

Application Number

P/2016/1253

Site AddressWhitehill Country Park
Stoke Road
Paignton
TQ4 7PF**Case Officer**

Mr Alexis Moran

Ward

Blatchcombe

Description

Additional mobile holiday accommodation and associated engineering works; replacement of toilet block with mobile washroom facility; new tennis court.

Executive Summary/Key Outcomes

The site is an existing 30 acre holiday park which is bound to the north by Stoke Road and to the east by Long Road. It is within the countryside area and lies on the western edge of the Greater Horseshoe Bat sustenance zone and is partially within a strategic highway for the Greater Horseshoe Bat. The boundary with South Hams District Council is approximately 270m to the south of the application site.

The application seeks consent for the addition of 58 holiday lodges on a 4.5 hectare area of the site to the south and east. The proposal includes associated access roads and parking for the lodges. It also includes the demolition of an existing toilet block which is to be replaced by a mobile washroom facility currently located elsewhere on the site and the addition of a tennis court. An orchard is proposed to the eastern most part of the site which is most prominent from wider views.

It is considered that the intensification of use of the holiday camp is compatible with its rural location. The site will not be highly visible from the wider area and the addition of the orchard will further minimise the visual impact of the proposal and reinforce the rural fringe of the site. Internally the character of the existing area will inevitably be altered by the addition of the lodges which will be permanent fixtures. However this impact can be minimised by revised landscaping which would act to visually break up the appearance of the additional lodges. The proposal is therefore deemed to comply with Policy C1 (Countryside and the Rural Economy) of the Torbay Local Plan 2012-2030.

The proposal is deemed to cater for the current demand for superior holiday accommodation within a site which has good quality facilities. The provision of improved tourist facilities will help attract new visitors which, it is considered, will in turn provide an economic benefit to Torbay. The proposal therefore complies with Policy TO1 of the Torbay Local Plan 2012-2030.

As the site lies on the western edge of the Greater Horseshoe bat sustenance zone and is partially within a strategic highway a HRA screening was undertaken. The result of this was that there is not likely to be a Significant Effect alone or in combination with other proposals or projects, on the Berry Head Component of the South Hams SAC. This conclusion is subject to the addition of appropriate conditions.

Recommendation

Conditional approval, subject the receipt of further information relating to drainage, highways and landscaping. Final drafting of conditions to be delegated to the Executive Head of Business Services.

Statutory Determination Period

The decision on this application was due on 23.02.2017. Due to the requirement for an HRA the proposal has exceeded this date. The applicant has agreed to an extension of time.

Site Details

The site, Whitehill Country Park, Stoke Road, Paignton, is a holiday park located within the designated countryside area. Whitehill Country Park lies on the western edge of the Greater Horseshoe Bat 'Sustenance Zone', and partly within a 'Strategic Flyway' which are strategic movement corridors for Greater Horseshoe bats from the South Hams SAC.

Whitehill Country Park currently has a licence for 66 mobile holiday units. In addition serviced camping pitches and camping pods are available. Reception and entertainment facilities including a shop, café, craft centre, bar and outdoor pool area are located near the entrance to the site.

The proposed application relates to a field to the east of the site adjacent to the boundary with Long Road. The application site area is 4.3 hectares.

The southernmost part of the application site is approximately 270m from the boundary with South Hams District Council.

Detailed Proposals

The application seeks permission for the construction of 58 additional holiday units on an existing campsite. The proposal includes associated engineering works to provide access roads and to level the locations of the new units according to the topography. This part of the site is currently used for camping for a 28 day period in each year which will be discontinued.

The holiday units consist of lodges 25 of which are 12m x 6m and 33 which are 12m x 3.6. Each lodge includes one parking space. A waste and recycling compound is provided and is to be screened by hedge planting.

The application also seeks consent for the replacement of an existing flat roof toilet block in the valley to the south of the site with a mobile washroom facility. The mobile toilet and washroom block is currently located elsewhere on the site.

A new tennis court is to be constructed on the unused and overgrown area to the south of the application site. The tennis court will be sited to avoid the root protection area of the existing trees in the hedgerow to the east of the court. It is to be surfaced with a proprietary green synthetic finish suitable for tennis and other ball sports.

