

		Committee Date: 07.07.2026	
Exmouth Littleham (Exmouth)	26/0478/FUL	Target	Date:
		19.05.2026	
Applicant:	Ms Jill Anderson		
Location:	42 Salterton Road Exmouth		
Proposal:	Construction of a new exercise studio and wet changing facilities, construction of new tennis court with floodlights, refurbishment of tennis courts with additional floodlights		

RECOMMENDATION: Approval subject to conditions

EXECUTIVE SUMMARY

This application is being considered by Committee as it is related to a further application (25/1518/OUT) which is seeking planning permission for the development of eight dwellings on land currently within the ownership of the Club. Whilst the two applications remain separate for determination purposes, they are interrelated in that the application for housing is reliant on planning permission being approved for these enhanced and additional sporting facilities

The application is seeking approval for the provision of a yoga/exercise studio, replacement tennis court, upgrades to 2 existing court and changing rooms for the swimming pool which are to be funded by the sale of the proposed residential land, secured through a legal agreement to ensure that the enabling development is undertaken.

The proposed studio and new tennis court are situated on land which is currently unused, with the proposed wet changing facility being located adjacent to the swimming pool. The new studio building is sited adjacent to the western boundary of the site and comprises a single storey building with a shallow mono-pitched roof. It measures 26.4m x10m with a height of 3.3m at the front of the building (2.9m at the rear). It has vertical cladding to the walls of three sides, with the eastern elevation being glazed.

To the east of the studio a new floodlit and fenced tennis court is proposed.

This application is supported by local and national planning policies which seek to promote healthy and active lifestyles, by retaining the recreational use of the site and improving the quality and offer of existing facilities. Development plan policy strongly supports the retention and enhancement of community and sporting facilities, subject to impacts being acceptable.

Concerns have been raised in respect of floodlighting and residential amenity issues, and whilst these are appreciated, technical concerns have been overcome, such that subject to appropriate conditions relating to noise, lighting and hours of operation, the proposal is considered to be acceptable in terms of amenity impact.

Overall, the tangible benefits to the club arising from this development, seeking to ensure its continued operation, are significant in the planning balance and are considered to outweigh any identified harms, which can be mitigated by condition.

The application is therefore recommended for approval, subject to appropriate conditions.

CONSULTATIONS

Local Consultations

Parish/Town Council

Meeting 13.04.26

No objection subject to Environmental Health being satisfied following their request for additional information.

Technical Consultations

Sports England 13.04.26

The proposed development does not fall within our statutory remit (Statutory Instrument 2015/595) and, therefore, Sport England has not provided a detailed response in this case, but recommends the LPA refer to its general guidance within its website.

Lawn Tennis Association 27.04.26

The LTA has supported Cranford Sports Club with a strategy for tennis to ensure future success. The strategy aims to increase court utilisation, improve financial sustainability and provide a broad tennis offer that meets the needs of the local community.

The emerging East Devon Playing Pitch Strategy (PPS) and LTA data and suggests that 3 floodlit tennis courts on this site is adequate provision, would meet local demand and compliment the availability of 25 LTA registered courts within a 20 minute drive time of Cranford. The PPS also highlights the need for improvements to be made to the surface of the two existing tennis courts which have been rated as 'poor'.

The LTA supports the application to improve two existing courts and add an additional court on this site. The LTA would advise the following to ensure the above outcomes are achieved:

- o A SAPCA registered contractor is appointed to carry out the required work. The LTA understand the applicant has been engaging with Courtstall who are listed on the SAPCA website.
- o The new tennis court meets minimum LTA recommended court dimensions.

- o SmartAccess gate technology is installed by CIA Fire & Security to improve customer journey to court and enable greater community access.
- o The club continue to engage with the local LTA Delivery Team to ensure the vision for tennis is realised by implementing relevant LTA products and programmes to support success.

As the governing body for tennis, we look forward to working with Cranford Sports Club to create a vibrant and sustainable tennis venue whilst supporting local health and wellbeing outcomes.

South West Water 10.04.26

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

Having reviewed the applicant's current information as to proposed surface water disposal for its development, please note that method proposed to discharge into the ground (infiltration) is acceptable and meets with the Run-off Destination Hierarchy.

EDDC Trees 27.03.26

No arb concerns.

