

Friday, 4 September 2026

PLANNING COMMITTEE

A meeting of **Planning Committee** will be held on

Monday, 14 September 2026

commencing at **5.30 pm**

The meeting will be held in the Banking Hall, Castle Circus entrance on the left corner of the Town Hall, Castle Circus, Torquay, TQ1 3DR

Members of the Committee

Councillor Brook (Chair)

Councillor Billings

Councillor Mandy Darling

Councillor Fox (Vice-Chair)

Councillor Pentney

Councillor Strang

Councillor Tolchard

Councillor Virdee

A Healthy, Happy and Prosperous Torbay

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Governance Support, Town Hall, Castle Circus, Torquay, TQ1 3DR

Email: governance.support@torbay.gov.uk - www.torbay.gov.uk

PLANNING COMMITTEE AGENDA

1. Apologies for absence

To receive apologies for absence, including notifications of any changes to the membership of the Committee.

2. Minutes

To confirm as a correct record the Minutes of the meeting of this Committee held on 20 July 2026.

(Pages 5 - 8)

3. Disclosure of Interests

- (a) To receive declarations of non pecuniary interests in respect of items on this agenda.

For reference: Having declared their non pecuniary interest members may remain in the meeting and speak and, vote on the matter in question. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

- (b) To receive declarations of disclosable pecuniary interests in respect of items on this agenda.

For reference: Where a Member has a disclosable pecuniary interest he/she must leave the meeting during consideration of the item. However, the Member may remain in the meeting to make representations, answer questions or give evidence if the public have a right to do so, but having done so the Member must then immediately leave the meeting, may not vote and must not improperly seek to influence the outcome of the matter. A completed disclosure of interests form should be returned to the Clerk before the conclusion of the meeting.

(Please Note: If Members and Officers wish to seek advice on any potential interests they may have, they should contact Governance Support or Legal Services prior to the meeting.)

4. Urgent Items

To consider any other items that the Chair decides are urgent.

5. Seascape Hotel, 8-10 Tor Church Road, Torquay (P/2026/0177)

(Pages 9 - 44)

Conversion and extension of hotel and ancillary garage into 29 residential apartments, including demolition of parts of existing buildings, alterations to the facades of the buildings and accesses, construction of additional residential floorspace above the ancillary garage, parking provision and other associated works.

6. Lincombe Manor, Middle Lincombe Road (P/2019/1159)

(Pages 45 - 68)

Formation of roof level extension to provide 11 care rooms and associated works. (Description amended 19.10.2025).

7. Devon Hills Holiday Village (P/2025/0124)

(Pages 69 - 118)

Change of use of land for the siting of additional holiday lodges in

three areas: 5 x Infill Area, 18 x Maintenance Area and 29 x Moonshadow Rise Area with landscaping, groundworks and associated works.

Public Speaking

If you wish to speak on any applications shown on this agenda, please contact Governance Support on 207087 or email governance.support@torbay.gov.uk before 11 am on the day of the meeting.

We are using hybrid meeting arrangements to give registered speakers the opportunity to either attend the meeting in person to give their views or to attend the meeting remotely via Zoom. If you would like to attend the meeting remotely to speak you will be provided with a Zoom link to join the meeting. We also ask that you provide a copy of your speech to governance.support@torbay.gov.uk, before 11 am on the day of the meeting, so that the Clerk will be able to continue to read out your speech if you lose connection or cannot be heard in the physical meeting. Remote attendees who lose connection may still be able to follow the meeting via the live stream on the Council's YouTube channel.

Councillors who are not members of the Planning Committee will also be able to join the meeting via Zoom and must use their raise hand function to declare any interests.

Site Visits

If Members consider that site visits are required on any of the applications they are requested to let Governance Support know by 5.00 p.m. on Wednesday, 9 September 2026. Site visits will then take place prior to the meeting of the Committee at a time to be notified.

Order of Business

The Planning Officer will present the application and outline the recommendation. Registered speakers will then be invited to address the Committee in the following order: those objecting to the application, Neighbourhood Forum representatives, non-Committee Councillors, and those in support, with each speaker allocated up to five minutes.

Members will then have the opportunity to ask questions of the Planning Officer before the Chair opens the item for debate. At the conclusion of the debate, the Chair will seek a proposer and seconder, and the proposal must be stated in full, including any conditions or reasons. The Chair will then confirm with the Planning Officer whether a period of summing up is required.

Live Streaming

To encourage more people to engage in our public meetings the Council is trialling streaming our Planning Committee meetings on our YouTube channel in addition to recording the meetings and publishing the recording on our website. To watch the meeting live please visit <https://www.youtube.com/user/torbaycouncil>.

We are also using hybrid meeting arrangements to enable registered speakers to either attend the meeting in person or to attend the meeting remotely via Zoom. **Anyone attending the meeting remotely must register their intention to do so by 11 am on the day of the meeting and provide a copy of their speech to governance.support@torbay.gov.uk by this deadline.** If anyone attending the meeting remotely loses connection the meeting will continue and their speech will be read out by the Clerk and they will have the option to follow the meeting via the YouTube live stream.

Minutes of the Planning Committee

20 July 2026

-: Present :-

Councillor Brook (Chair)

Councillors Billings, Steve Darling, Fox (Vice-Chair), Pentney, Strang, Tolchard and
Virdee

40. Apologies for absence

It was reported that, in accordance with the wishes of the Liberal Democrat Group, the membership of the Committee had been amended to include Councillor Steve Darling in place of Councillor Mandy Darling.

41. Minutes

The minutes of the meeting of the Committee held on 26 May 2026 were confirmed as a correct record and signed by the Chair.

42. Land North of Long Road, Paignton (P/2025/0782)

The Committee considered an application for the construction of 1,997sqm retail unit (class E(a)), 186sqm coffee shop/ restaurant (flexible Class E(b) and/or sui generis), with 136 space car park to include 10 bay EV charging facility, new service and emergency access road, landscaping and associated works.

Prior to the meeting, Members of the Planning Committee undertook a site visit, and written representations were available on the Council's website.

At the meeting, the Planning Officer advised that since the committee report had been published, an additional comment had been received from Torbay Council Environmental Health Officer in relation to condition 22 and the following changes had been requested by the applicant to the delivery hours, to amend the hours for condition 22 to read '06:00hrs – 22:00hrs Monday to Saturday' and '08:30hrs to 18:hrs Sundays and Bank Holidays'.

Following the Planning Officer's presentation, Philip Marsden addressed the Committee in support of the application.

Resolved:

Approved, subject to:

1. Condition 22 being amended to read 'The opening hours of the food store (Use Class E(a)) and Coffee Shop (Use Class E(b)) hereby approved shall be limited to 06:00hrs – 22:00hrs Mondays through Saturdays, and 08:30hrs – 18:00hrs on Sundays and Bank Holidays.

All deliveries shall be undertaken within the opening hours hereby approved.'

2. the planning conditions as outlined within the submitted report, with the final drafting of conditions delegated to the Divisional Director of Place Strategy; and
3. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.

43. Harbour Light Restaurant, North Quay, Roundham Road, Paignton (P/2026/0125/AD)

The Committee considered an application for illuminated and non-illuminated replacement signage & external lighting (Part Retrospective).

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website.

Resolved:

Approved, subject to:

1. Planning conditions as outlined within the submitted report, with the final drafting of conditions delegated to the Divisional Director of Place Strategy; and
2. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.

44. Harbour Light Restaurant, North Quay, Roundham Road, Paignton (P/2026/0126/LBC)

The Committee considered an application for illuminated and non-illuminated replacement signage & external lighting (Part Retrospective).

Prior to the meeting, Members of the Planning Committee undertook a site visit and written representations were available on the Council's website.

Resolved:

Approved, subject to:

1. Planning conditions as outlined within the submitted report, with the final drafting of conditions delegated to the Divisional Director of Place Strategy; and
2. the resolution of any new material considerations that may come to light following Planning Committee to be delegated to Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.

Chair

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TORBAY COUNCIL

Application Site Address	Seascape Hotel, 8-10 Tor Church Road, Torquay, TQ2 5UT
Proposal	Conversion and extension of hotel and ancillary garage into 29 residential apartments, including demolition of parts of existing buildings, alterations to the facades of the buildings and accesses, construction of additional residential floorspace above the ancillary garage, parking provision and other associated works.
Application Number	P/2026/0177
Applicant	Mr Ash Mohammed
Agent	Bell Cornwell LLP
Date Application Valid	23.03.2026
Decision Due Date	22.06.2026
Extension of Time Date	24.08.2026
Recommendation	Approval: Subject to; The conditions outlined at the end of this report, with the final drafting of conditions delegated to the Divisional Director of Place Strategy. The completion of a Section 106 legal agreement to provide affordable housing. The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.
Reason for Referral to Planning Committee	Major Development.
Planning Case Officer	Alexis Moran



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Site Details

The site is the Seaside Hotel comprising of a four-storey paired villa block, a four-storey single villa block and a 20th Century single storey wedge shaped building which connects the two blocks. The original building is mid to late Victorian.

The hotel currently provides 57 guest rooms and associated function rooms and licensed facilities as well as a manager's apartment and ancillary service rooms. The site is outside of the Core Tourism Investment Area (CTIA).

Vehicular access is at the north of the site off Tor Church Road where there is a vehicle parking deck, below this is the hotel's basement garage which is accessed via Croft Road at the south of the site. There is also a pedestrian access via a set of steps at the rear of the property.

The site is located in a sustainable location within close walking distance of the Town Centre and in close proximity to bus stops.

The character of the area is predominantly residential, with residential properties to the north, north-west and north-east of the site on the northern side of Tor

Church Road, to the south, on Croft Road, and to the south-east, on Scarborough Road. The property immediately to the east is in use as a hotel.

The site straddles the boundary of two Conservation Areas, with the majority of the site located within the Abbey Road Conservation Area and the garage and elevated parking area within the Tormohun Conservation Area. The south-western site boundary adjoins the Belgravia Conservation Area.

The building is identified as a key building of architectural importance which makes a significant contribution to the townscape within the Abbey Road Conservation Area Appraisal and as such it can be considered as a Non-Designated Heritage Asset (NDHA).

The site is in Flood Zone 1 and the Critical Drainage Area.

Description of Development

This planning application seeks approval for conversion of the Seascapes Hotel and its garage into 29 residential apartments. The following mix of housing is proposed:

- 16 x 1-bed apartments
- 13 x 2-bed apartments

Six of the apartments would be affordable which is 20% of the overall offer.

The proposal includes the demolition of several deleterious extensions and structures, including the wedge-shaped extension that connects the two parts of the hotel, the 1960s flat-roofed extension to the rear, several attached escape steps and a pair of solid exterior steps that extend out into the garden area. The demolition of the wedge-shaped extension would restore the historic space between the buildings and space for areas of soft landscaping, on-site vehicle parking and a new stepped route into the rear garden.