The court will be surrounded with a green plastic coated chain link fence 2.7metres high. Fence posts will be of tubular section and finished with a polyester powder coat paint finish. This part of the site is situated in the valley and is not visible from the surrounding land.

The development would result in the addition of 3 full time equivalent staff.

An area of the site furthest to the east is to be planted as a cider apple orchard and additional hedgerows providing ecological benefits and aiding in screening the development.

Summary Of Consultation Responses

Natural England: Comments on HRA awaited.

Ecology Consultant: Mitigation measures will ensure that there are no impacts on the greater horseshoe bat commuting habitats around and across the proposed development site at Whitehills Country Park.

The various mitigation measures to ensure that adverse effects are avoided will be secured through conditions attached to any planning consent. It is therefore concluded that this proposal will not have an adverse effect on the integrity of the South Hams SAC.

Drainage Engineer: Additional information is required to provide clarification on some points. Once these have been answered satisfactorily planning permission can be granted with a pre-construction condition confirming that the additional infiltration testing will be undertaken and the detailed designs for all soakaways and swales is submitted showing that they have been designed in order that there is no flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus 30% for climate change.

Arboricultural Officer: The tree report accurately describes, species, sizes, quality and location of the trees/hedges/groups and study of the proposed layout indicates no significant trees are to be lost as part of the change of use.

The change of use of the site will inevitably lead to its intensification in terms of

impact upon view receptors which is sought to be addressed via the landscape proposals which is welcomed.

Study of the road layout against the contours and local topography indicates an opportunity to form a strong visual feature of an informal avenue of landscape scale trees as a staggered single row either side of the internal road from Stoke Road to the Eastern end of the site. This may be achieved by slight re-siting of units or planting in existing open spaces. This would add structure and rapid maturity of the site into the wider landscape complying with Policy C1 of the Torbay Local Plan 2012:2030 by sub dividing the visual massing into more discrete blocks of lessened landscape intrusion.

The scheme is suitable for approval on arboricultural merit subject to the following:

- Tree protection plan and any special methodology for construction adjacent to trees to be retained
- Detailed landscaping plan to include, but not be limited to, detailed watering prescription per tree type/size, tree pit design, staking (2 stakes and cross bar), mulching, tie adjustment, formative pruning and so on, with attention drawn to requirement for informal tree avenue of suitable species i.e. Oak, Beech or Lime
- Provision of a LEMP once item 2 is agreed.

Highways - no objection subject to the receipt of a revised travel plan and revisions to show the addition of a passing area along a section of the new access road and the addition of a turning head adjacent to the proposed orchard.

Green Infrastructure Coordinator - The application is accompanied by an EcIA comprising a desk study and site surveys including Extended Phase 1 Habitat, hedgerows, hazel dormouse, bat activity (transect and static detector) and badger.

As the site is located within the western edge of the Greater Horseshoe Bat (GHB) Sustenance Zone and within a Strategic Flyway (both associated with the South Hams Special Area of Conservation), Torbay Council will need to undertake a Habitats Regulations Assessment Screening to consider whether there will be any Likely Significant Effects on the SAC.

Notwithstanding the further information required prior to determination the application the following conditions should be secured:

- Submission of a Construction Environmental Management Plan (CEMP) for approval by Torbay Council prior to commencement
- Submission of a Landscape and Ecological Management Plan (LEMP)
- Full landscaping details, including details of the proposed orchard, to be submitted for approval.

Landscape Design Officer: The extent and magnitude of change resulting from the proposed development is likely to have a major adverse effect on landscape character. However, the proposed development is unlikely to be seen outside the

site area and this must be recognised in the judgement of the overall effects. The overall effects of the development are therefore assessed as minor adverse. Changes could be made to the design that could reduce the ill effects on internal character of the site and the following approaches could be considered:

- decrease in the number and density of the units;
- modify the distribution pattern such that density decreases with distance from the entrance;
- orientate the units such that they run parallel to contours, needing much less earth works;
- make the layouts less regimented and more irregular in form and orientation;
- adopt a different "camouflage strategy" - rather than dividing the plots with hedgebanks, set the whole area in to a (light) woodland;
- vary the type, size, colour, shape, roof materials and arrangement of the units to produce a less regimented pattern.

