

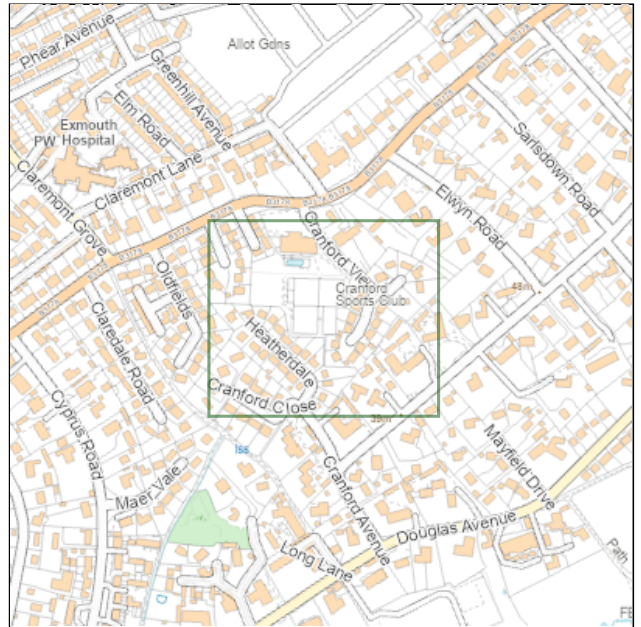
Ward Exmouth Littleham

Reference 25/1518/OUT

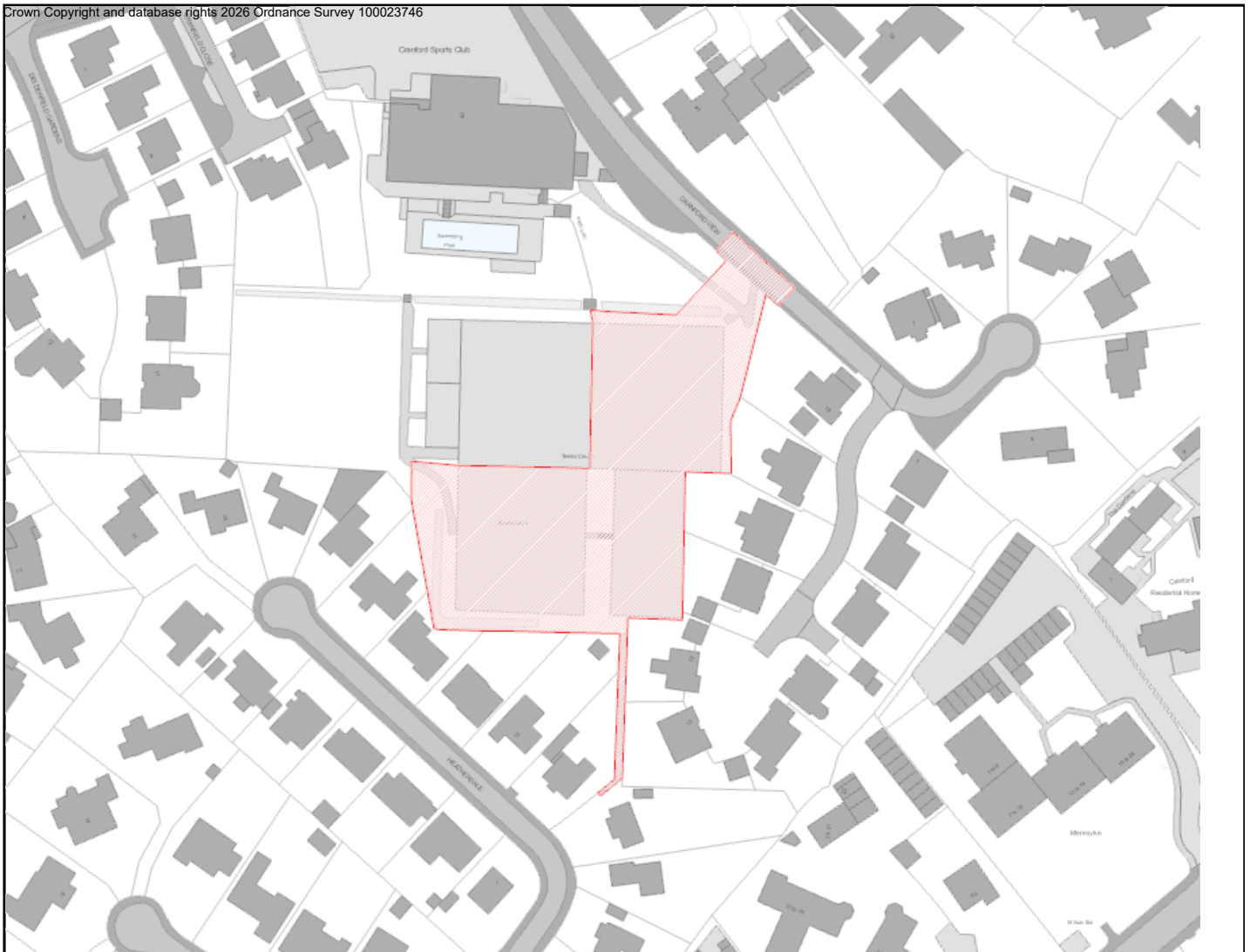
Applicant Cranford Sports Club

Location Cranford Sports Club 42 Salterton Road
Exmouth EX8 2EQ

Proposal Outline application for the erection of 8no dwellings. Seeking approval for access, layout and scale (Matters Reserved: landscaping and appearance)



RECOMMENDATION: APPROVE subject to the applicant entering into a S106 agreement to secure financial obligations towards sports provision and habitat mitigation and conditions.