Improvements are also proposed to the external elevations of the building and fenestration to improve and enhance its appearance which include the reinstatement of the missing front vestibule, to return to a paired arrangement that is prevalent locally, and the replacement of the existing late 20th century uPVC casement windows with sash windows with a horizontal glazing bar, to match the original fenestration. The 20th century doors would also be replaced with doors more traditional in appearance. The buildings would be decorated in a simple colour palette of cream and white, to match the villas in Cary Crescent, next door.

New flat roofed extensions are proposed to the rear at lower ground floor level to provide appropriate living space however the total quantum of development proposed is less than the existing building volume.

The proposal also includes two new units of accommodation, incorporating and extending above, the existing garage. The new units are contemporary in design

with a stuccoed frontage to match properties on Croft Road, with the upper form being clad in anthracite metal.

It is proposed to re-open a former pedestrian access which would provide a second entrance to the building from Tor Church Road. Additionally, a new length of footway would be provided linking the two entrances and extending eastwards to connect to the existing pavement outside the adjoining Majestic Templestowe Hotel.

The existing pedestrian access to the site off Croft Road would also be upgraded with a new ramp access replacing the existing steps.

The provision of resident and visitor parking and secure cycle storage at the top of the ramp along the south-western boundary of the site. The redevelopment scheme is predominantly a car-free proposal. However, part of the existing small car parking area located off Tor Church Road would be retained for car parking for the proposed two studio flats (one space per flat). In addition, one visitor car parking space would be provided.

Pre-Application Enquiry

A pre-application enquiry was submitted on 07.08.2025 for the conversion of the hotel into 30 apartments and associated works and was given a reference of DE/2025/0146.

Summary Comments:

- The proposed change of use is likely to be supported in principle because there is strong policy support for the repurposing of the hotel to bring it into more positive use. The case officer advised that the Council's policy is clearly to support larger purpose-built hotels in waterfront and harbourside areas and to be flexible about allowing residential use of more marginal hotels.
- Officers recommended strongly that the wedge-shaped infill extension is demolished.
- Officer advised that there is potential for the loss of the wedge-shaped building to be compensated for by the provision of accommodation at the rear of the site (subject to size, siting, design and the impact on the main building, wider conservation area and any protected trees).
- The case officer did not consider that the siting of internal bathrooms etc and the impact from moisture within the building is a cause for concern to the extent of warranting a review of room layouts.
- The project transport consultant would need to engage with Torbay Council's highways department regarding potential options for improving pedestrian connectivity.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Adopted Torquay Neighbourhood Plan (TNP)

Material Considerations

- National Planning Policy Framework (NPPF) August 2026
- Planning Practice Guidance (PPG)
- Published Standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report.

NPPF:

The application has been assessed against the Development Plan and the National Planning Policy Framework (August 2026). The Framework introduces a revised structure based upon national decision-making policies and a permanent presumption in favour of sustainable development. The proposal has therefore been assessed against the relevant national decision-making policies and local plan policies, with appropriate weight given to each in reaching the recommendation.

Emerging Local Plan (Regulation 19 Publication Version):

The Council has approved the publication of the Torbay Local Plan 2025–2045 Regulation 19 Publication Version. As the Plan has now reached an advanced stage of preparation, it constitutes a material consideration in the determination of planning applications. The weight to be afforded to the emerging Plan is a matter of planning judgment and will depend upon the extent to which relevant policies are consistent with national policy, the stage reached in the plan-making process, and the degree to which there are unresolved objections. The Regulation 19 Plan represents the version of the Local Plan that has been through several rounds of public consultation and approved by Full Council as the Publication Plan. It therefore attracts greater weight than earlier draft versions, although it does not yet form part of the statutory Development Plan.

In the assessment of this application, the relevant policies of the emerging Regulation 19 Local Plan have been taken into account as material considerations alongside the adopted development plan and other material considerations.

It should be noted that the Seascap Hotel is included in Table 5 – Sites Proposed for Housing Development – H1cT24, under Policy H1c within the Emerging Local Plan.

Relevant Planning History

Pre-application enquiry DE/2025/0146 was submitted in August 2025 for 'Conversion of hotels into 30 apartments with associated works.'

Summary of Representations

5 representations have been received at the time of writing. 3 of these are objections, 1 is neutral and 1 letter supports the proposal.

Note: Full responses are available to view on the public access system (<https://publicaccess.torbay.gov.uk/view/>).

Issues raised:

- Insufficient parking
- Increase in traffic/road safety

Summary of Consultation Responses

Planning Policy

Torbay has a pressing need to boost its housing supply and there is a strong policy support for reusing former hotels for residential purposes. The Seascap Hotel is not located within a Core tourism Investment Area and offers little to the tourism economy. It is a sustainably located site within easy walking distance of the town centre and moderate walking distance of a range of other facilities. As such the change of use is supported by Policies SS12, SS13, H1, and TO2 of the Local Plan and TT1 of the Neighbourhood Plan.

As you are aware, the council must apply the Presumption in Favour of Sustainable Development and cannot demonstrate a five year housing land supply. However, in my view, the proposal in principle accords with the development plan read as a whole and can be supported without needing to trigger the "tilted balance".

The building is a prominent one mainly within the Abbey Road Conservation Area (with smaller parts in Belgravia and Tormohun) and the application does raise a number of detailed development management issues. Policies TO1 of the Local Plan and TT2 of the Neighbourhood Plan both seek built environment improvements as part of the conversion away from hotels. I note that separate comments have been made on design at pre-application stage.

I welcome the provision of 20% affordable housing, which will be provided through S106 agreement. The starting point in Policy H2 is for onsite provision. However, the location and effective management of the affordable units should be agreed with the Affordable Housing Manager.

Although within Flood Risk Zone 1, Torbay is a Critical Drainage Area and there is a need to remove as much surface water as possible from the combined sewer in accordance with Policies ER1 and ER2 of the Local Plan. I note that the Flood Risk Assessment has addressed sustainable drainage options.

Torbay Council Affordable Housing Manager

This application is a conversion and rebuild of a former hotel/guest house and utilizes a brownfield site. The application proposed aligns with the policies for affordable housing which are set out in H4 of the Torbay Local Plan.

Policy H2 of the Local Plan sets out that a brownfield site of this size should provide 20% much needed Affordable Housing, delivered on site. The applicant has proposed that 6 units are affordable homes which could be owned and managed by a Registered Provider.

The policy requirement for the tenure of these properties should be 1/3 Social Rent, 1/3 Affordable Rent and 1/3 Shared Ownership. However, this is potentially difficult to achieve. The applicant would need to discuss this in more detail with the Affordable Housing Manager.

The units all meet Nationally Described Space Standards. This would not be a barrier to a Registered Provider taking the units into their portfolio of stock. I have noted that there is a lift within the property which would be an advantage to applicants on the Housing Register who may have mobility issues. However, none of the units will be built to M4(3) standards.

Principal Historic Environment Officer

This is a positive application which will enhance the character and appearance of the building as a Non-Designated Heritage Asset and also the identified conservation areas. Although the submitted joinery details are likely to be acceptable, they appear to be indicative only, so clarity on which windows are to be replaced, and with which detailed design would be required. This could potentially be secured through an external joinery condition and an associated window and door schedule.

I would also suggest a 'making good to match existing' condition for the external openings which are proposed to be partially infilled. There also appears to be some additional stone boundary walling proposed within the site, so a condition requesting a sample panel or for the walling to match existing would also be useful.

The proposed new build would also have an acceptable impact in principle, but details should be secured through condition. I would encourage external joinery details along with samples of external walling and roofing materials to be conditioned.

This being the case there are no objections from a heritage perspective.

Housing Need

There are currently 1664 applicants on the Housing Register in Bands A-D in

Torbay. The most pressing need on the register is for 1 and 2 bed properties. It is pleasing to note that the properties proposed are mainly one bed 2 persons, and two bed 4 persons, which would meet this acute need. The table below details the number of households who require one and two bed roomed properties on the Devon Home Choice register

The smaller units would offer a downsizing opportunity for people who are in larger affordable homes, especially if they are seeking a town location near to services and amenities.

This application is in a sustainable location. It is near to the Town Centre of Torquay where there are public transport options as well as easy access to shops and facilities such as GPs and other health and support agencies.

If this application is approved, a Section 106 agreement will be required. This should include the following:

- A Local Connection to Torbay through Residence, family or employment.
- An Accommodation Schedule detailing the location of each affordable property. This should be discussed and identified with the Strategic Affordable Housing and Delivery team to ensure that a Registered Provider would own and manage the units.
- An alternative mechanism should be included if a Registered Provider cannot be found to own and manage the units. This should be in accordance with Planning contributions and affordable housing SPD . This will ensure that the required affordable housing could be provided off-site.

Conclusion

This application is policy compliant for the Affordable Housing element of the planning application.

Highway Authority

No issue with the reduced parking provision for increased bin storage, as the site is in a sustainable location. We are happy with the location of the additional refuse, as set out in the Transport Assessment, the proposed number and size of bins is in line with the guidance set out in the Torbay Recycling and Waste Collection Guidance for Developers.

A s.278 agreement will be required for works to the highway.

Climate Emergency

The applicant must submit a revised Energy Statement, stating the exact and finalised measures that are to be installed across the site, and specifically covering fabric improvements, PV and low carbon heating and hot water solutions. This can be via a condition, the submission of the revised report must be prior to commencement on site.

Ecology Advisor (Devon County Council)

No objection subject to the standard Biodiversity Net Gain (BNG) informative and an informative advising the applicant of their legal duty to ensure bats and nesting birds are protected as part of this development and conditions regarding;

- No unauthorised external lighting
- Compliance with the identified wildlife enhancements
- Bird nesting season compliance

Torbay Council Drainage Engineer

No objection subject to a suitably worded condition.

South West Water

No objection

Police Designing Out Crime Officer

It is considered that a Secured By Design condition is necessary to ensure the comment from a designing out crime, fear of crime and anti-social behaviour perspective are addressed.

Torquay Neighbourhood Plan Forum

This Application will convert a hotel that has been used in recent years, predominantly by councils outside Torbay, to house people with various social problems. This has resulted in much antisocial behaviour in the surrounding area. The Forum considers that conversion into much needed permanent accommodation is a positive move.

The plans themselves show consideration for the original architecture, with the proposal to remove several of the later unsightly additions. This will enhance the Conservation Area, and the setting of the Listed Buildings opposite. The additional number of housing units will be an added bonus to the total required for Torquay. We would like to see more information on whether they will be classed as affordable accommodation.

The Forum is concerned about the lack of parking on site, although we acknowledge that there is access to public transport nearby, and a number of hub facilities are within walking distance. We question whether the current garage should be converted into accommodation. There is little space in the surrounding streets, but this was an issue when the building was being used as a proper hotel. The slope of the land also prevents parking areas from being created behind the building.

The Forum welcomes the alteration to the street frontage that will enable a footpath to be installed immediately in front of the property. However, consideration needs to be given to the number of delivery vehicles that would be pulling up outside on a daily basis, as this is not a wide road, and is the main access road to Torquay Town Centre for all types and sizes of vehicles.

