spaces and 4 suitable disabled spaces, should the application be approved, I recommend secure cycle storage to encourage sustainable travel and a Construction and Environment Management Plan, (CEMP), to help mitigate the effects of construction.

No objection raised but conditions may be required.

Devon County Archaeologist

No objection but the site is considered to have archaeological potential which could be exposed or destroyed by the works, therefore conditions to secure a Written Scheme of Investigation and Post-investigation Assessment are required.

DCC Flood Risk SuDS Consultation

Concerns raised with the lack of a detailed drainage strategy and the methodology used for that provided. However have advised that in the event that other matters are resolved and the LPA are keen for the development to be approved have suggested conditions that could be imposed to secure the necessary detail.

Have also advised that the applicant would need to secure the in-principle agreement of DCC as the County Highway Authority to allow discharge of surface water from the site to the roadside ditches.

Environmental Health

No objection subject to conditions to control hours of construction and to prevent burning on site and request for the development to proceed in accordance with the Council's Construction Sites Code of Practice.

EDDC Trees

No objections subject to condition to protect trees/hedges show for retention being protected during construction and replacement of any same where damage occurs

EDDC Ecologist

While there have been some concerns with ecological submission for this application, e.g., bat survey effort, and the development would result in the loss of historic hedgerows in a protected landscape with limited buffer zones, it is recognised that the applicant has positively engaged with the ecological assessment process, and the development would provide a much-needed community asset.

Should the application be minded for approval some key ecological requirements need to be embedded and secured including:

- No external floodlighting.
- Limited external lighting around the club house and a detailed lighting plan to

- demonstrate no lighting impact on nocturnal wildlife.
- Adequate compensatory habitat for hazel dormouse and European protected species licence.
 - Appropriately detailed landscape and methodology design with mixture of trees, scrub, and translocated hedgerows maintaining and providing landscape connectivity.
 - Appropriately detailed and secured ecological enhancement measures, such as bird/bat/insect bricks and reptile hibernacula.
 - Suitable Biodiversity Net Gain (BNG) requirements including legally secured establishment and maintenance of BNG proposals.

A number of conditions are suggested to secure the above and a s.106 agreement would also be required to secure the details of the BNG provision and measures for its ongoing maintenance.

EDDC Landscape Architect

A number of issues identified with the proposed layout including: the site access arrangements; need for more structural planting and general planting to the Tower Road frontage and materials for use in construction of clubhouse. Lack of information on service provision and ability for off-grid solution here to work. Further information/amendments required to demonstrate how duty to further the special qualities of protected landscapes as required by Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) would be met. In the event that satisfactory amendments are provided a number of conditions are recommended.

EDDC Senior Leisure Officer

Supports. The new provision would provide a high-quality fit for purpose facility for young footballers within Honiton and surrounding area and address some of the current challenges that users face with existing provision.

Also advises that A new Playing Pitch Strategy is in preparation and will be consulted on in early 2026 and the initial findings from which indicate that there remains latent demand for youth grass pitch provision at Honiton and in the wider East sub-district area and this is increased due to the uncertainty over the future availability of St Rita's Centre pitches for community football teams.

Environment Agency

No in-principle objection in terms of using a non-mains foul drainage system, but consider that there is a lack of detail on the management of non-mains drainage and whether the drainage features would be fit for purpose, these details should usually be provided prior to determination but accept a Grampian condition could be used.

An environmental permit would be required and an abstraction licence would also be required if water demand is over 20m³ per day.

Applicant encouraged to provide a clear and detailed statement on the management of the foul drainage from the site and appropriate mitigation measures and to provide details on the proposed borehole.

Health and Safety Executive

The Health and Safety Executive (HSE) is a statutory consultee for certain developments within the Consultation Distance of Major Hazard Sites/ pipelines. This consultation, which is for such a development and is within at least one Consultation Distance, has been considered using HSE's planning advice web app, based on the details input on behalf of East Devon District.

HSE's Advice: Do Not Advise Against, consequently, HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Advised to consult National Gas to consider any easements/wayleaves and operational impacts.

National Gas Transmission

No Objection. An internal risk assessment has been carried out to demonstrate the risk to population. The results of this risk assessment falls within acceptable criteria and NGT will not object to this planning permission.

Please note that any further introduction of population to this area may lead to unacceptable risk and as such NGT may object to further planning applications in the future.

National Highways

No objection.

Sports England

By providing new pitches that could help address established playing pitch deficiencies (East Devon Playing Pitch Strategy) Sport England supports this application. The need for the facility is demonstrated in the application and policy allows for the development of ancillary facilities for sport where there is a clear demand and where they do not compromise the reason for the AONB designation. The site adjoins another sporting use, a Golf Course.

Other Representations

200 no. representations have been received of which 185 are in support and 15 raise objections to the proposed scheme, these comments are summarised as follows:

Reasons for support

- The proposals would benefit both the mental and physical health and well-being of the town's youth.
- The proposals would provide state of the art facilities and foster community engagement, benefitting both players and the community at large
- The club's existing football facilities are embarrassing compared with provision in other similar sized towns
- The Local Plan clearly states that the Council recognizes that these kind of recreation and sports facilities are an important community resource that the Local Plan seeks to safeguard, and that an emphasis in provision will be sought in locations where a clear deficiency in facilities currently exists.
- The club provides an important role in allowing children to socialise in a team context
- The proposals would provide a local facility negating the need for players to travel to other towns for better facilities
- Proposals would aid player retention at the club feeding into the senior team as they progress or other local senior teams
- Honiton lacks appropriate sports/football facilities for its size compared with other towns and amount of housing development
- The existing facilities are inadequate and lack basic provision such as toilets, changing space and running water
- There is a lack of parking at the existing site and has poor access for emergency vehicles
- The new site is well located close to the town with the option to walk, cycle to it
- The lack of pitch provision and facilities means that girls teams cannot currently be run
- The proposal gives the opportunities to provide for modern changing and clubhouse facilities and the ability to sell refreshments to help finance the club
- Decent sports provision for children/youth in the town is long overdue
- Were this application to be refused there is a strong possibility that there would be increased pressure on the NHS and criminal justice systems.
- Refusing the application and the closure of the youth club would result in an increase in traffic with children travelling to other towns to play/train.

Reasons for objection/concerns

- The proposal would have a harmful environmental impact, disrupting local wildlife, harming local wildlife and resulting in the loss of green space/harm to the AONB.
- The site is poorly located at the top of a steep hill meaning all users will need to travel by car and where car sharing can not be guaranteed.
- The proposal does not consider impacts and additional strain on existing infrastructure including water, sewage and electricity provision
- The proposed pedestrian access route is steep, unlit and without pavements and where traffic speeds are too high for the road conditions, making it unsafe
- The proposal has not fully considered the space requirements to protect the users of the facilities from stray golf balls on the adjoining site. It is suggested that moving the facility further to the north (next field over) would address this concerns.

- There parking requirements appear to be underestimated and under provided for
- Noise from players and participants would have a harmful impact on the tranquillity of the area and local wildlife
- The roads passed the site are unsafe due to nature and speed of vehicles the proposal will exacerbate this.
- The Transport Statement provided contains inaccuracies in relation to road widths of approach roads.
- Negative impact on AONB
- Noise and light pollution will negatively impact local residents, wildlife and birds.
- Impact of necessary golf ball netting has not been fully considered
- Concerns over whether sufficient funding is in place to complete the project and that public funds may be needed to underwrite the proposal
- The proposed location is elevated and exposed to the elements bringing into question its suitability for youth sport
- There are a number of alternative sites that don't appear to have been fully considered including: Offwell football club, which is nearby is underused and could be used as an alternative facility; Honiton Show Ground and the Old Honiton Show Ground
- Lack of archaeological investigation
- The proposed opening hours for the clubhouse are questionable as these extend beyond the times of day/year when football would be taking place on site
- The site is poorly draining and as such proposed soakaways are unlikely to be effective
- There are question marks over the funding of the proposal
- The proposal will draw public funding away from other more viable sports projects in the town.
- **Devon Wildlife Trust (DWT)** have provided a detailed objection to the proposal on the grounds of: Not clear that the surveys undertaken have been carried out by suitably qualified persons; inadequacy of survey work undertaken and information submitted.

PLANNING HISTORY

Reference	Description	Decision	Date
23/0735/MFUL	The construction of a youth football facility, including clubhouse, parking, storage and football pitches to suit all age groups.	Withdrawn	07.05.24

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

Strategy 1 (Spatial Strategy for Development in East Devon)

Strategy 3 (Sustainable Development)

Strategy 4 (Balanced Communities)

Strategy 5 (Environment)

Strategy 7 (Development in the Countryside)

Strategy 5B (Sustainable Transport)

Strategy 23 (Development at Honiton)

Strategy 38 (Sustainable Design and Construction)

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)

D6 (Locations without Access to Natural Gas)

EN5 (Wildlife Habitats and Features)

EN6 (Nationally and Locally Important Archaeological Sites)

EN7 (Proposals Affecting Sites which may potentially be of Archaeological Importance)

EN13 (Development on High Quality Agricultural Land)

EN22 (Surface Run-Off Implications of New Development)

RC4 (Recreation Facilities in the Countryside and on the Coast)

RC6 (Local Community Facilities)

RC7 (Shared Community Facilities)

RC2 (New Open Space, Sports Facilities and Parks)

TC2 (Accessibility of New Development)

TC4 (Footpaths, Bridleways and Cycleways)

TC7 (Adequacy of Road Network and Site Access)

TC9 (Parking Provision in New Development)

Honiton Sports Pitch Strategy – Adopted February 2017

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP01 (Spatial strategy) Draft

Strategic Policy SP06 (Development beyond Settlement Boundaries) Draft

Strategic Policy CC02 (Moving toward Net-zero carbon development) Draft

Strategic Policy AR01 (Flooding) Draft

Strategic Policy DS01 (Design and local distinctiveness) Draft

Strategic Policy TR01 (Prioritising walking, wheeling, cycling, and public transport) Draft

Policy TR03 (Travel plans, transport statements and transport assessments) Draft

Policy TR04 (Parking standards) Draft

Strategic Policy OL01 (Landscape features) Draft

Strategic Policy OL02 (National Landscapes (Areas of Outstanding Natural Beauty)) Draft

Policy OL10 (Development on high quality agricultural land) Draft

Strategic Policy PB01 (Protection of internationally and nationally important wildlife sites) Draft

Policy PB03 (Protection of irreplaceable habitats and important features) Draft

Strategic Policy PB04 (Habitats Regulations Assessment) Draft

Strategic Policy PB05 (Biodiversity Net Gain) Draft

Policy PB07 (Ecological enhancement and biodiversity in the built environment) Draft

Policy PB08 (Tree, hedges and woodland on development sites) Draft

Policy PB09 (Monitoring requirements for new planting scheme) Draft

Strategic Policy OS01 (Access to open space and recreation facilities) Draft

Policy OS03 (Location of facilities for sport and recreation and open) Draft

Policy OS05 (Leisure and recreation developments in the countryside) Draft

Policy CF01 (New or extended community facilities) Draft

Government Planning Documents

NPPF (National Planning Policy Framework 2024)

National Planning Practice Guidance

Site Location and Description

The application site relates to 2 no. adjoining agricultural fields and part of a third extending to approximately 4.3 hectares. The fields are in arable use and are separated and largely surrounded by native hedgerows with a belt of mature trees along the southwestern boundary with the adjoining golf course.

The land on site slopes up gently from the road at the southeastern boundary to a high point in the centre of the site before falling again toward the northwestern boundary. The surrounding landscape is relatively level, forming part of an inland plateau, but slopes steeply away beyond the northwestern boundary of the site. There are currently two accesses from Tower road, a field access serving each field.

The surrounding landscape is open countryside largely characterised by medium sized fields separated by hedgerows and with some hedgerow trees, it is sparsely populated. The Honiton Golf Course to the south of the site represent an existing recreational use but is largely screened by surrounding tree belts.

The site occupies an elevated position approximately 1 mile to the southeast of Honiton town centre. It lies within the East Devon National Landscape (formerly AONB) and within 100 metres of the Blackdown Hills National Landscape the boundary of which is Cuckoo Down Lane just to the north of the site.

Proposed development

The application seeks to construct a new Youth Football Facility at the site comprising of:

- Playing pitches (pitches are proposed to cover youth age groups and an indicative layout shows 7 no. pitches of varying sizes)
- A clubhouse building – consisting of 2 no. changing rooms, separate official and accessible changing provision, clubhouse and kitchen, toilets, plant room and secure storage
- Parking – 48 no. standard and 4 no. accessible parking spaces
- Associated landscaping and drainage works, to include: site levelling works and drainage including 2 no. attenuation swales, and; additional native tree planting

- Access improvements – Upgrading of existing field access to provide vehicular access to proposed parking area in southeast corner of the site and provision of pedestrian footpath link from southwest corner of site to Cuckoo Down Lane.

ANALYSIS

The main issues in the determination of the application area as follows:

- Principle and policy compliance
- Identified need and ability to meet this
- Impact on the character and appearance of the area/National Landscape Impact
- Relationship with adjoining land uses
- Highways and Access Issues
- Drainage Issues
- Ecological Impact
- Arboricultural Impact
- Amenity Impact
- Heritage Impact
- Economic benefits
- Health and Well-being/Community Benefits
- Other Issues

Principle and policy compliance

National Planning Policy Framework (NPPF)

Chapter 8 of the NPPF covers the promotion of healthy and safe communities. Paras. 96 a) requires, amongst other things, that planning policies and decisions should promote social interaction and support healthy lifestyles including through the provision of sports facilities and para. 98a) requires positive planning for the provision of community facilities, including sports venues.

Para. 103 requires planning policies for open space, sport and recreation facilities to be based on robust and up-to-date assessments of need which plans should then seek to accommodate.

Para. 189 covers how development in AONBs (now National Landscapes) should be assessed. In relation to development which is considered 'major' para. 190 states this should be refused other than in exceptional circumstances.

East Devon Local Plan 2013 – 2031

The development plan for the area comprises the East Devon Local Plan 2013-2031 (EDLP). Whilst Honiton has been designated as a Neighbourhood Area no draft plan has been produced to date.

Strategies 3 and 4 of the EDLP look to secure sustainable development and balanced communities which includes promoting and securing community facilities.

Strategy 23 deals specifically with development at Honiton and seeks to support local aspirations for new social and community facilities.

The application site though is located in open countryside outside of the settlement boundary of Honiton and therefore falls to be considered as development in the open countryside under Strategy 7 of the East Devon Local Plan (EDLP).

Strategy 7 is quite specific by stating,

‘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 goes on to say

‘and where it would not harm the distinctive landscape, amenity and environmental qualities within which it is located’.

Recreation and Community Policies are set out in Chapter 25 of the Local Plan. They include Policies RC2, RC4 and RC6 which relate to proposals for ‘New Open Space, Sports Facilities and Parks’, ‘Recreation Facilities in the Countryside and on the Coast’ and ‘Local Community Facilities’ respectively and offer support for such subject to meeting the specific criteria of those policies.

Of the aforementioned policies RC2 is considered to be most relevant to the application scheme as this directly relates to ‘sports facilities’, however all of the policies are considered below.

In the case of policies RC2 and RC6 sites are required to be within or adjoining built-up areas/boundaries to find support. In this regard, what is considered to constitute a site adjoining an urban or built-up area is not defined. However the application site is located over 600 meters from the nearest part of the built-up area boundary of Honiton and at a significantly higher elevation (over 80 metres), as such the site is physically and visually set apart from the town.

Policy RC2 also requires the following criteria to be met:

1. They do not unduly affect the character and appearance of the area and the visual and physical amenities enjoyed by adjoining residential areas.
2. They are accessible by public transport, bicycle and on foot.
3. Appropriate car and cycle parking is provided.
4. The proposed road access to the site provides for safe exit and entry and the local road network can safely accommodate the extra traffic the proposal would generate.
5. The facilities are located without detriment to the best and most versatile agricultural land, nature conservation interest and the conservation of areas of landscape, scientific, archaeological or historic interest.

Policy RC6 contains similar criteria to be met but also for a need to be demonstrated and for the proposal to be well related to the built form of the settlement.

These criteria are considered in detail under the sub-headings below.

With regards to policy RC4 this states that proposals for 'outdoor recreation facilities' in the countryside will be permitted where such a location is required and subject to listed criteria relating to the scale and character of the development in relation to its setting, that it does not conflict with countryside, nature or landscape policies, nor detract from the amenities of the area; that safe parking and access can be provided and that suitable links are provided to adjacent footpaths and bridleways. Where indoor facilities are proposed and require new buildings, these should be in close proximity to existing groups of buildings or an existing settlement.

Policy RC4 does not further define what is considered to constitute 'outdoor recreation facilities and the only recreational use referenced in the preamble to the policy is horse riding. The applicant has made a case that policy RC4 is relevant but has not met the requirements of policy RC2 which relates specifically to provision of sports facilities. It is though acknowledged that the Honiton SPS (Sports Pitch Strategy) does specifically address policies RC2 and RC4 stating:

"Policy RC2 allows for the provision of new or enhancing of existing recreation facilities including playing pitches where certain criteria are met. Compliance with this policy will be key for delivery of new sports pitch sites at Honiton." (para. I.17)

And at para. I.18,

"Policy RC4 allows for the provision of new recreation facilities in the countryside and on the coast where certain criteria are met. This policy may apply where sites are more remote from the main urban area of Honiton."

Although policy RC4 of the Local Plan may be relevant to the determination of the application, it needs to be determined first whether 'the space requirements of the proposal require a countryside location.' It also needs to be considered whether the proposal meets the accessibility requirements of other policies of the plan. As such compliance is not clear and requires further assessment the proposal has therefore been advertised as a departure from the development plan.

East Devon Local Plan 2020-2042 (Regulation 19 Consultation Draft)

The emerging East Devon Local plan covers the period 2020-2042 (DEDLP) and is currently at Reg. 19 consultation stage and therefore could be subject to further change and refinement as the plan advances, as such policies of the plan can only be given limited weight at this stage.

Strategic Policy SP06 reflects Strategy 7 of the EDLP in that it requires support of another specific Local or Neighbourhood plan policy in order to support development beyond settlement boundaries.

Strategic Policy SD03 details strategic land allocations for Honiton, most of these relate to housing or employment allocations. There are none that make specific recreation or sport provision, although 'Land west of Hayne Lane' includes 14.6 hectares for employment and community uses.

Open Space and Recreation policies are set out in Chapter 14 of the plan. Policy OS01 states support will be given for the provision of new and enhanced high quality open

spaces and to sports and recreation facilities. Key considerations in the policy include accessibility by all members of the community and provision of supporting infrastructure as well as assessment of qualitative and quantitative need.

Policy OS02 deals with how new housing development will be required to help deliver open space and sports provision and is not directly applicable to the current proposal.

Policy OS03 relates to the location of facilities for sport, recreation and open space. For new facilities the focus is within or adjoining built-up area boundaries and where such facilities are readily accessible to all, with particular emphasis on accessibility by pedestrians and cyclists. In addition, associated built development should be proportionate in scale and close by to existing built development. Para.14.8 in explaining the justification for the policy states that,

“While new facilities are generally expected to be close to built-up areas, less formal open spaces can be more flexibly located with minimal adverse impacts.”

Policy OS05, to an extent, reflects policy RC4 of the current plan in supporting outdoor recreation facilities in the countryside/coast where their nature requires such a location and where four tests are met. Like RC4 it does not define what is considered to constitute ‘outdoor recreation facilities’ but does state that,

“The clear policy expectation is that low impact uses only will be accommodated and such uses should be for countryside related activities.”

The policy tests to be met are: that any development is in scale and character with its surroundings and does not conflict with countryside, nature or landscape policies or detract from the amenity of the area; safe and convenient pedestrian and cycling access can be provided; on site facilities are provided to meet the needs of the proposal and link with nearby footpaths and bridleways, and; development should not result in net adverse natural environmental impacts.

As with the policies of the current Local Plan, the emerging plan policies similarly seek to focus new sports development at locations close to or within the existing built-up area boundaries and where they can be safely and conveniently accessed by all and particularly by sustainable modes of transport. The proposal is not considered to find clear support from the emerging plan policies due to its location in relation to the built-up area boundary of the town and accessibility issues.

Identified need and ability to meet this

Honiton Town Youth Football Club (HTYFC) provides coaching, competitive football and associated activities for ages 5 -18. The club is currently based at St. Rita’s Fields close to the base of the adult teams at Mountbatten Playing Fields to the west of the town centre. The club has operated from this site for over 20 years

The current base is considered, by the applicant, to be untenable in the longer term as, amongst other things: it lacks space for adequate pitch provision; is leased (current lease has expired); lacks toilets/changing rooms and other basic facilities; has poor access for emergency vehicles and a lack of parking provision.

It is further advised that alternative locations have been explored, including others identified in the Honiton SPS. The Club consider alternative sites to be extremely limited, with none available outside the AONB (National Landscape) designation. The proposed location is brought forward as the club consider this to be the best option to meet their identified needs.

East Devon Playing Pitch Strategy (2015)

This is an evidence-based document prepared to assess existing provision, identify need and guide development to address this. It includes specific assessments of Honiton's needs and includes an action plan for resolving key issues in the Honiton sub-area.

The Playing Pitch Strategy (PPS) identified a need for 9 youth pitches to meet the combined existing and future needs to 2024 for youth football in Honiton. The PPS also identified a number of action points to address the need which included looking to extend the lease at St. Rita's and exploring the possibility for providing additional facilities at that site including improved access, drainage and changing facilities

The Action Plan also considered the wider 'Tower Hill' site (of which the current application site forms part) and states at Action point HO.18,

"Explore the possibility of addressing all Honiton pitch issues on alternative sites better related to the existing town and outside of the AONB first but if there are no realistic alternatives then some pitches may need to be delivered on Tower Hill."

It should be noted though that para. D.67 of the PPS confirms that,

"...action plans are not guaranteed to be delivered against but they do suggest the best ways of potentially resolving the listed issues. Identification of action plans is not a guarantee that such solutions would gain planning permission. All planning applications are considered on their own merits."

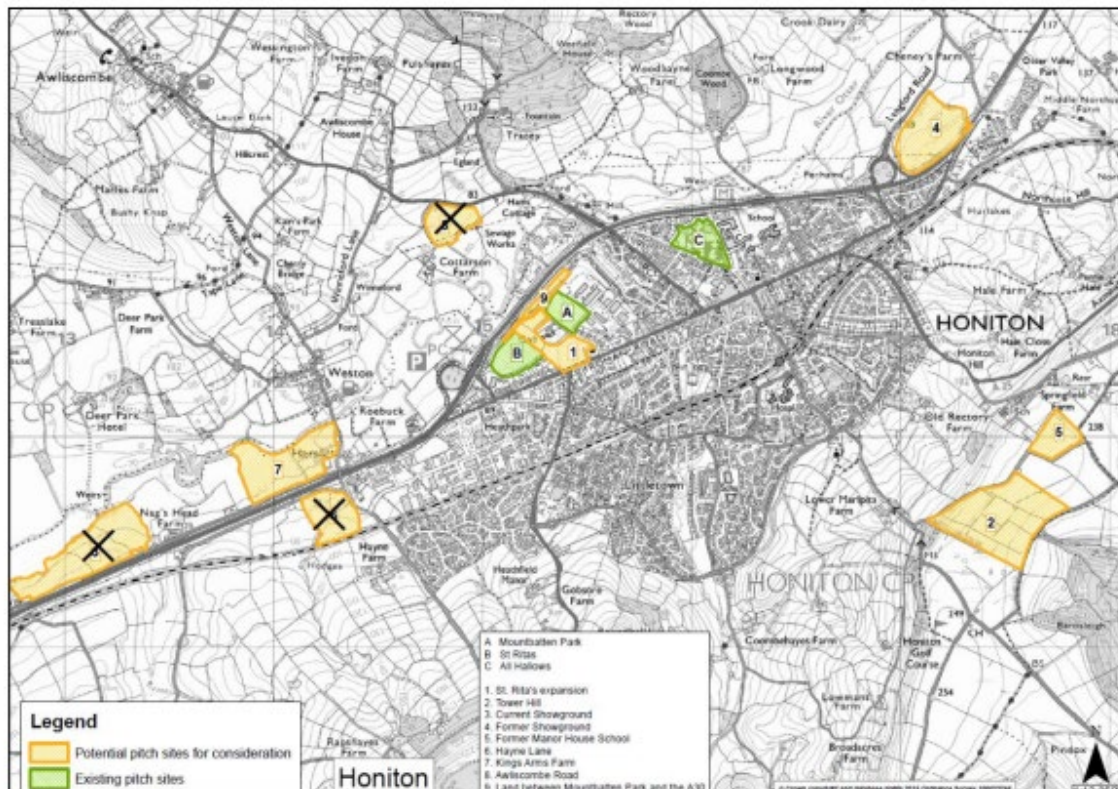
Honiton Sports Pitch Strategy (2017)

The Honiton Sports Pitch Strategy (2017), which has been adopted for use by the Council, sets out the options and makes draft recommendations on how to deliver on the sports pitch needs for Honiton to 2024. These needs having been identified in the East Devon Playing Pitch Strategy 2015 (PPS).

