P/2008/0358/MPA
Blatchcombe Ward
Barton Pines Holiday Park, West Lane/Blagdon Road, Paignton
Formation of holiday village to form lodges; cottages; apartments and leisure facilities

Site Details
Site of “Barton Pines”, which is situated about 2km to the north-west of Collaton St. Mary on the edge of Torbay’s administrative boundary with South Hams. It occupies an elevated position on the crest of rising ground from where distant sea views can be obtained over Torbay and the surrounding countryside. Whilst the area is rural in character, the site adjoins residential development at “Hunters Court” and “Taliesin Pines” immediately to the south along West Lane.

“Barton Pines” itself is a substantial detached building on a large plot which is bounded by Blagdon Road to the north and West Lane to the east. The Blagdon Road boundary is marked by a high stone wall. The main elevation of the building faces east with views overlooking Torbay. The grounds include a number of distinctive mature pine trees which are a characteristic feature of the area.

An 1864 map shows a building on the site (“Blagdon Cottage”) in approximately the same position as the existing house. This was substantially re-built between 1880 and 1887 as a gentleman’s residence, and the 1888 map shows a large house set in substantial planted grounds. Further re-buildings took place between 1888 and 1906, resulting in extensive demolition, but the retention of a portion of the earlier house at the northern end. The 1906 map shows the house much as it is today, although the northern portion, which is thought to be part of the earlier 1880s house, has been extensively marred.

Although originally built as a gentleman’s residence, the property has been used latterly as a public house and club (Barton Pines Inn) with owner’s accommodation and self-contained flats. The grounds have been used as a touring caravan site with ancillary facilities including amenities building, tennis court and open swimming pool.

Relevant Planning History
This development has been subject of ongoing pre-application discussion dating back to May 2006. Officers have, in principle, supported the development of a first class tourist facility. However, concerns have always been raised about the impact of the development on trees and the amount of development proposed in terms of its ‘urbanising’ effect on the rural character of the area. Copies of officers’ letters and e-mails dated the 6th July 2006, 14th December 2006, 2nd August 2006 and 31st October 2007 are reproduced on Page S.200.

Relevant Policies
National policies which are relevant include:
PPS1 "Delivering Sustainable Development"
Draft PPS4 "Planning For Sustainable Economic Development"
PPS7 "Sustainable Development In Rural Areas"

Whilst Government advice is that planning policies should support sustainable rural tourism and leisure developments which benefit rural businesses, communities and visitors, it is nonetheless stressed that in statutory designated areas appropriate control should be exercised over the number, form and location of new developments to ensure that the particular features or qualities that justify designation in the first place are conserved.

The Government Good Practice Guide on Planning for Tourism is relevant.

In the Saved Devon Structure Plan Policy TO3 "Tourism Development in Rural Areas" is applicable.
In the *Saved Torbay Local Plan 1995-2011* the following policies are relevant:

- **TUS** Tourism strategy
- **TU3** New tourist facilities elsewhere
- **TU5** New holiday accommodation
- **TU9** Refurbishment and development of new holiday centres and parks
- **L2** Areas of great landscape value
- **L4** Countryside zone
- **L8** Protection of hedgerows, woodland and other natural features
- **L9** Planting and retention of trees
- **EP11** Flood control
- **CF6** Community infrastructure contributions

The majority of trees on the site are covered by a Tree Preservation Order.

**Proposals**

In general terms, the proposals comprise the following elements:

- i) removal of northern part of the building and replacement by much smaller extension;
- ii) construction of subterranean amenities building on the site of the existing swimming pool to the east of the main building;
- iii) new development along the Blagdon Road frontage;
- iv) replacement of touring caravan pitches with permanent holiday homes.

An Access and Design Statement has been submitted with the application, along with:

1) a Development Business Plan;
2) a Transportation and Green Travel Plan;
3) an Archaeological Assessment;
4) an Ecological Survey;
5) an Arboricultural Development Statement.

Copies of all these reports are available in the Members' Room, including the Access and Design Statement and Development Business Plan. In addition, the agent has advised that a Flood Risk Assessment is underway and that a Bat Survey is to be undertaken. At the time of writing this report these had not been received.