The Forum has also considered the sustainable travel arrangements for the development, which are central to the car-free justification. Whilst we welcome the proposed footway improvement, we have a number of concerns about

whether it fully delivers the accessible pedestrian environment required. In particular, the new footway ends approximately 10 metres short of the existing pedestrian crossing at the western end of the frontage, leaving an undefined gap on a 30mph road with a recent record of pedestrian injury collisions. Given the importance of this, we would like to know whether the applicant has genuinely exhausted negotiations with the third-party landowner to close this gap. The Forum also notes that the cycling environment on Tor Church Road, a 30mph road with high traffic volumes and no physical protection, does not meet current national design standards under LTN 1/20, and that Torbay's hilly topography makes this a genuine barrier for many potential cyclists. The Forum supports the principle of sustainable travel but considers that a local 20mph speed limit on Tor Church Road and the surrounding streets would materially improve conditions for walking and cycling. This would be consistent with the Devon and Torbay Local Transport Plan 2025–2040. We ask the Local Planning Authority to consider whether a proportionate contribution towards sustainable transport improvements, including cycling infrastructure, bus stop accessibility and a 20mph scheme, can be secured as part of this application.

Torbay Council Community Safety Officer

No objection subject to the addition of a pre-occupation condition regarding the submission of a noise level assessment.

SWISCo Green Infrastructure Team

The loss of two trees to the rear of the site would be a planning balance. An Arboricultural Method Statement will be required via condition to ensure the proposal does not impact on TPO'd tree T4 at the rear of the site.

Waste Management

No objection.

Planning Officer Assessment

1. Principle of Development
2. Visual and Heritage Impact
3. Residential Amenity
4. Highways, Movement, Parking and Waste
5. Ecology, Biodiversity and Trees
6. Flood Risk and Drainage
7. Low Carbon Development and Energy

1. The Principle of Development

Housing Need

The proposal is for the conversion and extension of hotel and ancillary garage into 29 residential apartments, including demolition of parts of existing buildings, alterations to the facades of the buildings and accesses, construction of additional residential floorspace above the ancillary garage, parking provision and other associated works.

There is a pressing need for homes in Torbay. The Government published the most recent Housing Delivery Test in August 2026. Torbay's result is 40%. The Council have recently reported that their housing land supply figure has decreased to 1.72 years through a recent planning appeal (ref: APP/X1165/W/24/3354507) and the Council's most recently published figure is 1.65 years supply. The Housing Delivery Test requires that the presumption in favour of sustainable development and a 20% buffer be applied.

Policies SS12, SS13 and H1 of the Local Plan seek to provide sufficient housing in Torbay and to maintain a five year land supply. Policies SS13 and SS3 of the Local Plan set out a "presumption in favour of sustainable development" for housing separate to the NPPF. This is returned to later in relation to the NPPF and operation of the Presumption in Favour of Sustainable Development; but it is noted that the Local Plan contains policies that seeks to give favourable consideration to new housing (subject to other considerations) separately from the NPPF. Policy H1 of the Local Plan states that proposals for new homes within the built-up area will be supported subject to consistency with other policies in the Local Plan. Proposals for new homes on unallocated sites, including the renewal of existing permissions, will be assessed on the basis of set criteria, proportionate to the scale of the proposal.

The NPPF August 2026 continues to support the Government's objective of significantly boosting the supply of homes and expects decisions to support the delivery of a sufficient amount and variety of housing, including homes that meet identified local needs.

The August 2026 NPPF gives strong support to making effective use of land, including the reuse of suitable brownfield and under-utilised land and buildings within settlements where this would help to meet identified housing needs.

Policy HO7 (Meeting the need for homes) of the NPPF outlines that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.

Policy L2 (Making effective use of land) of the NPPF promotes the effective use of land in meeting the need for homes and other uses. This Policy presents clear support for the principle of using land effectively to meet the need for homes and guides that decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes. It also promotes support for the development of under-utilised land and buildings, especially where proposal would help to meet identified needs for housing.

Policy S3 (Presumption in favour of sustainable development) of the NPPF states that decisions on development proposals should apply a presumption in favour of sustainable development. This means:

- a. Policy S4 in this Framework should be applied when considering development proposals within settlements;*
- b. Outside settlements, policy S5 should be applied; and*
- c. In all locations, development proposals that accord with both an up-to-date development plan and the decision-making policies in this Framework should be approved without delay.*

The site is within the settlement area and therefore Policy S4 (Principle of development within settlements) of the NPPF applies. Policy S4 of the NPPF states that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies within the Framework.

The Policy goes on to say that in applying policy S4, the circumstances in which the benefits of approving development are likely to be substantially outweighed by adverse effects include (but are not restricted to) situations where the development proposal would:

- a. Have a substantial adverse impact in relation to:

 - i. The allocation or safeguarding of land or buildings for particular uses in the development plan, unless there is no reasonable prospect of an application coming forward for the allocated use, or there is evidence that the safeguarding is no longer appropriate; or*
 - ii. The application of the policies in the Framework for existing recreational land and facilities (HC7), Local Green Space (HC8), areas of particular importance for biodiversity and geodiversity (N6), Protected Landscapes (N4) and development within residential curtilages (L2(1)(d)).**
- b. Involve the whole or partial loss of undeveloped land which is used for a cemetery or burial ground; or for water storage and/or flood risk management (unless suitable compensatory provision is made that does not increase the risk of flooding either on or off-site); or*
- c. Fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.*

Policy H1 of the Local Plan states that proposals for new homes within the Strategic Delivery Areas will be supported subject to consistency with other policies of the Plan and subject to nine criteria, notably including the need to provide a range of homes to meet the objectively assessed needs and maintain a rolling 5-year supply of deliverable sites.

Policy SS11 of the Local Plan states that development will be assessed against its contribution to improving the sustainability of existing and new communities within Torbay. Development proposals will be assessed according to whether

they create a well-connected, accessible and safe community, protect and enhance the local natural and built environment, and deliver development of an appropriate type, scale, quality, mix and density in relation to its location.

In terms of The Neighbourhood Plan Policy TS4 states that development proposals for brownfield sites will be supported, providing there are no significant adverse impacts, having regard to other policies in the plan.

There is a clearly stated government objective of boosting the supply of housing. Policies SS3 and SS13 of the Local Plan also set out a presumption in favour of sustainable development separately to the NPPF. Accordingly, the presumption in favour of sustainable development is applied to applications involving the provision of housing.

Development Plan policies are taken into account when assessing whether the harm caused would substantially outweigh the benefit.

The provision of housing and the local housing supply context weighs heavily in favour of the grant of planning permission. Bearing the aforementioned points in mind, the principle of the development in this location is deemed to be acceptable and would accord with the relevant NPPF and Development Plan policies identified.

Change of use from hotel to residential

Tourism is a key sector of Torbay's economy providing a range of employment opportunities and contributing to 20% of the jobs in the area.

Torbay Council's English Riviera Destination Management Plan 2022-2030 emphasises that quality is key and highlights an over-supply of accommodation, which is depressing prices and restricting investment. Visitor accommodation is listed as the top priority for destination management and the report states that:

"The management of accommodation change of use with Council planning policies is essential to avoid the risk and drift toward low quality visitor accommodation."

"It is better to support the transition to alternative uses which complement the ambitions for the remaining visitor accommodation and the objectives set within this Plan to drive the visitor economy. Torbay has 31,000 bedspaces and, even though half of it is non-served, the remaining 15,000 space still represents an over-supply."

Policies TO1 and TO2 support the tourism sector. Policy TO1 supports the retention of tourist accommodation in sustainable locations with a focus on the Core Tourism Investment Areas (CTIAs). The site is outside the CTIA. Policy TO2 states that outside CTIAs the change of use of holiday accommodation will be allowed where the holiday character and range of facilities are not undermined and one or more of the following apply:

1. the site is of limited significance in term of its holiday setting, views and facilities
OR
2. there is no prospect of the site being used for tourism or related purposes
OR
3. the change of use would bring regeneration or other benefits that outweigh the loss of holiday accommodation.

Officers concur with comments in the applicants Planning Statement which state that the Seascape Hotel is outdated and in need of significant upkeep/modernisation and the hotel is operating in a very limited capacity with just one employee. The applicant states that it is not viable to keep the hotel running and Officers consider that it adds little to the tourism offer in Torbay.

It is therefore considered that the proposal meets the first criterion of Policy TO2 in having limited significance in terms of its holiday setting, views and facilities (see Policy TT1 below).

The current application is for 29 self-contained residential units and the change of use would bring benefits in terms of providing a use for an existing, sustainable, brown field site in close proximity of Torquay town centre and refurbishing a key building on the Conservation Area for the future. As such, the proposal is considered to meet criterion 3. As such the proposal is in accordance with Policy TO2.

Policy TT1 of the Torquay Neighbourhood Plan 2019 states that the change of use to residential dwellings from tourism properties outside the CTIA's will be supported subject to meeting one of the following criterion:

- the site being of limited significance to the tourism setting (typically 10 letting rooms or less of serviced holiday accommodation) OR
- there is a lack of viability for tourism (including that it can be demonstrated that the current business has been marketed on realistic terms for 12 months without sale) OR
- at least half of the units within the property are already of Class C3 residential status.

The change of use of this property, despite its size, has a limited significance to the overall tourism offer and character in this part of Torquay. The proposal is considered to be in accordance with this Policy.

Policy TT2 of the Torquay Neighbourhood Plan 2019 states that, within Conservation Areas, change of use from tourism will be supported in principle to ensure a sound future for heritage assets and to ensure that unsympathetic development of the past is removed to enhance the environment. The proposal would meet this criterion and the benefits of this development to the site and wider conservation area(s) is discussed in more detail later in this report.

For the reasons above the principle of the change of use is considered to be comfortably aligned with national guidance contained within the NPPF and aligned

with the aspirations of the Development Plan, specifically in regard to the aims and ambitions of Policies TO1 and TO2 of the Torbay Local plan and Policies TT1 and TT2 of the Torquay Neighbourhood Plan. In summary, the principle of the proposed change of use to residential is in accordance with the policies of the Development Plan and the Torquay Neighbourhood Plan.

2. Visual and Heritage Impact

Achieving good design is a central thread within national guidance and Chapter 14 of the NPPF seeks the promotion of high quality, healthy, inclusive and sustainable places. Policy DP3 of the NPPF outlines that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; for example through the arrangement of development plots and buildings, and the use of materials and architectural features. Policy DP3 of the NPPF outlines principles that help create well-designed places. Policy DP4 of the NPPF emphasises that design quality should be considered throughout the evolution, assessment and delivery of development proposals, including through any pre-application engagement.

Similar design expectations are engrained within the Development Plan through Policies SS10, SS11 and DE1 of the Torbay Local Plan, and through TH8 (Established Architecture) of the Torquay Neighbourhood Plan, which requires development to be of quality design, respect the local character in terms of height, scale and bulk; and reflect the identity of its surroundings.

The building sits within a designated heritage asset with the bulk of the site being located in the Abbey Road Conservation Area and the garage and elevated parking area within the Tormohun Conservation Area. The south-western site boundary is also formed with the Belgravia Conservation Area.