Environment Agency: No comment received.

Licensing: The layout of the caravans needs to be amended so that there is a distance of 5m between lodges and between lodges and hedges in order to comply with Torbay Council Licensing Standard Conditions for Static Holiday Caravan Sites.

South Hams District Council: No comment received.

Summary Of Representations

One letter of representation was received which relates to the development being out of character with the open countryside and inappropriate for this location.

Relevant Planning History

DE/2016/0143 - Enhancement of Whitehill Country Park and provision of new mobile holiday accommodation; the applicant was advised that the application was acceptable in principle 27.04.2016

P/2015/0698 - Access drive; Approved 19.11.2015

P/2010/1324 - Formation of six camping pods; Approved 31.01.2011

P/2005/2090 - Construction of roads; caravan bases to improve layout/accommodation of existing 66 approved static caravans and 11 months use; approved by DMC on 13.02.2006.

Key Issues/Material Considerations

The key issues in relation to the proposed development are the impact it would have on the character and appearance of the countryside area, tourism, ecology, highways, drainage and landscaping.

- Countryside area

The site is within a Countryside area therefore Policy C1 (Countryside and the rural economy) of the Torbay Local Plan 2012-2030 is relevant. In the countryside development will be resisted where it would lead to the loss of open countryside or creation of urban sprawl, or where it would encourage the merging of urban areas and surrounding settlements to the detriment of their special rural character and setting. However the following forms of development are permitted by this policy:

- Development for touring caravans and tents;
- Tourist facilities appropriate to the rural setting;
- Development associated with outdoor sport and recreation appropriate in a rural area.

This policy also has regard to the need to protect, conserve/enhance the distinctive landscape characteristics and visual quality of a particular location, the suitability of development and the capacity of the countryside to accommodate change.

In essence the proposal falls within development that would be permitted in the countryside, subject to the impact on the character and setting of the area.

The proposal includes a landscaping scheme which has been developed to establish hedge planting at the entrance to Whitehill Country Park which will screen the car park, mobile holiday accommodation adjoining the entrance and the leisure complex.

To the east there is a farmstead of Grade II listed buildings at Yalberton Farm, from there and from Long Road, also to the east, the upper part of the open field known as 'Old Ground' (which is furthest to the east of the development site), is prominent on the skyline. It is proposed to screen the holiday lodges from this view by planting an orchard on this land. This will introduce a sustainable agricultural use on the land and preserve the rural view of the skyline from Yalberton Farm.

The site is well screened from Long Road to the north by existing Devon banks and established hedges. In recent years, the boundary hedges have been allowed to increase in height to improve screening of the site. It is considered therefore that the proposed development will not be highly visible from the adjoining roads and the development will have minimal visual impact from the northern and eastern boundaries.

The land to the south-west of Whitehill Country Park comprises of open farmland. With the closest properties being Higher Well Farm and Holiday Park Waddeton Road, approximately 1 mile to the south. From this distance it is deemed that views of the proposed development will not be significant in the character of the countryside. To the south-east of the site, views of Whitehill Country Park are screened by mature woodland which is protected by a TPO.

Within the application site the character is currently 'rolling farmland' set within a

combe with grassland to one side of the valley and woodland to the other. The proposed development would positively contribute to the landscape by adding characteristic hedgebanks, tree planting and an orchard.

However the change from seasonal camping to permanent structures is a marked change to the character of this part of the site. The use of tents is transitory in nature and cause little physical change to the land whereas the holiday homes would be permanent and present throughout the year. Inevitably this results in a significant change to the character of the area of land which is subject to this application.

A landscape scheme to subdivide the site to minimise the visual impact of development has been submitted. Devon hedge banks are proposed to subdivide the open site areas and will screen and contain the clusters of single storey mobile holiday accommodation. The external colour and cladding of the mobile holiday accommodation will be of a recessive colour, sympathetic to the rural surroundings.

Taking the comments from the Landscape Officer and Arboricultural Officer onboard it is clear that the additional lodges will be hidden from wider views into the site. However the internal impact of the additional lodges on the current character of the site could be significant. It is therefore considered that revisions to the layout and landscaping, including an informal avenue of landscape scale trees either side of the internal road (as advised by the Arboricultural Officer) and variations to the orientation, layout and the roof materials of the lodges (as advised by the Landscape Officer) would aid in subdividing their visual massing and reducing the impact on the visual character of the area.