		Committee Date: 07.07.2026
Exmouth Littleham (Exmouth)	25/1518/OUT	Target Date: 08.10.2025
Applicant:	Cranford Sports Club	
Location:	Cranford Sports Club 42 Salterton Road	
Proposal:	Outline application for the erection of 8no dwellings. Seeking approval for access, layout and scale (Matters Reserved: landscaping and appearance)	

1. RECOMMENDATION:

APPROVE subject to the applicant entering into a S106 agreement to secure financial obligations towards sports provision and habitat mitigation, and planning permission having been granted for the development proposed under reference 26/0478/FUL, and conditions.

EXECUTIVE SUMMARY

This application is before Members because a contrary view has been expressed by a Ward Member and the Town Council

The proposal seeks outline planning permission for the development of eight residential dwellings. Approval is sought for access, layout and scale with other matters reserved. The application therefore focuses on the principle of the development, whether the access proposals are acceptable in highway safety terms, and whether the layout and scale of the development is acceptable.

The site lies within the built-up area of Exmouth, which is considered a sustainable location for development, although as the site is within a sporting use, currently tennis courts, it is necessary to consider the impacts of the loss of recreational land.

To address the loss of recreational land, this application has been submitted concurrently with a further application for the construction of a new exercise studio and wet changing facilities, construction of new tennis court with floodlights, and refurbishment of tennis courts with additional floodlights (26/0478/FUL). It is proposed to link the applications through the submission of a legal agreement to ensure that funds arising from the sale of the site for housing

is used to support the refurbishment and improvements to the Club. A Heads of Terms document has been submitted which would form the basis of the Section 106 Agreement to secure the Club improvements.

The Town Council supports the Club's long-term future, but raise concerns regarding the proposed access, and proposed mitigation measures to compensate for the loss of the tennis courts. The Ward Member and public representations raise concerns about overdevelopment, parking, access, drainage and residential amenity. However technical consultees, including the Highway Authority, Environmental Health and Ecology raise no objections, subject to appropriate conditions.

Having regard to the application documents as a whole, the development plan and the National Planning Policy Framework, Officers consider that the proposal would deliver 8 dwellings in a sustainable built-up area location and would secure mitigation for the reconfiguration and enhancement of the sports club through a Section 106 agreement. Subject to the completion of that agreement and the imposition of planning conditions, the proposal is recommended for approval.

CONSULTATIONS

Local Consultations

Exmouth Littleham - Cllr Nick Hookway 28.10.25

I object to the above application for the following reasons.

1. Access; Cranford View has limited access, this application would exacerbate issues for nearby properties. There seems to be little consideration given for delivery vehicles, visitor parking and emergency vehicles.
2. Layout: The layout at the southern half of the site seems awkward and incoherent in design, especially with plots 6, 7 and 8. Indeed Plot 8 seems to be out of place and lacks adequate room, might it be overlooked by plot 7, that seems unclear to me.
3. Overlooking and loss of privacy; Nearby properties must not suffer from being overlooked by this development.

These are facts as I see them for the information currently presented. I reserve the right to amend my views if presented with additional information or explanation.

Parish/Town Council

Meeting 01.09.25

Objection: While members support the Club's long-term future, concerns were raised regarding access particularly via Cranford View, which is very narrow and highway safety, especially considering the nearby ballet school and the need to address visitor parking for the school. Members felt the plans should be thoroughly reviewed by Highways, who had yet to comment.

Members also queried the status of a previous application to vary the S106 Agreement (ref: 24/0015/V106), which was refused due to the absence of satisfactory mitigation

measures to compensate for the loss of the tennis courts. The current application does not indicate whether the S106 Officer has been consulted.

Technical Consultations

Environmental Health 27.08.25

An assessment shall be carried out of the potential impact of the floodlights on the remaining tennis courts on the proposed development. The assessment must comply with the requirements of the Institute of Light Engineers guidance on the avoidance of light pollution. It must cover the impact of the lighting on the proposed development.

South West Water 27.08.25

Having reviewed the current information for the proposed surface water disposal for this development (domestic roof and driveway run off only) Please note that discharging to the public surface water sewerage network meets with the Run-off Destination Hierarchy. However before South West Water can approve this method of discharge we will require clear evidence to demonstrate why the other higher methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

County Highway Authority 09.09.26

I have visited the site and reviewed the planning application documents.

