

Application Number

P/2012/0461

Site Address

Barton Pines Holiday Park
Blagdon Road/West Lane
Paignton
Devon

Case Officer

Mrs Helen Addison

Ward

Blatchcombe

Description

Variation of S106 on applications P/2008/1217 and P/2009/0479/PA

Executive Summary/Key Outcomes

The application is to vary the S106 agreement in respect of the approved tourism development on the site. The variation would allow provision of the Leisure Facilities Building after the completion of a proportion of the new holiday accommodation on the site. This is in order to secure funding for the project and varies from the original agreement in respect of the timing for the delivery of the leisure facilities. However, the variation will still provide for the completion of the leisure building linked to the provision of the new build holiday homes.

Recommendation

The S106 agreement be varied as requested by the applicant.

Site Details

Site of Barton Pines, which is situated about 2 kilometres to the north west of Collaton St. Mary on the edge of Torbay's administrative boundary with South Hams.

Detailed Proposals

The application is to vary the terms of the S106 Agreement in respect of when the approved holiday units can be occupied in relation to the provision of the approved leisure facilities on the site.

The previous approved planning applications were to convert the existing building and to construct lodges and cottages within the site for holiday use. An integral element of the proposal was the provision of a Leisure facilities building. This building would provide a swimming pool, hydro pool, gym, comprehensive spa facility, and coffee bar/lounge and terrace.

The applicant has found it difficult to secure funding for the proposed development in the current economic climate. In order to improve the viability of the scheme she has requested that the S106 Agreement be revised from the current wording:

“not to occupy or permit occupation of any of the Holiday Units before the Leisure Facilities are first available for use by owners, tenants, guests and holiday makers”

to read:

“The Leisure Facilities building shall be available for use by owners, tenants, guests and holiday makers within 20 months of the commencement of the first new build holiday unit (ie units 5-20 and 34-41)”.

And

“Not to occupy or permit occupation of any of the Holiday Units 2-4 and 21-33 before the Leisure Facilities are first available for use by owners, tenants, guests and holiday makers”.

Summary Of Consultation Responses

None.

Summary Of Representations

None received.

Relevant Planning History

P/2008/1217/PA Formation of holiday village to form lodges, cottages, apartments and leisure facilities. Conditionally approved on 25/11/2008, subject to a Section 106 Agreement to ensure, inter alia, that the cottages, flats and lodges are used for holiday use only. A maximum of 59% of the approved units were to be sold on long leaseholds and the remainder retained within the ownership of the developer to be let for holiday purposes only. 25.11.88

P/2009/0479 Amendments to previous approval (ref application P/2008/1217/PA)- enhanced leisure facilities building; additions to lodges and cottages; extensions to existing main building Approved 10.08.09

Key Issues/Material Considerations

The main issue is the effect of the proposed revision to the S106 Agreement on

the character of the development and the necessity to maintain a tourism offer at the site.

Principle and Planning Policy -

At para 28 the NPPF advises that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. The expansion of tourist and visitor facilities is supported. Policies TUS, TU3 and TU5 in the plan support the provision of new tourist facilities.

The proposed revision to the S106 Agreement would continue to ensure that the Leisure Facilities building is provided, as its development would be linked to the provision of accommodation on the site. Therefore, the proposed revision would not change the character of the proposed development. It is noted that it would be in the applicant's interest to provide the Leisure Facilities building as this would be a key element of the development on the site and would significantly increase the sites attractiveness to future holiday makers.

Economy -

The proposed development would result in substantial investment in the provision of a good quality new holiday use on the site. There would be a significant contribution to the local economy during construction and when the development was completed directly through creation of new jobs and also indirectly through attracting visitors to the area. It is not unreasonable to consider the current economic climate and it is appropriate for the Local Planning Authority to work with the developer to facilitate implementation of the development.

Conclusions

In conclusion, the proposed variation to the S106 Agreement would be acceptable, as it would still ensure the Leisure Facilities would be provided before the majority of the development is completed on the site.

Relevant Policies

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