In more detail, the proposals are as follows:

1. **Main Building**

   The demolition of northern part of the building and its replacement by a much smaller two storey natural stone faced extension which the agent states is intended "to mask the scarred end of the retained building". A total of 9 flats are proposed in the main building (3 per floor).

2. **Amenities Building**
An amenity building, comprising swimming pool, hydro-pool, gym, coffee/bar/lounge and terrace, is proposed on the site of the existing open air swimming pool, east of the main building. The proposed building, which respects the natural fall of the site in an easterly direction towards West Lane, will be fully dug into the ground and has a landscaped roof which is level with the ground floor of the main property, thereby retaining views out across Torbay to the east. At the southern end of the building a raised ‘T’ shaped building is proposed housing kitchen and store at basement level, with 4 holiday units over.

3. Development Along Blagdon Road

Along Blagdon Road a courtyard development of holiday cottages is proposed running for approximately 45 metres in a westerly direction along the road and with a return of approximately 50 metres to the south alongside the western boundary of the site. A total of 13 cottages are proposed (units 21-33) with a mixture of 2, 3 and 4 bed units. Accommodation is on 2 levels, although eaves height has been reduced to 3.9 metres (ridge height 6.2 metres). The ground rises along Blagdon Road and the buildings are stepped up to reflect this. They are shown dug into the existing ground profile by about 1 metre. Site sections indicate that roofs will be evident along Blagdon Road. The units along the western boundary are similarly shown cut into the existing ground, with the eaves height just below the ridge of an existing outbuilding (ridge height about 1.3 metres above).

Joining the cottage courtyard and the main building is a new extension containing 8 apartments, which is 2 storeys high where it joins the main building rising to 2.5 storeys (including rooms in the roof) at the front. There is a change in level of nearly a storey height where the extension adjoins the proposed cottages. The lowest level is cut into the bank, resulting in the ridge height along Blagdon Road no higher than the proposed adjoining cottages. The overall height of the proposed new extension is shown as being about 1 metre lower than the existing northern end.

4. Holiday Home In Grounds

A total of 20 holiday homes (lodges) are proposed in the grounds, which have in the past been used for touring caravans (up to 33). They are arranged in clusters of 2 or 3 units. Units 5-18 are "standard" type, i.e. 3.25 metres to eaves, 5.8 metres to ridge, whilst units 19 and 20 located on the western edge are "gallery" type, 2.7 metres high to eaves, 5.2 metres to ridge. They have a combination of hipped roofs and glazed gables with balconies.

Other buildings included in the proposal include a staff changing/rest area over an existing storage/maintenance area and a bar (Sundowner Bar) located along the western boundary.

ACCESS AND CAR PARKING

Access is via the existing vehicular access onto Blagdon Road. Parking for a total of 19 cars is proposed either side of the main site entrance together with a refuse collection area. 3 additional space are shown between the main building and new extension. To the south of the proposed cottage courtyard development 11 spaces are provided. All proposed holiday homes/lodges have individual parking alongside.

12 staff/visitor spaces are provided in two groups.

PROPOSED USES

A proposed Business Development Plan has been submitted, and a copy is available in the Members' Room.

The key points are:
1. To develop over the next two years 50 high specification permanently built holiday units (lodges, cottages and apartments) and to build a subterranean facilities complex. It is aimed to use this as holiday accommodation all year round for 120 plus people, with a full compliment of supporting staff of approximately 50 locally residing people.

Target tenants are "middle-aged discerning professionals who are semi-retired (or fully retired)". The Plan states it is envisaged that the units will be sold on long leases with a compulsory Service Assessment in place. Restrictive covenants would ensure the use as holiday accommodation only.

The following all year round support services are intended to be offered:
- mini-bus service;
- concierge service;
- letting service (to find short-term holiday-let clients if required);
- re-sale service;
- site maintenance;
- collection and disposal of household waste.

The agent has suggested that the following should be included in a Section 106 Agreement with the Council:
- To provide and permanently maintain the proposed cottages, flats and lodges for holiday use only. This restriction of use to be included within the terms of lease of all units with the exception of managers/staff accommodation that will be allocated by agreement with the Council;
- Owners/managers accommodation will be tied to the approved business use and permanently maintained as such;
- The use of the proposed leisure facilities will be restricted to the owners, leaseholders, lessees and guests only - there will be no access to the general public;
- A Landscape Management Plan will be submitted to and agreed with the Council following approval of the development;
- The Green Travel Plan contained within the Transportation proposals will be implemented and regularly monitored by the owners.