Environmental Health 25.06.26

I'm mostly happy with the proposed noise mitigation strategy but I do concerns that the fixed plant serving the development will need to conditioned to ensure it doesn't become a problem noise source itself. I'd recommend the following conditions:

1. External doors and windows forming part of the buildings acoustic envelope shall be kept closed except for access and egress
2. The specific noise level of any fixed plant or equipment installed and operated on the development must be designed as part of a sound mitigation scheme to operate at a level of 5dB below the sites daytime background sound level (07:00 – 23:00) expressed as LA90 1hr when measured or predicted at the boundary of any noise sensitive property and night-time background sound level (23:00 – 07:00) expressed as LA90 15min, when measured or predicted at a distance of 1m from the façade of any noise sensitive property. Any measurements and calculations shall be carried out in accordance with 'BS4142+2014 Methods for Rating and Assessing Industrial and Commercial Sound'.

Reason: To protect the amenity of local residents from noise.

Environmental Health – 07.04.26

I have considered the application and I do have Environmental Health concerns in relation to missing information on noise and light impacts.

This application involves the introduction of a new exercise studio in close proximity to existing noise sensitive-receptors and their amenity space. I am concerned that the noise impact from the introduction of this new building has not been fully assessed.

I recommend that the applicant undertakes a noise impact assessment. A BS4142:2014+A1:2019, assessment should be undertaken in order to determine the likely noise impact from the development on nearby noise sensitive dwellings including external amenity areas when measured against the current background sound levels. The assessment must have regard to the details contained within ProPG: Gym Acoustics Guidance 2023.

A lighting scheme for any external lighting (including floodlights) complying with the requirements of the Institute of Light Engineers guidance on the avoidance of light pollution should be undertaken. The scheme must cover the impact of the lighting on sensitive-receptors including the provision of any mitigation (shielding) measures.

This information is required before any recommendation can be made.

EDDC District Ecologist 14.05.26

No objection subject to conditions to secure the recommendations in Sections 4.3.5-4.3.7 of the Ecological Impact Assessment to ensure lighting impacts on ecological receptors are suitably controlled.

DCC Flood Risk Management Team 14.05.26

Please note that we are not a statutory consultee for minor planning applications.

Other Representations

Five representations have been received, 4 raising objections and 1 in support. These are summarised below

Objections

- Additional noise and disturbance
- Light pollution
- Impact of lighting on ecology
- Additional flood risk from surface water
- Additional sewage flooding
- Inaccuracies and inconsistent information submitted

Support

- The drainage plan fails to indicate a surface water pipe crossing the site

PLANNING HISTORY

There have been several planning applications relating to the sports club over many years, however the following are of particular relevance to the current application

Reference	Description	Decision	Date
25/1518/OUT	Outline application for the erection of 8 dwellings. Approval sought for access, layout and scale, with landscaping and appearance reserved. The application relates to land presently occupied by surplus tennis courts and is linked to the current proposal because the improvement works at Cranford Sports Club are advanced as the replacement/enhancement package associated with the loss of those courts.	Pending / linked application	Validated 18.08.2025
24/0015/V106	Application to vary S106 agreement ref no 000445/SS in respect of application numbers 21/2566/COU and 15/1679/OUT, and deed of variations dated 07/04/2016, 13/02/1996, and 13/01/2022	Refused	05.03.2024
21/2566/COU	Change of use of disused recreational land to garden use in association with 4 and 5 Cranfield Close	Approved	24.01.2022
16/1155/RES	Construction of 5 no. dwellings, formation of access and parking areas	Approved	06.07.2016
15/1679/OUT	Outline application for the erection of up to 10 no dwellings with all matters reserved	Approved	10.11.2015

POLICIES

Adopted East Devon Local Plan 2013-2031

Strategy 1 (Spatial Strategy for Development in East Devon)

Strategy 3 (Sustainable Development)

Strategy 5B (Sustainable Transport)

Strategy 6 (Development within Built-up Area Boundaries)

Strategy 47 (Nature Conservation and Geology)
Strategy 48 (Local Distinctiveness in the Built Environment)
Strategy 50 (Infrastructure Delivery)

D1 (Design and Local Distinctiveness)
D2 (Landscape Requirements)