The 2017 Honiton Sports Pitch Strategy (SPS), looked to provide further guidance on delivering on the identified sports pitch needs for the town. The SPS sought to identify potential sites for sports pitch development and this included land at 'Tower Hill' of which the current application site forms part, as well as a number of other sites in and around the town.

Each site identified was then subject to site specific assessment considering key aspects of the site location, access, general topography, current vegetation, soil type and drainage characteristics, size of the site and other mitigating risks or factors that would make the site difficult to potentially develop. Each site was given a weighting with only those with some potential proceeding to the next stage. Tower Hill (Site 2 on the plan below) was taken forward for further consideration at stage 2, this site together

with other sites identified in the strategy are shown on the plan below reproduced from the SPS:



The further site assessment considered the technical ability of each potential site to deliver the required pitches and also the suitability and sustainability of each site. At the time the Tower Hill site was identified as requiring significant expenditure to provide suitable drained and levelled pitches a pavilion and changing facilities (although it should be noted that the proposal at that time covered a wider area and greater pitch provision). In terms of suitability and sustainability the following comments were made in relation to the Tower Hill site,

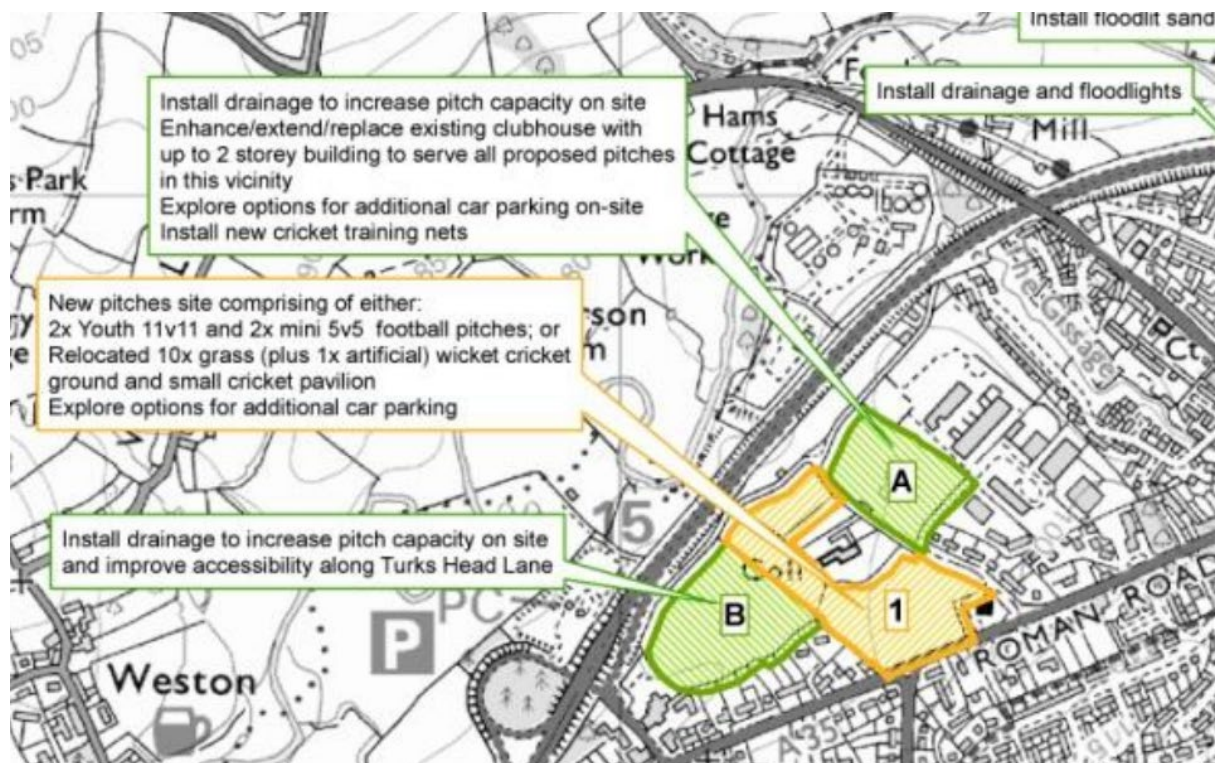
“The above assessment clearly shows how development of sports facilities at Tower Hill would be contrary to multiple policies of the Local Plan. The lack of accessibility by sustainable means, potential impact on the local road networks and significant anticipated impact on the landscape and AONB make the site wholly inappropriate for sports pitch delivery. Considering the alternative options that are assessed in this report it is therefore not an appropriate site to take sports pitch development.” (para. 2E.15)

and,

“No sports pitches should be delivered on this site.” (para. 2E.16)

The SPS went on to make recommendations as to how need could be met at other new and existing sites. These recommendations included exploring options for extending the lease, or purchasing land at St. Rita's to improve and increase capacity and to improve site access and drainage, as well as exploring the potential to extend

the clubhouse and car parking on the adjoining Mountbatten Park site. However, the SPS recognised that land identified for potential expansion at the St.Rita's site was in private ownership and potential deliverability issues associated with these proposals. The plan below shows an extract showing pitch recommendations for Honiton and recommendations at the existing St.Rita's site:



The submitted Planning Statement explains that there is currently no negotiated lease extension at St. Rita's (this expired in 2021). It goes on to state that whilst the club has sought to maximise the use of the existing site and have managed to expand pitch provision that this has required over-marking of pitches resulting in pitch damage from over-use. It is advised that a covenant exists on the St.Rita's site which prevents construction of additional facilities (such as changing rooms), this covenant is advised to be non-negotiable. Finally, the club also raise concerns with the access to the existing site which is narrow and which they state, '*becomes unpassable during the football season*' resulting in occasions where emergency vehicles have been unable to attend incidents at the site.

There is no evidence of other improvements having been secured or pitch provision made against the need identified in the SPS. As such, the identified needs set out in the SPS remain unmet. The SPS states (para. 41.3) that it will be kept under review and after five years if progress has not been made on certain projects consideration will need to be given as to whether alternative sites should be progressed or not.

An updated Playing Pitch Strategy is currently being undertaken and has been subject to public consultation, it is due to be considered by cabinet and then full council shortly. At this stage, the findings indicate that there remains latent demand for youth grass pitch provision at Honiton and in the wider East sub-district area and this is increased

due to the uncertainty over the future availability of St Rita's Centre pitches for community football teams.

Alternative Site Search

The PPS for Honiton considered a number of options for pitch provision and for various sports, the applicant has reviewed these and also considered the potential for other sites to meet the club's needs/aspirations. The alternative sites considered recognise the size requirements to meet the club's identified needs; the costs to develop land; that much of the land surrounding the town is subject to National landscape (AONB) designation and that some of this is steeply sloping. The search also excludes land within Flood Zones 2 and 3, due to the need to apply a sequential test for site selection in such locations.

St Ritas (including expansion) – The existing set up is considered not to fulfil the club's needs and the applicant advises that the club has approached the owners of the existing site regarding land identified in the SPS for expansion and they are unwilling to sell or lease the land to facilitate pitch expansion.

Other sites – A number of other sites have been identified and assessed in the submitted 'Pitch Options Assessment' these are located at both the eastern and western sides of the town as well as the proposed site at Tower Hill and a site at the former Manor House School. None of the sites are considered, by the applicant, to present viable alternatives for reasons including: size constraints; proximity to A30; development costs and engineering drainage requirements; availability and allocation for alternative uses; distance to town centre; flood risk; lack of safe access by alternative modes of transport or a combination of these reasons.

In addition, the applicant has considered other sites that have been brought forward as part of the Housing and Employment Land Availability Assessment (HELAA). However, they have dismissed these on the basis that they are promoted for housing and employment land use and whether allocated, or not, are unlikely to be available for the proposed sports pitch use.

Proposed site - the Honiton SPS advises strongly against the suitability of the application site for sports pitch provision, however, it is recognised that there has been a lack of progress in bringing forward other preferred sites identified in the SPS and that as such the identified need at the time has remained unmet and potentially increased.

Sport England has confirmed that the proposals would provide a suitable mix and configuration of pitch sizes to cater for all football demand from U7 to U18; that all pitches meet FA requirements in terms of size, drainage and pitch quality; and that the changing pavilion plans are deemed suitable.

A number of local objectors including the adjoining parish council (Offwell) have highlighted the recent approval of a 3G artificial pitch at Honiton Community College as helping to provide a facility for youth football in Honiton. This pitch would provide flood lit facilities which would be suitable to training purposes for a number of local

sports clubs, including youth football. However, it would not make provision against the identified need for grass pitches for youth football.

In conclusion on this matter, it is acknowledged that there is an unmet strategic need for sports pitch provision to serve Honiton, including for additional youth football pitches to serve the town. This need has remained unmet for some time and is likely to increase with additional housing allocations for over 800 new dwellings in the emerging local plan. It is further recognised that the applicant has sought to identify alternative sites that might otherwise meet their identified requirements and that there is a lack of suitable sites. It is also clear that the site benefits from a strong level of community support as well as from Sport England, whose aims include helping people to enjoy and access sport. This lack of provision against identified need weighs strongly in favour of the scheme.

Impact on the character and appearance of the area/National Landscape

The site is undeveloped agricultural land comprising of arable fields separated by native hedgerow with some hedgerow trees. It falls within the East Devon National Landscape Area and despite its relative proximity to Honiton and to an adjoining recreational land use (Honiton Golf Course) the site and surrounding landscape maintains a feeling of remoteness.

The site falls within the Landscape Character Type 1A (Open Inland Plateaux) as defined in the East Devon and Blackdown Hill Landscape Character Assessment (2019). It is located on elevated land above Honiton and in line with the identified key characteristics of the landscape type the local area is predominantly agricultural in character with limited development. The landscape guidelines for this landscape character type include: protecting archaeological sites, skylines and the relatively simple, regular landscape patterns. It also recommends managing hedgerow and 'gapping up' where necessary to retain the landscape pattern.

The proposed site layout provides for raising and levelling of the land and pitch provision which is extremely tight to the existing field boundaries and leaves little room around the site margins. The land would be raised by over 2 metres in height at the north-eastern corner of the site.

The proposals would introduce built form, car parking and associated infrastructure into the site and associated intensive activities, the scale of which could have an urbanising effect that would be at odds with its remote rural setting and which could also affect the character of Tower Road along the site frontage and for some distance to either side.

In addition, the development would require the clearance of two hedges and the widening of the existing field access off Tower Road representing an overall loss of about 280m of hedgerow. Potential views into the site from the wider landscape are generally well screened by intervening vegetation and due to distance, and location of the most intrusive elements of the development at the southern end of the site, it is unlikely that there would be noticeable effects on visual receptors on higher land to the north of the site. Consequently, the main visual receptors are likely to be limited to walkers, cyclists and motorists travelling along Tower Hill Road

past the southern site boundary and users of the golf club in the vicinity of the western site boundary. The proposed widening of the site access would open up views into the site from Tower Road in which the proposed car park, pavilion and pitches would be clearly visible. Any increase in traffic related to the site, which is to be anticipated, could also give rise to an impact on other users of the road i.e. walkers and cyclists and impact on their enjoyment of its character, tranquillity and perceived safety.

The application is supported by a Landscape and Visual Appraisal that has sought to assess the impacts of the development and to quantify the degree of harm that would arise during construction; on completion of the development, and; in the longer term (15 years post completion) once any landscape mitigation measures have established. In terms of landscape effects these are adjudged to be Major/Moderate Adverse during construction, reducing to Moderate Adverse on completion and Moderate/Minor Adverse post 15 years. In relation to visual effects, these are adjudged to be Major/Moderate Adverse during construction, reducing to Moderate/Minor Adverse on completion and Minor Adverse post 15 years. The Appraisal provides a landscape strategy setting out areas where new hedgerow, native tree planting and wildflower seeding could be provided to provide mitigation.

The Council's Landscape Architect has reviewed the proposals and has advised that they would be more suited to an urban edge site where they could be more easily and sustainably accessed by their intended users, rather than in a relatively isolated and elevated location in the countryside within a nationally designated landscape. He has also notes the impacts of the loss of native hedge and the introduction of the clubhouse and car parking as urbanising effects, which would be evident through the widening of the site access. As such and without appropriate mitigation he concludes that the proposal could not be said to conserve natural beauty in accordance with NPPF para. 189 or the duty to further the special qualities of protected landscapes as required by Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA).

In order to seek to meet the duty under Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) a number of recommendations are made including removal of the access to the south side of the site entrance; provision of additional planting/translocation of existing hedgerow; additional structural plating (including native tree planting); changes to materials proposed to the clubhouse and further details on utilities connections. Subject to such these amendments and on the basis that parking provision proposed is adequate, planting mitigation is provided and that there is no floodlighting of the site The Landscape Architect concludes that the impacts of the development could be considered to be localised and give rise to moderate-low adverse landscape and visual effects. A number of conditions are proposed to secure further details of:

- Hard landscaping
- External lighting
- Site levels
- Soil resources
- Planting plans and specifications
- Tree protection and planting details

- A Landscape and Ecological Management Plan

The applicant has been given the opportunity to amend the application scheme to address the comments raised and whilst some further details have been provided not all of the matters have been addressed. Nonetheless, it is considered that the outstanding matters could be addressed by condition should the application otherwise be considered acceptable.

It should be noted though that above assessment does not take into account to the impact of any mitigation measures which may be required on the site to address the risk of wayward ball strikes from the adjoining golf course. At this stage, there is insufficient information to determine what mitigation may be required and whether this in itself would have an acceptable landscape and visual impact. For example, if ball netting is required this is likely to require significant tree works/pruning which is likely to adversely impact on the visual amenity of trees and could undermine their long term health, resulting in adverse impact on the National Landscape.

Major development in the National Landscape (AONB)?

The National Planning Policy Framework (para. 189) requires great weight to be given to conserving and enhancing Areas of Outstanding Natural Beauty (National Landscapes) and states that the scale and extent of development within such areas should be limited. Para. 190 of the NPPF goes on to state that permission for major development should be refused other than in exceptional circumstances and where it can be demonstrated that development is in the public interest. Where a proposal is adjudged to represent major development an assessment of the following is required:

a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;

b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and

c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Footnote 67 of the NPPF states that,

‘For the purposes of paragraphs 190 and 191, whether a proposal is ‘major development’ is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.’

In relation to the current application whilst it meets the definition of ‘major’ development as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 that does not necessarily equate to it being major development for the purposes of para. 190 of the NPPF. In terms of its nature the proposal represents a sports use which requires a large open area and where impacts resulting from use are not likely to be unusual or unknown. Although its nature differs to the current use of the site it would largely retain the open, undeveloped and ‘green’ nature

of the site. In relation to scale the application site covers a large area but, aside from site levelling works, the main operational development is restricted to the southwestern end of the site in the form of the clubhouse and car parking areas, particularly as no lighting of the pitches is proposed. With regards to setting, the location is outside of and divorced from the built form of Honiton, or any other settlement although it does sit alongside an existing recreational use. Taking these matters into account the proposal is not considered to represent major development for the purposes of para. 190.

Notwithstanding the view that the proposal is not considered to represent 'major' development, if a contrary view is taken on this point, there would be a need to demonstrate exceptional circumstances are met and that the development would be in the public interest.

In relation to criteria a) of para. 190 the supporting information sets out a case for the need for the development (assessed above), such need is however local only and there is no evidence presented of the proposal being likely to have any significant impact on the local economy whether refused or permitted. However, the proposal would be likely to give rise to some economic benefits during the construction phase of development. In relation to criteria b) information has been presented in relation to the scope for providing the development outside the designated area and where costs of development are cited, amongst other reasons, for alternative sites being dismissed, no detailed analysis of development cost comparisons of the application site or alternative sites is made but the lack of alternative sites is noted. In relation to criteria c) the application is supported by some information relating to the landscape and environmental effects of the proposal and how these could be moderated. These conclude that, in time (post 15 years) the landscape effects of the development would reduce to moderate/minor adverse and visual effects minor adverse as landscape planting takes effect. The site is not considered to impact on any existing recreational opportunities (see comments on golf course netting).

The applicant acknowledges at para. 7.9 of their Planning Statement that, *'The proposed development will result in some change in landscape character and adverse landscape and visual effects'* and that even after landscape mitigation measures, the development would, in the longer term, still give rise to *'Minor Adverse visual effects and Moderate / Minor landscape effects'*. The Council's landscape architect has also advised that the proposal would give rise to some harm, albeit relatively localised in its extent, and where mitigation could be secured to reduce this to moderate-low adverse landscape and visual effects.

Overall, in terms of landscape impact whilst landscaping mitigation could help to reduce the impacts of the development the proposal would still result in some landscape and visual harm and as such could not be considered to conserve and enhance the landscape character of the area, which is required to be given great weight, such harm weighs against the proposal.

Relationship with adjoining land uses

The site lies adjacent to Honiton golf course and the 6th fairway in particular which runs parallel to the site's southern boundary. The boundary is defined by a line of mature

trees (Oak, Ash, Beech and Holly) that have grown up from an historic hedge bank. Whilst the tree line provides an effective visual screen there are gaps between trees and foliage and this is more evident in autumn/winter.

Health and safety concerns have been raised on behalf of the golf course and others in relation to the potential danger arising from siting of the facility immediately adjacent to the course. This concern relates to the potential impact of stray golf balls from the course entering the site.

The application site plan includes annotation on the golf course side of the shared boundary stating, '*Golf ball netting protection TBC with golf club*'. However, no further details of who would provide this, what form it would take and how it might be maintained has been provided. In response to a request for further information in this regard the applicant has previously stated that,

"Regarding Golf Ball Netting, the landowner and his legal representative has written to the golf course advising them that it is not his/our responsibility to prevent the Golf Course members hitting golf balls into his land and potentially endangering his tenants. He has told them that they are not permitted to hit golf balls onto his land and need to take appropriate actions to prevent this happening. If the golf club determine that this requires netting, it will be supplied and fitted by the Golf Club. Since the Golf Club raised this issue (via their objection) the landowner has instructed the Golf Course to cease this activity of hitting golf balls onto his land immediately regardless of whether the football club move up there (as it is a potential risk to current tenants)."

They go on to advise that neither the landowner or the Football Club assumes any responsibility for any negligence of members of the golf club in this regard.

At the time of writing of the original committee report, for consideration at January's planning committee meeting, officer view was that whilst there was clearly an issue to be addressed here, the responsibility for addressing that issue fell to the golf course. However prior to the committee meeting and after the publication of the report it was brought to officer's attention that para. 200 of the NPPF could be relevant to the determination and as such the decision was taken to withdraw the application from committee to allow time to give consideration to the implications of para. 200.

Para 200 of the NPPF states,

"Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed."

Para. 200 therefore introduces the 'agent of change' principle, whereby the responsibility for mitigating any impacts which, '*...could have a significant adverse*

effect on new development. falls to the applicant or 'agent of change', rather than the existing business or facility giving rise to the effect.

The agent of change principle ('the principle') often arises in relation to noise impacts, for example where new residential development is proposed in close proximity to an existing 'noise generating' use i.e. a music venue and where the juxtaposition of such uses could have a significant adverse effect on future occupiers. In such circumstances, 'the principle' puts the responsibility for mitigating such effects onto the applicant, as they are the agent of change, in other words the party giving rise to the issue through their proposed development. The purpose of the policy is to protect existing businesses and facilities from having to deal with the effects of new developments being introduced in close proximity to them and instead places the responsibility for addressing such impacts onto the applicant or 'agent of change'.

Whilst the 'agent of change principle' is perhaps most commonly applied in relation to scenarios involving existing noise generating uses and residential development. It can be equally relevant in other situations where the introduction of a new use could affect the operation of an existing use.

In the case of the current application, the principle can be considered to apply if the operation of the golf course could give rise to a significant adverse effect on the use of the application site for its intended purpose for youth football pitches and associated clubhouse. Having reviewed the proposal in relation to para. 200, officers consider that the application of the agent of change principle is relevant in this case having considered the following questions:

- 1. Is the golf club an existing lawful use?** Yes, the golf course is an established use that has been operational at the site for a good number of years. The applicant has suggested that the striking of golf balls from the course onto the application site is trespass and therefore unlawful and as such suggest that para 200 should not apply, as to do so would be to legitimise this unlawful activity. EDDC's own legal advice is that a distinction is drawn between civil liability and lawful planning use. The golf course constitutes an established and lawful planning use. Whether individual golf balls have crossed the boundary does not alter this position and any such incidents fall within civil, not planning, jurisdiction. Nevertheless, the potential for miss-struck or wayward balls to leave the golf club site is inherent to the nature of the use, even if infrequent, and is a legitimate and necessary planning consideration.
- 2. Could the proposed development give rise to a significant adverse effect on the proposed new development?** Potentially, the proposal would introduce a new and crucially more sensitive use onto the site. At present, the site is in agricultural use and there is nothing to indicate that there is any significant agricultural worker, or other presence on the site. The change of use and development of the site as youth football pitches would result in a significant increase in the number of people present on the site at certain times, including

players, coaches and spectators. The applicant has advised that the maximum number of people that could be on site at any one time is 160 (120 players and 40 adults). It would appear that there is potential for a higher number of spectators to be present than this but even taking the applicant's own figures and accepting that some players/adults would be on parts of the site where struck golf balls are less likely to reach, there would nevertheless be a significant increase in the number of people on site, whilst matches are being played or training taking place. It is further acknowledged that the site would not be in use all the time but periods when it is in use would coincide with when the golf course would also be open.

The significant adverse effect that could arise would be the potential for wayward balls struck from the golf course to hit a player/spectator or other person present on the application site. The layout of the pitches as proposed and the tightness of these to the shared boundary with the golf course means spectators could be standing close to the boundary with their backs to the course and attention focussed on the pitches, this would also be the case for players and where the nature of the activity is likely to mean that even if a call of 'Fore' is made from the golf course, after a wayward ball has been struck, this may not gain attention of players/spectators and of itself would not prevent ball strike.

In response, the applicant has contested that there is no evidential basis for the engagement of para. 200, that they have not been provided with any evidence demonstrating that the lawful operation of Honiton Golf Club has resulted in golf balls being struck onto the application site, nor that such events are a regular or inherent consequence of the permitted use of the land. They also point to a lack of objection from EDDC's Environmental Health team on public safety grounds. They go on to argue that reliance on unsubstantiated assertions would be inconsistent with proper decision-making principles and would risk the Council taking into account immaterial or irrelevant considerations.

Honiton Golf Course originally raised health and safety concerns over the proximity of the use to the shared boundary and potential impact on the proposed development from 'flying golf balls' some time ago and officers have requested that the applicant respond to these concerns and demonstrate how this matter was to be addressed. In response, as set out above, the applicant served notice on the golf course to cease the hitting of golf balls onto the site. It is therefore considered that there is general acknowledgement by all parties of the potential for stray golf balls struck from the golf course to enter the site. The disagreement lies in how significant an issue this is and where the responsibility lies to deal with it. Applying the 'agent of change' principle, officers consider that the responsibility for mitigating any impacts, where these are required, lies with the applicant. The applicant considers the responsibility lie with the golf course.