The building is identified as a key building of architectural importance which makes a significant contribution to the townscape within the Abbey Road Conservation Area Appraisal and as such it can be considered as a Non-Designated Heritage Asset (NDHA). The general thrust of policy guidance within the Development Plan and NPPF is for development to sustain and enhance character, to take opportunities to remove deleterious features, and to give great weight to the conservation of assets within the decision-making process.

There are Grade II Listed Buildings to the south-west (9 Croft Road and Mulberry House, 1 Scarborough Road) and to the north (9 Tor Church Road & 3 and 5 Tor Church Road).

Policy SS10 of the Local Plan states that proposals will be assessed, amongst other things, in terms of the impact on listed and historic buildings, and their settings, and in terms of the need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas. Policy HE1 states that development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses. Policy TH10 of the Neighbourhood Plan outlines that alterations to listed buildings will be supported

where they safeguard and enhance their historic qualities and elements according to their significance. In doing so, proposals which at the same time contribute to providing a sustainable economic future for such buildings will be particularly supported.

It is also incumbent on the Authority, in exercising its duties, under the provisions of The Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 66(1)), to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, and (Section 72(1)), to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

This statutory requirement needs to be considered alongside the NPPF which recognises that heritage assets range from sites and buildings of local historic value to those of the highest significance.

Policy HE4 (Securing the conservation of heritage assets) of the NPPF states that development proposals which would affect the significance of heritage assets, including any contribution made by their setting should:

- a. Maintain or secure a use consistent with their conservation, taking into account the importance of maintaining the assets, the positive contribution they can make to sustainable communities including local economies, and the positive contribution they can make to local character and distinctiveness; and
- b. Avoid (or if that is not possible, minimise) harm to the significance of heritage assets, and instead conserve this significance.

Policy HE6 of the NPPF considers that “when considering the impact of a proposed development on the significance of a designated heritage asset, significant weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”.

This policy goes on to state that where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal. Important public benefits can include securing the long-term reuse of a vacant or underused listed building and enabling energy efficiency and low carbon heating measures to be employed.

NPPF Policy HE7 (Decisions on non-designated heritage assets) advises that development proposals which would have a positive effect on a non-designated heritage asset should be supported.

The original building is mid to late Victorian with some negative 20th Century infills extensions and UPVC windows and doors. The development proposes the

conversion of existing buildings which are in a state of disrepair and require restoration.

The proposal includes the following works of restoration;

- Demolition of the deleterious 20th Century single storey wedge shaped block connecting the two older buildings.
- Reinstatement of the front vestibule to the front elevation.
- Repainting the building to be more in keeping with neighbouring properties in the Conservation Area.
- The demolition of the utilitarian flat roofed dining extension to the rear of the property.
- Removal of escape steps.
- Replacement of modern UPVC windows with timber sash windows and glazing bars to match the original.

The application also includes that addition of 2 duplex apartments which encompass the existing garage facing Croft Road and extend above (on top of an existing area of parking). The apartments have been designed with a modern approach and high-quality materials, as recommended during the pre-app stage. The design compliments the existing stuccoed frontage to Croft Road, employing its symmetry and architectural detailing. The new upper form is simply detailed and is clad in anthracite metal, which would provide a contemporary counterpoint to the setting.

Overall, the development is considered to be positive in heritage and townscape terms. The removal of poor-quality 20th-century extensions, replacement windows and doors, together with the reinstatement of more sympathetic detailing, would enhance the key building within the Abbey Road Conservation Area and preserve the character and appearance of the relevant conservation areas and the setting of nearby listed buildings.

The proposals are considered to be in accord with national guidance contained within the NPPF (Chapter 14 and Policy DP3) and the Development Plan, specifically in regard to Policies SS10 and TO2 of the Torbay Local plan and Policies TH8 and TT2 of the Torquay Neighbourhood Plan.

3. Residential Amenity

The Torbay Local Plan contains policies to ensure that appropriate residential standards are achieved in residential schemes, including size standards, through Policy DE3, and that development meets the needs of residents and enhances their quality of life, through Policy SS11.

Chapter 17 of the NPPF has regard to ensuring that new development is appropriate for its location. Policy P3 of the NPPF guides that development proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Policy P3 of the NPPF goes on to state that any adverse impacts

of this nature should be avoided where possible, or else mitigated to an acceptable degree.

In terms of location the application site is within easy walking distance of Torquay Town Centre and is considered to be in a sustainable location and well suited to a residential occupancy, presenting good opportunities for future occupants in terms of access to services, facilities and sustainable transport options.

Future Occupiers

When assessing the quality of the future residential environment it is important to consider the size and quality of the internal living spaces, the levels of outlook and natural lighting afforded key habitable rooms, levels of privacy, along with the quality of outdoor spaces and access to waste, cycle and car parking facilities, which are all integral elements for residential developments. The aspiration is to secure good level of amenity for future residents.

The applicant has submitted a noise assessment of the potential noise impact of the small commercial garage next door to the application site on the proposed residential accommodation. The assessment considers the proposed noise-sensitive receptors, hours of operation and how potential noise impacts could be mitigated, if necessary.

The noise assessment sets out that, due to there being no party wall and no windows overlooking the garage, internal noise levels within the proposed duplex apartments from the commercial garage would be controlled below the required levels. Any perceptible noise would be at a level that is deemed to be non-intrusive and suitable for residential use.

The conclusion of the noise assessment is that the proposed development is acceptable from an acoustic perspective and no mitigation measures are required.

The apartments meet the national internal living spaces standards of Policy DE3 and support the concept of a good level of amenity for future occupiers. The apartments will be afforded communal space to the south that exceeds the 10sqm per flat expectation in the Development Plan.

The proposal is considered to comply with Policy DE3 of the Torbay Local Plan, Policy THW4 of the Torquay Neighbourhood Plan and guidance within the NPPF with regards to neighbour amenity and living standards.

Adjacent Occupiers

The proposal includes the addition of 2 duplex units of accommodation to the south of the site facing Croft Road which make use of the existing road level garage and extend above. The introduction of these additional units would result in windows facing existing properties on Croft Road, this however is not an unusual relationship, particularly in an urban setting such as this. The impact of the new units of accommodation on the amenity of neighbouring occupiers on Croft Road is considered to be minimal and that there would be no significant increase in overlooking or intervisibility between the proposed units.

The change of use to residential is not likely to increase the amount of noise or disturbance to the local environment. However, the proposal does include the addition of air source heat pumps and the advice from Environmental Protection is that a condition is attached to any permission which requires the applicant to provide a noise assessment of these units for review prior to the occupation of the new use.

In terms of designing out crime it is recommended that a planning condition is attached to secure details on how the development responds to Secured By Design.

Bearing the above points in mind, the proposal is deemed to be in accordance with Policy DE3 of the Torbay Local Plan, Policy THW4 of the Torquay Neighbourhood Plan and guidance within the NPPF with regards to neighbour amenity and living standards.

4. Highways, Movement, Parking and Waste

Policy TA2 of the Toray Local Plan requires development proposals to ensure an adequate level of accessibility and safety and to satisfy the transport needs of the development. It also requires a good standard of access for walking, cycling and public and private transport in major development schemes and make high quality provision for sustainable transport modes and adequate turning/manoeuvring space on site.

Policy TA3 and Appendix F of the Local Plan states that flats should be provided with 1 on-site parking spaces for motor vehicles, cycle storage, and provisions for the storage of refuse bins and recycling boxes. Policy TH9 of the Neighbourhood Plan states that the parking requirements set out in the Local Plan must be complied with, and that applications for additional residential accommodation should be assessed for their parking demand.

Chapter 15 of the NPPF aims to ensure that transport considerations are taken fully into account in the evolution and assessment of development proposals. Policy TR4 of the NPPF outlines that to contribute to creating well-designed places, transport considerations should be integral to the design of development, including provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations.

Policy TR6 of the NPPF confirms that development proposals should only be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

Sustainable Location

The site is within the built-up area of Torquay and is close to Torquay Town Centre and a 6-minute walk west from the central retail area of Union Street. On-street parking is located to the rear of the site on Croft Road. There is a pedestrian crossing 50 metres west of the proposed site entrance on Tor Church Road. The nearest bus stop is located on Tor Hill Road, a 5-minute walk east to the site, and services the 35A and 62, which provide frequent access to Torquay Town Centre. A second bus stop is located on Lucius Street which services the 35A, providing access to Torquay Town Centre. Torquay Train Station is located a 15-minute walk south of the proposed site, and Torre Train Station is located a 14-minute walk north of the proposed site.

The application includes improvements to the existing site accesses and pedestrian connectivity. It is proposed to re-open a former pedestrian access, therefore providing two entrances to the building from Tor Church Road. Furthermore, a new length of footway would be provided linking the two entrances and extending eastwards to connect to the existing pavement outside the adjoining Majestic Templestowe Hotel (these works will require a s.278 agreement). The existing pedestrian access to the site off Croft Road is proposed to be improved by replacing the existing steps with an accessible ramp.

Appendix F of Local Plan Policy TA3 requires one car parking space per residential apartment. The proposal provides three car parking spaces. However, given the existing layout, built form and heritage context of the site, there is limited scope to provide 29 on-site spaces. It is also relevant that the existing 57-bedroom hotel and owner's accommodation is served by two coach bays and nine delineated car parking spaces, including six spaces within the garage accessed from Croft Road, whereas Appendix F would require approximately 60 spaces for that existing use.

Neighbourhood Plan Policy TH9 states that all housing developments must meet the guideline parking requirements contained in the Local Plan, however this policy includes caveats with one being when development is within the town centre and an easy walk of a public car park. Neighbourhood Plan Policy TTR2 seeks to encourage a reduction in the need to travel, adding that support will be given wherever possible to development proposals that minimise the distance between homes and places of work, education, recreation and shopping.

In terms of electric car charging facilities, charging points are proposed for the parking spaces that would serve the two new build flats.

Thirty covered and secure cycle parking spaces over a two rack stacking system are proposed which accords with Appendix F of the Torbay Local Plan 2012-2030. The cycle parking is located to the rear of the site and adjacent to a new ramped access on to Croft Road.

Waste storage is provided via communal storage areas at the Tor Church Road level.

Given the sustainability of the sites location, close to the town centre, amenities and public transport, together with the proposed improvements to access and to the extension to the existing pavement outside of the site, the proposal is considered to provide satisfactory pedestrian movement opportunities and parking and cycle facilities, in accordance with Policies DE1, TA1, TA2 and TA3 of the Torbay Local Plan, Policy TH9 of the Torquay Neighbourhood Plan, and guidance contained within the NPPF.

5. Ecology, Biodiversity and Trees

Policy NC1 of the Torbay Local Plan and guidance within the NPPF seeks for development to duly consider biodiversity and geodiversity and take opportunities for enhancement, proportionate to the context and development.

The applicant's ecological assessment states that two sections of the buildings were found to have low potential to support roosting bats and were subject to an emergence survey on July 29th 2025. No bats were observed emerging from the buildings and little activity was recorded. As the survey did not observe any bat emergence, no further surveys are required to prove their presence/likely absence. Therefore, no further survey or licencing is required prior to the commencement of works. However, the assessment states that as a precautionary measure, an updated roost assessment will be undertaken prior to any works to the roofs to verify that bats have not subsequently colonised the buildings.