EN5 (Wildlife Habitats and Features)
EN14 (Control of Pollution)
EN21 (River and Coastal Flooding)
EN22 (Surface Run-Off Implications of New Development)

RC5 (Open Space in New Development)
RC6 (Local Community Facilities)

TC2 (Accessibility of New Development)
TC7 (Adequacy of Site Access and Local Highway Network)

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP01 - Spatial strategy Draft
Strategic Policy SP05 - Development Inside Settlement Boundaries Draft
Strategic Policy SP07 - Delivery of Infrastructure Draft

Strategic Policy OS01 - Access to open space and recreation facilities Draft
Policy OS02 - Sport, recreation and open space provision in association with development Draft
Policy OS05 - Playing pitch strategy and outdoor sports provision Draft
Policy OS06 - Built sports and leisure facilities Draft

Policy COM02 - Community buildings and facilities Draft

Strategic Policy DS01 - Design and local distinctiveness Draft
Policy D02 - Landscape requirements Draft

Strategic Policy Strategic Policy TR01 - Prioritising Walking, Wheeling, Cycling and Public Transport Draft
Policy TR04 - Parking Standards Draft

Strategic Policy OL01 - Landscape Features Draft
Policy OL09 - Control of pollution Draft

Strategic Policy PB05 - Biodiversity Net Gain Draft
Policy PB07 - Ecological Enhancement and Biodiversity in the Built Environment Draft
Policy PB08 - Trees, Hedges and Woodland on Development Sites Draft

Policy W02 - Surface water runoff Draft
Policy W06 - Polluting emissions and contamination Draft

Exmouth Neighbourhood Plan

Policy EB2 – Surrounding Development Styles
Policy H1 – Accessible and Adaptable Homes
Policy CF3 – Sport and Leisure Facilities

Government Planning Documents

NPPF (National Planning Policy Framework 2024)
National Planning Practice Guidance

Background to the Proposal

This proposal forms part of a wider strategy to secure the long-term viability of the club and is indirectly linked to outline application 25/1518/OUT, which proposes residential development on land presently occupied by surplus tennis courts. The sale of the land for the proposed housing is to enable investment into the Cranford Sports Club, including the development of the facilities proposed by this application, to ensure that the Club provides a viable, modernised community sports facility.

A Legal Agreement, linked to the housing application, is proposed to be entered into to ensure that funding from the sale of the land for housing is used for sporting improvements in the Club. A Heads of Terms document has been submitted in support of the housing application which would form the basis of the Section 106 Agreement to secure the Club improvements.

Notwithstanding the above, this a freestanding application that can be approved irrespective of the determination of the related housing application.

Site Location and Description

The application site comprises two areas of land that form part of the Cranford Sports Club in Salterton Road. The larger area relates to land to the south and west of the main complex, and west of the outdoor tennis and sports courts. It is a level site that is grassed and currently unused, with residential properties to the north, west and south and the outdoor sports area to the east.

The smaller site relates to a grassed area located to the east of the swimming pool.

Proposed Development

Planning permission is sought for the construction of a new exercise studio, new wet changing facilities, the construction of a new floodlit tennis court and refurbishment of a further two existing tennis courts.

The new studio building is sited adjacent to the western boundary of the site and comprises a single storey building with a shallow mono-pitched roof. It measures 26.4m x10m with a height of 3.3m at the front of the building (2.9m at the rear). It has vertical cladding to the walls of three sides, with the eastern, inward facing elevation being glazed. The studio is intended to be used for classes such as yoga and Pilates that benefit from a quieter location away from the main sporting provision.

To the east of the studio a new floodlit and fenced tennis court is proposed.

The new single storey flat-roof changing room is located adjacent to the eastern end of the swimming pool, and measures 10m x 4m with a height of 2.8m.

ANALYSIS

The main issues to be considered in the determination relate to

- Policy Position and The Principle of Development
- Impact on Sport/Recreational Land
- Traffic and Highway Safety
- Residential Amenity
- Arboricultural Impact
- Drainage and Flood Risk
- Ecology
- Biodiversity Net Gain
- Planning Obligations
- Planning Balance and Conclusions

Policy Position and Principle of Development

East Devon Local Plan 2013-2031 (EDLP)

The application site lies within the built-up area boundary identified for Exmouth and is therefore within an area considered to be sustainable for new development.