Consultations
Natural England: E-mail dated 30/4/2008 is reproduced on Page S.200.
Leisure Community Development Manager: E-mail dated 16/4/2008 is reproduced on Page S.200.
Torbay development Agency: Obs. awaited.
South Hams District Council: Obs. awaited.
Highways: Further information will be reported as to whether this development will have any additional impact on the highway or whether any sustainable transport contributions are justified.

Representations
Letters from local interested persons are reproduced on Page S.200.

Key Issues/Material Considerations
The main determining issues are:
1. whether or not the principle of this development is acceptable;
2. its effect on the landscape and existing trees;
3. its effect on residential amenity;
4. highways and access considerations;
5. effect on flooding;
6. effect on wildlife.

1. PRINCIPLE OF DEVELOPMENT
Whilst the development of a first class tourist facility is welcome in principle, it is important to ensure that the premises are not occupied as permanent households. This issue is dealt with in Annexe B of the "Good Practice Guide on Planning for Tourism". Conditions would need to be applied to ensure that the units are occupied for holiday purposes only, and not as a person’s sole or main place of residence. A register should also be maintained of the names of all owners/occupiers of individual units on the site, and of their main home addresses, and this information made available at all reasonable times to the Local Planning Authority.

Tourism policies also make clear that such development should only be permitted where they do not have a detrimental effect on the amenities of the surrounding area in terms of traffic generation, wildlife impact, visual impact or general levels of activity. These will be examined in greater detail below.

2. EFFECT ON THE LANDSCAPE AND TREES
As well as being located in the Countryside Zone the site also falls within a designated Area of Great Landscape Value where Policy L2 of the Local Plan applies. This states that:

"Development which is likely to affect, directly or indirectly, designated Areas of Great Landscape Value (AGLV) will only be permitted where it will maintain or enhance the special landscape character of the AGLV".

Trees on the site which are covered by a Tree Preservation Order are a very important landscape feature both in the immediate scene and from distant vantage points.

The AGLV designation indicates that the landscape is of county importance. Landscape assessments have drawn particular attention to hilltop and ridgeline tree groups, such as those found on the application site, as distinctive and characteristic features of this particular area. The trees are visible from Totnes Road between Tweenaways and Town Parks, the higher Totnes Road between Marldon and Berry Pomeroy and Blagdon Road between Collaton School and its junction with higher Totnes Road. The Council's Arboriculturalist (see memorandum dated 23/4/2008) is firmly of the view that this proposal will result in the loss of the majority of the dominant tree cover across the site in which case the proposal will be clearly contrary to Policy L2 in that it will fail to maintain or enhance the special landscape character of the area.

As regards the proposed built form the removal of the "northern end" is welcome (albeit that this probably houses part of the 1880s gentlemen's residence) as it has become so scarred by a number of unsympathetic alterations and extensions. There is no objection to the small replacement extension to mask the scarred end of the main building. More damaging is the proposed cottage courtyard development along Blagdon Road and the western boundary, which because of its sheer size is very dominant and urban in character. It will have an impact on the immediate area and arguably will result in a damaging urbanisation of the rural scene, contrary to the Countryside Zone policy (L4) which stresses that development should only be permitted if the rural character is not adversely affected, as well as failing to maintain or enhance the special landscape character of the area required by Policy L2.

Officers have repeatedly expressed the view that whilst a small scale subordinate courtyard development could be appropriate in the garden area to the west along Blagdon Road, it needs to be a
much lesser development than that now proposed and set behind the stone boundary wall so as not to be visible above it.

There is no objection to the proposed subterranean facilities building which fits well into the landscape, but there is some concern about the height and dominance of the building at its southern end.

Officers' advice regarding the lodges in the grounds has been that these should be a loose arrangement of low buildings set in amongst the existing tree cover. The proposed layout is still more urban in character than that which is considered entirely appropriate for the site, especially bearing in mind that the Arboriculturalist is of the view that it will have an extremely damaging effect on the existing tree cover.