The Councils ecology concurs with these findings and has advised that conditions are added to ensure the development is carried out in accordance with the actions within the ecological assessment and a condition referring to vegetation clearance and the bird breeding season. The advice also advises the addition of an informative reminding the applicant of their duty to protect bats and breeding birds during the demolition and construction phases of the development.

Subject to the addition of these conditions, the development is deemed to accord with NC1 of the Torbay Local Plan.

BNG will be discussed later in this report.

Policy N3 of the NPPF recognises that trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment. Policy C4 of the Local Plan states that development will not be permitted where it would seriously harm protected trees or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value. The policy also states that development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features wherever possible, particularly where they serve an important biodiversity role.

The proposed development would result in the loss of two trees at the rear of the site to facilitate the improved ramped pedestrian access, the Council's Senior Tree Officer has advised that these trees (palm and Cordyline) are of moderate

quality (B). The loss of these trees must be considered in the overall planning balance of the application as a whole which includes the provision of housing on a brownfield site, six affordable housing units, the heritage improvements to the building and the improved pedestrian movement around the site. Although the loss of the trees is unfortunate, their visual contribution to the conservation area and wider street scene is considered to be minimal and a soft landscaping condition can be added to an approval which would require the addition of tree planting. The positive aspects of the proposed development overall are deemed to outweigh the loss of the two trees.

The Council's Senior Tree Officer has raised concerns over the proximity of the proposed soakaway to an offsite tree, tree T4, which is protected by a tree preservation order, and its impact on the root protection zone. Further details of the construction methodology are required to confirm the soakaway installation would not impact on the root protection zone of T4. The Council's Senior Tree Officer has confirmed that this can be via a pre-commencement (other than demolition) condition requiring the submission of an Arboricultural Method Statement (AMS).

The proposal is considered to be acceptable on arboricultural grounds, subject to the addition of conditions.

6. Flood Risk and Drainage

Policy ER1 of the Local Plan states that proposals should maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere.

Chapter 18 of the NPPF aims to minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate. Policy F7 of the NPPF states that development proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere. Policy F8 of the NPPF confirms that development proposals which could affect drainage on or around the development site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal.

The site is in Flood Zone 1 and the Critical Drainage Area with a small proportion of the site identified by the Environment Agency as being at risk of future flooding from surface water run-off.

Following development, there will be a minor increase in impermeable area due to the reconfiguration and construction of additional parking areas. The applicant has stated that there will be an overall decrease in the impermeable areas of the buildings following the proposals.

The applicant has undertaken preliminary infiltration testing and has presented both infiltration and attenuation options for the management of surface water

runoff. However, the submitted report acknowledges that full BRE365 infiltration testing has not yet been undertaken at the proposed soakaway location and invert level. Previous correspondence confirmed that falling head testing was only acceptable to inform an outline drainage design and that full BRE365 testing would be required following demolition of the existing hotel. As such, infiltration has not yet been demonstrated as a viable means of surface water disposal and cannot be relied upon at this stage.

While the Flood Risk Assessment concludes that groundwater flood risk is low, this is based on limited evidence. Further investigation is required to assess potential impacts on groundwater, retaining walls, basement structures, and lower ground floor accommodation, particularly if infiltration drainage is pursued.

The Councils Senior Drainage Engineer has confirmed that there is no objection in principle to the development, recognising that demolition of the existing hotel is required before the necessary infiltration testing can be undertaken. Consequently, it is accepted that some matters cannot be fully resolved at this stage.

The Councils Senior Drainage Engineer therefore raises no objection subject to planning conditions, requiring the submission and approval of a detailed surface water drainage scheme and flood risk mitigation measures. The detailed design must demonstrate that the development will be safe from flooding, will not increase flood risk elsewhere, and will be supported by hydraulic calculations and further technical evidence.

Subject to the provision of additional information via condition to confirm that the proposed drainage methods are acceptable, the proposal is considered adequate on flood risk grounds and would accord with Policies ER1 and ER2 of the Torbay Local Plan and guidance contained within the NPPF.

7. Low Carbon Development

Policy SS14 of the Local Plan relates to 'Low carbon development and adaptation to climate change' and seeks major development to minimise carbon emissions and the use of natural resources, which includes the consideration of construction methods and materials. Policy ES1 seeks that all major development proposals should make it clear how low-carbon design has been achieved, and that proposals should identify ways in which the development will maximise opportunities. ES1 also states that the retrofit of energy efficiency measures to existing buildings will be encouraged and supported, and that opportunities for reducing carbon emissions associated with energy use will be sought through the development management process as part of the wider conversion/refurbishment of buildings where planning permission is required.

The NPPF states that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion

of existing buildings; and support renewable and low carbon energy and associated infrastructure.

The application is supported by an Energy Statement that seeks to address the ambitions of the Development Plan and the NPPF. This notes that options to provide a large reduction in overall energy use include, hot water heat pumps to apartments within the main building, air source heat pumps to the two studio flats and a PV array to the sloping roofscape of the studio flats. The Council's Principal Climate Emergency Officer has advised that the document provided limited reassurances that these measures will be provided and has recommended that additional information is provided via a pre-commencement condition.

Subject to the submission of suitable additional information, the proposals are considered to be in line with Torbay Local Plan policies SS14 and ES1.

Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The NPPF definition of sustainability has three aspects which are economic, social and environmental. Each of which shall be discussed in turn:

The Economic Role

Housing development is recognised as an important driver of economic growth and there would be economic benefits to the construction industry from the proposed development. The development would see the use of a redundant brownfield site. Once the development is occupied there would be an increase in the level of disposable income from the occupants some which would be likely to be spent in the local area and an increase in the demand for local goods and services.

There are no adverse economic impacts that would arise from this development. In respect of the economic element of sustainable development the balance is considered to be in favour of the development.

The Social Role

The principle social benefit of the proposed development would be the provision of 29 additional housing units on a sustainable site, particularly 6 Affordable Housing units. Given the NPPF priority to significantly boost the supply of housing the additional dwellings to be provided must carry significant weight in this balance. The social impacts of the development weigh in favour of the development.

The Environmental role

With respect to the environmental role of sustainable development the development is supported by drainage, landscaping and ecological measures to mitigate impact, as detailed in this report. It is concluded that the environmental impacts of the development weigh neutrally within the planning balance.

Sustainability Conclusion

Having regard to the above assessment the proposed development is considered to represent sustainable development.

Statement on Human Rights and Equalities Issues

Human Rights Act - The development has been assessed against the provisions of the Act, and in particular Article 1 of the First Protocol and Article 8 of the Act. 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.

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities 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.

Local Finance Considerations

S106

A section 106 Legal Agreement is required to be entered into to ensure that the development delivers 20% affordable housing. For a development of 29 units, this equates to 6 units of affordable accommodation. The section 106 agreement should include the following:

- A Local Connection to Torbay through Residence, family or employment.
- An Accommodation Schedule detailing the location of each affordable property. This should be discussed and identified with the Strategic Affordable Housing and Delivery team to ensure that a Registered Provider would own and manage the units.
- An alternative mechanism should be included if a Registered Provider cannot be found to own and manage the units. This should be in accordance with Planning contributions and affordable housing SPD. This will ensure that the required affordable housing could be provided off-site.

Sustainable Transport: In accordance with Policy SS7 of the Local Plan and the Planning Contributions and Affordable Housing Supplementary Planning Document (December 2022) (to open market housing only) Sustainable Transport obligations should be secured. However, such contributions cannot be sought due to 23no. open market units being CIL liable and the 6no. affordable units would be ineligible due to site deliverability matters.

Public Open Space, Sport and Recreation: In accordance with the Council's Planning Contributions and Affordable Housing Supplementary Planning Document (December 2022), residential developments are expected to provide public open space as part of their layouts to match the types of open space likely to be needed by residents, and enable a good level of access to sport, leisure

and recreation facilities. The breadth of facilities to support development are identified as:

- Playing Pitches
- Other Sport and Recreation Facilities
- Equipped play facilities for young people
- Greenspace/Open spaces
- Allotments/sustainable food production However, such contributions cannot be sought due to 23no. open market units being CIL liable and the 6no. affordable units would be ineligible due to site deliverability matters.

Education: Obligations in-line with the adopted Planning Contributions and Affordable Housing Supplementary Planning Document (December 2022) should be sought to secure increased school capacity within Torquay, however, such contributions cannot be sought due to 23no. open market units being CIL liable and the 6no. affordable units would be ineligible due to site deliverability matters.

Lifelong Learning Obligations: Obligations in-line with the Planning Contributions and Affordable Housing Supplementary Planning Document (December 2022) should be sought to secure library improvements within the area. This contribution is not sought as 23no. open market units being CIL liable and the 6no. affordable units would be ineligible due to site deliverability matters.

Waste and Recycling: Obligations in-line with the Planning Contributions and Affordable Housing Supplementary Planning Document (December 2022) should be sought to secure waste and recycling facilities for properties that will be served by the Local Authority waste collection provider. This contribution is not sought as 23no. open market units being CIL liable and the 6no. affordable units would be ineligible due to site deliverability matters.

CIL

The land is situated in Charging Zone 1 in the Council's CIL Charging Schedule; this means that all new floorspace will be charged at a rate of £30/sqm for 15+ dwellings. The CIL liability is indexed linked, and the final figure will be calculated on the day of the decision. An informative can be imposed, should consent be granted, to explain the applicant's/developer's/ landowner's obligations under the CIL Regulations. CIL is a "Local Finance Consideration" relevant to determining applications. However, in the officer's assessment, it is not a determining factor (either way) in the planning balance assessment below

EIA/HRA

N/A

BNG

Biodiversity net gain (BNG) is a legal requirement for planning permission introduced on 12 February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase; or explain why they are exempt from doing so.

The BNG assessment shows an increase in on-site habitat units from 0.25 units at baseline to 0.28 units post-development, representing a net gain of approximately 0.04 units, equivalent to a 14.61% increase

The submitted Biodiversity Metric has been appropriately completed. The assessment demonstrates that the development is capable of achieving a net gain in excess of the mandatory minimum 10% requirement on site.

The LPA is satisfied that the stated Biodiversity Net Gain can be achieved on Site.

The Council's Ecology Consultants has confirmed that the BNG forms have been completed correctly and that the standard BNG condition and informative should be added to any permission.

Planning Balance

The planning assessment considers the policy and material considerations in detail.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise

It is considered that the scheme in terms of addressing the Development Plan aspiration to provide housing would produce a significantly positive impact overall and help with the supply of much needed housing and the housing supply is a substantial public benefit.

Conclusions and Reasons for Decision

The relevant legislation requires that the application be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

In terms of material considerations, the provision of 29no. residential units, is a significant public benefit in favour of the development where national guidance seeks to significantly boost the supply of homes. The weight afforded to housing supply is not insignificant where the most recent Housing Delivery Test in August 2026 stated Torbay's result is 40%. Torbay's most recent housing land supply (2025) is that there is 1.65 years, which is a significant shortfall.