- 3. If a significant adverse effect could occur can it be appropriately mitigated?** Unclear. Taking the position that a significant adverse effect could arise, in that the health and safety of individuals could be compromised by the

relationship between the proposed development and the existing golf course, It is important to try to understand the extent of such risk and whether it can be mitigated. To this end, the applicant, as the agent of change, has been invited to submit a 'ball strike assessment' to enable a better understanding of the level of risk that arises from potential golf ball strikes onto the application site (frequency, velocity, trajectory etc.) how any existing boundary planting might affect this, whether this can be relied upon to provide mitigation and if not what other mitigation might be required. Such an assessment would provide a greater understanding of the level of risk and what mitigation might be required to satisfactorily address this. In turn, once the nature of any required mitigation is understood the impact of the mitigation itself could then also be considered in relation to matters such as arboricultural, ecological and landscape impacts.

The applicant maintains that the agent of change principle should not apply in this case, for the reasons outlined above, and that this being the case has declined to provide the requested assessment.

Officers have also given consideration as to whether it would be appropriate to condition the provision of a ball-strike assessment and any required mitigation measures. However, there is too much uncertainty with regards to what the findings of such an assessment might be, what mitigation could be required and whether the impact of this would, in and of itself be acceptable. Such a condition would not therefore meet the conditions tests set out at para. 57 of the NPPF.

Having considered the proposal in relation to para. 200 of the NPPF officer view is that it is a relevant consideration in the determination of this application and that without further information to understand the nature and extent of the risks it is not possible to conclude that a significant adverse effect can be ruled out, or that such an effect could be mitigated in an appropriate manner. Para. 102 of the NPPF requires that planning policies and decisions should, amongst other things, '*promote public safety*' and that, '*The safety of children and other vulnerable users in proximity to open water, railways and other potential hazards should be considered in planning and assessing proposals for development...*'

Taking into account para. 200 of the NPPF and where the application is considered to represent the agent of change, without a ball strike assessment and consideration of any required mitigation it is not possible to conclude that the development could be made safe without requiring restrictions to be placed on the operation of the existing golf course in terms of installation of mitigation measures, or changes to course layout etc. On this basis, it is considered that there is insufficient information to determine that the proposal would not give rise to a significant adverse effect resulting from the juxtaposition of the proposed use in relation to the established golf course use, or that appropriate mitigation could be provided within the application site to address the impact of the development. Consequently it is not possible to confirm that the proposal would not expose future users to safety risks or place the established golf course under pressure to alter or curtail its lawful operation.

It is regrettable that the relevance of para. 200 to this case was not picked up earlier in the process but the need to address any safety risk between the existing and proposed uses was; para. 200 just changes where the responsibility to address this lies.

Highways and Access Issues

Accessibility of the site

Chapter 9 of the NPPF covers the promotion of sustainable transport with paras. 115 and 117 seeking to ensure that sustainable transport modes are prioritised and safe and suitable access to the site can be achieved for all users. Para. 118 also requires provision of suitable supporting information (transport assessment etc.) where significant amounts of movement are likely to be generated.

These requirements are reflected in Stgy 5B and policy TC2 of the EDLP, which respectively seek to ensure development is located where it will encourage and allow for efficient safe and accessible means of transport by pedestrians, cyclists and public transport (among other modes) and is also well related to compatible land uses so as minimise the need to travel by car.

Draft policy TR01 similarly seeks to prioritise walking and cycling and to ensure new development is located where access to high quality public transport can be facilitated. Policy TR03 of the DEDLP seeks, where significant amounts of vehicle movements would be generated to ensure that development proposal are supported by a transport assessment and travel plan to secure sustainable travel arrangements.

The site is located to the southeast of the town centre on elevated land forming part of an inland plateau. The site is approximately 1 ½ miles from the town centre by car. The indicated pedestrian route via Church Hill, Lower Marlpits Lane and Cuckoo Down Lane is less than a mile and less than 800 metres from the built-up area boundary. There is no public transport serving the site, the nearest bus stops being in the town or on the A35 to the north of the site.

The applicant has prepared a Transport Statement that considers means of access to the site by alternative modes. A new pedestrian access to the site onto Cuckoo Down Lane is proposed providing a pedestrian route (as above) to the town centre, It is suggested that the majority of Honiton is within a 30-minute walk of the site and that the suggested route represents a viable alternative. Whilst recognising the relatively close proximity to the edge of the town 'as the crow flies' the pedestrian access route from the edge of the town is, for the most part via roads which are unlit, narrow and steep in places and without dedicated footway provision, the new proposed path from Cuckoo Down Lane to the main part of the site is very steep. Although some users who live closest to the site may, on occasion, choose to walk or cycle, the distance, lack of footway provision and in particular the steepness of the route leads to the consideration that this is not considered to be a realistic prospect for most users for most journeys. It is anticipated that most users would arrive and leave by car, although there is likely to be some potential for car sharing.

It is considered that the site would fare poorly in accessibility terms. The applicant has sought to demonstrate how accessibility by alternative modes of transport could be improved but the location in relation to the town and in particular its siting on higher land means that access via alternative means to the private car are limited and would not meet the requirements of strategy 5B and policies TC2, RC2 and RC6 of the EDLP and OS03, TR01 and TR03 of the DEDLP in this respect.

Suitability of approach roads and traffic generation

The site is accessed via Tower Road which connects to the town via Lower Marl pits Hill to the south, or the A35 to the north. Tower road itself is of varying width and has limited passing provision. Concerns have been raised by local residents and Offwell Parish Council that these approach roads are unsuitable to cater for the extent and nature of traffic likely to be generated by the development. In particular concerns are raised regarding the narrow nature of the approach roads, lack of passing provision and the nature and extent of traffic likely to be generated being underestimated. It has been suggested that traffic approaching the site from the town via the A35 will result in queuing on the trunk road and cause a highway safety issue. Whilst these concerns are noted the proposals have been reviewed by both National Highways in relation to impacts on the trunk road network and by Devon County Council.

National Highways has raised no objection and consider that the proposal would represent a relocation of an existing facility and therefore a displacement of journeys from one site to another. In addition, given the nature of the use the majority of the traffic associated with it is considered to arise outside of the weekday and weekend network peak hours. On this basis, National Highways considers the proposal unlikely to result in an adverse impact on the safe operation of the strategic road network.

Devon County Council as the County Highway Authority has commented that Tower Road has a number of passing places (whether these be formal or informal) and that typical two-way traffic can pass simultaneously. They also note that site would largely generate traffic outside of daily peak travelling hours and do not consider trip generation intensification to be a problem.

Site access and parking provision

There are currently two field accesses that serve the site, each serving one of the fields that adjoins Tower Road. The applicant has carried out pre-application enquiries with the County Highway Authority (CHA) and the proposal seeks to provide a single two-way access point in a similar position to the more southerly of the existing access points access has been brought forward as the most appropriate to serve the development. The CHA has reviewed the access details and considers that this would provide suitable visibility in both directions. In relation to parking provision questions have been raised by the local residents and adjoining parish council in relation to the adequacy of the proposed parking provision, given the likely high reliance on private transport to access the site, and where any under-provision is likely to give rise to unregulated parking on the road and verges in the vicinity of the site. Policy TC9 of the EDLP and TR04 of the DEDLP deal with parking provision in new development but neither specify minimum standards for provision in relation to uses of this nature.

The applicant has within their transport statement assessed the likely parking requirements based on the number of pitches and players and on likely travel to game modes, which includes an allowance for car sharing. On this basis the parking requirements are assessed to be 46 spaces, on average for a typical match day. The application seeks to provide 52 spaces (including 4 accessible parking bays). Offwell parish council and local residents have questioned the adequacy of the proposed provision and over-reliance on car sharing taking place, which they point out cannot be guaranteed. If every child was driven to a game independently by a parent or carer and that vehicle was then parked at the site, then clearly during periods where all of the pitches are in use simultaneously there would be insufficient provision. However, it is accepted that the nature of such uses is that parents/carers share lifts and often take it in turns to provide these and as such this reduces the parking requirement from any theoretical maximum. In general, the proposed provision is considered to be appropriate but the potential impact of pick-up/drop-off traffic is acknowledged, the county highway authority have not however required such specific provision and it is not considered that this could be insisted upon. In relation to major developments, policy TC9 requires provision of EV charging points to be made, none such is indicated on the submitted site plans and it is recognised that the nature of the use is likely to attract only local traffic where EV users are in many circumstances likely to have access to charging provision at home, or elsewhere. Given that it is not clear that the site would be served by mains electricity it is not clear that there would be sufficient on-site renewable energy generation to make such provision in any case.

In relation to alternative modes of transport pedestrian access is indicatively shown from Cuckoo Down Lane to the northwest of the site. No details of the access junction with the road are provided but some hedge bank removal would be required. The route of the path would follow the southern site boundary and is shown to utilise a proprietary grid system (Aco Groundguard) to provide a suitable surfacing to retain the ground and any surfacing. There is a lack of detail in relation to this aspect of the proposal and it is not clear that the proposed system would work on the very steep nature of this part of the site, or whether this would in fact need to be stepped. In either case this section would not be conducive to cycle access with cyclists needing to dismount and push their bikes up a steep section of slope. The Transport Statement acknowledges the need to provide cycle parking and indicates this could be provided close to the clubhouse entrance, further details of which could be secured by condition.

Drainage Issues

Surface Water Drainage

The application site lies wholly within land defined as Flood Zone 1 and is not identified to be in an area at risk of flooding from any source. However, the submitted Flood Risk Assessment (FRA) does indicate that the soil types found on site makes infiltration slow and that there are pockets within the site prone to localised surface water flooding.

Given the soil permeability, infiltration is suggested to be unsuitable, and it is therefore proposed to direct surface water to existing surface water bodies (drainage ditches) attenuated via on-site swales and hydro brakes to reduce the flow rate. The submitted

drainage report indicates that this would result in an overall betterment on the existing run-off rates from the site.

For the clubhouse and parking area however it is proposed to install a rainwater harvesting system to capture some of the rainwater for re-use with overflow going via soakaway crates positioned below the car parking area to the detention basin north of the clubhouse.

Devon County Council in their role as the Lead Local Flood Authority (LLFA) objected to the original proposals on the basis that sufficient information had not been provided to demonstrate that infiltration is not viable. They also highlighted the need for the applicant to use up to date information to calculate the required size/capacity of surface water drainage features and to provide additional information in relation to exceedance pathways and overland flow routes in the event of rainfall in excess of the design standard. In the absence of such information, they advised that the proposals did not adequately demonstrate that the requirements of policy EN22 of the EDLP have been met.

Policy EN22 requires that the surface water run-off implications of any new development have been fully considered and found to be acceptable. The policy also requires any remedial measures to be secured using sustainable drainage principles and for there to be clear arrangements in place for the ongoing maintenance of these. Policy AR01 of the eLP seeks to ensure that on all developments space is provided for the inclusion of SuDS designed to reduce the volume and rate of runoff to less than greenfield rates, and that surface water run-off is managed as close to the source as possible.

In response the applicants have provided some updated drainage information in the form of revised plans for clubhouse and wider site drainage and a revised Preliminary FRA and drainage strategy. The LLFA has reviewed the additional information and confirmed that this still lacks details to demonstrate conformity with the requirements of policy EN22, in particular how the greenfield run-off rates and storage calculations have been derived and the ownership of the ditches to which the attenuated flows would be discharged. The applicant has subsequently confirmed that the ditches to which the drainage flow would discharge are in the ownership of the highways authority. The ditch on the west side of Tower Road (adjacent to the site) connecting to a larger ditch on the east side of the road by existing pipework under the road. Consent to discharge to these ditches would be required but there is no evidence that this consent has been sought or granted.

Foul Drainage

Policy EN18 of the EDLP requires a suitable foul drainage system of adequate capacity to be in place to serve new development and that where non-mains drainage is proposed this will not be permitted unless they can be appropriately drained. Policy EN14 seeks to control pollution from all sources and policy OL09 of the eLP has similar aims.

It is proposed to connect the foul drainage from the clubhouse to a new package treatment plant (PTP), positioned to the southwest corner of the clubhouse. The

application is supported by a completed Foul Drainage Assessment form which includes information to demonstrate that a mains connection is not available in the vicinity of the site. The Environment Agency (EA) has reviewed the submitted proposal and whilst raising no objection in principle has recommended that clarity is sought on the discharge proposals for the PTP, as no details of where any discharge from the PTP would flow to were originally provided.

The applicant has now indicated where the discharge from the STP would go to – the attenuation basin to the north of the car park and from here via existing pipework under the adjacent road, and in a south easterly direction – the same as for the attenuated surface water flows.

The EA has advised that the ditch does not appear to flow all year around and that the plans also indicate that an environmental reed bed may be required, but that this detail is to be confirmed. The EA have therefore expressed concern that there is no clear approach to the management of non-mains drainage and that with the lack of proposed flows and loads estimations there can be no certainty that the drainage basin features would be fit for purpose, to take both surface water and foul flows. Such information should normally be provided up front for a full application so that a fully informed decision can be made on whether it is an appropriate way to manage the foul flows.

In response the applicant has advised that there is no funding left to provide additional technical reports/responses at this stage but that in the event of an approval further funding would become available to allow these matters to be addressed and have requested that any further details are secured by condition, including the use of Grampian style conditions, this they consider would represent a proportionate approach.

Planning Practice Guidance (Paragraph: 009 Reference ID: 21a-009-20140306) advises that,

“Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability.”

However, it goes on to confirm that

“It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition) – ie prohibiting development authorised by the planning permission or other aspects linked to the planning permission (eg occupation of premises) until a specified action has been taken (such as the provision of supporting infrastructure). Such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission.”

In terms of the outfall to the roadside ditches, which the drainage strategy information provided to date indicates would take the outfall from both the foul and surface water drainage related to the site, the LLFA have, in their most recent correspondence, indicated that they would accept conditioning of a detailed drainage design. This

indicates that they consider that a suitable drainage design could be achieved. Likewise, the EA has confirmed that similarly they consider that there is likely to be some solution to the foul drainage and that if the LPA are similarly content that a solution can be found then they would not object to such matters being controlled by condition. They have however reiterated the need for the applicant to separately seek the consent of the EA for an environmental permit and where there is no guarantee that such would be permitted – this though is a separate permitting regime that sits outside the planning system.

The applicant, in support of their view that further drainage details could be secured by condition, has referenced an appeal decision elsewhere in the district, at Land east of Colestocks Road, Sherwood Cross, Feniton (APP/U1105/W/24/3357849). In that case the Inspector in allowing the appeal included a Grampian style condition relating to surface water drainage where there was no agreement for point of discharge to existing off-site drainage infrastructure in place and where there was some uncertainty over the ownership of sections of the drainage to which the site would connect. The Inspector took on board the LLFA's lack of in principle objection and that the information provided at the time indicated that a betterment in greenfield run-off rates could be achieved. Similarly, the drainage information submitted to date indicates that a betterment in greenfield run-off rates could be achieved and the LLFA has advised that further drainage details could, in their view, be conditioned.

Subject to the use of Grampian style conditions as discussed above it is considered that surface and foul drainage could be managed in accordance with development plan policy.

Ecological Impact

The application site comprises of arable fields surrounded by native hedgerows and with a belt of mature tree planting to the southern boundary and other hedgerow trees within some of the other hedgerows.

The site does not lie within any area specifically designated for ecology/wildlife purposes but does fall within the defined landscape connectivity zone for Horseshoe Bats and close to the sustenance zone for Bechstein's bats which are both notifiable species associated with the Beer Quarry and Caves Special Area of Conservation.

The application is supported by an Ecological Impact Assessment which has built upon earlier ecological work including: Ecological Appraisal informed by a biological records centre data search and separate Bat Activity Survey and Dormouse Survey reports. A Biodiversity Net Gain (BNG) Design Stage report is also provided.

The survey reports indicate the site is used by foraging and commuting bats including Annex II greater horseshoe, barbastelle and lesser horseshoe bats, and nesting dormice. It also considers the site has high potential to support nesting birds but low habitat suitability for common reptiles, common amphibians and badgers.

The Council's Ecologist has reviewed the submitted survey report and whilst noting the recommendations made within these and that the fields that form the majority of

the site are themselves of low ecological value highlights that the hedgerow boundaries are a habitat of principal importance under section 41 of the Natural Environment and Rural Communities Act (2006), a Devon Biodiversity Action Plan (DBAP) habitat, and considered 'Important' under the Hedgerow Regulations 1997. The proposal would require the removal of approximately 220 metres of such habitat as well as reduction of other sections to afford visibility at the site access.

In relation to bats the survey work carried out identifies that the site, in particular hedgerows, provides suitable foraging and commuting habitats for bats and that it supports at least 11 species of bat (including Annex II species). The EclA report makes recommendations in relation to the retention of hedgerows on the site's outer boundaries; the timing of works, and; provision of an area of rough grassland to assist with foraging and connectivity.

In relation to impact on species associated with the Beer Quarry and Caves SAC, the site lies within the landscape connectivity consultation zone and the potential impact of the development has therefore been considered and screened under the Habitat Regulations. On the basis that the proposal would maintain the hedges around the periphery of the site and would not include significant lighting impacts i.e. no external floodlighting is proposed, it is considered that the proposal can be screened out from requiring Appropriate Assessment and a Stage 1 screening report is appended to this report.

With regards to dormice, survey work identified this species to be present within the southern hedgerow but they are assumed to be in all suitable habitats including all hedges and the area of woodland within and surrounding the site. The removal of the extent of hedgerow proposed (circa 220m) would require a European protected species licence (EPSL) from Natural England.

Before granting planning permission a Local Planning Authority must consider the 'three tests' under the Conservation and Habitats Regulations 2017 and whether the proposals are likely to be acceptable to 'derogate' from the legal protection afforded to the affected species. If these are not satisfied, a licence cannot be issued, and the developer may not be able to implement a grant of planning permission.

The proposals are assessed against the three tests as follows:

1. The activity is for a certain purpose

The activities are required to allow the development of the site for the purpose of the football pitch provision and in order to meet an identified need for the same. The extent of the site and the pitch requirements are such that without the proposed hedgerow removal it would not be possible to fit all the development on the site. There are recognised community benefits that would arise from the scheme and the proposals are of public rather than merely private interest.

2. There is no satisfactory alternative to the activity that will cause less harm to the species

As the extent of land forming the site is limited there is no alternative layout of the proposed pitches which would result in the removal of less habitat, or as a consequence result in less harm to the relevant species. The applicant has sought to demonstrate that there are no alternative sites available that could provide for the same extent of development.

3. *The development does not harm the long-term conservation status of the species*

In respect of the final consideration, recommendations are made for mitigation and compensation which includes enhancing existing hedges through infill planting, provision of new hedges, and scrub planting and provision of 15 dormouse nest boxes. Additionally, a new species rich hedge is also proposed along the western boundary. However, the dormouse survey report also notes scope to provide additional hedgerows along the northern sections of the site, and to create a small, wooded area beyond the western boundary, but limited details of such have been provided as part of the submitted proposals. Natural England's dormouse mitigation requires that dormouse compensation measures are "expected to result in *no net loss of dormouse habitat*" and, where no net loss is not demonstrated, robust justification provided on how the favourable conservation status will be maintained.

EDDC's ecologist has reviewed the details submitted and based on these considers that mitigation measures for protected species including bats and dormice could be provided and that those proposed are broadly acceptable, provided that outstanding concerns are addressed. Those concerns relate to the need for clarification with respect to the methodology for hedge translocation, the precise location and specification of new hedgerows, and the alignment of compensatory planting with Biodiversity Net Gain (BNG) proposals. However, it is advised that were the application otherwise considered to be acceptable that such matters could be addressed by condition and conditions to secure the following are suggested:

- A Construction and Ecological Management Plan (CECoMP);
- Provision of a lighting scheme
- No development prior to securing an Natural England licence
- A Habitat Management and Monitoring Plan (HMMP)

Overall, in terms of ecology impacts, there remains a need for further detail on aspects of the mitigation and enhancement measures. Setting aside any additional impact and assessment that may be required in relation to mitigation measures that might be required to address the issue of wayward ball-strikes, sufficient information has been provided to demonstrate that an acceptable scheme can be achieved which would mitigate the ecological impacts of the development as currently proposed and provide suitable compensation and enhancement.

Similarly, it is considered that the proposals can be screened out from giving rise to likely significant effect on the Beer Quarry and Caves SAC. On this basis the development can be considered to accord with Stgy 47 and policy EN5 of the EDLP, Policies PB01, PB03, PB04 and PB07 of the eLP and para. 193 of the NPPF.

In relation to any additional ecological impacts that may arise from the need to provide ball-strike mitigation this would need to be separately considered once the nature of any such mitigation is understood. At this stage, there is insufficient information to determine what additional ecological impact this might have.

Biodiversity Net Gain (BNG)

Biodiversity Net Gain (BNG), requirements brought forward under the Environment Act 2021 and amendments to the Town and Country Planning Act 1990, mean that, subject to some exemptions, all planning permissions will be subject to a conditional requirement to provide a minimum 10% increase in biodiversity value. The Biodiversity Net Gain (BNG) can be delivered on site, or where this cannot be achieved off-site through a registered credit scheme.

In this case, the application has been submitted with the biodiversity metric completed using the standard metric and a BNG Design Stage Report. The Council's ecologist reviewed the submitted information and identified some discrepancies and amendments have been made in response to these. It is advised that whilst a final Biodiversity Gain Plan needs to be drawn up this would need to take into account detailed landscaping proposals which are not available at this stage and further clarification would be needed to demonstrate that the 10% BNG is in addition to any separately required protected species compensation i.e. measures already required to compensate for impact on existing bat/dormouse habitat. If this shows that the BNG provision would fall short of the minimum 10% net gain for area and hedgerow habitats it would be feasible to make up any shortfall through the purchase of off-site credits – although the applicant is advised to consider the potential costs of this in drawing up any detailed landscaping plan.

In accordance with Schedule 7A of the Town and Country Planning Act 1990, development may not commence until a Biodiversity Gain Plan (BGP) has been submitted to and approved in writing by the Local Planning Authority. That plan would need to align with any final BNG documentation which takes on board the landscaping details/requirements and demonstrates how a minimum 10% net gain would be achieved and maintained for 30 years. Given that the proposal would deliver significant on-site gains this would need to be secured by means of a legal agreement this would also need to secure a BNG monitoring contribution. The contribution amount is determined on the size of the site as well as whether provision is made on-site, off-site or a combination of the two. A Habitat Management and Monitoring Plan (HMMP) would also need to be secured by condition.

Arboricultural Impact

The southern boundary of the site is formed by a belt of mature trees that provide a prominent and positive landscape feature, elsewhere other field boundaries are formed by mature hedge planting with further group of trees or individual specimens growing with the hedgerows, particularly those bounding the northeastern field.

A tree survey, Arboricultural Impact Assessment, Tree Constraints Plan, Tree Protection Plan and Arboricultural Method Statement has been prepared and

submitted as part of the application. In terms of below ground constraints, it is considered that the rooting environment of trees has been restricted due to historical ploughing of the fields and as such the Root Protection Areas of trees is likely to be offset. This being the case the proposed groundworks and level changes within the site are considered unlikely to compromise the rooting environment of the trees. On this basis it is considered that subject to conditions to secure tree protection measures that the proposal as submitted would comply with the requirements of policy D3 of the Local Plan and the relevant parts of PB08 of the eLP.

As with other issues addressed above, it is not possible at this stage to determine what impact and ball-strike mitigation might have, as there is insufficient information to determine whether ball-strike risk requires additional mitigation, what form this might taken and what impact it might have.

Amenity Impact

The site occupies a location where it is generally set away from residential development. There are though some isolated residential properties in the wider vicinity of the site including: Lower Marl pits Farm (250m to west) Colwell (350m to east), Cuckoo Down House (420m north) and Highlands (530m to northeast). In addition, there are other properties located along Tower Road route between the site and the A35 and where this would serve as the principal access route to the site. Honiton Golf Course immediately adjoins the site to the south.