The 8 dwellings are proposed upon the old tennis courts, no longer used.

The access is proposed from Cranford View with acceptable visibility from both directions in accordance with our current best practice design guidance, Manual for Streets 1 and 2. Swept paths included within the application show sufficient space for refuse vehicles to turn and re-enter the carriageway in a forward facing motion.

The road is proposed as a shared space, due to the lower number of houses and the predicted speeds of this road, I am satisfied that this will be an acceptable arrangement.

No Travel Plan will be required due to the proposed dwellings being below the 40 threshold.

The vehicle trip generation from this development will be likely be minimal, Exmouth benefits from sustainable travel options such as the train, bus and Exe-estuary trail.

Housing Strategy/Enabling Officer 19.08.25

The adopted Local Plan, Strategy 34 states the threshold as to when affordable housing is required.

In Exmouth, residential developments of 6 - 9 dwellings are not required to make a financial contribution.

The Affordable Housing team have no comments to make on this application and we will not be seeking any affordable housing obligations.

Ecology 16.06.26

Conclusions

Clarity is sought regarding the date of the timber shed inspection. In addition, further clarity is requested regarding the proposed areas of open space to ensure that the habitats identified as contributing towards the development's Biodiversity Net Gain requirement are compliant with statutory guidance and can be appropriately secured and managed.

Subject to the above comments being addressed and subject to the following conditions, the proposal is generally considered acceptable.

Ecology 14.05.26

The application is supported by an Ecological Impact Assessment (EclA) (Richard Green Ecology, November 2024), pre and post development habitat plans, statutory biodiversity metric and habitat condition assessments.

The site was surveyed on 16th May 2024 and comprises three trees (2 medium size and 1 large), 0.11 ha of modified grassland in good condition and 0.32 ha of developed land with sealed surface (tennis courts and path).

The site is within 10 km of the Exe Estuary Ramsar site\Special Protection Area (SPA) and East Devon Pebblebed Heaths Special Area of Conservation (SAC) and East Devon Heaths Special Protection Area (SPA). Habitat Mitigation payment, as set out on the EDDC website, would be required to off-set potential impacts from the development on the designated sites.

Protected and Notable Species

Whilst the EclA concludes that the habitats on site are of generally low ecological value with limited potential to support protected or notable species, it also acknowledges the potential presence of common amphibians, reptiles, and hedgehogs. Appropriate precautionary working methods during the construction phase have been recommended. This overall assessment is broadly supported.

However, the proposed removal of the two timber sheds on site raises a few concerns as set out below.

Bats - roosting

Two timber-clad sheds located on site are proposed for removal. Both structures were previously assessed as having negligible potential to support roosting bats. However, the shed situated within the northern part of the site was not accessible at the time of survey and therefore did not receive an internal inspection.

Review of available photographic evidence suggests that both structures have potential to offer some suitability for roosting bats, notwithstanding the earlier assessment. In addition, the baseline surveys were undertaken approximately two years ago and are therefore no longer considered up to date in accordance with current best practice.

Given these limitations, i.e. the absence of an internal inspection for one structure and the elapsed time since the original survey, an updated Preliminary Roost Assessment (PRA) is required. This should include a walkover survey and internal inspection to confirm the current suitability of the sheds to support roosting bats and to inform any necessary mitigation or further survey requirements

Biodiversity Net Gain

Indictive BNG calculations considers the development would achieve a 15.49% onsite net gain of 0.19 area habitat units and a 274.69% onsite net gain of 0.22 hedgerow units.

The proposals include the following biodiversity measures:

- Retention of three existing trees currently assessed as being in moderate condition;
- Retention of approximately 0.02 ha of modified grassland in good condition;
- Creation of approximately 0.03 ha of lowland meadow habitat in moderate condition;
- Planting of six medium-sized trees;
- Establishment of 30 metres of species-rich native hedgerow.

Whilst the metric calculations have met the minimum net gain requirement and satisfied trading rules, there are several concerns with the proposals as noted below:

- **Retention of existing trees** The retention of the three existing trees is welcomed in principle. However, the submitted plans indicate that these trees would be located within the private curtilage of Plot 4. As such, their long-term management, protection, and retention cannot be guaranteed. Trees within private ownership are at greater risk of removal, inappropriate pruning, or decline due to a lack of enforceable management measures. On this basis, it is recommended that, for precautionary purposes, these trees are treated as lost within the metric calculations.
- **Retention of modified grassland** The proposal to retain the existing modified grassland is not considered viable. Given the nature of the development, it is highly likely that this habitat would be subject to damage, compaction, or total loss during the construction phase. It is therefore recommended that this habitat is instead recorded as lost and that any replacement grassland is appropriately accounted for as newly created habitat.
- **Creation of lowland meadow habitat** The proposed creation of lowland meadow, classified as a habitat of very high distinctiveness within the biodiversity metric, is not considered appropriate or justified in this context. The successful establishment of lowland meadow requires specific soil conditions, long-term management regimes, and low nutrient levels, which are unlikely to be achievable or sustainable within a residential development setting, particularly where ongoing management may be fragmented. Without clear evidence of site suitability and a clear and detailed management plan, there is a significant risk that the habitat will fail to establish as intended. A lower distinctiveness habitat with a higher likelihood of successful establishment and long-term management should therefore be considered.
- **Planting of medium-sized trees** The proposal to plant six medium-sized trees raises concerns regarding practical feasibility and deliverability. Sourcing trees of this size within the UK nursery supply chain can be challenging, and their transportation and installation typically require specialist equipment and expertise. Furthermore, larger specimens are more susceptible to transplant shock and require intensive aftercare to establish successfully. In the absence of a robust planting and maintenance strategy, there is an increased risk of failure. As a more realistic and sustainable alternative, it is recommended that smaller, native tree species of local provenance are planted, as these generally establish more successfully and contribute to long-term biodiversity value.