In terms of other matters that weigh in the developments favour there will be economic benefits through construction phase in terms of created jobs, and post construction in terms of local household spend within the local economy. In addition, social, economic and environmental benefits associated with building and occupying homes weigh in favour of the development.

In-line with the above conclusions and the assessment within this report, the proposals are considered to be in principle accordance with the provisions of the Development Plan and to demonstrate that an acceptable scheme could be

accommodated on the site. The NPPF states that development proposals that accord with an up-to-date development plan should be approved without delay.

Due to the level of accordance with the Development Plan and in the absence of material considerations that weigh sufficiently against the proposal, the Officer recommendation is one of approval, subject to suitable planning conditions.

The proposed development is considered to represent sustainable development and is acceptable, having regard to the Torbay Local Plan, the Torquay Neighbourhood Plan, the NPPF, and all other material considerations.

The NPPF guides that decisions should apply a presumption in favour of sustainable development and for decision making that means approving development proposals that accord with an up-to-date development plan without delay. For housing proposals within situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites, the NPPF guides to granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a strong reason for refusing the development proposed or where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (29no. residential units), when assessed against the policies in the NPPF when 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.

Although further drainage testing is required, it is not anticipated that flood risk will not be increased and the proposed water management scheme is supported in principle by the Council's Drainage Engineer and there is no objection from South West Water.

Subject to the recommended planning conditions and planning obligations, there are no impacts on protected areas or assets of particular importance to provide a strong reason for refusal

Officer Recommendation

Approval: Subject to;

The conditions outlined below, with the final drafting of conditions delegated to the Divisional Director of Place Strategy.

The completion of a Section 106 legal agreement to provide 6 units of affordable accommodation.

The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.

Conditions

1. Stone Wall Details

Prior to the repair or installation of new stone walling materials, sample panel(s) of all new and/or reused facing stonework, including in the construction of walls, shall be provided on site showing the proposed -

Stone types, sizes, colour, texture face-bond and pointing mortar mix, joint thickness and finish profile and methods of repair. The stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used.

Approval of the materials and methods shall be confirmed in writing by the Local Planning Authority prior to installation of the materials and development shall then take place in accordance with the approved details. The approved sample panel(s) shall be retained on site until the work is completed.

The development shall then proceed in full accordance with the approved details and shall be retained as such thereafter.

Reason: In the interest of visual amenity and in accordance with Policies DE1 and SS10 of the Adopted Torbay Local Plan 2012-2030 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

2. Joinery Details

Notwithstanding the approved plans and details, prior to the installation of new windows and doors, the following shall be submitted to and approved in writing by the Local Planning Authority:

- Broken sections at a scale of 1:1 and elevations at a scale of 1:10, of all new windows and doors
- Reveal sections, drawn to a scale of 1:1-1:10
- Sill sections, drawn to a scale of 1:1-1:10
- Frame and door materials

The development shall then proceed in full accordance with the approved details and shall be retained as such thereafter.

Reason: In the interest of visual amenity and in accordance with Policy DE1 and SS10 of the Adopted Torbay Local Plan 2012-2030 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

3. New Build Materials and Details

Prior to their installation, technical details and/or samples of the proposed external joinery, exterior materials including wall finishes, roofing materials, eaves, fascias and rainwater goods for the two newbuild apartments hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details and shall be retained as such for the life of the development.

Reason: In the interest of visual amenity and in accordance with Policies DE1 and SS10 of the Adopted Torbay Local Plan 2012-2030 and Policy TH8 of the Adopted Torquay Neighbourhood Plan 2012-2030.

4. Unexpected Contamination

In the event that contamination which was not previously identified is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority and further development works shall cease unless alternative arrangements have been first agreed in writing with the Local Planning Authority. An investigation and risk assessment shall be undertaken and where remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented as approved. The requirements of this condition shall also apply if other circumstances arise during the development, which require a reconsideration of the approved remediation scheme.

Reason: In the interests of public health and the natural environment in accordance with Policy ER3 of the Adopted Torbay Local Plan 2012-2030.

5. Drainage

Prior to the commencement of development, other than demolition, a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The detailed design and Flood Risk Assessment must fully demonstrate that the development will be safe from all sources of flooding for its lifetime. It must also show that the development will not increase flood risk elsewhere and, where possible, will reduce overall flood risk. The scheme shall include:

- Detailed hydraulic calculations demonstrating that the drainage system can accommodate the critical 1 in 100 year storm event plus 50% climate change and 10% urban creep allowances without causing flooding on site or increasing flood risk elsewhere.
- Details of exceedance flow routes demonstrating that exceedance flows will be contained within the site and directed away from buildings.
- Full BRE365 infiltration testing undertaken at the proposed soakaway location(s) and invert level(s), where infiltration drainage is proposed.
- Evidence demonstrating that any infiltration drainage will not adversely affect groundwater conditions, retaining walls, basement structures or lower ground floor accommodation.
- A detailed surface water drainage layout identifying all existing and proposed drainage infrastructure, discharge points and flow controls.
- A long-term management and maintenance plan for the lifetime of the development

Reason: In the interests of adapting to climate change and managing flood risk, and to accord with Policies ER1 and ER2 of the Adopted Torbay Local Plan 2012-2030 and guidance contained within the NPPF.

6. Bats:

Development shall be carried out in accordance with the actions set out in the EcIA, Sylvan Southwest 2026 and any measures required under licence from Natural England. This condition shall be discharged when the consultant ecologist confirms in writing to the LPA that the recommendations have been implemented.

Reason: To secure biodiversity enhancements in accordance with Policy NC1 of the Torbay Local Plan 2012-2030 and advice contained within the NPPF

7. Bird Nesting Season:

No building work or vegetation clearance shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the works will not disturb nesting birds and a record of this kept.

Reason: To avoid harm to nesting birds in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030.

8. Construction/Demolition Management Plan

No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) The parking of vehicles of site operatives and visitors.
- b) Loading and unloading of plant and materials.
- c) Storage of plant and materials used in constructing the development.
- d) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- e) Wheel washing facilities.
- f) Measures to control the emission of dust and dirt during construction.
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works, with priority given to reuse of building materials on site wherever practicable.
- h) Measures to minimise noise nuisance to neighbours from plant and machinery.
- i) Construction working hours from 8:00 to 18:00 Monday to Friday, 8:00 to 13:00 on Saturdays and at no time on Sundays or Bank Holidays. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- j) Procedures for maintaining good neighbour relations including complaint management.
- k) Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise

noise disturbance from construction works.

Reason: In the interests of highway safety with regards to construction traffic and the amenities of surrounding occupiers during the construction of the development further to Policies TA2 and DE3 of the Adopted Torbay Local Plan 2012-2030.

This needs to be a pre-commencement condition to ensure that the impacts of construction on neighbour amenity and highway safety and convenience are mitigated from the outset of development.

9. Noise Impact Assessment

Prior to occupation of any of the units of accommodation hereby approved, details and an assessment of the sound levels generated by any proposed air source heat pumps shall be submitted to and approved in writing by the Local Planning Authority. The proposed air source heat pumps shall achieve the noise limits set out in Microgeneration Certification Scheme MCS 020 at the nearest noise-sensitive receptors, following the calculation methodology set out in MCS 020.

Compliance with the approved noise levels shall be demonstrated by submission of acoustic calculations showing comparison with the MCS 020 noise limits

Reason: To prevent excessive noise and protect the residential amenity of occupiers and neighbours in accordance with Policy DE3 of the Torbay Local Plan 2012-2030.

10. Hard and Soft Landscaping

Prior to first occupation of the development hereby approved a hard and soft landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the provision of two trees to replace those lost at the rear of the development and the following details: (a) size, species and positions for new trees and plants, (b) surfacing materials (including roadways, drives, patios and paths) (c) any retained planting and (d) a detailed programme of implementation. Any trees or plants indicated on the approved scheme which, within a period of five years from the date of the development being completed, die, are removed or become seriously damaged or diseased shall be replaced during the next planting season with others of a similar size and the same species. All hard landscaping works shall be permanently retained thereafter in accordance with the approved details.

Reason: In interests of visual and residential amenity and in accordance with Policies C4, DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030.

11. External Amenity Spaces

The development hereby approved shall not be occupied or brought into use until the outdoor amenity space detailed on the approved plans have been provided in full. The outdoor amenity space shall thereafter be maintained and retained for the use of the development's occupiers for the life of the development. Reason:

In the interests of residential amenity and in accordance with Policy DE3 of the Adopted Torbay Local Plan 2012-2030.

12. Tree Protection AMS

No development, other than demolition, shall commence until a Detailed Arboricultural Method Statement following the recommendations contained within BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. The Detailed Arboricultural Method Statement shall contain full details of the following:

- (a) Timing and phasing of arboricultural works in relation to the approved development;
- (b) Construction exclusion zones;
- (c) Protective barrier fencing;
- (d) Ground protection;
- (e) Details of any works within the RPA (Root Protection Area) and the proposed arboricultural supervision;
- (f) Service positions; and,
- (g) details of any special engineering requirements, including 'no dig construction';

The approved AMS shall be implemented and adhered to throughout the construction phase of the development. This condition applies to any trees and hedgerows on the site and on land within the ownership and control of the applicant. Where trees/hedgerows are not on site and not within the ownership and control of the applicant the AMS shall still include on-site protection measures where necessary

The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure that all existing trees and hedges on the site and adjoining sites are adequately protected while development is in progress, in accordance with Policies NC1 and C4 of the Adopted Torbay Local Plan 2012-2030

13. Low Carbon

Prior to any development, other than demolition, the applicant must submit a revised Energy Statement, stating the exact and finalised measures that are to be installed across the site, and specifically covering fabric improvements, PV and low carbon heating and hot water solutions

Reason: To ensure the development incorporates measures to minimise the effects of and can adapt to a changing climate and to meet Policy SS14 and ES1 of the Torbay Local Plan

14. Waste Storage

No dwelling shall be occupied until the approved waste storage facilities have been completed in full and made available for use. The facilities shall be maintained and operational at all times thereafter.

Reasons: In order to protect amenity in accordance with Policies DE1 and DE3 of the Torbay Local Plan 2012-2030.

15. Cycle Parking

No dwelling shall be occupied until the approved cycle storage facility serving that dwelling has been completed in full and made available for use. The facility shall be maintained and operational at all times thereafter.

Reason: To secure an acceptable form of development and to ensure adequate facilities for visitors, in accordance with Policies DE1 and TA3 of the Torbay Local Plan 2012-2030.

16. Section 278 Agreement

No dwelling hereby approved shall be occupied until the highway works shown on the approved plans, including the new length of footway extending eastwards to connect to the existing pavement outside the adjoining Majestic Templestowe Hotel, have been secured through a Section 278 Agreement and completed to the written satisfaction of the Local Highway Authority.