Given the separation distance from the site to the nearest residential properties any impacts arising from the use of the site are likely to be from noise and increased activity/traffic. In relation to noise there would be an increase on the background noise level at the site both during the construction phase and when the pitches have been formed and are in use. In the first instance such noise impact could be intrusive but would be time limited and could be controlled by a suitable Construction and Environmental Management Plan (CEMP). In relation to noise for pitch use this again would be intrusive and its impact on the National Landscape character is discussed above but given that the periods of use would be limited and the distance to residential properties any harm arising is unlikely to result in significant amenity harm.

The increase in traffic will be notable when the pitches are in use but will not significantly impact on residential amenity.

Impacts on residential amenity are considered to be acceptable.

Heritage Impact

There are no listed buildings or Scheduled Ancient Monuments on or in the immediate vicinity of the site. The nearest listed buildings are: St. Michael and All Angels Church (grade II*) located approximately 600m to the northwest of the site and on a much lower contour, and; Old rectory Farm (grade II) located over 550 metres to the north of the site and again on a lower contour. Given the separation distance, difference in elevation and that the development proposed is relatively low lying it is not considered that the setting of these designated heritage assets would be harmed.

Devon County Council's Historic Environment Service has advised that the proposed development lies in an area of known archaeological potential, in a landscape where prehistoric cremations have been discovered and on the plateau where evidence for iron ore extraction may have taken place from the Roman through to the medieval period and may survive. This being the case, groundworks have the potential to expose and destroy archaeological and artefactual deposits associated with these heritage assets. It is therefore recommended that a programme of archaeological work to investigate, record and analyse any archaeological evidence that would otherwise be destroyed by the proposed development is secured. Such mitigation should take the form of a Written Scheme of Investigation (WSI) and as this has not been provided up front this would need to be secured by means of a pre-commencement condition so as to accord with policy EN6 of the EDLP and paragraph 211 of the NPPF. An additional condition requiring the post-excavation works to be undertaken and completed to an agreed timeframe is also required.

Subject to conditions as mentioned above, impacts on heritage assets are considered to be acceptable.

Economic benefits

Honiton Youth Football club operates as a registered charity and is therefore reliant on grants, sponsorship and donations for funding and on volunteers to run it. Whilst this clearly has positive benefits for the local community, in terms of economic benefits it does mean that the proposal would not result in any direct job creation.

Additionally, as a replacement facility, unlike say a residential proposal, it would not result in additional households in the locality who might support other local businesses or services. However, it is recognised that there would be economic benefits arising from the construction phase of the development through support of construction and associated jobs. Such benefits though would be modest in scale and time limited and as a result overall economic benefits would be of limited weight.

Health and Well-being/Community Benefits

The need for additional youth pitch provision has been set out above and it is acknowledged that the existing set-up at St. Rita's fails to meet the club's needs and aspirations and further that these needs have been identified for some time but remain unmet.

The NPPF places a strong emphasis on promoting healthy and safe communities, including the provision of and access to '*...a network of high-quality open spaces and opportunities for sport and physical activity*' (para. 102). This paragraph also goes on to state that,

"...Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate."

In terms of the EDLP, the relevant policies are discussed in the policy compliance section above but again there is in principle support for delivery of sport and recreational development to meet identified need and community aspirations.

The East Devon Playing Pitch Strategy 2015 (PPS) and following on from this the Honiton Sports Pitch Strategy 2017 (SPS) respectively assessed need and makes recommendations for delivery against this need. These policy documents are discussed in detail above, however, there is acknowledgement that the need identified for youth football pitches in the PPS has not been met and that the options for delivery as outlined in the SPS have not come forward. It is further accepted that an update to the PPS is overdue.

Sport England have provided comments in support of the proposal and have highlighted the lack of security of tenure at the club's current site and need for additional pitch provision, they have also highlighted health and safety concerns relating to the use of the current site and lack of welfare facilities.

The provision of this facility would undoubtedly give rise to potential health and wellbeing benefits by improving the quality of the existing youth football facilities; improving the related welfare facilities and increasing opportunities for participation in the sport. Whilst there are some potential safety benefits related to improved access these are likely to be offset by similar issues for pedestrians seeking to access the proposed site.

The proposal has elicited significant support, albeit this appears to be primarily from those with an active interest in the club (parents, carer's etc.), as opposed to more widespread community support. Nevertheless, this doesn't diminish the strength of support expressed.

The applicant has intimated that failure to find appropriate alternative facilities would threaten the ongoing operations of the club and it is noted that the lease has expired on their current site. However, it is understood that there is an offer of a new lease from the Landlord for the St Rita's site (to EDDC) and that in turn a sub lease to the club has been offered for the continued use of the St. Rita's site. This being the case were the current application not to be successful it would appear that the club could continue to operate from the current site, albeit the deficiencies with this would not have been addressed.

It is considered that the proposal, by providing improved quality and quantity of provision would give increase opportunities for participation in youth football and as a result health and wellbeing benefits which weight in favour of the scheme. However, as there appears to be no barrier to the continued operation of the club from their current site this reduces the weight that can be afforded to this benefit.

Other Issues

Sustainable construction/Renewables

Stgy 38 of the EDLP follows guidance in National Planning Policy that seeks to support the transition to a low carbon future including through the design of new buildings and

the use of renewables. Policy CC02, amongst other policies of the eLP, also seeks to minimise the carbon footprint of the development and requires applications to demonstrate how relevant standards would be met to achieve this requirement.

The proposal includes the provision of solar panels on the south facing roof slope of the clubhouse building to meet its energy generation needs. The applicant has been asked to confirm how any additional energy demand, over and above that provided by the proposed solar PVs, would be met. In response, they have suggested that the energy requirements of the building would be minimal and could be met by the proposed PVs and associated battery storage.

Water supply

In relation to water supply the application indicates this would be supplied primarily through the use of a rainwater harvesting system. This is detailed on the drainage plans for the clubhouse and would be capable of use for non-potable water needs i.e. toilet flushing, laundry, watering etc.

No details of the means of meeting the potable water requirements of the site have been provided and where it is understood that no mains supply is available. It is possible that a borehole supply could be sought but no details of a borehole location, depth or extraction rate have been provided. In addition, the proposal would need an abstraction licence from the Environment Agency if it was proposing to withdraw more than 20m³ a day.

The applicant has been asked to explain how it is proposed to meet the potable water requirements of the development and whether there has been any initial testing in relation to the feasibility of water extraction, the following comments have been provided:

“At this stage no direct samples have been taken from the proposed borehole, as the borehole has not been commissioned due to lack of current lease on the land. However the borehole will draw from the same groundwater table that is already in use by a number of other nearby properties, which have historically demonstrated reliable and potable water quality without indication of contamination.

The proposed borehole is on elevated ground where the superficial geology comprises predominately clay with flint. The clay layers are of low permeability and provide a natural barrier, limiting direct surface infiltration and reducing risk to the underlying water table. The site is located within a rural impact area and there is no known agricultural, industrial, chemical or waste handling activity within the groundwater catchment that would be reasonably expected to compromise water safety.

We intend to commission a borehole and test for water quality as part of the initial, post planning activities. Should any treatment be required to ensure compliance, filtration or disinfection equipment will be installed and monitored to ensure continued water safety.

Alternatively given the very limited need for drinking water, this could be provided via bottled water. However, we believe that treatment or transported water will not be required for the reasons previously stated.”

At this stage, how the potable water needs of the development would be met remain unclear. However, as there is a reasonable likelihood that a solution can be found it is considered that the matter could be controlled by a Grampian style condition requiring a scheme for the provision of potable water to be agreed prior to the initial beneficial use of the clubhouse.

BMV land

The NPPF at para. 180 states that planning policies and decisions should contribute to and enhance the natural and local environment, including by ‘...*recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land.*’ Furthermore, ‘... *where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality*’ and ‘*the availability of agricultural land used for food production should be considered, alongside the other policies in this Framework, when deciding what sites are most appropriate for development.*’

Policy EN13 of the EDLP states that BMV land will be protected from development not associated with agriculture or forestry and that planning permission for such development will only be granted exceptionally if there is an overriding need for the development and either sufficient land of lower grade is unavailable or such land has other environmental value that outweighs agricultural consideration or the benefits of the development justify the loss of high quality agricultural land. Policy OL10 of the emerging Local Plan has similar requirements.

The application relates to land classified as undifferentiated grade 3 land and as such requires further assessment, to determine whether or not it represents BMV (Best and Most Versatile) agricultural land. BMV land being defined in the NPPF as land in grades 1, 2 and 3a of the Agricultural Land Classification.

The applicant has provided an Agricultural Land Classification report, which included desktop and site review. The report concludes that the site should be classified as Grade 4 agricultural land. This is based on the wetness of the soil and the soil texture (Silty Clay and Clay soils). On this basis the proposal would not result in the loss of BMV land.

Other uses of the clubhouse/site

The submitted Design and Access Statement refers to discussions with other local community groups ‘...*with an aim to share the facilities and clubhouse across multiple organisations*’. In principle, making efficient and effective use of buildings is encouraged and support for such is found in policy RC7 of the Local Plan and CF01 of the eLP. However, the appropriateness of encouraging alternative/additional uses needs to be considered in light of the sustainability of the building’s location and accessibility to it by alternative modes of transport. As set out above, users of the

building/site would be highly reliant on the use of private transport to access it and expanding the use for other purposes, where the transport and sustainability implications of such have not been assessed, is not considered to be appropriate. In the event that the proposal was found to be acceptable in other regards it would be necessary to restrict the use of the site only for use as a clubhouse in association with the football club use rather than an open Local Community (F2) use.

Gas Pipeline

A major Hazard gas pipeline runs on land on the opposite side of Tower Road to the east of the application site. The eastern part of the site falls within the Health And Safety Executives (HSE) outer consultation zone for the pipeline. The HSE's web based app service has been completed and does not advise against the granting of permission based on the use of the site and number of people likely to be present at any one time.

In addition National Gas as the operator of the pipeline has been consulted and has confirmed that they wish to raise no objection to the proposal but

S.106 issues

As the application includes the provision of significant on-site Biodiversity gains, as well as the potential for off-site provision, in the event of an approval these would need to be secured by means of a legal agreement which would also need to secure a BNG monitoring contribution. The amount of the monitoring contribution will depend on whether any off-site provision is required but the monitoring fees would be based on those set out in the report to EDDC cabinet dated 5th March 2025 and which is available to view on the BNG section of the EDDC website.

PLANNING BALANCE AND CONCLUSIONS

It is a requirement of planning law that planning decisions are determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The application proposes development in open countryside outside of any built-up area boundary as defined in the adopted or emerging East Devon Local Plans. The site is not allocated for development and whilst the development is considered to derive some limited support from certain policies of the Adopted Plan namely RC4 and RC6 its location set apart from the built-up area of the town, and where opportunities to safely access the site by sustainable means are limited, means that the proposal would be contrary to Strategies 5B and 7 of the adopted Local Plan, which seek to restrict development in the countryside, unless explicitly supported by other local or neighbourhood plan policies, and ensure development takes place where it can be safely accessed by sustainable transport.

In terms of the environmental impacts, the location of the site and lack of safe alternative means of access means that users of the site are most likely to arrive by car. The application does include some provision to improve pedestrian access to the site but due to the steepness of the route, lack of footways and lighting this is unlikely to be favoured. The location therefore weighs against the proposal. If approved a

condition could be imposed to secure an active travel plan to promote opportunities for car sharing and to minimise trip generation.

In addition to the accessibility issues relating to the location of the site, the development is proposed within a designated National Landscape and so is afforded the highest status of protection and where Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA) places a duty on authorities to “*seek to further*” the purposes for which the landscape is designated, in this instance to conserve and enhance its natural beauty. The development would involve the removal of significant extent of established hedgerow within the site and raising of levels, particularly towards the eastern end of the site. However, whilst the pitches would be tight to the site boundaries the development would otherwise be relatively well contained by boundary planting where the outer hedgerows would be retained and where additional planting, particularly at the southeastern end of the pitches and along the Tower Road frontage could be secured by condition. In looking to meet the statutory duty consideration has also been given to the potential for delivering the development on alternative sites outside the NL designation but where no suitable alternatives have been identified. Whilst the proposal could not be said to enhance the landscape, with suitable landscaping and control over external lighting the level of harm could be reduced to a localised and moderate to moderate-low adverse landscape effect so as to conserve the natural beauty of the wider landscape.

The proposal would also give rise to ecological impacts through the removal of habitat, particularly the loss of hedgerow, which is likely to impact dormice and bats and where a protected species licence would be required. Given the identified need for the pitch provision, the lack of suitable alternatives and that compensation and mitigation measures could be secured by condition the derogation test is capable of being met.

Whilst overall, it is considered the submitted proposals would result in some environmental harm this could be reduced and mitigated through the imposition of suitable conditions and a legal agreement to secure the required BNG provision. However the assessment of harm in relation to environmental impact has only been able to consider the impact of the ‘as submitted’ details, it has not considered any additional impacts that might arise as a result of provision of additional mitigation measures that may be required to address the impact of ball strikes from the adjoining golf course. Where mitigation measures are identified as necessary these could include requirements for measures such as netting along sections of the boundary and where the implication of this in terms of ecological, arboricultural and visual impact would need to be given further consideration and where there is no guarantee that this would of itself have an acceptable impact.

With regards to social impacts the current facilities used by the club are limiting the opportunities for engagement in youth football and where there is an acknowledged under-supply of pitch provision. This under-supply has been present for a number of years and where no alternative means of meeting the demand has been brought forward. The provision of additional pitches and a clubhouse to serve the club would expand opportunities for engagement in youth football in the town which would help to deliver both community and health and well-being benefits and therefore in turn provide positive social benefits. The proposal benefits from a strong level of community support (although objections are also noted) as well as from Sport

England, whose aims include helping people to enjoy and access sport. The proposed provision against an identified need weighs strongly in favour of the scheme.

The proposal would deliver some limited economic benefits during the construction phase of the development and deriving from construction-based employment. In the longer-term economic benefits would be limited as the club is run as a charity.

Considering all the likely impacts and benefits of the proposal this is a carefully balanced decision. The location of the site in open countryside, within a National Landscape and where users are likely to rely on private transport to access the facilities clearly weighs against the proposal. On the other hand, there is a clear, long standing and unmet demand for additional youth pitch provision to serve the town and where the options for expansion at the club's current site, or alternative provision elsewhere are extremely limited by land availability and by other matters such as topography and flood risk.

It is unfortunate that the applicant has been unable to provide additional details relating to drainage and landscaping at this stage, but it is recognised that there are financial costs in doing so without any guarantee of permission being granted. This is also the case in relation to the request for a ball-strike assessment. However, whilst in terms of drainage, ecology and landscaping it is considered that sufficient information has been provided to allow determination of the application and where the relevant technical consultees have confirmed that, in the event of a positive recommendation, that any outstanding matters could be addressed by suitably worded conditions and a legal agreement, this is not the case in relation to the ball-strike assessment.

It is regrettable that the application of para. 200 of the NPPF to the proposal was not considered earlier in the determination of the application but officers have now considered its relevance and implications and consider that it does apply. This being the case, the responsibility for provision of mitigation measures to prevent wayward ball-strikes from the golf course is considered to lie with the applicant, not the operators of the golf course, as was originally considered to be the case. On this basis, the applicant has been requested and has been given time to provide further information, in the form of a ball-strike assessment to determine what the level of safety risk is and whether this could be appropriately mitigated. However, the applicant disagrees on the issue of the application of para 200 to the proposal and as such has chosen not to provide the requested ball-strike assessment.

As the responsibility for the provision of any mitigation measures, that may be required, falls to the applicant, as the agent of change, any such measures would also need to be provided on the application site. Without information to inform mitigation requirements (a ball-strike assessment) it is not possible to conclude that a) any risk arising could be suitably mitigated within the application site and b) that any mitigation measures would in themselves be acceptable and would not give rise to other unacceptable impacts. Regrettably therefore, officers are unable to conclude that the development would be acceptable, as there is insufficient information available to reach such a conclusion, the application is therefore recommended for refusal.

RECOMMENDATION

REFUSE for the following reasons:

1. Insufficient information has been submitted to enable the Local Planning Authority to properly assess the potential public safety risks arising from the proximity of the proposed development to the adjoining golf course. In the absence of a robust risk assessment, including details of the likely trajectory and frequency of golf balls and an evaluation of appropriate mitigation measures, it has not been demonstrated that the proposal would provide a safe environment for future users of the site. Furthermore, without a full understanding of the safety risk it is not possible to determine what mitigation measures might be necessary and whether these could be effectively and acceptably accommodated within the application site without resulting in harm to the visual amenity or landscape character of the area, or to arboricultural or ecological interests on, adjoining or using the site. As such, the proposal fails to demonstrate that it would safeguard public safety and not give rise to harm to the character and appearance of the area, or arboricultural or ecological interests and is therefore contrary to Strategies 7 (Development in the Countryside), 46 (Landscape Conservation and Enhancement and AONBs) and policies D1 (Design and Local Distinctiveness), D3 (Trees on Development Sites) and EN5 (Wildlife Habitats and Features) of the Adopted East Devon Local Plan 2013-2031 and the objectives of the National Planning Policy Framework, in particular paras. 102 and 135, which seek to ensure developments provide a safe and suitable environment for all users.
2. In the absence of a legal mechanism to secure its provision, the proposal fails to demonstrate how the statutory requirement to deliver 10% Biodiversity Net Gain would be secured, delivered, managed and monitored for the required 30-year period. As such, the Local Planning Authority cannot be satisfied that the development would result in measurable and secured biodiversity improvements or that these would be maintained in the long term. The proposal is therefore contrary to the requirements of Schedule 7A of the Town and Country Planning Act 1990 (as amended), the Environment Act 2021, and the objectives of the National Planning Policy Framework which seeks to minimise impacts on and secure net gains for biodiversity.

NOTE FOR APPLICANT

Informative:

In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 in

determining this application, East Devon District Council has worked proactively and positively with the applicant to attempt to resolve the planning concerns the Council has with the application. However, the applicant was unable to satisfy the key policy tests in the submission and as such the application has been refused.

Plans relating to this application:

067/001 A	Location Plan	22.04.24
067/013 B	Combined Plans	22.04.24
067/012.1 A : pedestrian access as proposed	Other Plans	20.02.25
067/012 A	Proposed Site Plan	20.02.25
067/003 A: existing and proposed site sections	Combined Plans	17.09.25
067/014 F: club house drainage plan	Other Plans	17.09.25
GMA0930.33-2 rev 3: Drainage design	Other Plans	17.09.25

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.

Appendix 1 - Consultation comments in full

LOCAL CONSULTATIONS

Honiton Town Council

26.03.25

Cllr R Collins spoke against the proposal.
Members RESOLVED to maintain their SUPPORT for the application.
For 3; Against 0; Abstentions 2

17.05.24

Support

Note: Members noted the Ecological appraisal provided by Quantock Ecology. Should planning consent be granted Members would wish to see a planning condition attached requiring the applicant to carry out the development in accordance with the recommendations and mitigation measures in the Ecological appraisal provided. Members would then wish to be provided with the evidence submitted by the applicant to show compliance with the recommendations of the Ecological appraisal.

For 5; Against 0; Abstentions 1

Honiton St Pauls - Cllr Tony McCullom

As a ward member for St Pauls Ward Honiton, I am in full support of this application for Honiton Youth Football.

Honiton is in need of more youth sport services, this when approved will fulfill one of the needs for increased sports facilities in the town.

If my opinion differs from that of the planning officers then I would like this to go before committee where it can be debated in a frank and open manner.

(Adjoining Ward) Honiton St Michaels - Cllr Violet Bonetta

I support this application. It is important to keep Youth Football in Honiton for the various physical and mental health benefits this provides to our community.

I have interacted with the organisation involved and know how much they are struggling at the moment in their not fit-for-purpose site, and this proposal will provide the much needed space and facilities for this to continue well into the future.

(Adjoining Ward) Honiton St Michaels - Cllr Jenny Brown

Good morning

I am in favour of this application for the youth football pitches and ancillary buildings.

If the officers opinion is different to mine then I would like it to go to committee where I will keep an open mind until I have heard all the information both for and against.

(Adjoining Ward) Honiton St Michaels - Cllr Roy Collins

Roy Collins supports objectors for this application.

Application to be rejected.

(Adjoining Parish) Clerk To Offwell Parish Council

22.03.2025

Offwell Parish Council notes the 14 new documents supplied in relation to Planning Application 24/0841/MFUL

Having reviewed all the documents, the Parish Council resolved on the 19th March 2025 that it sees no reason to change our objection submitted on 23 May 2024 including the Detailed Critique of the Transport Statement.

The Parish Council would also like to add the following additional comments;

1. We note that DCC Flood Risk SuDS Consultation still objects
2. We disagree with the statement in Honiton YFC ALC Report Executive Summary that the site is not prone to flooding as water regularly flows off the fields and onto Tower Road.
3. The Ecological Impact Statement does not answer all the concerns raised by both the Devon Wildlife Trust and the EDDC District Ecologist. A more detailed and sustained Bat Survey and Nesting Bird Survey has not been supplied. In addition, no mention is made of the proposed Golf Ball Netting Protection and its affect on wildlife and no mention is made of the noise generated at the site by both players and supporters and its affects on the local wildlife. They also have not submitted a completed Beer Quarry and Caves SAC Shadow HRA document.
4. We caution against making outstanding documents as conditions after granting of Planning Permission due to the current resources in EDDC Planning Department.
5. There is still no indication of drainage provision from the Car Park areas.
6. There has been no study submitted as required by the Devon County Archaeologist.
7. The proposed Pedestrian Access is totally unsuitable for Disabled Access due to steepness of Cuckoo Down Lane.

Finally, we note that Honiton Community College has submitted a planning application for 3G artificial pitches, 24/2662/FUL.

We fully support this application as it provides a facility for Honiton Youth FC to use and will be an asset for all the community. It satisfies most requirements of the East Devon Local Plan. It is easily accessible, children will easily be able to walk or cycle to the College and is served by Public Transport, satisfying Strategy 5B. It will be available to use all year round including evenings in the autumn and winter because the proposal includes floodlighting and the application states it will also be available for Community organisations to use. It is also not in an AONB and is also within the Built Up Area of Honiton.

None of this is true for Honiton Youth FC's application.

23.05.24

Offwell Parish Council resolved at a meeting on the 22nd May 2024 to object to Planning Application 24/0841/MFUL on the following grounds: _

Offwell Parish Council notes that while this is in the Honiton area, it is on the border of Offwell Parish Council and residents affected by this proposed development are mainly in Offwell Parish Council, not Honiton. In addition Offwell Parish Council was not consulted or invited to the meetings mentioned in Section 6, Statement of Community Involvement, of the Detailed Planning Application, nor was it aware of these meetings.

Para 7.25 of the Detailed Planning Application makes no mention of the closest properties by road, namely Colwell House, whose entrance is opposite the site, Highlands which is a short way along Tower Road or Cuckoo Down House located on Cuckoo Down Lane and is The School of Art and Well Being. These properties are the most severely affected by this proposal as well as the other residents of Tower Road. None have been consulted by Honiton Youth FC about this proposal.

EDDC Honiton Pitch Strategy 2017

This 46 page comprehensive document plus 8 appendices and 6 other documents has been adopted by EDDC after recommendation by the Strategic Planning Committee.

It looked at various locations within the boundaries of Honiton and examines each in turn against a strict methodology and reaches a conclusion for each location.

The documents entitled "Planning Statement and Statement of Community Involvement", Para 1.5, prepared by Grassroots Planning, the "Design and Access Statement" prepared by MCA Architecture and the Transport Statement, Para 3.4, selectively quote from the Honiton Sports Pitch Strategy. They neglect to state the conclusion reached for the site called Tower Hill.

The conclusions were;

Paragraph 2E.15

The above assessment clearly shows how development of sports facilities at Tower Hill would be contrary to multiple policies of the Local Plan. The lack of accessibility by sustainable means, potential impact on the local road networks and significant anticipated impact on the landscape and AONB make the site wholly inappropriate for sports pitch delivery. Considering the alternative options that are assessed in this report it is therefore not an appropriate site to take sports pitch development.