Emerging East Devon Local Plan (Consultation draft)

A new East Devon Local Plan is under preparation, and a Draft Local Plan has been produced with consultation of the 2nd Regulation 19 having been completed.

The site remains within the Exmouth built-up area boundary and is therefore considered to be a sustainable location for development.

National Planning Policy Framework (NPPF)

The provision of healthy and safe communities, including the provision of sports facilities is promoted throughout the National Planning Policy Framework 2024.

Impact on Sport/Recreational Land

The proposal is to improve and expand the sporting offer at Cranford Sports Club and to ensure the long term viability of the club. In land use terms, the development would retain the site in community sporting and recreational use and would upgrade the quality of the existing facilities.

Policy RC1 (Retention of Land for Sport and Recreation) is of particular relevance to this application.

This policy states

'Proposals that would result in the loss of open space currently or previously used for recreation and/or sports uses, play areas or playing fields will not be permitted unless:

- 1. Alternative provision of equivalent community benefit is made available and will be appropriately laid out by the applicant as a replacement. Or*
- 2. Sports and recreational facilities can best be retained and enhanced through the redevelopment of a small part of the site. Or*
- 3. Locally There is an excess of public open space, children's play areas or sports pitch provision in the area as the case may be.'*

The proposal is seeking additional sporting facilities, in the form of the new studio building and swimming pool changing room, and the creation of a new tennis court. It is recognised that the tennis court is intended to provide some compensation for those lost should the housing development on the site go ahead, however the new facilities, and refurbishment will further widen the sporting and community benefits which the Club offers. The loss of tennis courts does not form part of this application,

The new court and refurbishment of two of the existing courts is supported by the Lawn Tennis Association who consider that the proposals would offer improvements above that currently existing on the site, notwithstanding the loss of courts proposed in the related housing application

It is considered that the delivery of the additional sporting facilities proposed within this application would accord with Policy RC1 (Retention of Land for Sport and Recreation) and result in an enhancement of the existing sporting provision in the area.

Traffic and Highway Safety

No alterations to the current parking and access arrangements are proposed within this application. There is a large carpark adjacent to Salterton Road which serves the Club and which is capable of accommodating any potential increase in vehicle movements arising from this proposal, although this is not considered to be material.

Residential Amenity

The application site is bounded to the north, south and west by the rear gardens of neighbouring properties. The key proposals that could impact on neighbour amenity are the siting of the new studio building and the new tennis court with floodlights. Given the scale, design and position of the studio, no overlooking or loss of privacy would arise from its siting.

The proposed building has been orientated such that only the east side will have windows and openings, with the submitted drawings indicating full height glazing, and two single opening doors on this elevation. No other openings are indicated on the plans. As such, and whilst concerns raised regarding the potential noise and disturbance arising from the use of the building are appreciated, the design and orientation of the building towards the existing sports area, together with the distances

from neighbouring properties, it is not considered that the use of the building would have a significant or unacceptably detrimental impact on the amenity presently enjoyed by neighbouring residents.

However, it is necessary to ensure that any permission is accompanied by robust controls. In this case, the nature of the use is not materially different from the established sporting and fitness character of the site, but the introduction of additional activity and lighting has the potential to affect nearby residents if left unrestricted.

Concerns raised regarding potential noise impact arising from the use of the studio are appreciated and planning conditions are needed to secure appropriate sound mitigation measures are implemented prior to first use of the exercise studio, together with restrictions on the hours of use to ensure that there is no material loss of amenity for neighbouring residents..

Floodlighting for the tennis courts can further be controlled by condition such that hours of operation and luminescence/light spill are not likely to have a material impact on neighbouring amenity. It is also noted that the relationship of the new tennis court with neighbouring houses is not materially different to the relationship of the existing courts with neighbours.

With such controls in place, it is considered that any potential amenity impacts can be mitigated and that the proposal would accord with Policy D1 (Design and Local Distinctiveness) of the local plan.

Arboricultural Impact

There are no significant trees on the site, and whilst there is fairly dense vegetation to the southern boundary of the site, the building and court are sited away from this such that no adverse arboricultural impact will arise from the proposed development.