Reason: To provide safe and sustainable access to the site for drivers, cyclists and pedestrians in accordance with Policies TA1, TA2 and DE1 of the Torbay Local Plan 2012-2030.

17. Electric Parking Provision

The development shall not be occupied until the electric vehicle charging points shown on the approved plans have been provided and made operational in accordance with the location identified in the submitted and approved plans. The facility shall be retained and be operational at all times thereafter to serve the dwelling that it relates to.

Reason: To secure an acceptable form of development and provide adequate electric charging facilities, in accordance with Policies DE1 and TA3 of the Torbay Local Plan 2012-2030.

18. Secured by Design

Prior to first occupation of the development, evidence shall be submitted to and approved in writing by the Local Planning Authority to demonstrate how the design of the development meets Secured by Design standards as far as practicable. The approved measures shall be implemented in full prior to first occupation and shall thereafter be retained and maintained for the lifetime of the development.

Reason: In the interests of crime prevention in accordance with Policies SS11, DE1, DE3 of the Torbay Local Plan.

Informative(s)

1. In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.
2. Bats and their roosts (resting/breeding places) and nesting birds are protected by law. In the event that a bat is discovered then works should cease and the advice of Natural England and/or a suitably qualified ecologist should be obtained. Works should not resume until their advice has been followed. If any nesting birds are discovered using the areas to be affected, work should not proceed until breeding has finished and all fledglings have departed the nest.
3. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition)” that development may not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan.

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 are considered to apply.

Relevant Policies

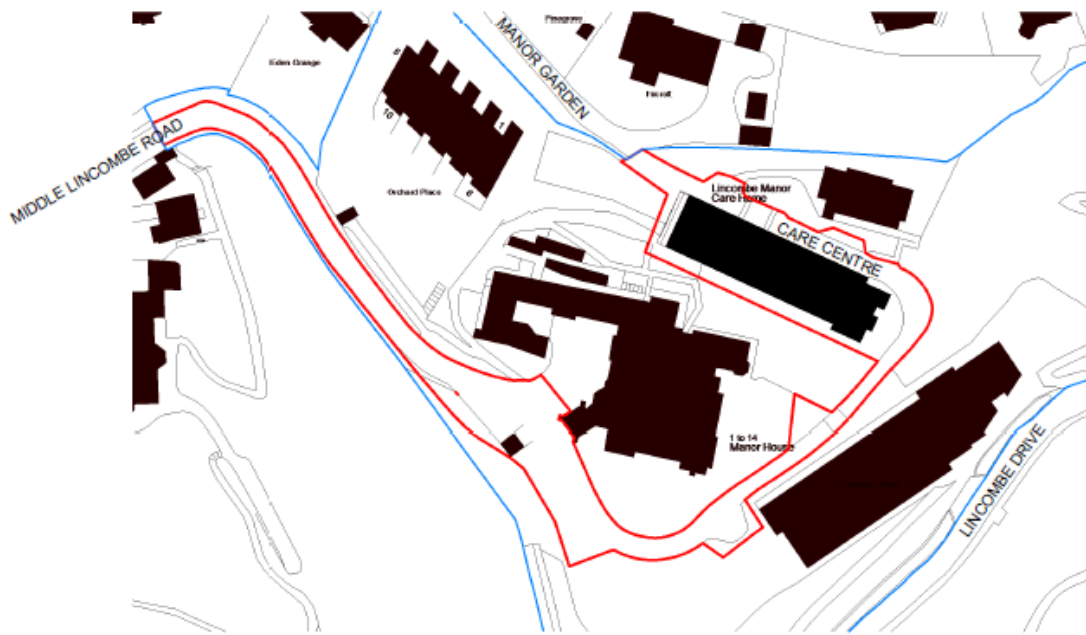
Development Plan Relevant Policies

SS3 - Presumption in favour of sustainable dev
SS8 - Natural Environment
SS9 - Green Infrastructure
SS10 – Conservation and the historic environment
SS11 – Sustainable Communities
SS12 – Housing
SS13 – Five year housing land supply
SS14 - Low carbon development and climate change
H1 – Applications for new homes
TA1 - Transport and accessibility
TA2 - Development access

TA3 – Parking requirements
C4 - Trees, hedgerows and natural landscape features
DE1 - Design
DE3 - Development Amenity
DE4 - Building heights
ER1 - Flood Risk
ER2 - Water Management
ER3 – Contamination
ES1 - Energy
HE1 – Listed Buildings
W1 - Waste management facilities
W2 – Waste audit for major development and significant waste generating developments
NC1 - Biodiversity and geodiversity
TE5 – Protected Species Habitats and Biodiversity
TH2 – Designing Out Crime
TH8 – Established Architecture
TH9 – Parking Facilities
TS4 - Support for Brownfield and Greenfield development
THW4 – Outside Space Provision

TORBAY COUNCIL

Application Site Address	Lincombe Manor Middle Lincombe Road Torquay TQ1 2AF
Proposal	Formation of roof level extension to provide 11 care rooms and associated works. (Description amended 19.10.2025).
Application Number	P/2019/1159
Applicant	Nicolas James Group
Agent	Bell Cornwell LLP
Date Application Valid	07.11.2019
Decision Due Date	02.01.2020
Extension of Time Date	
Recommendation	Approval: Subject to; The conditions outlined at the end of this report, with the final drafting of conditions delegated to the Divisional Director of Place Strategy. The completion of a Unilateral Undertaking agreement and financial contribution to mitigate the development. The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.
Reason for Referral to Planning Committee	Referral by ward councillor
Planning Case Officer	Ross Wise



Site Details

The site, Lincombe Manor Care Centre, Middle Lincombe Road, Torquay, is a modern building built within the former grounds of Lincombe Manor which is a Grade II listed Manor House within the Lincombes Conservation Area.

Towards the centre of the wider site, as indicated by the blue line (the area of land within the applicant's ownership), is Lincombe Manor, the care centre building is located north-east of Lincombe Manor, separated by approximately 10m at its closest point. The site area of this current application (as defined by the red line) relates to a portion of the wider blue line area, extending from the highway, Middle Lincombe Road, through the blue line area to the Lincombe Manor Care centre complex.

The site is located within 250m of the Meadfoot Sea Road SSSI area.

Description of Development

This application for Planning Permission proposes to construct a roof level extension to provide 11 care rooms and associated works.

The description was amended (19.10.2025) following extensive revisions to the proposal to better reflect the works now proposed. The revisions included:

- Removal of link bridge
- Reduction of units proposed from 15 to 11.
- Amendments to the parking layout.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the

development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan")
- The Adopted Paignton Neighbourhood Plan (PNP)

Material Considerations

- National Planning Policy Framework (NPPF 2026)
- Planning Policy Guidance (PPG)
- Published standing Advice
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report:

NPPF:

The application has been assessed against the Development Plan and the National Planning Policy Framework (August 2026). The Framework introduces a revised structure based upon national decision-making policies and a permanent presumption in favour of sustainable development. The proposal has therefore been assessed against the relevant national decision-making policies and local plan policies, with appropriate weight given to each in reaching the recommendation.

Emerging Local Plan (Regulation 19 Publication Version):

The Council has approved the publication of the Torbay Local Plan 2025–2045 Regulation 19 Publication Version. As the Plan has now reached an advanced stage of preparation, it constitutes a material consideration in the determination of planning applications. The weight to be afforded to the emerging Plan is a matter of planning judgment and will depend upon the extent to which relevant policies are consistent with national policy, the stage reached in the plan-making process, and the degree to which there are unresolved objections. The Regulation 19 Plan represents the version of the Local Plan that has been through several rounds of public consultation and approved by Full Council as the Publication Plan. It therefore attracts greater weight than earlier draft versions, although it does not yet form part of the statutory Development Plan.

In the assessment of this application, the relevant policies of the emerging Regulation 19 Local Plan have been taken into account as material considerations alongside the adopted development plan and other material considerations.

Relevant Planning History

P/2020/0746/PA. Erection of single storey conservatory. Approved 01/03/2021
P/2015/0924 Erection of Single Storey Conservatory.
P/2011/0959 Formation of sun room at first floor level of the special care centre with extension of roof terrace decking and balustrade. Approved 27/10/11.
CN/2011/0063 Discharge of conditions to application P/2009/1036/PA. Approved 05/09/11.

P/2010/0266/PA. Alterations to the elevations and floor plans of the special care centre. Approved 27/04/2010.

P/2009/1036 Amendment to P/2006/1980/MPA comprising minor alterations to approved elevations and layout to provide 20 2bed apartments and 4 1 bed apartments in place of approved 22 2 bed apartments. Approved 07/12/09.

P/2008/0996/PA. Alterations to previous approval (ref app no P/2006/1980/MPA). Approved 31/07/2008.

P/2008/0158/PA. Alterations To Previous Approval (Ref App No P/2006/1980/MPA). Withdrawn.

P/2006/1980 Use As Class C2 Integrated Residential Care Home With 36 Care Apartments, 40 Bed Special Care Unit, 6 Cabin Visitor Centre, 10 Retirement Units, Staff Accommodation, Communal Facilities, Parking And Landscaping. Approved 20/09/07.

Summary of Representations

0 letters of support and 66 letters of objection have been received at the time of writing.

Note: Full responses are available to view on the public access system (<https://publicaccess.torbay.gov.uk/view/>).

Issues raised:

- Not in-keeping with local area.
- Over development.
- View would be obstructed.
- Development will impact the condition of the highway (Middle Lincombe Road).
- Visual impact will impact the significance of Lincombe Manor.
- Could have a detrimental impact on surrounding residents.
- Impacts on already existing parking issues/pressures.
- Pollution from vehicles.
- Overshadowing.
- Could result in loss of trees.
- Emergency vehicle access issues.
- Noise and disturbance from construction.
- Light level of existing street.
- Sets precedent for future development.
- Access is not suitable.
- Inaccuracies in the transport statement.
- Impacts on retaining walls from delivery vehicles.
- Age of bat survey.
- Additional traffic from staff and visitors.
- Impacts on catering facilities and food transportation.
- Condition of access road (Middle Lincombe Road).
- Compliance with building regulations.
- Loss of amenity space.
- Lack of space for turning and manoeuvring.
- Loss of light.

Summary of Consultation Responses

Torquay Neighbourhood Forum

No response received.

Local Highways Authority

1.0 Description of Proposal

1.1 Full planning application for the proposed level roof extension of Lincombe Manor Elderly Care Centre to provide an additional 11 care rooms, at Middle Lincombe Road, Torquay, TQ1 2AF.

1.2 The existing vehicular and pedestrian access from Middle Lincombe Road is to be retained.

1.3 To support the application, the following documents relevant to the Highway authority have been submitted:

- Planning Statement – August 2021
- Design and Access statement – June 2025 (Revision P6)
- Travel plan – August 2021
- Transport Statement – 10 June 2025
- Proposed Site Plan – Ref: 4427-KEA-ZZ-ZZ-DR-A-12002-A3-5
- Existing Survey Drawings
- Existing Elevations
- Existing internal layouts
- Proposed Internal layouts
- Tree report

2.0 Site Description

2.1 The site is located approximately 1km to the east of Torquay town centre within the Lincombes conservation area.

2.2 The site is surrounded by existing residential apartments and specialised care accommodation. The site itself accommodates a mix of ensuite elderly care guest rooms, communal space and support facilities.