Recommendation

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

Paragraph 2E.71 The owners of Tower Hill (H2) have stated that they would be willing to sell their land, however the above assessment clearly shows that delivering sports pitches in this location would be unsuitable and unsustainable.

Having reviewed the East Devon Local Plan 2013 to 2031, we believe the following policies and strategies are contravened;

Policy RC2 - New Open Space, Sports Facilities and Parks

Policy RC4 - Recreation Facilities in the Countryside and on the Coast

Policy RC5 - Community Buildings

Policy RC6 - Local Community Facilities

Strategy 3 - Sustainable Development

Strategy 5 - Environment. We note that the applicant claims a Biodiversity Net Gain, however other elements of this strategy are not complied with.

Strategy 5B - Sustainable Transport

Strategy 7 - Development in the Countryside

Strategy 46 - Landscape Conservation and Enhancement and AONBs

Policy D3 - Trees and Development Sites. We note the applicant claims compliance but it certainly does not improve the existing habitat.

Policy EN7 - Proposals Affecting Sites which may potentially be of Archaeological

Importance. Please see the Devon County Archaeologist's comment.

Policy EN14 - Control of Pollution Policy EN18 - Maintenance of Water Quality and Quantity

Policy TC2 - Accessibility of New Development

Policy TC9 - Parking Provision in New Development

Water Supply

The Design and Access Statement says that the proposed development will be "off-grid" and proposes a bore hole water supply.

The closest neighbour to the proposed site draws its water from a spring on their land which is directly opposite the site. They are concerned that drilling a bore hole could adversely affect their water supply. They also supply the Honiton Golf course with water, used to irrigate their greens.

There has been no calculation provided to show how much water would be used.

The Aquifer that is going to be tapped into might supply the farms on both sides of the ridge too.

What is the impact on them? The spring they use is the source of the River Coly via Offwell Brook. They have noticed over the years that the flow rate has changed dramatically.

No geological/ecological/environmental survey has been supplied as to the feasibility of tapping into this aquifer.

As a note, the Animal Collection Centre tried to drill a bore hole which failed and it had to be connected to the local reservoir. Local residents are concerned that if connection to the local reservoir was required that water pressure, which is already low, would be adversely affected.

Comments on Transport Statement

The Transport Statement says that Tower Road has a variable width of between 4.4 - 5.3m and has a number of formal and informal passing places.

This is incorrect.

Offwell Parish Council has previously conducted a road width survey in response to Planning Application 21/1798/FUL which was conducted by a retired Highways Engineer. This survey found that the road width varied between 3.8 - 5.8m, 6.5m in one location, and had 4 pinch points where 2 cars would have problems passing. There is a further pinch point near where Tower Road meets Northleigh Hill Road. In addition, there are three 90 degree bends.

The Transport Statement also says that *'Tower Road carries low volumes of vehicle traffic and is predominately used by locals travelling to the villages of Northleigh and Farway via unclassified roads'*.

It provides no evidence for this statement. In fact it is used by many large agricultural vehicles in addition to vehicles travelling to Seaton and Sidmouth areas via Farway Common Road and vehicles travelling to Honiton Golf Club.

Offwell Parish Council has previously conducted a vehicle traffic survey in response to Planning Application Number 21/1798FUL. This was conducted by local residents and during weekdays.

This survey found that there was an average of 53 vehicle movements per hour during weekdays. Though it was not conducted at weekends or evenings, weekend traffic would be approximately the same and possibly more.

The table supplied for Trip Generation at weekends show that between 9:30 and 10:00 there would be an additional 52 vehicle movements. However, this is based on the assumption that car sharing takes place. Car sharing cannot be imposed and the worst case scenario, where no car sharing occurs, must be considered. Based on the numbers given in Figure 11 this would mean there would be 100 children at the site. This would mean an additional 200 vehicle movements assuming all parents stayed for the games. If all children were dropped off then that number would double to 400 vehicle movements.

The Transport Statement also states that it will instruct visiting teams to access the site via the A35 and Tower Road. We would suggest that visiting teams will just enter the postcode into SatNav which would potential direct them via Lower Marl pits Hill being the shorter route.

In order to try and comply with EDLP Strategy 5B, the Transport Statement has a section on Walking and Cycling Provision. It indicates a cycle path via the church yard of St Michaels Church, then up Lower Marl pits Hill and then onto Cuckoo Down Lane.

We contend that this is a dangerous route. The exit from St Michaels Church churchyard has poor visibility being very close to the bends at the bottom of Lower Marl pits Hill. The exit from Cuckoo Down Lane also has poor visibility turning back on to Lower Marl pits Hill.

A more detailed critique of the Transport Statement is attached as an addendum.

Bat Activity Survey and Dormouse Survey

We welcome the fact that a Bat Survey has been conducted, but this has issues of concern. For example, the largest number of detections were for the common pipistrelle at locations Static 3 and Static 1. These are located at the boundary with Honiton Golf Club.

The Drawing titled "Proposed Site Plan" shows a "Golf Ball Netting Protection TBC with Golf Club".

This is understandable as they don't want Golf Balls flying over and hitting the children.

However, this is exactly where the highest number of Bats were detected.

Surely, there is a high probability of bats becoming entangled in this netting.

In addition, the same would apply to birds.

We also note that no nesting bird survey has been conducted.

We also welcome the fact that a Dormouse Survey has been conducted.

The conclusion is very clear; *"Taking into consideration the desk study and sight survey findings, this report concludes that the proposed development will result in impacts on dormice"*.

In addition, no Owl Survey has been undertaken. Local residents can testify to the large number of owls in the area and we believe this should also be undertaken.

A final point is that both during the construction phase and when the proposed pitches are being used due to the noise generated during the games and training sessions, all wildlife will be displaced from the area.

All these points contravene Strategy 5 of the EDLP. Also the proposed removal of Hedgerows labelled H2 and H6 contravenes Policy D3 and Strategies 3, 5 and 6 of the EDLP, although some mitigation measures are proposed.

Opening Hours

Para 3.6 of the Planning Statement and Statement of Community Involvement states Monday to Sunday 8am to 8pm.

Why?

During school term time, it will only be necessary to open in the evenings. The documents including the Transport Statement only provide details for evenings and Saturdays during the football season, August to May. No mention is made of usage during school holidays or use during the summer holidays when we understand 'Football Festivals' take place.

Clubhouse Drainage, Sewage Treatment, Rainwater Harvesting, Foul Drainage

Offwell Parish Council has grave concerns over these proposals that could affect the roadside ditches, local aquifers and various drawings, eg Drawing 067/012 A, indicate 'Issues' which will feed into the Coly Valley and River Coly.

DCC Flood Risk SuDS Consultation also has concerns and currently objects.

Devon Wildlife Trust

They objected to the previously withdrawn application and we note that they have not been consulted this time. The applicant has supplied a BIODIVERSITY NET GAIN DESIGN STAGE REPORT. We are not qualified to comment on this however we cannot see any reference to compliance with paragraphs 174d and 180d of the National Planning Policy Framework or the requirements of paragraph 99 of the ODPM Circular 06/2005 Biodiversity and Geological Conservation. Devon Wildlife Trust needs to be consulted.

Devon County Archaeologist

He recommends a "Written Scheme of Investigation (WSI)" due to the potential to expose and destroy archaeological and artifactual deposits due to evidence of prehistoric cremations and iron ore extraction from Roman to Medieval times. In addition the Ecological Appraisal states there is a Bronze Age burial field adjacent to the site (in the golf course woods).

Policy EN7 clearly states **"When considering development proposals which affect sites that are considered to potentially have remains of archaeological importance, the District Council will not grant planning permission until an appropriate desk based assessment and, where necessary, a field assessment has been undertaken"**

No such document has been supplied.

Inconsistencies in Statements in Documents

1. Para 7.30 of the "Planning Statement and Statement of Community Involvement" states *"The new facility will provide greater opportunities not just for the club for the wider community who will be able to use the facility all-year around, for longer periods of time, without the usual wear and tear that is associated with the current overused grass pitches."*

The "Design and Access Statement" prepared by MCA Architecture makes a similar statement. However, Para 11.6 of the Transport Statement states *"There is no current intention for the clubhouse facilities to be used for community use, or anything other than intended use."* **Which is it?**

2. The "Design and Access Statement" prepared by MCA Architecture states "would be suitable for 8 pitches". However, other documents and drawings state 6 pitches. **Which is it?**

3. The “Design and Access Statement” prepared by MCA Architecture talks about a phased approach to the development with the pitches being constructed first and the rest to be constructed as additional funding is achieved. We can’t find further reference to this.

If this is true where do all the cars park while sufficient funding is achieved? There wouldn’t be any changing rooms or toilet facilities.

4. Para 11.4 of the Transport Statement states “it is likely that some players will be dropped off by parents who then do not stay for the game.”. However, Para 11.8 states “*The Charity is hoping to build a suitable clubhouse for the facility which would offer refreshments and create a social environment. This may result in players and visitors remaining on the site to make use of the facilities.....*”. Figures 11 and 12 show there are minimal numbers of spectators, but the number of parking spaces would be 46 on a Saturday morning.

The two statements are not consistent.

Supporting Comments

None of the Supporting Comments by members of the public address the fact of Tower Road being a suitable location. We suspect that any application, no matter its location, would receive the same support as there is a need for Honiton Youth FC to have a better home.

However, the issue is the site suitable or not?

Other Concerns

The sub-soil of the proposed site is heavy clay and there is a lot of run-off from the fields which can become waterlogged. Cuckoo Down Lane and Marl pits Hill are awash in heavy rain, with a strong enough flow to open up potholes and wash stones and debris down the hill.

There would have to be extensive earth removal to create the proposed pitches. Where would this be removed to? While this was being done, soil and clay would be brought onto Tower Road causing it to be dangerous and eventually washing off into the road side ditches.

We are also concerned that the additional drainage required to create the pitches would result in these road side ditches being overwhelmed.

In the winter months, even up to May and beyond, the area can be shrouded in thick cloud while Honiton town is clear. This would prevent any play as visibility would be less than a length of a football pitch.

Security. There seems to be no indication of how the site will be secured when not in use. What measures are there to prevent anybody using the pitches for a “kickaround” at any time when not being used?

Lighting. Although the application says “No lighting will be placed on the proposed football pitches” (Para 7.20 of Planning Statement and Statement of Community Involvement), this would make the pitches unusable for evening practice sessions

during the winter months from late October to March. Therefore why the need to stay open to 8pm? One of the primary aims of an AONB is the conservation and enhancement of the natural beauty incorporating matters of tranquillity, dark skies, wildlife impact and landscape character. Any future application to provide football pitch lighting should be refused.

Conclusion

While the Parish Council recognise the need for the provision of facilities for youth football, the Tower Road location is totally unsuitable and inappropriate for the location of sports pitches. In addition, it is unsustainable and does not comply with many policies and strategies of the East Devon Local Plan.

The proposed development is located in the open countryside designated as an Area of Outstanding Natural Beauty and would represent an alien intrusion into the countryside to the detriment of the natural beauty of this underdeveloped part of the AONB.

Local residents have indicated to the Parish Council that they would consider legal action should EDDC Planning approve this application as so many Policies and Strategies of the EDLP are not complied with.

We would also like to state that we consider this matter to be a failure by EDDC to work with Honiton Town Youth FC to find a suitable location or locations within the Built Up Area of Honiton rather than let them try and find a location which in this case we consider to be wholly unsuitable. EDDC needs to be proactive in working with community groups rather than have them waste a lot of time and money on abortive planning applications.

We urge that this application be refused.

The separate detailed critique of the Transport Statement is attached as an addendum to this objection.

Detailed Critique of the Transport Statement

The following is a critique of the Transport Statement (TS) which the applicants submitted in support of the planning application 24/0841/MFUL. This critique document is an addendum to and forms part of Offwell Parish Council's objection to Planning application 24//0841/MFUL.

The paragraph numbers referred to are to be found in the TS unless otherwise noted.

3 POLICY CONTEXT

To begin with Para. 3.2 of the TS refers to the National Policy Framework (NPPF), the paragraph quoted is not 115 but 111.

There are other paragraphs in the NPPF which are salient to this application but not referred to in the TS, the following are extracts from the NPPF should also have been considered and satisfied.

NPPF 109 “..... significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”

NPPF 110 “Planning policies should.....d) provide an attractive and well-designed walking and cycling network.....”

NPPF 114 b) “safe and suitable access to the site can be achieved by all users.....”

NPPF 115 “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe”.

NPPF 116 a) “... give priority first to the pedestrians and cycle movements both within the scheme and the neighbouring areas and second, so far as reasonably possible, to facilitate access to high quality public transport”.

Para 3.3 refers to Policy 98 of the EDDC Emerging Local Plan which also puts “a particular emphasis attached to ensuring safe pedestrian and bicycle accessibility.”

None of the above requirements have been addressed or satisfied in the TS.

The only consideration to a safe route for pedestrians is within the site and the St Michaels church yard. There are no proposals to construct improvements to the public highway to facilitate safe passage.

Para 3.5 The alternative access route runs through the St Michaels church yard and directs pedestrians or cyclists back to the public highway on a double bend with high hedges, no refuge for pedestrians and insufficient visibility on a 60mph road.

5. MEANS OF ACCESS

Para 5.3 Figures 3 and 4 are photographs taken from the edge of the road, which is misleading, the accepted point from which visibility is determined is 2.4m back from the edge of the carriageway or 2m in lightly trafficked areas.

Para 5.4 suggests minimal adjustment will need to be made to ensure visibility and Fig 2 includes visibility sight lines for the entrance. The southwest visibility line runs to the channel on the far side of the road whereas visibility has to be provided to the nearside channel. To provide sufficient visibility a considerable length of Devon hedge bank will need to be reduced in height to 600mm above road level in order to comply with modern requirements. The sight line to the northeast extends to the pinch point at the entrance to Colwell House a blind spot on this approach in Tower Road.

Para 5.5 Cuckoo Down Lane is a narrow single-track road with no verges between Lower Marl pits Hill and the proposed entrance to the site. There is no room for the creation of a drop off point and only one passing place above the pedestrian entrance to the site. One end of Cuckoo Down Lane leads onto Tower Road and the other to Lower

Marlpits Hill both at blind bends with negligible visibility. Not an ideal route to encourage more vehicles to emerge from what is little more than an agricultural track with a width restriction.

6 VEHICLE ACCESS ARRANGEMENTS

Para 6.1 Tower Road is a local distributor road with a national speed limit, traffic includes a good proportion of large agricultural vehicles, bulk tankers and HGV's gaining access to the coast from the A35 trunk road.

Para 6.3 The road varies in width from 3.8m to a maximum of 6.5m in one location, from the A35 to the proposed site there are four pinch points, at the garden centre 4.0m, at the Old Coach House 4.4m, at Holmelea House 4.3m, at Spring Field Farm 3.9m and at the entrance to Colwell House 3.6m. There are 20 entrances to fields and private properties 15 of which have insufficient visibility. It does not accommodate two-way traffic in both directions.

Para 6.4 There are only two formal passing bays in the 2km long Tower Road and the informal passing bays referred to are private driveways.

Para 6.5 If it is to be believed that Tower Road carries low volumes of traffic then the effect of 52 vehicles in a half hour period every weekend would be significant.

Para 6.6 The proposal that local and visiting teams would be directed off the A35 at Tower Cross is at odds with the response from National Highways dated February 2024 which states that *"it is considered that the majority of associated traffic.....will remain largely contained to the local highway network."*

Para 6.7 Is at odds with 6.6, will local teams gain access by the A35 or not?

Para 6.8 The submitted planning application form states that the facility will be open from 8am to 8pm every day of the week including bank holidays and other subject matter indicates that the organisation wish to encourage the use of the club house to other associations in the area, therefore it is impossible to state that travel *"will be outside the normal highway peaks"*

7 ACCIDENT DATA

This Chapter makes no reference to accident statistics on the A35. Para 11.19 states that both teams will arrive from the A35, the predicted car use in Fig 11 shows 52 vehicle movements in a half hour period. This will inevitably lead to tail backs on the trunk road in all probability back to the sharp bend, known as Devils Elbow, immediately before Tower Cross. An accident waiting to happen.

8 WALKING AND CYCLING PROVISION

Comments on the use of St Michaels church yard have already been discussed in this document see Para's 3.3 and 3.5 above although it is unclear how the Sports Association will ensure that children use this route. Beyond the exit ramp from the graveyard Lower Marl pits Hill rises at a gradient of 14% up to the junction of Cuckoo Down Lane. There are no footways on this section of road with a national speed limit, a rough verge exists adjacent to the farm access, but children will need to cross Lower Marl pits Hill to Cuckoo Down Lane at a point near the blind double bend above Stoney Lane. To reiterate, Cuckoo Down Lane also has no verges on which to walk.

The corollary of the foregoing is that, for reasons of safety, parents will surely deliver their children to the site by private transport as no public transport exists. This, of course is contrary to the Standing advice to the local planning authority, an excerpt of this can be found in the response from National Highways response, which reads. *"The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this, with paragraphs 74 and 109*

prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 108 and 114 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.”

EDDC planners must take note of this National requirement.

9 PUBLIC TRANSPORT PROVISION

None exists or will ever likely to be in the future.

10 PARKING PROVISION

Given the foregoing comments and the experience of the local inhabitants of Ottery Moor Lane, the current site, it is debatable whether parking for 52 vehicles will be adequate and there are no parking places for mini buses or coaches, where will the latter park after the drop off? Additionally there is no allowance for segregation of delivery lorries or refuse vehicles from the private parking spaces.

There is no provision for a drop off point but more importantly a collection point, unlike the wide Ottery Moor Lane, Tower Road will become blocked with vehicles left parked whilst parents look for their children.

11 HIGHWAY IMPACT

Para 11.2 No opportunities exist for sustainable transport.

The impact of traffic through matches will “*only occur*” on Saturdays from August to May ie 10 months of the year and in evenings from April to October ie 7 months of the year. This impact is in addition to the training events, as previously stated the planning form notes 8am to 8pm every day of the year.

Para 11.3 It is questionable whether one parent will generally transport two to three additional players to each event ie four children in total, but this assumption is used in Figs 11 and 12 and used to determine the parking requirement.

Fig 12 shows hours of use which are incorrect. The final two columns should be headed 7.30pm and 8.00pm. Has the same care been taken in generating the figures in the table?

Para 11.16 Whilst the current intention is to limit the use of the club house to the football players other documents indicate that this may not be the final plan, if the proposal is passed by the planners this could be any day of the year.

12 CONCLUSIONS

Para 12.1 The need to find a suitable youth football facility in Honiton is not in dispute. Traffic chaos is witnessed weekly by residents in Ottery Moor Lane despite the road being 7.3 to 8.5m wide with a footway and close connection to a bus service. Transferring this volume of traffic to a rural road would be catastrophic.

Para 12.2 The foregoing has demonstrated that walking and cycling is not an option. The proposal does not remove the need to walk or cycle on Lower Marl pits Hill.

Para 12.3 The planning application notes that the development will be open 8am to 8pm everyday including bank holidays.

Para 12.4 How will the club intend to place limits on the arrival times of vehicles?

Para 12.5 There is enough evidence to show that if the guidelines of the NPPF are followed the application should be refused both on the grounds of safety, sustainability and the impact on the road network.

Parish Council Conclusion

In conclusion it is the firm belief of the Parish Council that this application should fail on the following points:-

On the grounds of safety, the presence of unsupervised school children on a 60mph road with inadequate visibility, no footways and a 17% (1 in 6) gradient.

On the grounds of sustainability, there is no public transport in the vicinity of the proposed site.

On the grounds of impact on the road network, if passed, the facility will open 8am until 8pm every day of the year with no clear plan to control the passage of vehicles to and from the site.

TECHNICAL CONSULTATIONS

DCC Flood Risk SuDS Consultation

09.10.25

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013-2031). 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 has submitted the following additional information:

- (a) Clubhouse Drainage (Drawing No. 067 / 014F, Rev. -, dated May 2023),
- (b) Drainage Design (Drawing No. GMA0930.33-2, Rev. 3, dated 09th June 2025).

However, the applicant has not submitted any supporting greenfield runoff calculations or model output results to demonstrate how the attenuation storage is derived. We therefore are unable to carry out further review to the proposed drainage strategy.

The applicant shall also address the previous comments raised in the previous consultation response FRM/ED/0841/2024, dated 15th May 2024.

15.05.24

At this stage, we object to this planning application because we do not believe that it satisfactorily conforms to Policy EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013-2031). 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 has submitted Preliminary Flood Risk Assessment and proposed drainage strategy (dated March. 2023) to demonstrate the surface water management for the development site.

The applicant has proposed managing surface water from the clubhouse and parking area using a soakaway and rainwater harvester. Additionally, they proposed to manage surface water from the football pitches using filter drains before draining it into swales (detention basins), and then conveying it by field ditches.

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)).

Following the update of the Flood Risk Assessments: Climate Change Allowances document in May 2022 by central government, the applicant will be required to use the new climate change uplift value when sizing the proposed surface water drainage management system for this development.

We only accept FEH rainfall for new applications in line with best practice. The FSR is based on a dataset from 1970s and is out-of-date.

The applicant should provide evidence to clarify why the football pitch's impermeability is 10%.

A maintenance schedule has been submitted. However, the applicant must also confirm who shall be responsible for maintaining the entire surface water drainage system.

The applicant must submit details of the exceedance pathways and overland flow routes across the site in the event of rainfall in excess of the design standard of the surface water drainage management system.

Devon County Archaeologist

07.05.24

Application No. 24/0841/MFUL

Land West Of Tower Road And East Of Cuckoo Down Lane Honiton - Detailed planning application for the change of use of land to football pitches, erection of clubhouse, new access and parking, landscaping, engineering and ancillary works: Historic Environment

My ref: ARCH/DM/ED/39530a

I refer to the above application and your recent consultation. The proposed development lies in an area of known archaeological potential in a landscape where prehistoric cremations have been discovered and on the plateau where evidence for iron ore extraction may have taken place from the Roman through to the medieval period and may survive. As such, groundworks for the construction of the proposed pitches, drainage and clubhouse have the potential to expose and destroy archaeological and artefactual deposits associated with these heritage assets. The impact of development upon the archaeological resource should be mitigated by a programme of archaeological work that should investigate, record and analyse the archaeological evidence that will otherwise be destroyed by the proposed development.

The Historic Environment Team recommends that this application should be supported by the submission of a Written Scheme of Investigation (WSI) setting out a programme of archaeological work to be undertaken in mitigation for the loss of heritage assets with archaeological interest. The WSI should be based on national standards and guidance and be approved by the Historic Environment Team.

If a Written Scheme of Investigation is not submitted prior to determination the Historic Environment Team would advise, for the above reasons and in accordance with paragraph 211 of the National Planning Policy Framework (2023) and Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan, that any consent your Authority may be minded to issue should carry the condition as worded below, based on model Condition 55 as set out in Appendix A of Circular 11/95, whereby:

'No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out at all times in accordance with the approved scheme as agreed in writing by the Local Planning Authority.'

Reason

'To ensure, in accordance with Policy EN6 (Nationally and Locally Important Archaeological Sites) of the East Devon Local Plan and paragraph 211 of the National Planning Policy Framework (2023), that an appropriate record is made of archaeological evidence that may be affected by the development.'

This pre-commencement condition is required to ensure that the archaeological works are agreed and implemented prior to any disturbance of archaeological deposits by the commencement of preparatory and/or construction works.

In addition, the Historic Environment Team would advise that the following condition is applied to ensure that the required post-excavation works are undertaken and completed to an agreed timeframe:

'The development shall not be brought into its intended use until the post investigation assessment has been completed in accordance with the approved Written Scheme of Investigation. The provision made for analysis, publication and dissemination of results, and archive deposition, shall be confirmed in writing to, and approved by, the Local Planning Authority.'

Reason

'To comply with Paragraph 211 of the NPPF (2023), which requires the developer to record and advance understanding of the significance of heritage assets, and to ensure that the information gathered becomes publicly accessible.'