3. **EFFECT ON RESIDENTIAL AMENITY**

The main properties affected are Hunters Court and Taliesin Pines to the south. The occupiers of these properties have been notified and their responses have been reproduced and placed in the Members' Room. The agent has advised that ongoing discussions with neighbouring occupiers in Hunters Court should give rise to strengthening of the landscape and some minor adjustments to the design of the lodges in this part of the site.

The proposed lodges are not considered to cause harm to the amenity of nearby properties through overlooking, overbearing impact, loss of light or privacy, although it could be that some adjustment would be required to units 5 and 6 which are situated very close to the boundary with Taliesin Pines.

4. **HIGHWAY CONSIDERATIONS**

Further information will be reported from the Highways Division regarding the impact of the proposed development on the highways, the Green Travel Plan and whether sustainable transport contributions are appropriate.

5. **EFFECT ON FLOOD RISK**

It will be noted that the Environment Agency has objected to the proposal because it has been submitted without a Flood Risk Assessment. The flood risks are therefore unknown and the absence of a FRA is, in this instance, sufficient reason in itself for a refusal of planning permission. It is understood that a Flood Risk Assessment is in the course of preparation.

6. **EFFECT ON WILDLIFE**

Natural England have objected pending further information on bats. Again, it is understood that this work is in progress.

**Sustainability** - The agent has advised as follows:

"New buildings will be super insulated/air proof and will, where site conditions permit, maximise wintertime southerly aspect for passive solar gain and will use summertime tree canopy cover to minimise summertime overheating.

New and existing buildings will be designed/adapted to accommodate for viable/future renewables subject to the effectiveness of solar penetration through tree canopy. The elevated located would in theory permit the use of wind generated.

However, as recent research suggests that micro wind generation is not effective, wind use is only likely to be viable if by larger generators. This is being investigated at present but thought not to be visually unacceptable in this location. Technologies are developing and should this situation change
any intention to install wind generation will be subject to a future separate planning application.

All buildings will use individual rainwater harvesting/grey water recycling to reduce water consumption and sewage disposal volumes.

Existing buildings will be upgraded to minimise energy usage/CO2 emissions.

We are investigating energy efficient group or district heating, possibly based on biomass or methane digestion of on-site waste and/or ground source-borehole heat pump extraction.

Wherever possible construction materials will be sources locally and for low embodied energy."

**Crime and Disorder** - Applicant advises that there will be electronically operated entrance gates, together with CCTV cameras strategically placed at the entrance gates and in the grounds with the monitoring unit in the administrative offices.

**Disability Issues** - Agent has advised:

"All buildings (except units 29-34 and 36-41 due to change in site levels) will be GF disabled/Building Regulations Part M compliant. Units 19, 20, 23 and 27 are designed for full disabled holiday use as are 41-50 of main building flats."

**Conclusions**

First, it is considered very important that Members carry out a site inspection in order to judge the impact of the proposals in the landscape. Whilst the development of a new tourism facility in this rural area is welcome in principle, it has to be recognised that this is an area which has been designated as of great landscape value, and special care therefore has to be taken to ensure that the very qualities which justify designation in the first place are not harmed. This is recognised in both national and local policies. There is a balance to be struck but in this instance it is considered that the proposed development is excessive, resulting in a damaging urbanisation of the rural scene. It will also damage the ridgeline pine trees which are noted as being distinctive characteristic features and visible over a wide ranging area.

Further consultation responses are awaited regarding flood risk and bats, and these will be reported.

The agent was advised in a letter dated the 20th April 2008 of the officer's view. The opportunity of further negotiations was offered (copy of letter reproduced and placed in the Members' Room). His e-mail in response dated the 12th may 2008 is also reproduced. It will be seen that the applicant wishes the matter to be put before Committee largely in its present form.

**Recommendations:**
Committee Site Visit; Refusal.

**Reasons:**

01. The proposed development will have an unacceptable urban influence on this attractive rural landscape which has been designated an Area of Great Landscape Value, and is within the Countryside Zone. It fails to maintain or enhance the special character of the area, contrary to Policies L2 and L4 of the Saved Adopted Torbay Local Plan 1995-2011.

02. The proposal is likely to result in the unacceptable loss of dominant landscape feature trees which are protected by a Tree Preservation Order. This will have a very damaging effect on the landscape, contrary to Policies L2, L4, L8 and L9 of the Saved Adopted Torbay Local Plan 1995-2011.