The layout of the lodges will also require amending in order to ensure that there is a 5m distance between each lodge and between any tree/hedgerow and lodge in order to comply with Torbay Council Licensing Standard Conditions for Static Holiday Caravan Sites.

Subject to revisions to landscaping and layout, the proposal is deemed to comply with Policy C1 and the number of units it acceptable. The addition of the tennis court and the washroom are not deemed to have a detrimental impact on the character and appearance of the site or wider countryside area.

- Tourism

Policy TO1 (Tourism, events and culture) of the Torbay Local Plan 2012-2030 aims to enhance its role as a premier tourism destination. In order to do this tourist facilities and accommodation will require improvement and modernisation to attract new visitors, particularly overnight visitors and increase overall spend. The Council wishes to see the quality of accommodation improved with a wider range of new and refurbished facilities and services supporting, in principle, the improvement of existing and provision of new tourist accommodation and attractions; subject to

other Policies.

The NPPF deals with tourism development in its rural policy paragraph 28 which notes:

To promote a strong rural economy, local and neighbourhood plans should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations.

The Local Plan advises that Torbay is seeing increased visitor numbers and value, lengthening of the tourism season, increased spend, increased occupancies and overnight stays, growth in overseas visitor numbers and new tourism related development.

This is backed up by visitor spend in Torbay which in 2011 was 8% higher than in 2006. Torbays' Tourism Strategy Turning the tide for tourism in Torbay, 2010-2015 states that in 2007 holiday parks in Paignton provided 5,800 of the total 18,500 bed spaces. Changing expectations mean an increasing number of visitors want to spend their holiday in good value, high quality modern accommodation.

The applicant wishes to cater for current trends in tourism, and to capitalise on the unique countryside setting of Whitehill Country Park. As previously stated a demand for superior holiday accommodation is apparent and recent years have seen a reduced demand for touring pitches.

It is considered that the proposed lodges provide an improved form of tourist accommodation within a site which has good quality facilities and a range of accommodation making good use of an area currently underutilised as a camping site.

The proposal provides ecological benefits for the area, is of satisfactory scale and design and is well screened from Long Road by the existing hedgerow/Devon bank.

The proposal is deemed to help deliver the key requirements of Policy TO1 and complies with para. 28 of the NPPF, by providing improvements to the facility and helping attract new visitors; thus providing an economic benefit to Torbay. It is therefore considered that the proposal is compliant with Policy TO1 of the Torbay Local Plan 2012-2030.

- Ecology

The site is located approximately 8km to the west of the South Hams Special Area of Conservation (SAC) (and Berryhead to Sharkham Point Site of Special Scientific Interest (SSSI) which is its component SSSI). Whitehill Country Park is situated on

the western edge of a Greater Horseshoe Bat (GHB) 'Sustenance Zone' and adjacent to a GHB 'Strategic Flyway' associated with the South Hams SAC flyway.

Therefore a Habitat Regulation Assessment (HRA) has been undertaken. The result of this was that, subject to appropriate conditions, the proposed development would not have an adverse impact on the greater horseshoe bat commuting habitats around and across the proposed development site at Whitehills Country Park.

As a result of the HRA on the site the following headline conditions have been requested:

- The submission of an integrated Landscape and Lighting Design Strategy
- The submission of a CEMP
- The submission of a LEMP
- The submission of a monitoring strategy to provide early warning of any change in site conditions (such as those brought about by loss of suitable habitat features or adverse light spill) that are likely to impair or disturb greater horseshoe bats being able to commute through the site adjacent to the site boundary.

The lodges have been sited to ensure that there is a minimum 10m buffer between holiday units and retained hedgerows in order to minimise potential lighting and disturbance impacts on commuting or foraging Greater Horseshoe Bats thereby creating a dark corridor. However in order for the hedgerows and woodland edge to provide functional greater horseshoe bat habitat, it will be necessary to demonstrate the extent of where light spillage of 0.5lux and further information to confirm this is required.