I would envisage a suitable programme of work as taking the form of a staged programme of archaeological works, commencing with (i) an archaeological geophysical survey followed by (ii) the excavation of a series of evaluative trenches to determine the presence and significance of any heritage assets with archaeological interest that will be affected by the development. Based on the results of this initial stage of works the requirement and scope of any further archaeological mitigation can be determined and implemented either in advance of or during construction works. This archaeological mitigation work may take the form of full area excavation in advance of groundworks or the monitoring and recording of groundworks associated with the construction of the proposed development to allow for the identification, investigation and recording of any exposed archaeological or artefactual deposits. The results of the fieldwork and any post-excavation analysis undertaken would need to be presented in an appropriately detailed and illustrated report, and the finds and archive deposited in accordance with relevant national and local guidelines.

I will be happy to discuss this further with you, the applicant or their agent. The Historic Environment Team can also provide the applicant with advice on the scope of the works required, as well as contact details for archaeological contractors who would be able to undertake this work. Provision of detailed advice to non-householder developers may incur a charge. For further information on the historic environment and planning, and our charging schedule please refer the applicant to: <https://new.devon.gov.uk/historicenvironment/development-management/>.

Yours faithfully,

Stephen Reed
Senior Historic Environment Officer

DCC - County Highway Authority

19.05.24

Observations:

I have visited the site and reviewed the planning documents.

This application was put forward to the County Highway Authority (CHA) initially as a pre-application enquiry, with our feedback the application is now put forward as a full application.

Though there are currently two accesses for the current site as an agricultural field, it is agreed that the most suitable, to need and visibility is a single two-way suitable access point to the west of the two existing access points, due to this point having sufficient visibility both ways of Tower Cross Road, with the visibility splay shown Figure 3 (north-east view) and Figure 4 (south-west view) of the Transport Assessment being acceptable.

Tower Road being the preferred routing option for vehicles has a number of passing places, though typical two-way traffic frequently passes simultaneous.

A second footway access leads to the Cuckoo down Lane/Lower Marl pits Hill cross-road, with this short stretch of lane facilitating a shared space road to Honiton itself.

The proposed development will mostly be utilised outside of daily peak travelling hours, therefore I do not believe trip generation intensification will be a problem.

The site layout allows for 52 suitable parking spaces and 4 suitable disabled spaces, should the application be approved, I recommend secure cycle storage to encourage sustainable travel and a Construction and Environment Management Plan, (CEMP), to help mitigate the effects of construction.

Recommendation:

THE DIRECTOR OF CLIMATE CHANGE, ENVIRONMENT AND TRANSPORT, ON BEHALF OF DEVON COUNTY COUNCIL, AS LOCAL HIGHWAY AUTHORITY, MAY WISH TO RECOMMEND CONDITIONS ON ANY GRANT OF PLANNING PERMISSION

EDDC District Ecologist

14.11.25

1 Review of submitted details

Review of submitted details

This report forms the EDDC Ecology response to the above application. It should be read in conjunction with the previous responses dated 07/06/2024, and 25/04/2025.

An updated Ecological Impact Appraisal (Quantock Ecology, September 2025), Biodiversity Net Gain Report (Quantock Ecology, September 2025) and an amended Statutory Biodiversity Metric (Quantock Ecology, September 2025) have been provided.

Beer Quarry and Caves Special Area of Conservation (BQ&C SAC)

The site is located within a Landscape Connectivity Zone for lesser horseshoe bats associated with Beer Quarry and Caves Special Area of Conservation (BQ&C SAC). Lesser horseshoe bats were recorded using the site and the development would result in the loss of hedgerow habitat.

The proposals do not include the provision of floodlighting and despite the proposed

hedgerow removal there is still potential landscape connectivity over the site for commuting lesser horseshoe bats. Despite potential lighting impacts from the proposed club house and habitat loss via hedgerow removal, this is considered unlikely to affect the favourable conservation status of lesser horseshoe bats associated with BQ&C SAC and as such the development has been screened out of an appropriate assessment. However, this decision would need to be reconsidered if any flood lighting is proposed in the future.

Protected species

Based on the submitted details, it is considered that mitigation measures for protected species including bats and dormice could be provided and are considered broadly acceptable, provided that outstanding concerns are addressed.

The updated ecological reports demonstrates efforts to compensate for habitat loss and enhance connectivity, with additional planting and hedgerow creation proposed. However, further clarification is required regarding the methodology for hedge translocation, the precise location and specification of new hedgerows, and the alignment of compensatory planting with Biodiversity Net Gain (BNG) proposals.

The development will require a European protected species licence for the proposed hedgerow removal and the habitat design will need to be improved in line with recommendations made by the landscape officer, given the site is located within a National Landscape.

Some additional measures to consider would be to create an area of mixed woody/scrub planting in the north-west part of the site and translocating the north-western hedge to the boundary of the pitch. Ideally, landscape connectivity should be maintained with the offsite hedgerows.

Biodiversity Net Gain

Several amendments to the metric and the Biodiversity Net Gain Report have been provided in response to previous EDDC comments. The final metric (including calculated values) and biodiversity gain plan will be dependent on a detailed landscaping plan and could not be finalised until such an approved plan was in place.

Some additional commentary in relation to post development BNG proposals is provided to assist the applicant. Should the application be minded for approval, the following matters will need to be addressed with the submission of the biodiversity gain plan.

1. Area habitat parcels shown in the post development plan(s) should be clearly identified with a reference number that is cross referenced with the habitat reference number column in the metric. This ensures accurate cross-referencing between the plans and the biodiversity metric.
2. The Proposed BNG Habitats (full site) Plan (Quantock Ecology, Sept 2025) includes an arable field which is not included in the metric; clarity is requested
3. Clarity and further details have not been provided regarding the creation/enhancement of hedgerows and how this contributes to additionality clearing showing the 10% BNG is above protected species compensation, i.e., in addition to bat and dormice compensation

It should be noted the submitted metric indicates the development would deliver just over 10% net gain for area and hedgerow habitats. Therefore, it is possible the final design may deliver less than this, e.g., once accounting for protected species compensation has been clarified, if additional woodland planting lowers the predicted BNG outcome. Any shortfall in BNG units could be purchased offsite, and the applicant should consider the potential costs of this if/when a detailed landscaping plan has been developed.

Applicants are reminded that, in accordance with Schedule 7A of the Town and Country Planning Act 1990, development **may not commence** until a Biodiversity Gain Plan (BGP) has been submitted to and approved in writing by the Local Planning Authority. The plan should align with the final BNG documentation, e.g., taking on board any required amendments to landscaping based on an approved plan, and demonstrate how a minimum 10% net gain will be achieved and maintained for 30 years, e.g., suitable legal agreements and control measures in place. As the proposed development would deliver significant onsite gains, the development would also be subject to a BNG monitoring contribution, which should also be considered .

Conclusion and Recommendations

While there have been some concerns with ecological submission for this application, e.g., bat survey effort, and the development would result in the loss of historic hedgerows in a protected landscape with limited buffer zones, it is recognised that the applicant has positively engaged with the ecological assessment process, and the development would provide a much-needed community asset.

Should the application be minded for approval some key ecological requirements need to be embedded and secured including:

- No external floodlighting.
- Limited external lighting around the club house and a detailed lighting plan to demonstrate no lighting impact on nocturnal wildlife.
- Adequate compensatory habitat for hazel dormouse and European protected species licence.
- Appropriately detailed landscape and methodology design with mixture of trees, scrub, and translocated hedgerows maintaining and providing landscape connectivity.
- Appropriately detailed and secured ecological enhancement measures, such as bird/bat/insect bricks and reptile hibernacula.
- Suitable Biodiversity Net Gain (BNG) requirements including legally secured establishment and maintenance of BNG proposals.

The following conditions are recommended:

- No development shall take place (including ground works) until a Construction and Ecological Management Plan (CEcoMP) has been submitted to and approved in writing by the local planning authority. The CEcoMP shall include the following.
 - a) Risk assessment of potentially damaging construction activities.

- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication, including reporting compliance of actions to the LPA.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW), including any licence requirements, i.e., for reptiles, dormice and bats.
- h) Use of protective fences (including buffer distances), exclusion barriers and warning signs.

The approved CEcoMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- No lighting shall be installed on the site unless a detailed lighting scheme has first been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate, through appropriate Lux modelling and specification, that the proposed lighting will not result in adverse impacts on nocturnal wildlife, particularly bats and dormice, and shall be fully compliant with the most recent guidance from the Institution of Lighting Professionals (currently GN08/23: Bats and Artificial Lighting at Night).

Once approved, the lighting shall be installed and maintained strictly in accordance with the approved scheme. No variation shall take place without prior written consent from the Local Planning Authority.

- No hedgerow, tree, or scrub removal shall commence, until the Local Planning Authority has been provided with a copy of the dormouse mitigation licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the development to go ahead. Any mitigation and compensation measures should be included within an agreed Landscape and Ecological Management Plan (LEMP) and Habitat Management and Monitoring Plan (HMMP), unless otherwise amended by Natural England.
- A Habitat Management and Monitoring Plan (HMMP) for a minimum 30-year period following completion of the development shall be submitted to, and approved in writing by, the local planning authority prior to the commencement of the development. The Plan shall be prepared in accordance with the submitted BNG report (Quantock Ecology Ltd, September 2025), the approved Biodiversity Gain Plan, the approved

Landscape and Ecological Management Plan (LEMP), and approved hard and soft landscape plans and shall include the following:

- a) Details of the body or organization responsible for implementation of the plan accompanied by a site plan showing areas to be adopted; maintained by management company or other defined body; and areas to be privately owned/ maintained.
- b) Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ bodies responsible for its delivery.
- c) A condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
- d) The planned habitat creation works to create and/or enhance habitat to achieve the biodiversity gain in accordance with the approved Biodiversity Gain Plan.
- e) The management measures to maintain created, enhanced, and retained habitats in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development.
- f) Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works (including an annual work plan capable of being rolled forward over a minimum 30-year period). in relation to:
 - i. Existing trees and hedgerows/banks.
 - ii. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgeline guidance.
- g) The location and design of biodiversity features including integrated bird boxes, integrated bat boxes, insect bricks, dormouse nest boxes and other features, e.g., reptile hibernacula, to be shown clearly on accompanying plans.
- h) Boundary structures, drainage swales, water bodies and other infrastructure/ facilities within public/ communal areas.
- i) The monitoring methodology and frequency in respect of the created or enhanced habitat in accordance with EDDC guidance to be submitted to the local planning authority.
- j) Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.
- k) The Plan shall also set out (where the results from monitoring show that its

conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved Plan shall be implemented in accordance with the approved details.

- 1.1. Notice in writing shall be given to the Council when the HMMP works have started.
- 1.2. No first use of the site shall take place until:
 - a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and
 - b) Notice in writing, in the form of a landscape verification report completed by a competent ecologist or landscape architect, shall be given to the Local Planning Authority when the habitat creation and enhancement works as set out in the HMMP have been established to define the completion of development and start of the 30-year BNG maintenance and monitoring period.
- 1.3. The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.
- 1.4. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

Reason:

To ensure the development delivers a biodiversity net gain on site in accordance with
with
Schedule 7A of the Town and Country Planning Act 1990 and is in accordance with
Strategy
46 (Landscape Conservation and Enhancement and AONBs), Strategy 47 (Nature Conservation and Geology), Policy EN5 (Wildlife Habitats and Features), and Policy EN14 (Control of Pollution) of the Adopted East Devon Local Plan 2013-2031 and National Planning Policy Framework (December 2024) paragraphs 187, 189, 190, 193, 195, and 198.

25.04.25

1 Review of submitted details

An updated Ecological Impact Appraisal (Quantock Ecology, February 2025) and an amended Statutory Biodiversity Metric (Quantock Ecology, January 2025) have been submitted in response to EDDC ecology comments (June 2024).

The updated documents partially address some of the consultee comments. However, the following matters raised still require addressing.

Beer Quarry and Caves Special Area of Conservation (BQ&C SAC)

The site is within a Landscape Connectivity Zone for lesser horseshoe bats and is near a Sustenance Zone for Bechstein's bats. Bat activity surveys have confirmed the presence of BQ&C qualifying bat species on the site.

A completed Beer Quarry and Caves SAC Shadow HRA document should be provided to give confidence in screening opinion and/or detail mitigation measures if a Stage 2/Appropriate Assessment is considered necessary.

Dormice

Previous recommendations requested by EDDC include: "Quantification of proposed dormouse compensation, to include length of hedge created, use of hedge translocation methodology, and consideration of additional planting, as recommended in the former correspondence".

This information has not been provided in the updated EclA and is required to determine whether the proposals are likely to provide adequate compensatory habitat for the loss of hedgerows on the site. There does not appear to be any additional scrub/woodland planting for dormice included and the EclA refers to a 'double hedgerow'. It is unclear whether this includes a new adjacent hedgerow with a bank or infill planting of the existing hedgerow.

Design and location of proposed hedgerows

The proposed species-rich hedgerows on the BNG proposed habitat plans do not correspond to the proposed site plan. The location of the proposed hedges appears to be bunded/graded areas/likely location of spectators.

The exact location and design specification of proposed newly created hedgerows are required to provide clarity on their position relative to the football pitches, including their design specification, e.g., construction of bank, plant species, size of buffer strips relative to the football pitches and runoff areas.

Bats Further expansion on the result and the limitations of the bat survey were requested, in particular how the modified survey was in accordance with Bat Survey Guideline and details of why the previous consultee recommendations were not followed. The updated EclA provides details of the bat survey undertaken in 2023 as previously provided in the Bat Activity Survey Report (January 2024) with no additional information provided. Survey limitations have been identified to include, 'this is due to the plans showing that most of the development would be some distance from most boundary hedgerows, where impacts from lighting can be mitigated easily'.

It also states: 'Current national guidance recommends seasonal survey efforts (Spring/Summer and Autumn) for any site providing a moderate or high habitat value

for bat activity. In this instance, surveys to date covered the periods July to September only'.

It should be noted that spring/summer/autumn static activity surveys are required for habitats of low suitability, with those considered of moderate to high suitability requiring monthly surveys (April - October).

In my view, there still lacks sufficient data to confidently assess and compare the importance or otherwise of the hedgerows used by commuting and foraging bats, given the survey effort undertaken. However, the bat survey results do indicate the site supports at least 11 species of bat, including Annex II greater horseshoe, barbastelle and lesser horseshoe bats. In this case, it must be assumed (in the absence of further detailed survey effort - see July 2024 response) that a precautionary impact assessment should be considered.

Biodiversity Net Gain

Further information/amendments are required to address the following concerns:

- o Small woodland copse at the western end of hedgerow H2 separating it from H5 has not been recorded in the On-Site Habitat Baseline tab of the Metric, with no justification provided for its absence
- o Hedgerows - Baseline
 - o Several hedgerows are associated with a bank, in particular H2 and H8; they have not been categorised as such in the Metric
 - o Hedgerow H3 and H9 are associated with a ditch (adjacent to Tower Road and noted in section 3.1.2 of the EclA); they have not been categorised as such in the Metric
 - o Hedgerows - Post Development
 - o The removal of H2 - native species-rich hedgerow associated with a bank - will require the creation of a 'like for like or better' habitat. The current Metric, therefore, does not meet the trading rules (i.e. Rule 1 of the Statutory Metric User Guide)
 - o Clarity and further details have not been provided regarding the creation/enhancement of hedgerows and how this contributes to additionality clearing showing the 10% BNG is above protected species compensation, i.e., in addition to bat and dormice compensation
 - o It is unclear how the newly created species-rich hedgerows, proposed to be in 'good' condition can be achieved given their proximity to football fields and the associated human disturbance; native hedgerow in 'poor' condition would be more realistic.
 - o Other:
 - o Pedestrian/cycle access path/track through the proposed 'other neutral grassland' in the north-western field (indicated in Drg No 067/012.1A) has not been accounted for in the Metric nor in the BNG report.

2 Recommendations

I would maintain a holding objection to the application until the above information has been addressed.

Key points to address

- o New and enhanced hedgerow habitat provision quantified and shown clearly on plans, including new hedgerow construction details.
- o Quantification of proposed dormouse compensation, to include length of hedge created, use of hedge translocation methodology, and consideration of additional planting, as recommend in the former correspondence.
- o Addressing the Biodiversity Net Gain (BNG) comments.
- o The EclA should provide specific measures to provide mitigation, compensation, and enhancement. For example, Section 6 still makes generic recommendations rather than what measures will be provided.

Reason:

In absence of the necessary information identified above, it has not been demonstrated that the proposals would not result in an adverse impact on the integrity of Beer Quarry and Caves SAC or result in no adverse effect on protected and priority species and priority habitats and whether the biodiversity gain condition would be capable of being discharged. In absence of this information, the proposal is not in accordance with Policies EN5, and Strategy 47 of the East Devon Local Plan 2013 to 2031.

18.06.24

1 Introduction

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

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

Ecological Survey Reports

The application is supported by an Ecological Appraisal (Quantock Ecology, April 2023) informed by a biological records centre data search, and separate Bat Activity Survey report, Dormouse Survey report, and Biodiversity Net Gain (BNG) Design Stage report. The BNG assessment was undertaken using the Statutory Metric.

The survey reports indicate the site is used by foraging and commuting bats including Annex II greater horseshoe, barbastelle and lesser horseshoe bats, and nesting dormice. The EA report considers the site has high potential to support nesting birds with low habitat suitability for common reptiles, common amphibians and badgers.

The submitted reports make various recommendations but lack clarity in terms of consideration of the ecological impacts, and proposed mitigation, compensation, and enhancement measures. For example, the ecological appraisal lists several broad

recommendations stating these should be developed further and incorporated into the proposals; however, this has not been provided. The bat and dormouse reports make similar recommendations for mitigation but these lack sufficient details in terms of quantifying hedge loss in length or detailing habitat enhancement and creation.

Habitats

The extended Phase 1 habitat survey was undertaken outside the optimal survey period in March 2023. A follow-up walkover survey to inform the BNG baseline condition of the site was undertaken in August 2023 which would cover the botanical survey period. However, there are discrepancies within these assessments. The ecological appraisal considers the lost habitats would be of a low impact. The site is predominantly arable cropland bounded by historic native banked hedgerows on all sides, with improved grassland. Arable crops are considered of local/low ecological value. However, the proposals include the removal of approximately 220 m of hedgerow (~ 160 m of H2 and ~ 60 m of H6 with a reduction of H3 and H9 to allow for visibility splay).

Banked native species-rich hedgerows are a habitat of principal importance under section 41 of the Natural Environment and Rural Communities Act (2006), a Devon Biodiversity Action Plan (DBAP) habitat, and considered 'Important' under the Hedgerow Regulations 1997. Hedges are considered of at least of County ecological value and the loss of approximately 220 m would result in a moderate adverse ecological impact.

The ecological appraisal report notes there is a small, semi-natural broadleaved woodland in the southwest corner of Field 2, however this was not taken into consideration within the BNG calculations (see below).

Bats

The bat survey report states that the survey followed best practice guidance and provides a robust data set. It also notes that the site is in proximity to a Bechstein's bat sustenance zone associated with Beer Quarry and Caves (BQ&C) Special Area of Conservation (SAC).

The ecological appraisal report notes that the site, especially the hedgerows and considering the surrounding favourable bat habitat including large areas of woodland, offer suitable foraging and commuting habitat for bats. This report also recommends that some form of modified bat survey method be used given the lower value of arable habitat for bats, including the deployment of three bat detectors over the site which are moved around and no manual activity surveys.

The bat survey report considers that the site supports at least 11 species of bat, including Annex II greater horseshoe, barbastelle and lesser horseshoe bats. The methodology within the bat survey report differs to the proposed methodology in the ecological appraisal, only relying on two static detectors. The impact assessment considers that the site is not important for foraging and commuting bats and identified that the only significant commuting route identified was hedgerow 8 (H8).

Recommendations are made regarding proposed mitigation measures including provision of new hedgerows, creating a double hedgerow, infill planting, buffer strips, and recommended lighting measures, including the provision of a lighting plan in accordance with BCT/ILP (2023) Guidance Note 8.

From the bat survey report it is hard to determine how the methodology has followed best practice guidelines (Collins, 2016) and how meaningful quantified and qualitative assessments are made. No reference to the site being located within a lesser horseshoe bat landscape connectivity zone (LCZ) associated with BQ&C SAC is made, although it is noted in the ecological appraisal that the bat survey would also consider movements of horseshoe bat species.

The static bat detectors have moved around in each deployment phase with both hedgerows subject to removal (hedgerows H2 and H6) only being surveyed on one occasion each, one in early-September (H2) and one in late-October (H6). Therefore, no seasonal assessment of their use by foraging and commuting bats can be understood, i.e., there is no spring or summer data to compare. Without the support of manual bat activity surveys, consideration of bat activity indices, times of calls, and fixed static bat locations, the bat survey results do indicate the site is used by a high assemblage of bat species, including those associated with BQ&C SAC. However, in my view, there lacks sufficient data to confidently assess and compare the importance or otherwise of the hedgerows used by commuting and foraging bats.

Reference to the proposed bat survey methodology was raised in the consultee response to the previous submitted application (ref: 23/0735/MFUL) which stated: "Given the amount of proposed hedgerow removal and rural nature of the site I would recommend that the static bat activity survey should be supported by manual bat activity surveys to observe bats over the site to record commuting and foraging locations. The static bat detector locations should be fixed to compare bat activity over the site, including the two hedges proposed for removal."... "As the site is located within a lesser horseshoe bat landscape connectivity zone it is also recommended that the Beer Quarry and Caves SAC Shadow HRA document be submitted with the application."

These recommendations have not been followed nor recognised in this new planning submission.

Dormice

Dormice were confirmed as nesting on site (utilising footprint tunnels) on the southern hedgerow with trees (H8), which borders Honiton Golf Club. They are assumed to be in all suitable habitats including all hedges and the area of woodland within and surrounding the site.

The removal of approximately 220 m of hedgerows H2 and H6 will result in the direct habitat loss of dormouse foraging, nesting and hibernation habitat and could result in the killing or injury of dormice at the time of works. Their removal will require a European protected species licence (EPSL) from Natural England.

Mitigation and compensation proposed includes enhancing existing hedges through infill planting, provision of new hedges, and provision of 15 dormouse nest boxes. A new species-rich hedge is also proposed along the western boundary. The dormouse survey report notes there is scope to provide additional hedgerows along the northern sections of the site, and create a small, wooded area beyond the western boundary, but these measures are not included. Correspondence from the project ecologist notes:

"Based on a very rough calculation, it looks like you are removing approximately 220m of hedgerow and if we can replant as much as this as possible, it would be very beneficial..."

Another thing to consider is if we plant trees within the new hedgerows, this may help in terms of BNG and trying to show a net gain of 10%. However, removal of this much hedgerow will need some robust replacement habitat to achieve this."

As stated in the Natural England dormouse mitigation licence method statement (section E3.3) dormouse compensation measures are "expected to result in no net loss of dormouse habitat" and where no net loss is not proposed robust justification is required on how the favourable conservation status will be maintained.

.GOV guidance states the local planning authorities must be confident in determining whether Natural England will issue a licence before granting planning permission.

From the provided detailed, it is hard to determine whether sufficient mitigation in terms of habitat provision and management, e.g., as amount, type, and length of hedges created and enhanced are not detailed. Other best practice, such as hedgerow translocation, e.g., H6, planting on banks, and consideration of temporal establishment time of functional habitat are not provided. New hedges can take in excess of 10-years to become functional habitat, especially in consideration of replacing historic hedge banks.

Biodiversity Net Gain

The submitted metric calculations quantify the proposal would result in an increase of 0.99 habitat units (10.47%) and an increase of 1.67 hedgerow units (11.19%) with trading rules satisfied.

There are some discrepancies between the ecological appraisal report and BNG report and submitted metric. The appraisal notes that hedgerows on site are all associated with a bank, and one at least appears to be associated with a ditch (H9 - refer to photo 10 within the ecological appraisal). All habitats within the metric are classified as cropland, although the ecological appraisal notes the presence of improved grassland and woodland on the site.