Drainage and Flood Risk

The application site is located within an area identified as floodzone 1, the lowest level of risk. Surface water arising from the development, specifically the new tennis court and studio building, is proposed to be accommodated within the site via soakaway, following the SuDS hierarchy, with infiltration to ground identified as the preferred drainage solution.

South West Water confirms that the proposed infiltration-based approach is acceptable and accords with the drainage hierarchy. Subject to a condition requiring implementation of the approved drainage details, the proposal complies with Policy EN22.

The potential presence of a surface water drainage pipe across the site has been identified, and if appropriate, any measures for protection, diversion or alterations to this can further be conditioned to ensure suitable arrangements are undertaken.

Ecology

The application was accompanied by an Ecological Impact Assessment and Biodiversity Metric. The site is set within an urban context and is surrounded by vegetated gardens and dwellings. It comprises a field dominated by grassland which provides commuting/foraging habitat for badgers, bats and reptiles.

Subject to the implementation of ecological mitigation and enhancement measures, which can be conditioned, the proposal is considered to accord with Strategy 47, Policy EN5 and relevant sections of the NPPF.

Biodiversity Net Gain

The BNG assessment identified 1.08 habitat units prior to development, with 0.38 units following development, a loss of .70 units (64.97%). The on-site habitat retention and creation measures are not sufficient to ensure that the scheme will deliver a net gain in biodiversity units post-development, and as a result there will be an on-site habitat unit deficit in grassland habitats. It is not possible to deliver these units on site without significant amendments to the scheme design, and therefore it is proposed to deliver the required units through off-site compensation.

In order to achieve a net gain in habitat units, the Ecological Impact Assessment identifies a total of 0.81 units of medium distinctiveness would need to be delivered, should off-site compensation be sought within the LPA boundary. Should the off-site compensation be outside of the LPA boundary, a total of 1.62 units of medium distinctiveness will need to be delivered.

A Biodiversity Gain Plan should be submitted prior to the commencement of development. This plan must demonstrate how the required biodiversity units will be secured, including evidence of purchase from a suitable offsite habitat provider listed on the statutory Biodiversity Gain Site Register or evidence of statutory credit purchase.

Planning Obligations

The development will need to be party to the Section 106 agreement associated with application 25/1518/OUT to ensure that the residential scheme does not proceed in isolation from the mitigation measures suggested to justify the loss of sports land. The agreement should secure, as appropriate, the linkage between the housing development and the delivery of replacement/enhanced sports provision at Cranford Sports Club, together with any necessary habitat mitigation contributions arising from the development.

The Planning Obligation is not necessary however to make this application acceptable, which only proposes additional and enhanced sporting provision.

Planning Balance and Conclusions

The proposal is to improve and expand the sporting offer at Cranford Sports Club. In land use terms, the development would retain the site in community sporting and recreational use and would upgrade the quality of the existing facilities. Development plan policy strongly supports the retention and enhancement of community and sporting facilities, subject to impacts being acceptable. Policy RC1 (Retention of Land for Sport and Recreation) seeks to resist the loss of open space and sports uses unless certain criteria are met.

It is considered that there would be considerable social and wider health benefits arising from the proposal. The development would deliver a new exercise studio and improved changing accommodation, provide one new tennis court, refurbish two poor-quality existing courts, improve the quality of the tennis offer at the club, and help secure the continued operation and financial resilience of a longstanding recreational asset serving Exmouth and the surrounding area. These are significant material considerations that weigh heavily in favour of the development.

The Town Council supports the Club's long-term future, subject to environmental health being satisfied. The public representations raise concerns about drainage and residential amenity. However technical consultees, including Environmental Health and Ecology raise no objections, subject to appropriate conditions. It is considered that with appropriate conditions the concerns raised can be appropriately mitigated and do not weigh materially against the proposal.

Having regard to the development plan as a whole and the provisions of the NPPF the proposal represents an acceptable and beneficial form of development and is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

1. Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.

(Reason - To comply with section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the approved plans listed at the end of this decision notice.

(Reason - For the avoidance of doubt.)

3. CEMP

Prior to commencement of development the Local Planning Authority shall have received and approved a Construction and Environment Management Plan (CEMP) including:

(a) the timetable of the works;

(b) 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.