- **Creation of species-rich hedgerows** It is currently unclear whether the proposed species-rich native hedgerows would be located within private residential curtilage or within publicly accessible areas. This is an important distinction within the BNG framework as hedgerows within private curtilage are typically subject to less control and may be frequently cut or removed and therefore can only be recorded within the metric as 'native hedgerow in poor condition'. Clarification is required on their location, and where hedgerows fall within private gardens, the metric should be amended accordingly to reflect a more precautionary condition assessment.

3 Conclusions

Whilst Biodiversity Net Gain is secured as a post-permission requirement, it must be appropriately addressed at the outline application stage, as the approval of reserved matters is not subject to the biodiversity gain condition. At this stage, the Local Planning Authority must be satisfied that the development can realistically achieve the required biodiversity gain objective and that the condition can be successfully discharged. As such, additional information is required to demonstrate how post-development proposals will deliver measurable BNG and to address the concerns outlined above.

Given the mobile nature of bats and the time elapsed since the original survey, an updated Preliminary Roost Assessment (PRA) of the two sheds is required. This will ensure that any changes in building condition, structural features, or habitat suitability are fully considered, and that the current potential for bat roosting is accurately assessed.

In the absence of an updated bat survey (or supporting letter report) and revised post-development habitat proposals that satisfactorily address the issues raised above, I maintain a holding objection.

Reason:

It has not been demonstrated that the proposals would have no adverse effect on protected and notable species in accordance with Strategy 47 (Nature Conservation and Geology) and Policy EN5 (Wildlife Habitats and Features).

Therese Goodwin

Lawn Tennis Association

LTA data suggests that 3 floodlit tennis courts on this site is adequate provision given the availability of 25 LTA registered courts within a 20 minute drive time of Cranford Sports Club.

The LTA has supported the Club with a strategy for tennis to ensure success of the proposed 3 courts. 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 LTA has no objection to this application and would advise the following to ensure the above outcomes are achieved:

Sports England

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 would wish to give the following advice to aid the assessment of the application.

Loss of sports facilities

If the proposal involves the loss of any sports facility, then full consideration should be given to whether the proposal meets Paragraph 104 of the National Planning Policy Framework (NPPF), is in accordance with local plan policies to protect sport and recreation facilities, and whether it meets any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

Other Representations

A total of 19 representations have been received, 14 raising objections, 3 in support and 2 observations, summarised below

Objections

- Increased traffic on narrow highway
- Limited visibility at entrance to highway
- Additional danger to highway safety at junction with Salterton Road
- Loss of on street parking
- Loss of or threat to trees
- Increased noise and disturbance
- Overdevelopment of the site
- Difference in ground levels between site and adjacent development not addressed
- Additional demand on drainage system
- Increased risk of flooding of adjacent properties
- Potential impact on wildlife and ecology
- Loss of sports facilities
- Lack of construction management plan

Support

- Additional housing is required
- New housing will support the continued operation of the Cranford Sports Club
- Will make use of redundant facilities

Neutral

- What will happen to existing boundary planting

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
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26/0478/FUL	Construction of a new exercise studio and wet changing facilities, construction of new tennis court with floodlights, refurbishment of tennis courts with additional floodlights	Pending consideration	
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 Policies

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 36 (Accessible and Adaptable Homes and Care/Extra Care Homes)
 Strategy 38 (Sustainable Design and Construction)
 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)
 D3 (Trees and Development Sites)

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

RC1 (Retention of Land for Sport and Recreation)

TC2 (Accessibility of New Development)
TC7 (Adequacy of Road Network and Site Access)
TC9 (Parking Provision in New Development)

Draft East Devon Local Plan 2020-2042 Policies

Strategic Policy SP01 - Spatial strategy Draft
Strategic Policy SP02 - Levels of Future Housing Development Draft
Strategic Policy SP05 - Development Inside Settlement Boundaries
Strategic Policy SP07 - Delivery of Infrastructure Draft

Strategic Policy SD01- Exmouth and its Development Allocations Draft
Strategic Policy AR01 - Flooding Draft

Strategic Policy HN01 - Housing to Address Needs Draft
Policy HN04 Accessible and Adaptable Housing Draft

Strategic Policy DS01 - Design and Local Distinctiveness Draft
Policy DS02 - Housing Density and Efficient Use of Land 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 PB01 - Protection of Internationally and Nationally Important Wildlife Sites 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 - Trees, Hedges and Woodland on Development Sites 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

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 application is submitted in conjunction with a further planning application, reference 26/0478/FUL (Construction of a new exercise studio and wet changing facilities, construction of new tennis court with floodlights, refurbishment of tennis courts with additional floodlights) as an enabling development to support the continued success of the Cranford Club.