The removal of native species-rich hedgerows associated with a bank will require the creation of a 'like for like or better' habitat according to Rule 1 of the Statutory Biodiversity Metric User Guide; therefore, the trading rules have not been met. This is also reiterated within the Devon Planning Guidance for Biodiversity Compensation and Net Gain (February, 2024).

From Drawing No 067/012A, the exact location of the newly created hedgerows is unclear. Further clarity on their position relative to the football pitches including size of buffer strips relative to the football pitches and runoff areas is required.

The creation of 0.35ha of other neutral grassland and species-rich native hedgerow with trees would constitute significant onsite gain and would need to be legally secured with a section 106 (s106) agreement. A Habitat Management and Monitoring Plan would also be required describing how the created, retained (including the small woodland and retained hedgerows) and enhanced habitats on site will be managed and monitored for 30+ years. From the design and access statement, it notes that a 25-year lease has been agreed so there is some lack of clarity on whether the general biodiversity condition could be discharged for onsite habitat creation.

The BNG reports considers the Good Practice Principles for Development and in regard to principle 7 (Additionality), it states "Without the development and BNG input the site would remain as arable cropland".

.GOV guidance indicates that protected species compensation can count towards biodiversity net gain up to no net loss and at least 10% of the developer's biodiversity units must come from additional activities other than mitigation and compensation. The proposed hedgerow habitat creation would provide compensatory habitat for dormice and foraging and commuting bats, including those associated with Beer Q&C SAC. Therefore, it is not clear how additionally has been considered for hedgerow creation.

3 Recommendations

I would currently submit a holding objection to the application until the following information has been provided:

- o An ecological impact assessment (EclA) report detailing the ecological impacts, mitigation, compensation, and enhancement measures relevant to the scheme, clearly identifying the following:
 - o Information provided to quantify compensation and enhancement measures, so it is clear what is being provided and easily identifiable.
 - o Further expansion on the result and limitations of the bat survey, and where it is considered these are in accordance with survey guidelines reference to the relevant extracts as well as providing details why previous consultee recommendations were not followed.
 - o Quantification of proposed dormouse compensation, to include length of hedge created, use of hedge translocation methodology, and consideration of additional planting, as recommend in the former correspondence.
- o A completed the Beer Quarry and Caves SAC Shadow HRA document.
- o An updated biodiversity metric and report with appropriate categories applied to existing on-site area habitats and hedge types and a clear distinction of additionality, i.e., to demonstrate what is being provided is capable of achieving 10% BNG above protected species compensation, i.e., outside of bat and dormouse compensation.

- o Clarity that 30-year maintenance can be achieved on site.
- o Additional habitat creation and enhancement measures (if required).

Reason:

In absence of the necessary information identified above, it has not been demonstrated that the proposals would not result in an adverse impact on the integrity of Beer Quarry and Caves SAC or result in no adverse effect on protected and priority species and priority habitats and whether the biodiversity gain condition would be capable of being discharged.

In absence of this information, the proposal is not in accordance with Policies EN5, and Strategy 47 of the East Devon Local Plan 2013 to 2031.

Environmental Health

I have considered the application and note that this site is close to nearby residents who may be impacted during the construction process. 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. We would request the applicant to consult and follow the council's Construction Sites Code of Practice prepared by Environmental Health and adopted by the council in order to ensure that any impacts are kept to a minimum. This is available on the council's website.

EDDC Landscape Architect

14.10.25

I have reviewed the latest amended details and additional details submitted with the above application against my previous comments dated 13 May 2025.

I note that location of the proposed package treatment plant and associated drainage runs are now included on the club house which appear to fit satisfactorily without adverse impact on existing trees, although no levels details are provided for it.

Other issues raised in my previous comments do not appear to have not been addressed. Should the application be approved these issues should be addressed by conditions as set out in my previous response notwithstanding the submitted details.

13.05.25

1 INTRODUCTION

This report forms the EDDC's landscape response to amended details submitted in respect of 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 and previous landscape response dated June 2024.

3 REVIEW OF SUBMITTED DETAILS

3.1 Amended site layout

There are a number of issues with the site layout which remain unsatisfactory, as follows:

- o The proposed footway to south side of the site entrance serves little purpose as there is no footway along Tower Lane for it to connect to and it would add an unnecessary urbanising element to the road frontage as well as creating a wider entrance. It should be omitted and the entrance width reduced accordingly.
- o Additional planting is required to help soften the graded embankments to the southeastern end of the pitches and along the Tower Road frontage.
- o The existing hedgebank that is to be removed, which runs across the proposed U15/U16 pitch, should be translocated to the northwestern end of the pitch.
- o Additional structure planting is required in accordance with the recommendations of the submitted LVIA. It is recommended that this should include native tree and scrub planting along the embankment to the southwest side of the mini soccer pitches and between the car park and proposed attenuation basin; to the northwest of the U17/18 pitch and northwest and southwest of the smaller attenuation basin to the northeast of the U15/16 pitch as well as the reinforcement of planting along the existing hedgebank to Tower Road.
- o The plan should indicate the location and extent of the proposed large sewage treatment plant, including route of outflow.
- o Due to a level difference of about 1.5-2m between the pitches and clubhouse a suitable ramp is required to provide access for wheelchair users between the two. Full details should be required by condition if the application is approved but, its location and connecting pavings should be added to the site layout.

3.2 Materials (dwg. no. 067/016)

Proposed River Blue stonework to the main building frontage is not locally distinctive and should be changed to a locally sourced chert stone.

3.3 Services

There are no convenient utilities connections in the vicinity of the site and the proposed scheme is based on an off-grid solution to services. It is not clear whether proposed p.v. arrays and borehole water supply can meet the requirements for power and water at the site and an assessment is required to demonstrate that proposed provision is adequate. A need for on-grid electricity or increased renewables provision could result in additional landscape and visual impact.

4 CONCLUSION AND RECOMMENDATIONS

4.1 Acceptability of proposals

The proposals by their nature are more suited to an urban edge situation where they could be easily and sustainably accessed by their intended users, rather than in a relatively isolated and elevated location in the countryside within a nationally designated landscape.

The proposals would result in a loss of 290 metres of native hedge and would introduce built form, car parking and associated infrastructure into the site and associated intensive activities, the scale of which would have a localised urbanising effect. The proposed widening of the site access will open up views into the site from Tower Road in which the proposed car park, pavilion and pitches would be clearly visible. Tower Road is currently used for recreational access by walkers and cyclists and the increase in vehicular usage and site activity could have an impact on their enjoyment of its character, tranquillity and perceived safety.

As such the proposals as submitted could not be said to conserve natural beauty in accordance with NPPF para. 189 or the duty to further the special qualities of protected landscapes as required by Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (LURA). To address these shortcomings amendments and clarifications are required to the submitted details as noted at section 3 above prior to determination of the application.

Subject to receiving satisfactory amendments as noted in section 3 above, and on the assumption that parking provision and planting mitigation will be adequate and floodlighting will not be required, the development is likely to give rise to some localised moderate and moderate-low adverse landscape and visual effects as identified in the submitted LVIA, which could be considered acceptable.

4.2 Landscape conditions

Should acceptable amendments and clarifications be provided and the application be approved the following conditions should be imposed:

1) No development work shall commence on site until the following information has been submitted and approved:

a) A full set of hard landscape details for proposed walls, fencing, retaining structures, ramps, steps, pavings, kerbs and edgings, site furniture and signage.

b) Details of locations, heights and specifications of proposed free standing and wall mounted external lighting including means of control and intended hours of operation including lux levels plan.

External lighting shall be designed to minimise light-spill and adverse impact on dark skies/ bat foraging and commuting in accordance with Institute of Lighting Professionals (ILP) guidance notes GN01 2011 - Guidance notes for the reduction of obtrusive light and GN 08/18 - Bats and Artificial Lighting in the UK.

c) A site levels plan indicating existing and proposed levels and showing the extent of earthworks and any steps, ramps and retaining walls.

d) A soil resources plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites - DEFRA September 2009, which should include:

- o a plan showing topsoil and subsoil types based on trial pitting and laboratory analysis, and the areas to be stripped and left in-situ.

- o methods for stripping, stockpiling, re-spreading and ameliorating the soils.

- o location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).

- o schedules of volumes for each material.

- o expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.

- o identification of person responsible for supervising soil management.

e) A full set of soft landscape details including:

- i) Planting plan(s) showing locations, species and number of new tree, shrub and herbaceous planting, type and extent of new amenity/ species rich grass areas, existing vegetation to be retained and removed.

- ii) Plant schedule indicating the species, form, size, numbers and density of proposed planting.

- iii) Soft landscape specification covering soil quality, depth, cultivation and amelioration; planting, sowing and turving; mulching and means of plant support and protection during establishment period together with a 5 year maintenance schedule.

- iv) Tree pit and tree staking/ guying details

- f) Measures for protection of existing perimeter trees/ 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.

2) No development shall take place until a Landscape and Ecology Management Plan (LEMP) for a minimum period of 30 years has been submitted to and approved in writing by the Local Planning Authority which should include the following details:

- o Extent, ownership and responsibilities for management and maintenance.

- o Details of how the management and maintenance of habitats, open space and associated features will be funded for the life of the development.

- o A description and evaluation of landscape and ecological features to be created/ managed and any site constraints that might influence management.
- o Landscape and ecological aims and objectives for the site.
- o Condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
- o Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works in relation to:
 - o Existing trees, woodland and hedgerows/banks. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgeline guidance.
 - o New trees, woodland areas, hedges and amenity planting areas.
 - o Grass and wildflower areas.
 - o Biodiversity features - hibernaculae, bat/ bird boxes etc.
 - o Boundary structures, drainage swales, water bodies and other infrastructure/ facilities within public/ communal areas.
 - o Arrangements for Inspection and monitoring of the site and maintenance practices.
 - o Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.

Management, maintenance and monitoring shall be carried out in accordance with the approved plan.

3) The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of the proposed buildings with the exception of planting which shall be completed no later than the first planting season following first use.

4) Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(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 4 (Balanced Communities), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness), Policy D2 (Landscape Requirements) and Policy D3 (Trees in relation to development) 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.)

05.07.24

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 SITE DESCRIPTION AND CONTEXT

The site is situated on a narrow elevated plateau and comprises an L-shaped arrangement of two rectangular arable fields and the southern portion of a third. The ground is generally level but falls gently away from the middle of the site to the northwest and southeast towards the plateau edges. The fields are bounded by Devon hedgebanks. There are generally few hedgebank trees with the notable exception of the southwestern boundary which abuts Honiton golf club and which comprises a densely treed hedgeline that provides effective screening from the golf course, at least when vegetation is in leaf. Aside from the golf course, surrounding land use is generally mixed agricultural. Tower Road is a typically quiet and narrow Devon lane with hedgebanks, ditches and frequent mature oaks along much of its length and affords views into the site from a field gateway with potential for winter views into the site over/ through the roadside hedgebank.

Notwithstanding the adjacent golf club, the site and surrounding landscape are in good condition with few modern influences present and contribute positively to local landscape character.

Potential views into the site from the wider landscape are generally well screened by intervening vegetation, although there are long distance views from the northwestern end of the site to St Cyres Hill, Dumpdon Hill and Hembury Fort in the Blackdown Hills National Landscape. Due to their distances from the site and location of the most intrusive elements of the development at its southeastern end it is unlikely that there will be noticeable effects on visual receptors at these locations. Consequently, visual receptors are likely to be limited to walkers, cyclists and motorists travelling along Tower Hill Road past the southeastern site boundary and users of the golf club in the vicinity of the southwestern boundary.

The site falls within the East Devon National Landscape where, in accordance with the NPPF para. 182, great weight should be given to conserving and enhancing landscape and scenic beauty. Cuckoo Down Lane 180m to the northwest forms the boundary with the Blackdown Hills National Landscape.

3 REVIEW OF SUBMITTED DETAILS

3.1 Landscape and Visual Appraisal (LVA)

The findings of the LVA that the scheme will give rise to moderate adverse landscape effects on completion reducing to moderate-minor adverse at year 15 and localised moderate to minor visual effects along the frontage of Tower Road on completion reducing to minor adverse at year 15 are generally accepted.

The LVA should have considered potential secondary effects arising from increased traffic on Tower Road and potential parking overspill both of which could result in damage to verges and hedgebanks and some loss of tranquillity.

It is noted in the LVA that the proposals do not include floodlighting. If floodlighting was required in the future, the effects in this sensitive, elevated location could be significant over a wide area.

The LVA makes recommendations for mitigation planting to compensate for hedgerow loss and improve screening of the development but there is no indication on the site plan or other supporting documents of the extent and nature of this and a landscape strategy plan should be provided prior to determination.

3.2 Tree survey

The tree survey findings indicate that impacts on tree root RPAs will be minimal due to the fact that past ploughing will have reduced the presence of surface roots within the field area.

3.3 Site layout

The layout of the pitches is heavily constrained by the existing field boundaries and there is little scope for alternative layout. The layout entails the removal of two sections of existing hedgebank totalling some 280m in length. The site layout plan should clearly indicate the extent of vegetation removals including to accommodate visibility splays.

The layout of the car park and hard pavings around the building and site entrance is considered unsatisfactory and there is opportunity for improvement particularly through the following measures:

- The proposed footway to south side of the site entrance serves little purpose as there is no footway along Tower Lane for it to connect to and would add an unnecessary urbanising element to the road frontage as well as creating a wider entrance. It should be omitted and the entrance width reduced accordingly.
- A direct pedestrian access route should be provided between the parking bays along the southeastern frontage of the proposed building to its main entrance.
- Additional planting is required to help soften the graded embankments to the southeastern end of the pitches and along the Tower Road frontage.
- The existing hedgebank that is to be removed, which runs across the proposed U15/U16 pitch, should be translocated to the northwestern end of the pitch.

The need for ball-stop fencing along the golf course boundary is questioned given the density of the existing boundary vegetation. However, if required, its proposed line should be clearly indicated on the site plan so that its potential impact on trees and bat foraging/ commuting can be assessed.

Amended details covering the above points should be provided prior to determination of the application.

3.4 Pedestrian access 067/012.1

In addition to the proposed path the drawing should be amended to show proposed planting in the area to the northwest of the U15/U16 pitch.

3.6 Materials (dwg. no. 067/016)

Proposed River Blue stonework to the main building frontage is not locally distinctive and should be changed to a locally sourced chert stone.

3.7 Services

There are no convenient utilities connections in the vicinity of the site and the proposed scheme is based on an off-grid solution to services. It is not clear whether proposed p.v. arrays and borehole water supply can meet the requirements for power and water at the site and an assessment is required to demonstrate that proposed provision is adequate. A need for on-grid electricity or increased renewables provision could result in additional landscape and visual impact.

4 CONCLUSION AND RECOMMENDATIONS

4.1 Acceptability of proposals

The proposals by their nature are more suited to an urban edge situation where they could be easily and sustainably accessed by their intended users rather than in a relatively isolated location in the countryside within a nationally designated landscape.

The proposals would introduce built form, car parking and associated infrastructure into the site and associated intensive activities, the scale of which would have a localised urbanising effect. The proposed widening of the site access will open up views into the site from Tower Road in which the proposed car park, pavilion and pitches would be visible. Tower Road is currently used for recreational access by walkers and cyclists and the increase in vehicular usage and site activity could have an impact on their enjoyment of its character, tranquillity and perceived safety. Amendments and clarifications are required to the submitted details as noted at section 3 above prior to determination of the application.

On the basis of the submitted details and assumption that parking provision and planting mitigation will be adequate and floodlighting will not be required, the development is likely to give rise to some localised moderate and moderate-low adverse landscape and visual effects as identified in the submitted LVIA, which could be considered acceptable.

4.2 Landscape conditions

Should acceptable amendments and clarifications be provided and the application be approved the following conditions should be imposed:

1) No development work shall commence on site until the following information has been submitted and approved:

a) A full set of hard landscape details for proposed walls, fencing, retaining structures, pavings, kerbs and edgings, site furniture and signage.

b) Details of locations, heights and specifications of proposed free standing and wall mounted external lighting including means of control and intended hours of operation including lux levels plan.

External lighting shall be designed to minimise light-spill and adverse impact on dark skies/ bat foraging and commuting in accordance with Institute of Lighting Professionals (ILP) guidance notes GN01 2011 – Guidance notes for the reduction of obtrusive light and GN 08/18 – Bats and Artificial Lighting in the UK.

c) A site levels plan indicating existing and proposed levels and showing the extent of earthworks and any steps, ramps and retaining walls.

d) A soil resources plan prepared in accordance with Construction Code of Practice for the Sustainable use of Soils on Construction Sites – DEFRA September 2009, which should include:

- *a plan showing topsoil and subsoil types based on trial pitting and laboratory analysis, and the areas to be stripped and left in-situ.*
- *methods for stripping, stockpiling, re-spreading and ameliorating the soils.*
- *location of soil stockpiles and content (e.g. Topsoil type A, subsoil type B).*
- *schedules of volumes for each material.*
- *expected after-use for each soil whether topsoil to be used on site, used or sold off site, or subsoil to be retained for landscape areas, used as structural fill or for topsoil manufacture.*
- *identification of person responsible for supervising soil management.*

e) A full set of soft landscape details including:

- i) Planting plan(s) showing locations, species and number of new tree, shrub and herbaceous planting, type and extent of new amenity/ species rich grass areas, existing vegetation to be retained and removed.
- ii) Plant schedule indicating the species, form, size, numbers and density of proposed planting.
- iii) Soft landscape specification covering soil quality, depth, cultivation and amelioration; planting, sowing and turfing; mulching and means of plant support and protection during establishment period together with a 5 year maintenance schedule.
- iv) Tree pit and tree staking/ guying details

f) Measures for protection of existing perimeter trees/ 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.

2) No development shall take place until a Landscape and Ecology Management Plan (LEMP) for a minimum period of 30 years has been submitted to and approved in writing by the Local Planning Authority which should include the following details:

- Extent, ownership and responsibilities for management and maintenance.

- Details of how the management and maintenance of habitats, open space and associated features will be funded for the life of the development.
- A description and evaluation of landscape and ecological features to be created/ managed and any site constraints that might influence management.
- Landscape and ecological aims and objectives for the site.
- Condition survey of existing trees, hedgerow and other habitat to be retained as a baseline for future monitoring and to identify any initial works required to address defects/ issues identified and bring them into good condition.
- Detailed maintenance works schedules covering regular cyclical work and less regular/ occasional works in relation to:
 - Existing trees, woodland and hedgerows/banks. Hedgerow management shall be carried out in accordance with the Hedge Management Cycle as set out in Hedgeline guidance.
 - New trees, woodland areas, hedges and amenity planting areas.
 - Grass and wildflower areas.
 - Biodiversity features - hibernaculae, bat/ bird boxes etc.
 - Boundary structures, drainage swales, water bodies and other infrastructure/ facilities within public/ communal areas.
- Arrangements for Inspection and monitoring of the site and maintenance practices.
- Arrangements for periodic review and update of the plan that may be required to meet the objectives of the plan and reflect any relevant changes to site, legislation and best practice guidance.

Management, maintenance and monitoring shall be carried out in accordance with the approved plan.

3) The works shall be executed in accordance with the approved drawings and details and shall be completed prior to first use of the proposed buildings with the exception of planting which shall be completed no later than the first planting season following first use.

4) Any new planting or grass areas which fail to make satisfactory growth or dies within five years following completion of the development shall be replaced with plants of similar size and species to the satisfaction of the LPA.

(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 4 (Balanced Communities), Strategy 5 (Environment), Policy D1 (Design and Local Distinctiveness), Policy D2

(Landscape Requirements) and Policy D3 (Trees in relation to development) 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.)

EDDC Trees

13.03.25

A comparison of the amended proposed site layout and original layout appears to show that that will be no further impacts on the retained trees and therefore are no arb concerns raised.

14.05.24

The proposal is supported by an Arb Report provided by Advanced Arb dated 12th May 2023. The report includes a tree survey, AIA, TCP, TPP and AMS. A pre app site visit was undertaken with the Arb consultant. As described within the report, the rooting environment is considered to be restricted due to historical ploughing of the fields. Therefore the RPA of the trees on site are likely to be offset, which in this case 'benefits' the proposal as the rooting environment of the trees are unlikely to be compromised by the proposal. Therefore there are no arb objection to the proposal. I recommend the following condition:

a) Prior to commencement of any works on site (including demolition), the Tree Protection measures shall be carried out as detailed within the Arboricultural Report and Arboricultural Method Statement submitted by Advanced Arboriculture on the 12th May 2023. All works shall adhere to the principles embodied in BS 5837:2012 and shall remain in place until all works are completed, no changes to be made without first gaining consent in writing from the Local Authority.

b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.

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

d) 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.

e) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

f) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.

g) No trees, shrubs or hedges within the site which are shown as being planted or retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building, or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species unless the Local Planning Authority gives written consent to any variation.

(Reason - To ensure retention and protection of trees on the site prior to and during construction 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 D3 - Trees and Development Sites of the Adopted New East Devon Local Plan 2013-2031).

EDDC Senior Leisure Officer

19.09.25

Thank you Charlie for the opportunity to feedback on this application for grass pitches on the Tower Hill site outside the town of Honiton. As Leisure Manager for East Devon, I raise no objection to the application.

I support it for the following reasons

The summary for East Devon District as a whole shows the current supply and demand analysis for grass football pitches based on current projections across key themes of Quantity, Quality and Accessibility. This is across a large rural district so further insights are provided at Sub Area level and currently work is also being completed to update at Town level including Honiton.

Facility Type	Quantity Assessment Current / Future	Quality Assessment Poor / Good / Excellent	Accessibility Assessment Poor / Good / Excellent	Provision Needs Short / Medium / Long term
Football - Grass Pitches There are 108 grass football pitches across 59 sites that	<ul style="list-style-type: none"> There is currently spare capacity on adult 11v11, 9v9, 7v7 and 5v5 pitches in East Devon. There is a large deficit of -9.5 MES on youth 11v11 pitches. 	<ul style="list-style-type: none"> 57% of pitches rated good 20% standard 	89.5% of pitches available to the community have long term security of tenure (This analysis includes use of	Focus on increased access to all grass pitch types, with a focus on youth 11v11. Increased access to 3G pitches will also help ease capacity issues

<p>are available for community use.</p> <p>292 teams from 46 clubs are identified as playing within East Devon across all age groups</p>	<p>Current:</p> <ul style="list-style-type: none"> • Adult - +7 MES • Youth 11v11 - - 9.5 MES • 9v9 - +2.5 MES • 7v7 - +7 MES • 5v5 - +1.5 MES <p>Future:</p> <ul style="list-style-type: none"> • Adult - - 1.5 MES • Youth 11v11 - - 20 MES • 9v9 - - 6.5 MES • 7v7 - - 2.5 MES • 5v5 - - 10 MES 	<ul style="list-style-type: none"> • 23% poor quality • Quality issues spread across the study area. 	<p>St Rita's Playing Fields which do not at present have longer term security of tenure).</p>	<p>Explanation Note:</p> <p>MES = Match Equivalent Sessions Focus on space capacity at peak times</p> <p>Adult = 7 peak time slots available Youth = 9.5 lack of peak time slots available</p>
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Honiton also sites right on the border of the central sub area where grass pitch deficits are also present.

East Sub Region (including Honiton)

Pitch Type	Current Capacity (MES)	Future Capacity (MES)
Adult 11v11	+6	+3.5
Youth 11v11	-2	-5.5
9v9	+1.5	0
7v7	+0.5	-1
5v5	0	-2.5

* MES = Match Equivalent Sessions (Focus on space capacity at peak times)

The FF and Devon FA are actively engaged with the applicant and are fully supportive of the proposals and believe they are essential for the continuation, sustainability and growth of football in the Honiton area. This is referenced in the latest Football Facility Plan for East Devon that was completed in May 2025.