(c) hours during which delivery and construction traffic will travel to and from the site, with such vehicular movements and construction working hours being restricted to between 8:00am and 6pm Mondays to Fridays inc.; 8.00am to 1.00pm Saturdays, with no such vehicular movements or construction work taking place on Sundays and Bank/Public Holidays;

(d) the number and sizes of vehicles visiting the site in connection with the development and the frequency of their visits and details of any road closures;

(e) the compound/location where all building materials, finished or unfinished products, parts, crates, packing materials and waste will be stored during the demolition and construction phases;

(f) areas on-site where delivery vehicles and construction traffic will load or unload building materials, finished or unfinished products, parts, crates, packing materials and waste with confirmation that no construction traffic or delivery vehicles will park on the County highway for loading or unloading purposes, unless prior written agreement has been given by the Local Planning Authority;

(g) hours during which no construction traffic will be present at the site;

(h) the means of enclosure of the site during construction works; and

(i) details of proposals to promote car sharing amongst construction staff in order to limit construction staff vehicles parking off-site

(j) details of wheel washing facilities and obligations

(k) The proposed route of all construction traffic exceeding 7.5 tonnes.

(l) Details of the amount and location of construction worker parking.

(m) There shall be no burning on site and no high frequency audible reversing alarms used on the site.

(n) The CEMP shall include at least the following matters : Air Quality, Dust, Water Quality, Lighting, Noise and Vibration, Pollution Prevention and Control, and Monitoring Arrangements

(Reason : To protect the amenities of existing and future residents in the vicinity of the site and to minimise the impact of the development on the highway network in accordance with policies TC7 (Adequacy of Road Network and Site Access), D1 (Design and Local Distinctiveness) and EN14 (Control of Pollution) of the East Devon Local Plan 2013-2031 and national policies as set out in the National Planning Policy Framework and associated Planning Practice Guidance. A pre-commencement condition is required to ensure that the required works can be

considered and delivered in advance of any increased traffic impacts associated with the development).

4. Drainage Strategy

Surface water drainage shall be provided by means of soakaways within the site which shall comply with the requirements of BRE Digest 365 for the critical 1 in 100-year storm event plus 45% for climate change unless details of an alternative means of surface water drainage are submitted to and approved in writing by the Local Planning Authority prior to installation. To adhere to current best practice and take account of urban creep, the impermeable area of the proposed development must be increased by 10% in surface water drainage calculations. The development hereby approved shall not be brought into use until the agreed drainage scheme has been provided and it shall thereafter be retained and maintained for the lifetime of the development.

(Reason - In the interests of adapting to climate change and managing flood risk, and in order to accord with Policy EN22 (Surface Run-Off Implications of New Development) of the adopted East Devon Local Plan 2013-2031.)

5. Sound Mitigation

The specific noise level of any fixed plant or equipment installed and operated on the development must be designed as part of a sound mitigation scheme to operate at a level of 5dB below the sites daytime background sound level (07:00 – 23:00) expressed as LA90 1hr when measured or predicted at the boundary of any noise sensitive property and night-time background sound level (23:00 – 07:00) expressed as LA90 15min, when measured or predicted at a distance of 1m from the façade of any noise sensitive property. Any measurements and calculations shall be carried out in accordance with 'BS4142+2014 Methods for Rating and Assessing Industrial and Commercial Sound'.

(Reason - To protect the amenities of neighbouring residents from excessive noise in accordance with Policies D1 (Design and Local Distinctiveness) and EN14 of the East Devon Local Plan 2013-2031).

6. Noise Mitigation

The development shall take place in accordance with the Noise Mitigation, Building Design and Operational Statement dated 4/6/26, including that external doors and windows forming part of the buildings acoustic envelope shall be kept closed except for access and egress.

(Reason - To protect the amenities of neighbouring residents from excessive noise in accordance with Policies D1 (Design and Local Distinctiveness) and EN14 of the East Devon Local Plan 2013-2031).

7. Ecology

The works shall be carried out in strict accordance with Section 4.3 and 4.4 of the Ecological Impact Assessment (EclA) (Devon Wildlife Consultants, February 2026). Prior to first use of the new facilities, a written record shall be submitted to

the local planning authority detailing how works proceeded in accordance with the EclA report to include photographs of the installed ecological mitigation and enhancement measures, including no. 2 bat boxes and no. 2 bird boxes installed on the exercise studio, as detailed in the report. The works shall be undertaken prior to the occupation of the studio building hereby approved.