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 the concurrent application, to ensure that the Club provides a viable, modernised community sports facility.

Site Location and Description

The application site comprises part of the Cranford Sports Club in Salterton Road, specifically an area of the site to the south of the main complex, currently comprising five tennis courts, of which three are presently unused.

The site is an irregularly shaped piece of land, extending to 0.44ha, bounded to the east, south and west by existing residential properties, and to the north by land associated with the sports club. It is generally level, reflecting the former sports use, rising slightly to the proposed access onto Cranford View.

It is located within the built-up area boundary of Exmouth and generally surrounded by residential development.

There are no local or national landscape designations pertaining to the site, which falls within an area designated as flood zone 1 (low risk of flooding).

Proposed Development

Outline planning permission is sought for the construction of 8 dwellings served by a new access road taken from Cranford View. Permission is sought for the approval of details of the access, layout and scale, with design and landscaping forming reserved matters.

The layout takes access from a new driveway off Cranford View in the north eastern corner of the site and seeks permission for 8 detached properties with associated parking. Three of the dwellings are sited on the western side of the driveway, with a further three to the south of the site and two in the south western area. A turning head is proposed at the end of the access road.

Whilst indicative house types plans have been submitted, these do not form part of the application although in terms of scale, 2 storey dwellings are suggested.

ANALYSIS

The main issues to be considered in the determination of this application relate to:

- Policy Position and The Principle of Development (including consideration of housing supply within the district)
- Loss of Sport/Recreational Land
- Traffic and Highway Safety
- Layout and Scale
- 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 residential development. The principle of new residential development within such areas is therefore considered to be acceptable.

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.

National Planning Policy Framework (NPPF)

The amended NPPF (para. 78) requires authorities to be able to demonstrate a minimum five year supply of '*specific, deliverable sites*' against their housing requirements (including a requirement to demonstrate a further buffer where there has been significant under delivery). Where such supply can't be demonstrated the presumption in favour of sustainable development, as set out at para.11 of the NPPF applies, this states that,

For decision-taking this means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

The most recent information indicates that the Council's 5 year housing land supply (YHLS) stands at 3.5 years and as such the presumption in favour of sustainable development applies unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.

The policies of the adopted East Devon Local plan which are directly related to the supply of housing have evidently not maintained a suitable supply of housing within the district. These policies include, amongst others, establishing settlement boundaries to control sporadic development and a hierarchy of settlements and must now be considered to be out of date, carrying limited weight.

The Council considers the site to be a sustainable location for development as a matter of principle. There is a clear need for more housing, both market and affordable, within the district and the current shortfall in supply is a significant factor in determining planning applications. Accordingly, in applying the tilted balance unless there are adverse impacts that would 'significantly and demonstrably' outweigh the benefits of the development (when assessed against the policies in the Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination), permission should be granted.

Loss of Sport/Recreational Land

Notwithstanding that the site lies within the built-up area boundary, the existing use of the site is for sport and recreation purposes, and as such Policy RC1 (Retention of Land for Sport and Recreation) is of particular relevance.

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 proposed development would result in the loss of 5 tennis courts which, although underused and in some disrepair at the present time, nevertheless make an important contribution to the sports provision in the locality.

Bearing this in mind, it is suggested that to compensate for this loss alternative new sports provision/facilities be provided within the sports centre complex to ameliorate any harm. There is no scope within the current application site to provide these facilities, and therefore a further planning application has been submitted on land within the ownership/control of the sports centre to provide improved facilities to retain and attract new members to the club.

Application 26/0478/FUL has been submitted which seeks to provide improved and upgraded facilities within other land owned by the Club. This application seeks permission for the construction of a new exercise studio and wet changing facilities, construction of new tennis court with floodlights, refurbishment of tennis courts with additional floodlights.

The difficulty is that unless there is some mechanism to require the alternative sports facilities to be provided, there is the possibility that the proposed residential development could be undertaken without any obligation to replace the existing facilities. With this in mind the applicants for the residential development have provided an undertaking to enter into a Section 106 Agreement, to ensure that the mitigating development is carried out such that there will be no loss to the sport/recreation facilities in the area, notwithstanding the loss of tennis courts

Subject to the concurrent application being considered to be acceptable and a suitable Section 106 Obligation being entered into, it is considered that there is no 'in principle' objection to the current planning application.

Traffic and Highway Safety

Concerns have been raised by the Ward Member, Town Council and residents regarding the narrow nature of Cranford View, visibility, visitor parking, servicing, and potential impacts at the junction with Salterton Road, including in the context of nearby uses such as the ballet school.