- [East Devon Executive summary](#)

I refer in particular to Page 6 of the Plan – No 8 Grass Pitches (Tower Road)

- [East Devon Local Football Facility Plan](#)

It does re-enforce the comments made by Sport England back in May 2024 and subsequent email 26 February 2025 which references the currently adopted Playing Pitch Strategy from 2015

[adopted-east-devon-pps-2015.pdf](#)

(See Pages 32 and Page 73)

“The PPS has specific action plans regarding Honiton Development Trust’s Tower Hill proposals. It explicitly states in HO.18: to “explore the possibility of addressing all Honiton pitch issues on alternative sites better related to the existing town and outside of the AONB first but if there are no realistic alternatives then **some pitches may need to be delivered on Tower Hill**”.

Honiton Playing Pitch Strategy

This also relates to the need for pitches at Tower Hill.

[Open Space - Honiton Sports Pitch Strategy - East Devon revised-draft-honiton-sports-pitch-strategy.pdf](#)

Conclusion

The new provision would provide a high-quality fit for purpose facility for young footballers within Honiton and surrounding area and address some of the current challenges that users face with existing provision.

Environment Agency

29.09.25

Thank you for re-consulting us on this application.

Environment Agency position

We maintain our position to this proposal based on the level of information submitted.

Reason

It is now apparent that the applicant proposes to connect the club house to a sewage treatment plant, which will then channel flows to a surface water detention basin. This detention basin appears to connect to a ditch which flows under the adjacent road, and in a south easterly direction. The applicant's 'Preliminary Flood Risk Assessment and proposed drainage strategy' provides details on this, but it does not appear to be a ditch which flows all year around. The plans also suggest that an environmental reed bed may be required, but that that detail is to be confirmed. We appreciate that this is not a sewered area but we have concerns that the applicant has not yet obtained a clear approach to the management of non-mains drainage, considering the lack of proposed flows and loads estimations, and that the drainage basin features may not be fit for purpose to take both surface water and foul flows. Usually, a full application should provide such details prior to a determination so that a fully informed decision can be made on whether it is an appropriate way to manage

the foul flows. The applicant must ensure that they obtain an environmental permit should the flows not comply with the general binding rules.

On a separate note, the applicant needs to obtain an abstraction license for the water supply if the demand is over 20m³ per day.

Way forward

We would encourage the applicant to provide a clear and detailed statement on the management of the foul drainage from the site, with appropriate mitigation measures to ensure no detrimental harm to water quality in this river catchment. Further details on the proposed borehole would also be useful.

Please contact us again if you require any further advice.

10.05.25

Environment Agency position:

Whilst we have no in-principle objection to the proposal in terms of using a non-mains foul drainage system, we would recommend that the application is not determined until some clarity is provided regarding the new package treatment plan discharging to a watercourse. The reason for this position is provided below.

Reason:

Government guidance within the National Planning Practice Guidance (paragraph 020 in the section on water supply, wastewater and water quality - Reference ID: 34-020-20140306) stresses that the first presumption must be to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works. Only where having taken into account the cost and/or practicability it can be shown to the satisfaction of the local planning authority that connection to a public sewer is not feasible, should non-mains foul sewage disposal solutions be considered.

The applicant indicates on the submitted Foul Drainage Assessment form that the proposed system would discharge solely to watercourse. However, there are no plans which indicate where the watercourse is, and to where it flows, with clarity. Also, there doesn't appear to be any written justification including a map for why the applicant is opting for a non-main drainage solution however, from our records, it is apparent that there is not mains sewer network in the immediate vicinity of the application site.

Advice to applicant - Environmental Permitting:

Any non-mains foul drainage system associated with this development will require an Environmental Permit from the Environment Agency under the Environmental Permitting Regulations 2010, unless it satisfies the General Binding Rules for small sewage discharges in England. The General Binding Rules can be found online at <https://www.gov.uk/government/publications/small-sewage-discharges-in-england-general-binding-rules>.

If the proposed foul discharge will not satisfy the General Binding Rules the applicant is advised to contact our National Permitting Service on 03708 506 506 for further advice and to discuss the issues likely to be raised. You should be aware that the permit may not be granted, particularly if the discharge is located within an area served by a mains sewer. Additional 'Environmental Permitting Guidance' can be accessed online at <https://www.gov.uk/permits-you-need-for-septic-tanks>.

Please contact us if you require any further advice.

21.02.25

Thank you for reconsulting us on this application. However, the information submitted does not change our previous response dated 10th May 2024. Please reconsult us with any additional information that may affect our position.

National Gas Transmission

National Gas Transmission has No Objection to the above proposal which is in close proximity to a High- Pressure Gas Pipeline – Feeder providing the below conditions are adhered to:

No Objection:

National Gas Transmission operates a high-pressure gas pipeline - FEEDER 14 - BARRINGTON TO KENN – in the vicinity of the proposed development.

The pipeline has an easement in operation. No development, construction or landscaping is permitted within the easement without formal written approval from National Gas Transmission.

The proposed dwelling* appears to fall outside the pipeline easement.

The pipeline has a 49m 'Building Proximity Distance' (BPD), which restricts development within this distance.

Further guidance for consultation zones around a Major Hazard Pipeline can be found at:

<https://www.hse.gov.uk/landuseplanning>

It is the Local Authority & Developer's responsibility to ensure that the requirements of LUP are adhered to. As the proposed development falls within the 4xBPD, an internal risk assessment has been carried out to demonstrate the risk to population. The results of this risk assessment falls within acceptable criteria and NGT will not object to this planning permission.

Please note that any further introduction of population to this area may lead to unacceptable risk and as such NGT may object to further planning applications in the future.

Land use planning (LUP) – public safety advice - HSE

***NOTE* - The response refers to a dwelling in error, this has been clarified with NGT and they have confirmed that their comments relate to the current application.**

National Highways

Referring to the notification of a Full planning application referenced above, for the change of use of land to football pitches, erection of clubhouse, new access and parking, landscaping, engineering and ancillary works, at Land West of Tower Road and East of Cuckoo Down Lane, Honiton, notice is hereby given that National Highways' formal recommendation is that we:

a) offer no objection (see reasons at Annex A);

Highways Act 1980 Section 175B is not relevant to this application.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018, via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

Annex A National Highways recommended No Objections

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

We have undertaken a review of the relevant documents supporting the planning application to ensure compliance with the current policies of the Secretary of State as set out in DfT Circular 01/2022 "The Strategic Road Network and the Delivery of Sustainable Development" and the National Planning Policy Framework (NPPF). This response represents our formal recommendations with regards to planning application 24/0841/MFUL.

Statement of Reasons

The application seeks full permission for the change of use of land to football pitches, erection of clubhouse, new access and parking, landscaping, engineering and ancillary works, at Land West of Tower Road and East of Cuckoo Down Lane, Honiton. The 4.6ha site which currently comprises agricultural land is located approximately 650m south of A35 trunk road and 1.4km south of the A30/A35 junction.

It is noted the application is being made to support the relocation of Honiton Town Youth FC to a larger dedicated site with improved facilities. Honiton Town Youth FC is currently based at St Rita's Fields which are located approximately 2km north west of the proposed site and immediately north and east of the A30 trunk road and A30 Turks Head junction.

Resubmission of application 23/0735/MFUL

The proposal is a resubmission of application 23/0735/MFUL on the same site which sought full permission for the construction of a Youth Football Facility, including clubhouse, parking, storage and football pitches to suit all age groups. Section 1.2 of the planning statement confirms the previous application was deemed invalid on the basis of the incorrect planning fee being paid.

National Highways offered no objections to application 23/0735/MFUL as set out in our formal response dated 9 May 2023.

Impact on Strategic Road Network

As the application comprises the relocation of an existing youth FC facility it is considered that the majority of associated traffic will be diverted as opposed to new trips and will remain largely contained to the local highway network. Given the proposed use of the site it is also accepted that the majority of associated vehicular trips will occur outside of the weekday and weekend network peak hours. On this basis, and in line with our response to previous application 23/0735/MFUL, National Highways considers the proposal unlikely to result in an adverse impact on the safe operation of the strategic road network.

Recommendation

National Highways has no objection to application 24/0841/MFUL.

Standing advice to the Local Planning Authority

The Climate Change Committee's 2022 Report to Parliament notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel.

The NPPF supports this position, with paragraphs 73 and 105 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 104 and 110 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up.

Moreover, the build clever and build efficiently criteria as set out in clause 6.1.4 of PAS2080 promote the use of low carbon materials and products, innovative design solutions and construction methods to minimise resource consumption.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

Sports England

26.02.25

Many thanks for re-consulting Sport England on this application.

Further to our detailed comments dated 9 May 2024 the Football Foundation (FF) and Devon FA have reviewed the new documents and are still fully supportive of the updated layout.

Sport England remain firmly in support of this application given the limited opportunities in the Honiton area to meet the needs of youth football. More pitch space is needed and the town is very constrained. The site adjoins an existing sporting use.

If granted permission we would seek a planning condition to ensure the pitches are constructed to meet performance quality standards (PQS) for football.

09.05.24

Thank you for consulting Sport England on the above application.

Summary

By providing new pitches that could help address established playing pitch deficiencies (East Devon Playing Pitch Strategy) Sport England **supports** this application. The need for the facility is demonstrated in the application and policy allows for the development of ancillary facilities for sport where there is a clear demand and where they do not compromise the reason for the AONB designation. The site adjoins another sporting use, a Golf Course.

Sport England role and policy

The Government, within their Planning Practice Guidance (Open Space, Sports and Recreation Facilities Section) advises Local Planning Authorities to consult Sport England on a wide range of applications [link here](#). This application falls within the scope of the above guidance.

Sport England assesses this type of application in light of the National Planning Policy Framework (NPPF) and against its own planning objectives, which are **Protect** - To protect the right opportunities in the right places; **Enhance** - To enhance opportunities through better use of existing provision; **Provide** - To provide new opportunities to meet the needs of current and future generations. Further information on the objectives and Sport England's wider planning guidance can be found on its [website](#).

The Proposal and Assessment against Sport England's Objectives and the NPPF

We note the proposed youth football pitches – 2x 7v7, 9v9, youth u13/14, youth 15/16 and youth 17/18 and proposed ancillary provision adjacent an existing sporting use, a golf course. In the new building Sport England advise that some showers are in cubicles. Detailed guidance on the issues that require consideration for playing pitch construction is set out in Sport England’s guidance ‘Natural Turf for Sport’.

Honiton Youth FC no longer have security of tenure at an existing site. Therefore there’s an immediate need for the provision of additional playing field land to accommodate the current demand of Honiton Youth FC. And to meet future demand.

We are mindful of the justification for this site’s selection within the application to aid the development of sport for the local community now and in the future. Sport England is well aware of the football pitch issues in Honiton. Other pitch sports too have issues in the town. More pitch space is needed and the town is very constrained. The Council’s adopted Playing Pitch Strategy (PPS) notes the potential of a new sport pitch site at Tower Hill (original plans drawn 2009). The original plans were much larger in scale than currently seeking planning permission in this application.

The PPS has specific action plans regarding Honiton Development Trust’s Tower Hill proposals. It explicitly states in HO.18: to “explore the possibility of addressing all Honiton pitch issues on alternative sites better related to the existing town and outside of the AONB first but if there are no realistic alternatives then **some pitches may need to be delivered on Tower Hill**”.

Sport England does not support a ‘blanket ban’ on sport in an area like an AONB. Our Policy allows for the development of ancillary facilities for sport where there is a clear demand and where they do not compromise the reason for the designation. The proposed site is adjacent an existing golf course.

The need for the proposal has been justified and appears to meet para 183 of the NPPF by being an exceptional circumstance and the development is in the public interest.

From a sport perspective the proposal appears to be in line with Sport England and NPPF policy.

Sport England have sought views from the Football Foundation, with Devon FA, they advise that Devon FA 23/24 affiliation data confirms that Honiton Town Youth FC have 13 teams (U6 – U18) with over 240 registered players. The club have the aspiration and capabilities to grow provision further but are stunted by the lack of suitable football facilities in the town and the surrounding area. The club currently play at St Rita’s Centre Playing Fields (with limited security of tenure) which has two 11v11 pitches with formal no ancillary facilities, no bespoke car parking and toilet facilities over a 5-minute walk away at Mountbatten Park. A new East Devon District Council PPS is currently under development, with the existing PPS (2015) stating that St Rita’s Centre Playing Field is over capacity at peak times.

On matchdays participants, parents and spectators are encouraged to park in Otter Moor Lane, which simply cannot cope with the amount of footfall. This leads to individuals accessing the site through a slip way not far from the Turk’s Head A30 junction , which involves young children having to cross a busy main road to access

the site. A recent East Devon District Council Health and Safety Risk Assessment of the site highlighted accessibility and changing and welfare at the highest level of risk.

The FF and Devon FA believe there is a suitable mix and configuration of pitch sizes proposed and would cater for all football demand from U7 to U18. All pitches meet FA recommended sizes and include 3m safety run offs. The drainage strategy and construction plans have been designed and proposed by the GMA (Grounds Management Association) who are a partner of The Football Association and are leaders in the industry. All plans have been reviewed by FF technical colleagues and are deemed suitable to ensure the delivery of pitch quality grass pitches. The changing pavilion plans have been reviewed and are also deemed suitable to serve the site. The designs are compliant with guidance and have taken into account the FF changing pavilion design key considerations.

The applicant has completed a robust site viability assessment locally and have provided detailed evidence on the viability to deliver at the Land of East Tower Road. The FF and Devon FA are actively engaged with the applicant and are fully supportive of the proposals and believe they are essential for the continuation, sustainability and growth of football in the Honiton area.

Facility Design

Sport England seeks to ensure the new sports facilities are fit for purpose and the design of this facility meets Sport England/NGB technical guidance. We would draw your attention to comments above from the Football Foundation.

Sport England's Position

This being the case, Sport England **supports** the application. Sport England recommends the following planning condition should be imposed:

The playing field/s and pitch/es shall be constructed and laid out in accordance with the [planning application *, Section * and Drawing No. **] and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use before [first use] [or occupation] [or other specified timeframe] of the development [or specified part of the development/] hereby permitted.

Reason: To ensure the quality of pitches is satisfactory and they are available for use before development (or agreed timescale) and to accord with Development Plan Policy

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If you wish to amend the wording of the recommended condition(s), or use another mechanism in lieu of the condition(s), please discuss the details with the undersigned. Sport England does not object to amendments to conditions, provided they achieve the same outcome and we are involved in any amendments.

The absence of an objection to this application, in the context of the Town and Country Planning Act, cannot be taken as formal support or consent from Sport England or any National Governing Body of Sport to any related funding application, or as may be required by virtue of any pre-existing funding agreement.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

If you would like any further information or advice please contact me.

Appendix 2 – Habitat Regulations Assessment Stage 1 screening report

The Conservation of Habitats and Species Regulations 2017 – Shadow HRA Template		East Devon District Council
Regulation 63 – Habitats Regulations Assessment		
Stage 1: Screening for Likely Significant Effect on the Beer Quarry and Caves SAC		
Part A: The proposal		
1. Type of permission/activity:	Detailed planning application for the change of use of land to football pitches, erection of clubhouse, new access and parking, landscaping, engineering and ancillary works.	
2. Application reference no:	24/0841/MFUL	
3. Site address: Grid reference:	Land West Of Tower Road And East Of Cuckoo Down Lane Honiton SY1750 9950	
4. Brief description of proposal:	<ul style="list-style-type: none">• Type of development Sports/Recreation• Distance to the European site 10 km	

	<ul style="list-style-type: none"> • Is the proposal site within a consultation zone (landscape connectivity, core sustenance, pinch point, hibernation sustenance zone) <p>Yes – Lesser Horseshoe Bat Landscape Connectivity Zone</p> <ul style="list-style-type: none"> • Size <p>4.3 hectares</p> <ul style="list-style-type: none"> • Current land use (habitat type and immediately adjacent habitat types) <p>Arable fields bounded by native hedgerow. Surrounding land in similar use apart from to the south which is in recreational use as a golf course. The shared boundary with the golf course includes mature line of trees.</p> <ul style="list-style-type: none"> • Timescale <p>Unknown – Likely within timescale of planning permission if granted (3 years)</p> <ul style="list-style-type: none"> • Working methods <p><i>Clearance of site and level changes/soil movement by excavators etc. followed by standard building methodology for clubhouse and car park area works.</i></p>
<p>5. European site name</p>	<p>Beer Quarry and Caves SAC (BQ&CSAC) – SAC EU Code UK0012585</p>
<p>6. Qualifying Features and Conservation Objectives:</p>	<p>Annex II species that are a primary reason for selection of this site</p> <ul style="list-style-type: none"> • 1323 – Bechsteins bat (<i>Myotis bechsteinii</i>). This complex of abandoned mines in south-west England is regularly used as a hibernation site by small numbers of Bechstein’s bat <i>Myotis bechsteinii</i> as well as an important assemblage of other bat species.)

<p>Ecological characteristics associated with the features (including those associated with the site, and information on general trends, issues or sensitivities associated with the features if available).</p>	<p>Annex II species present as a qualifying feature, but not a primary reason for site selection</p> <ul style="list-style-type: none"> • 1303 – Lesser horseshoe bat (<i>Rhinolophus hipposideros</i>) • 1304 – Greater horseshoe bat (<i>Rhinolophus Ferrumequinum</i>) <p>Conservation Objectives (Natural England 27/11/2018): <i>“With regard to the SAC and the natural habitats and/or species for which the site has been designated (the ‘Qualifying Features’ listed below), and subject to natural change;</i></p> <p><i>Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;</i></p> <ul style="list-style-type: none"> • <i>The extent and distribution of qualifying natural habitats and habitats of qualifying species</i> • <i>The structure and function (including typical species) of qualifying natural habitats</i> • <i>The structure and function of the habitats of qualifying species</i> • <i>The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely</i> • <i>The populations of qualifying species, and,</i> • <i>The distribution of qualifying species within the site.</i> <p><i>These Conservation Objectives should be read in conjunction with the accompanying Supplementary Advice document (where available), which provides more detailed advice and information to enable the application and achievement of the Objectives set out above.”</i></p> <p>The designated area of the SAC is relatively small and comprises the quarry and caves and the immediately surrounding areas. However, the qualifying features (the bat populations) are dependent upon a much wider area outside the SAC boundary which provides foraging habitat and commuting routes and supports other critical</p>
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	<p>roosts. Protection of key areas of habitat in the area is therefore essential in order to maintain and enhance the favourable conservation status of the qualifying features.</p>
<p>7. Ecological survey Summary of effort and findings</p>	<p><i>Name of documents containing ecological survey information:</i></p> <p>Ecological Impact Assessment, prepared by Quantock Ecology Environmental Consulting and dated 18/02/2025</p> <p>Ecological Appraisal, prepared by Quantock Ecology Environmental Consulting and dated 03/04/2023</p> <p><i>Summary of survey effort (no. transects, static detector deployments and bat emergence surveys, if applicable):</i></p> <p><u>Ecological Appraisal</u></p> <ul style="list-style-type: none"> • Desk Study • Extended Phase 1 Survey Study • Phase 1 Habitat Survey <p><u>Ecological Impact Assessment</u></p> <ul style="list-style-type: none"> • Desk Study • Extended Phase 1 Survey Study • Phase 1 Habitat Survey • Phase 2 Surveys <ul style="list-style-type: none"> - Dormice survey - Bat activity survey <p>Bat activity survey details</p>

A total of two static detectors were located on site for a week at a time, over a period of three months. The detectors were placed along the hedgerows on site. The location of the detectors was changed on each deployment to cover all relevant sections around the site.

The locations of the detector are detailed in figure 2 below.



The detectors were installed for a week at a time on the 13th July, 1st September and 5th October 2023. The detectors were set up to record 30 minutes prior to sunset and 30 minutes after sunrise each day.

	<p>Summary of relevant findings and Bat Activity Index (number of bat passes from greater and lesser horseshoe bats – note that Bechstein passes are unlikely due to low amplitude, flight patterns and cryptic call parameters):</p> <p>The survey concluded that at least eleven species of bats were recorded across the site.</p> <p>Very modest numbers of both horseshoe species were recorded at the site with lesser horseshoe recording 16 passes and greater horseshoe 11 passes in total. Statics 3 and 4 were the only detectors to record both lesser and greater horseshoe bats. Static 3 recorded a maximum of eight passes of lesser horseshoe and two passes of greater horseshoe and static 4 recorded three passes of lesser horseshoe and eight passes of greater horseshoe bats all in the September recording schedule.</p> <p>Relevant figure excerpts from document (maps, tables, if relevant/concise):</p> <p>See above</p>	
<p>Part B: Screening assessment for Likely Significant Effect – In absence of proposed mitigation</p>		
<p>8. Is this application necessary to the management of the site for nature conservation?</p>	<p>No</p>	
<p>9. What BQ&CSAC</p>	<p>10 km GHB Landscape connectivity zone</p>	<p>No</p>
	<p>4 km GHB Sustenance zone</p>	<p>No</p>

<p>consultation zones is the proposal within (insert "X")?</p> <p><i>Refer to the Beer Quarry and Caves SAC Habitats Regulations Assessment Guidance document and online mapping</i></p>	2 km GHB Hibernation sustenance zone	No
	11.2 km LHB Landscape connectivity zone	Yes
	2.5 km LHB Sustenance zone	No
	1.2 km LHB Hibernation sustenance zone	No
	10.25 km Bechstein's Landscape connectivity zone	No
	2.5 km Bechstein's sustenance zone	No
	Pinch point	No
<p>10. Summary assessment of potential impacts to Qualifying Features of the European site, in the <u>absence</u> of mitigation measures.</p> <p>Consider scale, extent, timing, duration, reversibility and likelihood of the potential effects.</p>	<p><i>A – Landscape (large) scale connectivity impacts</i></p>	<p>The proposal involves removal of some sections of existing hedgerow between the fields. However the survey work that has been undertaken concludes that 'no significant commuting routes were identified' and that impacts on commuting bats were deemed to be low.</p> <p>In addition, no floodlighting of the football pitches is proposed. The clubhouse building would be internally illuminated and is likely to have controlled external lighting around this and the car park area but this is not considered to lead to landscape scale impacts.</p>

<p><i>Impacts of these types are considered to result in result in a Likely Significant Effect (LSE) on the SAC. Refer to the flow chart on page 19 of the Beer Quarry and Caves SAC Habitats Regulations Assessment Guidance document</i></p> <p>If the proposal is located in a Landscape Connectivity Zone (LCZ) ONLY, then the only impact to result in an LSE is “A – Landscape scale connectivity impacts”.</p> <p><i>Consider construction phase and operational phase. For some proposals, it may also be necessary to consider de-commissioning and after-use.</i></p>	<p><i>B - Direct impacts on the SAC roost or other key roost(s)</i></p>	N/A
	<p><i>C - Change in habitat quality and composition (loss or change in quality of foraging habitat)</i></p>	N/A
	<p><i>D - Severance or disturbance of linear features used for navigating or commuting</i></p>	N/A
	<p><i>E - Disturbance from new illumination causing bats to change their use of an area/habitat</i></p>	N/A
	<p><i>F - Disturbance to or loss of land or features secured as mitigation for BQ&CSAC bats from previous planning applications or projects</i></p>	N/A
	<p><i>G – Loss, damage, restriction or disturbance of a pinch point</i></p>	N/A

	<i>E - Other impacts – e.g. physical injury by wind turbines or vehicles</i>	N/A
11. Potential for in-combination effects (<i>other permissions granted and proposals in the area that could result in impacts when assessed in combination – review planning permissions in the vicinity with similar impacts</i>)	There are no current or pending applications in the immediate vicinity of the site that are likely to give rise to in-combination effects.	
12. Natural England consultation comments (if available)		
Part C: Conclusion of Screening		
13. Is the proposal likely to have a significant effect 'alone' or 'in combination' on a European site?	<p>We conclude that, in the absence of mitigation measures, a Significant Effect on the Beer Quarry and Caves SAC is not likely, either 'alone' or 'in-combination' with other plans and projects.</p> <p>An Appropriate Assessment of the proposal is not therefore necessary.</p>	

<i>Refer to the flow chart in the Beer Quarry and Caves SAC Habitats Regulations Assessment Guidance document</i>	
Name Date	Charlie McCullough 01.10.25