(Reason: To ensure the development has no adverse effect on protected and notable species and provides ecological mitigation and enhancement measures in accordance with 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)

8. Lighting

Lighting shall be installed in accordance with BCT/ILP Guidance Note GN08/23 Bats and artificial lighting at night and follow the recommendations within Section 4.3.7 of the Ecological Impact Assessment (Devon Wildlife Consultants, February 2026). Under no circumstances should any other external lighting be installed without prior consent from the local planning authority. The following measures shall be implemented:

- The colour temperature of floodlighting shall not exceed 4000K; all other external lighting shall consist of a warm light spectrum of <2700K;
- Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control - See ILP GN01;
- All luminaires must be mounted horizontally, with no light output above 90° and/or no upward tilt;
- Manual control of floodlights with strict timing restrictions to ensure floodlights are turned off at 22:00 hours and when not required;
- Where appropriate, external security lighting to be set on motion-sensors and set to the shortest illumination period necessary for safety and security.

The approved lighting shall be installed prior to the use of the tennis court, or occupation of the studio building hereby approved and shall remain for the duration of the development.

(Reason: To ensure the development has no adverse effect on residential amenity and protected and notable species and provides ecological mitigation and enhancement measures in accordance with 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)

9. Hours of Operation

The exercise studio hereby approved shall not be used outside the hours of 07:00 to 21:00 on any day, and the floodlit tennis courts shall not be used outside the hours of 08:00 to 22:00 on any day unless otherwise agreed in writing by the Local Planning Authority.

(Reason - To protect the amenities of neighbouring residents in accordance with Policy EN14 of the East Devon Local Plan 2013-2031.)

10. Materials

No development above foundation level shall take place until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

NOTE FOR APPLICANT

Biodiversity Net Gain Informative:

Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 means that this planning permission is deemed to have been granted subject to "the biodiversity gain condition" (BG condition).

The Local Planning Authority cannot add this condition directly to this notice as the condition has already been applied by law. This informative is to explain how the biodiversity condition applies to your development.

The BG conditions states that **development may not begin unless:**

- (a) a Biodiversity Gain Plan (BG plan) has been submitted to the planning authority, and
- (b) the planning authority has approved the BG plan.

In this case the planning authority you must submit the BG Plan to is East Devon District Council.

There are some exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

Statutory exemptions and transitional arrangements in respect of the biodiversity gain condition.

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 applies (planning permission for development already carried out).
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and

(i) the original planning permission to which the section 73 planning permission relates was granted before 12 February 2024; or

(ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.

4. The permission which has been granted is for development which is exempt being:

4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:

i) the application for planning permission was made before 2 April 2024;

ii) planning permission is granted which has effect before 2 April 2024; or

iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).

4.2 Development below the de minimis threshold, meaning development which:

i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and

ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.

4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).

4.5 Self and Custom Build Development, meaning development which:

i) consists of no more than 9 dwellings;

ii) is carried out on a site which has an area no larger than 0.5 hectares; and

iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

Irreplaceable habitat

If the onsite habitat includes irreplaceable habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements for the content and approval of Biodiversity Gain Plans.

The Biodiversity Gain Plan must include, in addition to information about steps taken or to be taken to minimise any adverse effect of the development on the habitat, information on arrangements for compensation for any impact the development has on the biodiversity of the irreplaceable habitat.

The planning authority can only approve a Biodiversity Gain Plan if satisfied that the adverse effect of the development on the biodiversity of the irreplaceable habitat is minimised and appropriate arrangements have been made for the purpose of compensating for any impact which do not include the use of biodiversity credits.

Where there are losses or deterioration to irreplaceable habitats a bespoke compensation package needs to be agreed with the planning authority, in addition to the Biodiversity Gain Plan.

For information on how to prepare and submit a Biodiversity Gain Plan please use the following link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

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 positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved.

Plans relating to this application:

8342-LP1 B	Location Plan		16.04.26
8342-103: Yoga Studio	Proposed Plans	Combined	10.03.26
8342-104: Changing Rooms	Proposed Plans	Combined	10.03.26
8342-105: Tennis Court	Proposed Elevation		10.03.26

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.