The County Highway Authority has visited the site and raises no objection, confirming that the proposed access achieves acceptable visibility in accordance with Manual for Streets guidance, and that swept-path analysis demonstrates refuse vehicles can enter, turn and leave in a forward gear. The internal road is proposed as a shared surface which, given the limited number of dwellings and likely low vehicle speeds, is considered acceptable in principle. Detailed matters of parking provision, visitor bays (if any), cycle storage, and on-site turning can be secured through conditions tied to the approved layout and any subsequent reserved matters. Having regard to the technical advice received, it is considered that the development would not result in an

unacceptable impact on highway safety, consistent with Local Plan transport strategies and NPPF Chapter 9.

Layout and Scale

The submitted layout indicates 8 dwellings arranged off a shared surface access from Cranford View. The key design considerations at outline stage are whether the scale and disposition of built form can achieve a high-quality relationship with surrounding residential properties, including an acceptable level of privacy, outlook and daylight, and whether the development can provide adequate on-plot parking, turning and refuse collection arrangements.

The submitted layout indicates relatively large, detached properties on reasonably large plots, which is commensurate with that of the surrounding residential development. The arrangement of the properties is such that regard has been had to the orientation of neighbouring development and whilst the application is not seeking detailed design arrangements, which will be subject of further consideration as part of a reserved matters application, the general form and position of the proposed dwellings is considered to be reasonable, having regard to the irregular shape of the site, topography of the land and boundaries of the site.

Floor and elevational plans have been submitted, although the design of the dwellings is not being considered at this stage, and do not form part of this application, nevertheless in terms of scale it is considered that 8 two storey dwellings could be accommodated within the site, in the layout indicated.

Detailed matters of architectural appearance, boundary treatments, tree retention, and final landscape scheme will be addressed at reserved matters stage and can be controlled through appropriately worded conditions requiring compliance with Local Plan Strategy 48 and Policies D1 and D2 (Landscape Requirements).

Residential Amenity

Concern has been raised regarding the potential overlooking and loss of privacy arising from the proposed dwellings, however the position of fenestration and internal layout of the proposed dwellings will be considered in detail at a reserved matters stage, and do not form part of the consideration of this application.

As stated above the submitted layout and position of the dwellings is considered to have sufficient regard to the orientation and location of existing neighbouring properties and demonstrates that a scheme of 8 dwellings can be accommodated with separation distances and orientations capable of avoiding unacceptable overlooking, visual intrusion or loss of privacy. Careful consideration regarding the positioning of first floor windows on certain plots will be needed, such as plot 5 and plot 6 ,

Environmental Health has requested a lighting impact assessment of the existing floodlights serving the retained tennis courts, to ensure that future occupiers would not be adversely affected; this can be secured by condition prior to occupation of the

dwellings (and/or as part of reserved matters), with any necessary mitigation measures to be implemented and retained.

The development would accord with Policy D1 of the Local Plan

Arboricultural Impact

There are a number of trees and established hedging to the boundaries of the site, which are proposed to be retained as part of the development. An arboricultural Impact Assessment, Tree Protection Plan, and Arboricultural Method Statement has been submitted which indicates appropriate protection measures, and it is considered the with additional planting, details of which will form part of any reserved matters application, the proposal is considered to be acceptable in terms of arboricultural impact.

Drainage and Flood Risk

The site is located within Flood Zone 1 and is therefore at the lowest probability of fluvial flooding. Objections have nevertheless been raised regarding local drainage capacity and the potential for increased run-off affecting neighbouring land. South West Water has advised that discharge to the public surface water sewer may be acceptable in principle but requires clear evidence demonstrating why higher order options in the drainage hierarchy are not feasible. The submitted drainage material indicates that a surface water strategy can be accommodated, but the final details of the drainage hierarchy, attenuation, discharge rates, exceedance routing and long-term maintenance are matters that should be secured by condition. Subject to those controls, and given the site's Flood Zone 1 location, the proposal is considered capable of complying with Policies EN21 and EN22 of the Local Plan and the drainage objectives of the NPPF.

Ecology

The application was accompanied by an Ecological Impact Assessment and Biodiversity Metric. The site is previously developed recreational land with limited ecological value within the developed footprint, but boundary vegetation and adjacent habitats have value for nesting birds, commuting bats and wider urban biodiversity.

Since the Council's ecologist first commented on this application an additional ecological report has been received in support of the application which confirms that two sheds that are proposed for removal have been inspected and have been assessed as having negligible potential to support roosting bats. Therefore it is accepted that the proposed removal of sheds to facilitate the development is unlikely to result in adverse impacts to bats or lead to the loss of roosting resource.

Subject to the implementation of ecological mitigation and enhancement measures, including timing restrictions on vegetation clearance, precautionary working methods, and habitat retention where practicable, 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 Council's ecologist has raised concerns regarding the BNG proposals and regarding several proposed post-development habitats. A revised statutory biodiversity metric is to be submitted and it is acknowledged that meeting the required biodiversity net gain on-site may not be achievable and the purchase of off-site biodiversity units from a habitat bank may be necessary. This approach is considered acceptable in principle.