The addition of the lodges will result in the loss of habitat, including 4ha of amenity grassland and two 5m sections of hedgerow in order to create access points. In order to mitigate this and provide ecological enhancement, it is proposed to plant 840m of species-rich hedgerow, at least 30 native trees, 300m² of native scrub and at least 200 fruit trees to create 1.3ha of orchard.

In order to ensure the long term success and management of the newly created and retained habitats, details of a Landscape and Ecological Management Plan (LEMP) will be submitted to the Council for approval and will be adhered to in strict accordance with the approved details.

It is considered that the mitigation measures proposed result in the development maintaining and enhancing biodiversity on the site. Therefore the proposals is deemed to accord with Policy NC1 (Biodiversity and geodiversity), C1 (Countryside and the rural economy) and Policy C4 (Trees, hedgerows and natural landscape features)..

- Highways

Policy TA3 (Parking requirement) states that 1 parking space per chalet/lodge should be provided. The submitted layout plans confirm that this standard will be met.

Site levels have been carefully considered to afford suitable gradients on the access drives to ensure safe vehicle movements.

A revised/updated transport assessment has been requested as have revised plans to show the addition of a passing area along a section of the new access road and the addition of a turning head adjacent to the proposed orchard.

- **Drainage**

The site is within Floodzone 1 and the applicant is proposing to use soakaways and swales to deal with rain water run-off. Some additional clarification has been requested on these matters. Subject to the receipt of this information, it is considered that this method of drainage is acceptable; subject to the addition of conditions requiring the detailed designs for all soakaways and swales to be submitted showing that they have been designed in order that there is no flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus 30% for climate change.

- **Landscaping**

As the site is within the allocated countryside area a strong landscaping scheme is imperative to this application. As previously stated the addition of the orchard is welcomed and will minimise views of the lodges from outside of the camp. Similarly internal landscaping will break up the visual massing of the lodges in order to lessen the impact on the existing character of the application site, it is considered that this can be further improved and revised plans to show this in line with the consultation responses from the Landscape Officer and Arboricultural Officer have been requested.

S106

A contribution towards monitoring the holiday use of the units for a period of 5 years is required which equates to £1,440 based on 4 hours of monitoring per year.

Conclusions

The proposed development is considered to be appropriate for planning approval, having regard to all national and local planning policies and all other relevant material considerations.

The principle of the proposed development would be consistent with Policies C1 and TO1 of the Torbay Local Plan 2012-203. Subject to the receipt of additional information relating to drainage, highways and landscaping the proposal is considered to be appropriate for planning approval, having regard to all national and local planning policies and all other relevant material considerations, subject to the conditions itemised below;

- Tree protection plan and any special methodology for construction adjacent

- to trees to be retained
- Detailed landscaping plan to include, but not be limited to, detailed watering prescription per tree type/size, tree pit design, staking (2 stakes and cross bar), mulching, tie adjustment, formative pruning and so on, with attention drawn to requirement for informal tree avenue of suitable species i.e. Oak, Beech or Lime
 - Landscaping to be implemented and retained
 - Submission of a LEMP
 - Submission of a CEMP
 - Submission of an integrated Landscape and Lighting Design Strategy
 - Submission of a monitoring strategy to provide early warning to bat commuting routes
 - Clearance of any potential bird nesting habitat should only be undertaken outside of the bird nesting season (undertaken between September and end of February) or following confirmation immediately prior to clearance from a suitably qualified ecologist that no nesting birds are present. If a nest(s) is found, works will have to be delayed until young birds have fledged and the nest(s) is inactive
 - Details of cycle store to be submitted for approval and then implemented
 - Implementation of parking areas prior to occupation of chalets
 - Implementation of bin store area prior to occupation of dwellings
 - Details of all boundary treatments
 - Pre-construction drainage condition confirming that the additional infiltration testing will be undertaken and the detailed designs for all soakaways and swales is submitted showing that they have been designed in order that there is no flooding to properties or increased risk of flooding to adjacent land for the critical 1 in 100 year storm event plus 30% for climate change
 - The approved accommodation shall be for holiday use only and not for permanent residential occupation
 - The maximum number of 58 lodges shall be stationed on the application site at any one time and in accordance with the approved layout.

Relevant Policies

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