The ecologist has advised that should the application be recommended for approval, the applicant will be required to submit a Biodiversity Gain Plan prior to the commencement of development. This plan must clearly set out the quantum of onsite and offsite biodiversity units and demonstrate how these will be secured, including evidence of their purchase from a suitable off-site habitat provider listed on the statutory Biodiversity Gain Site Register, or alternatively, evidence of the purchase of statutory biodiversity credits.

Appropriate Assessment:

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

Planning Obligations

The development will need to be the subject of a Section 106 agreement 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, open space or other contributions arising from the development.

A detailed Heads of Terms has been submitted to provide the refurbishment of two tennis courts and the provision of one additional court, together with associate leisure infrastructure supporting the Club's continued recreational use.

A Section 106 contribution of £535,000 shall be paid to be used as follows:

A

- i) £260,000 shall be ring-fenced for two refurbished tennis courts and one additional court of a specification agreed with the Lawn Tennis Association.
- ii) The obligation shall be enforceable by East Devon District Council and the tennis court works completed within 18 months of commencement or before first occupation, if earlier. Any residual amount from this £260,000 not used in providing the tennis courts shall be paid into the fund (b) set out below
- iii) Any habitat mitigation contribution for the Exe Estuary and Pebblebed Heaths shall be paid before commencement (but not as part of the £535,000 fund)

B

- i) £275,000 shall be applied to associated leisure infrastructure supporting the Club's recreational use, but not including the tennis court works referenced in (a) above
- ii) The works shall be completed within five years of commencement.
- iii) The works may include a well-being space and pool enclosure and changing improvements.

C.

Holding and Release of Section 106 Funds

- a) The £535,000 Section 106 Contribution shall be paid before commencement and held by Exmouth Town Council (*or other appropriate body or legal mechanism) in a restricted account for the agreed purposes.
- b) Section 106 monies shall be released on a draw-down basis against agreed scope, budget and programme and written instruction from the Cranford Club, LED Community Leisure and Exmouth Town Council*.
- c) Any unspent or uncommitted Section 106 Contribution for Permitted Associated Infrastructure remaining five years after commencement shall be returned to Exmouth Town Council* and applied to alternative sport and recreational provision in Exmouth, in consultation with the Local Planning Authority.

6) Delivery and Phasing

- i) **On grant of outline permission:** deposit the Section 106 Contribution with Exmouth Town Council*.
- ii) **Within 18 months of commencement, or before first occupation, whichever is the sooner:** complete the tennis provision.

iii) **Within five years of commencement:** complete permitted leisure infrastructure.

*Or other appropriate body or legal mechanism

On the basis of the submitted information, and completion of the agreement, it is considered that appropriate measures will be in place to ensure that the improved sporting facilities are undertaken which will be beneficial to, and help to secure the financial future of the Club.

Planning Balance and Conclusions

The proposal would deliver 8 additional dwellings within the built-up area boundary of Exmouth in a sustainable location close to services, facilities and public transport. That is a material benefit to which significant weight is attached, particularly in the context of the Council's acknowledged housing land supply shortfall.

The development would also support the long-term retention and enhancement of an established community sports club through the reinvestment mechanism and linked mitigation package proposed by the applicant. These are important public benefits.

The adverse impacts identified relate principally to the loss of existing tennis courts, and concerns relating to traffic volumes and highway arrangements, drainage and potential impact on residential or other amenity.

Overall, having regard to the technical consultation responses, the submitted plans and supporting information, and the ability to secure mitigation by condition and legal agreement, the identified harms are not considered to significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the adopted local plan and the Framework when taken as a whole.

On balance, the proposal is considered acceptable and is recommended for approval, subject to the completion of a S106 Agreement, and also subject to the application submitted under reference 26/0478/FUL having first been approved.

RECOMMENDATION

- 1 Adopt Appropriate Assessment
2. APPROVE subject to the applicant entering into a S106 agreement to secure financial obligations towards sports provision and habitat mitigation, and planning permission having been granted for the development proposed under reference 26/0478/FUL, and the following conditions:
 1. Time Limit
Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

(Reason - To comply with section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.)

2. Reserved Matters

Approval of the details of the appearance of the buildings and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

(Reason : The application is in outline with one or more matters reserved).

3. 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.)

4. 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).

5. Secure Cycle Storage

No development shall continue above slab level until details of secure cycle/scooter storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to occupation of the dwelling(s) to which they relate

(Reason: To promote sustainable travel in accordance with Strategy 5B (Sustainable Transport) and Policy TC9 (Parking Provision in New Development) of the East Devon Local Plan 2013-2031 and national policies as set out in the National Planning Policy Framework 2024 and associated Planning Practice Guidance).

6. Surface Water Drainage

No development shall take place until a Surface Water Drainage Strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details prior to the first occupation of any dwelling and shall be maintained for the lifetime of the development.

(Reason: A pre-commencement condition is required to avoid pollution of the environment and/or flooding during and after construction in accordance with Policies EN14 (Control of Pollution) and EN22 (Surface Run-Off Implications of New Development) of the East Devon Local Plan (2013 - 2031).

7. Ecology

The development hereby approved shall proceed in strict accordance with the Ecological Impact Assessment (Richard Green Ecology, November 2024), in particular the ecological mitigation and enhancement measures detailed in Section 4.4 to 4.9. The development shall not be first occupied until the local planning authority has been provided with a compliance report by a qualified ecologist, including photographs, detailing that all ecological mitigation and enhancement features, including integral bat box and swift brick installed in each new dwelling and the provision of hedgehog holes in garden fencing (125mm square holes at ground level, at 5 m intervals).

(Reason: In the interests of ecology and biodiversity in accordance with policy EN5 (Wildlife Habitats and Features) of the Adopted East Devon Local Plan 2013-2031).

8. Trees

The development shall be carried out in accordance with the Arboricultural Impact Assessment, Tree Protection Plan and Arboricultural Method Statement prepared by Advanced Arboriculture and dated 28 March 2025.

(Reason: To ensure retention and protection of trees on the site during and after construction. The condition is required in interests of amenity and to preserve and enhance the character and appearance of the area in accordance with Policies D1 - Design and Local Distinctiveness and D3 - Trees and Development Sites of the Adopted East Devon Local Plan 2013-2031.)

9. External Lighting (Houses)

No external lighting shall be provided to the dwelling houses, other than the maximum of one external LED downlighter above or beside each external door (and below eaves height) with a Corrected Colour Temperature not exceeding 2700K. Every such light shall be directed downwards with a 0-degree tilt angle and 0% upward light ratio and shall be controlled by means of a PIR sensor with a maximum over-run time of one minute. Lighting shall be maintained thereafter in accordance with these details.

(Reason: In the interests of ecology and biodiversity in accordance with policy EN5 (Wildlife Habitats and Features) of the Adopted East Devon Local Plan 2013-2031).

10. Floodlighting

Prior to the installation of any new floodlighting a Lighting Impact Assessment shall be carried out of the potential impact of the floodlights on the remaining tennis courts on the proposed development. The assessment must comply with the requirements of the Institute of Light Engineers guidance on the avoidance of light pollution. The Assessment shall be submitted to and approved by the Local Planning Authority and any necessary mitigation measures to be implemented and retained prior to the occupation of any of the residential dwellings hereby approved.

(Reason: To control light pollution and to protect the amenity of nearby residents in accordance with Policy EN14 (Control of Pollution) of the East Devon Local Plan (2013 - 2031).

11. BNG

No development above foundation level shall take place until a Biodiversity Net Gain Landscaping Scheme has been submitted to and approved in writing by the Local Planning Authority (LPA). The scheme shall be in accordance with the approved Biodiversity Gain Plan and the submitted ecological appraisal/metric and shall provide proportionate details of the habitat creation and enhancement measures required to achieve the onsite biodiversity net gain, to include:

1. Planting and Habitat Creation Details

- a) Location, species, size and number of all proposed native trees, hedgerow plants, scrub or shrub planting.
- b) Areas of grassland or marginal habitat enhancement, including soil preparation, seed mix, and establishment methods.
- c) Identification of existing trees, hedgerows or vegetation to be retained.

2. Establishment and Aftercare (5 Years) A light touch establishment and maintenance schedule proportionate to the scale of works, including watering (where necessary), weed control, protection measures (e.g., guards or fencing), and any formative pruning.
3. Monitoring (Photographic Compliance Check) A requirement for the developer to submit photographic evidence of the completed landscaping to the LPA:
 - at substantial completion (Year 0), and
 - at Year 5 following completion. Photographs shall clearly show the condition, survival and extent of the new planting and habitat areas.

The approved BNG Landscaping Scheme shall be implemented in the first planting season following commencement of the development unless a phased plan is otherwise approved in writing by the LPA. The landscaping shall be retained and maintained for a minimum of five years. Any plant or area of habitat that fails to establish, dies, or is removed within that period shall be replaced during the next available planting season with a specimen or mix of the same species, size and provenance, unless otherwise agreed in writing by the LPA.

(Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and that 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).

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)

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.

Surface Water Services

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

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

Having reviewed the current information for the proposed surface water disposal for this development (domestic roof and driveway run off only) Please note that discharging to the public surface water sewerage network meets with the Run-off Destination Hierarchy. However before South West Water can approve this method of discharge we will require clear evidence to demonstrate why the other higher methods listed within the Run-off Destination Hierarchy have been discounted by the applicant.

Plans relating to this application:

8342-LP	Location Plan	21.07.25
Issue 02	Transport Statement	12.09.25
02.00 REV C: Highway and Site Levels	Other Plans	12.09.25
08.00 REV C:	Other Plans	12.09.25

Vehicle Tracking Plan

SK03.00 REV C: Drainage Strategy Plan 12.09.25

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.