2.3 Vehicular access is from Middle Lincombe Road which leads to the private driveway of the Care Centre.

2.4 The nearest bus stop is located approximately 700 metres from the site and can be accessed via an existing footway of approximately 1.2 metres in width along the western side of Middle Lincombe Road. The nearest railway station is Torquay Railway Station, located approximately 3.5 kilometres from the site.

3.0 Site History

P2006/1980/MPA

3.1 Planning approval was received for the redevelopment of the site for use class C2 integrated residential care home with 36 care apartments, 40 bed special care

unit, 6 cabin visitor centre, 10 retirement units, staff accommodation, communal facilities, parking and landscaping.

P/2019/1159

3.2 The planning application was submitted in 2019 for an extension to the Elderly Care Building to provide 15 additional guest rooms and a bridge link to Hewitt lodge. The comments were provided on highways and transport matters by Torbay Council dated 18th January 2021, and the proposals have been revised. The current planning application now seeks permission for 11 additional guest houses and the bridge link to Hewitt lodge has been removed.

Pre Application

DE/2018/0029/ZP

3.3 A pre-application enquiry has been made regarding this application. No information on that process is included

4.0 Traffic Impact

Trip Generation

4.1 The applicant has not provided details on trip generation or highway impact, but due to the small scale of the development, the net trip generation is expected to be minimal, with negligible impact on the capacity of the local highway network. Therefore, no trip generation assessment is necessary.

Highway Safety

4.2 No review of the latest personal injury collisions (PIC) on the public highway is included with the application. However, the Highway Authority has reviewed PIC data for 2020-2024 which indicate no collision patterns in the vicinity of the site.

5.0 Design Considerations

Pedestrian and Cycle Access

5.1 Pedestrian access to the site is to remain as currently provided via an existing footway approximately 1.2 metres wide along the western side of Middle Lincombe Road up until the private drive of the Holiday Village. Within the retirement village, the road is shared use but low traffic and subject to an advised 10mph limit.

Public Transport Access

5.2 The Department for Transport's Inclusive Mobility guide (2021) recommends that bus stops in residential areas are located within a 400-metre walking distance.

5.3 The nearest bus stop is located approximately 500 metres from the site entrance and can be accessed via the approximately 1.2m wide footway along the western side of Middle Lincombe Road. However, there is currently a lack of supporting physical infrastructure at the bus stop location. The provision of Kassel kerbs and bus shelters should be considered to improve accessibility and passenger comfort and must be incorporated as part of the overall accessibility enhancements associated with the development.

5.4 The Highway Authority also request that dropped kerbs and tactile paving are provided on the desire line for the Ridgeway Road junction as this is required to support mobility impaired users to safely access the bus stop.

Vehicular Access

5.5 The existing access arrangement is retained with vehicular entry provided from Middle Lincombe Road to the main car park situated to the west of the Elderly Care Centre and Hewitt Lodge. The internal vehicular routes leading to the Elderly Care Centre are on a gradient. The site management operates a shuttle service using golf buggies from the Manor House to the Care Centre, if required. The Highway Authority are satisfied with the existing arrangement.

Car Parking

5.6 The proposal includes the provision of 2 additional car parking spaces to serve the 11 proposed guest rooms. This level of provision is considered to accord with the parking standards set out in Appendix F of the Torbay Local Plan, which specifies a requirement of one space per eight units for residential accommodation for the elderly and those in need of care.

5.7 The Highway Authority notes that the existing car parking provision comprises 6 spaces, including 1 disabled parking bay and visitors parking, and that the proposal would increase the total provision to 8 parking spaces. In accordance with Appendix F of the adopted Torbay Local Plan, 10% of the total parking allocation should be designated for disabled users. The proposed level of parking is therefore considered acceptable and in line with the adopted standards.

5.8 The location of the parking bays, as demonstrated in proposed Illustrative Site Plan (Dwg Ref: 4427-KEA-ZZ-ZZ-DR-A-12002-A3-5), shows the additional bays to be located adjacent to the hedge line north of the existing care home. The Highway Authority are satisfied with this arrangement.

5.9 In accordance with Appendix F of the Torbay Local Plan, provision should be made for mobility scooters, including dedicated electric charging points. Storage areas should be covered, secure, and conveniently located, forming an integral part of the overall design of the development. The Transport Statement explains that the residents who live in the new care guest rooms do not have sufficient mobility to enable the use of mobility scooters. This is noted by the Highway Authority; however provision should be provided for possible future requirements. It is noted that based on Local Plan requirements, only 1 additional space for mobility scooters should be provided. The applicant should seek to provide this on the site.

5.10 In addition, Appendix F of the Torbay Local Plan states that all new development should, where viable, include provision for electric vehicle charging points and their necessary infrastructure.

Cycle Parking

5.11 The Highway Authority notes that currently there is no existing cycle parking provision.

5.12 The Travel plan submitted by the applicant proposes 6 cycle parking spaces. However, the applicant has not submitted any illustrative plans/ annotated drawings showing the proposed cycle parking spaces.

The Local Highway Authority has reviewed the submitted application and accompanying information. The Highway Authority does not object to the proposals but would recommend that the cycle parking arrangement is agreed before commencement. This could be satisfied through a condition.

Adult Social Care

The comments below relate only to those aspects of the planning proposal for Lincombe Manor that directly relate to adult social care. We are not commenting on the merits or otherwise of the wider development proposals, including design, etc.

As part of Torbay Council's strategic approach to the commissioning of adult social care, our ASC Commissioning Blueprint

www.torbay.gov.uk/council/policies/asc-policies/asc-blueprint/ states our desire to reduce the systemic use of residential care to meet social care needs. This means not placing working-age adults into care homes wherever possible and pushing back the threshold at which older people may need to enter a care home.

We also do not wish to commission services that may lead to the 'importing' of adults with complex needs into the Torbay system, thereby placing additional pressure on already overstretched social care and primary healthcare services within the Bay.

Across the Council and our NHS partners, we will only commission and place in homes capable of meeting very complex and nursing needs, working with our care home sector to constantly improve quality and capability within Torbay.

From a strategic commissioning perspective, Lincombe Manor markets their services mainly for self-funders and the local authority/NHS purchase comparatively little provision from this setting. As noted above, although there is a strategic move away from growing the general residential care offer in Torbay as new models of care, such as extra care, are completed, there is some demand for residential care of the type offered by Lincombe Manor and this is still expected to be the case in the future. The current service is rated 'Good' by the Care Quality Commission (as at the latest report dated 3 March 2021) and the proposed extension may support the long-term viability of the service to provide care for its residents (now and in the future).

As a result, our support for this proposal would be subject to:

- the additional number of rooms that are created as part of the development be restricted to occupancy by residents arriving from previous addresses within Torbay wherever possible; and
- Planning colleagues seeking Section 106 contributions where appropriate.

Police

As mentioned in the previous submission by my colleague, there was no reference to physical security standards for the proposed development, and this is still the case.

Any new external doors providing access to the development, all ground floor window and any easily accessible ones, should be tested and certificated to a nationally recognised security standard such as PAS:24:2022+A1 2024.

All doors leading to private rooms should also meet PAS:24:2022+A1 2024.

The staff room should be lockable too, to prevent unauthorised access. If the room is to store controlled drugs and medicine within it then it is recommended that the door meets the standards and specification of PAS 24 2022 as a minimum. The container, safe or store for controlled drugs and medication should meet BS 2881 security standard.

Planning Policy

I have considered the application in light of, specifically, Policy H6 of the Torbay Local Plan (Housing for People in Need of Care) and the relationship of this policy to guidance contained in the Planning Contributions and Affordable Housing SPD and Healthy Torbay SPD which are relevant. In making my comments, I have liaised with colleagues who have active involvement in the strategic commissioning functions for adult social care for Torbay Council, working in partnership with the local health system, including the NHS.

The application proposes the creation of 15 additional care rooms at Lincombe Manor as part of works aimed at improving the function of the facilities at the site, which falls within a C2 use class.

From a strategic commissioning perspective, the facility markets their services mainly towards private funders and the local authority/NHS purchase comparatively little provision from outside of the service in Hewitt Lodge. Although there is a strategic move away from growing the general residential care offer in Torbay as new models of care are implemented, there is some market demand for residential care of the type offered by Lincombe Manor and this is expected to be the case over the longer-term. The current service provides good quality care for its residents (as evidenced by latest CQC reports of 2021) and it would seem that the works would further support care provision into the future, improving the overall level of care afforded to its residents.

The Torbay Local Plan, together with the Planning Contributions and Affordable Housing SPD recognises that there are specific external pressures created on the local adult social care and NHS system through the in-migration into Torbay of people into housing for people in need of care. Accordingly, Policy H6 indicates that the Council will seek financial contributions to meet the likely healthcare and social service costs arising from care facilities and sheltered accommodation, unless the applicant is able to show that this contribution would not be appropriate. There is no evidence provided alongside the application to indicate

the extent to which their residents arise from within Torbay as opposed to arriving from outside Torbay and therefore that such a contribution would not be appropriate. It is therefore recommended that either:

1. The additional number of rooms that are created as part of the development are restricted to occupancy by residents arriving from previous addresses within Torbay; or
2. A Section 106 contribution is provided in line with the currently adopted Planning Contributions and Affordable Housing SPD at £2,200 per room (in total a contribution of £24,200).

Provision of the above, would enable the development to be policy compliant with Policy H6 and our adopted SPD guidance.

Arboriculture

I have reviewed the above application, and I am happy with the arboricultural information submitted.

The development is sustainable from an arboricultural perspective, and the development will be carried out as per the guidance given in the Tree report AIA-LIN-19-(impact assessment).

Community Safety

Further to your recent consultation regarding the above application, I would confirm that that I have no objections.

Planning Officer Assessment

1. **Principle of Development**
2. **Visual and Heritage Impact**
3. **Residential Amenity**
4. **Highways**
5. **Trees, Ecology and Landscape**
6. **Flood Risk and Drainage**

1. The Principle of Development

The proposal relates to the expansion of an existing residential care facility, providing 11 additional rooms. The existing care facility falls within use class C2.

Policy H6 of the Local Plan seeks contribution towards healthcare needs arising from specialist accommodation.

The adopted development plan remains the statutory starting point for decision-making under section 38(6) of the Planning and Compulsory Purchase Act 2004. However, the Council cannot currently demonstrate a five-year housing land supply and the policies most important for determining the application must therefore be considered in the context of the presumption in favour of sustainable development in the August 2026 NPPF. The proposal should be assessed against the relevant national decision-making policies, including those relating to housing

delivery, effective use of land, heritage, design, transport, biodiversity and flood risk, together with the adopted development plan and other material considerations.

Policy SS13 (Five year housing land supply) sets out the Local Plan's declaration to maintain a rolling 5 year supply of specific deliverable sites sufficient to meet a housing trajectory of 8,900 dwellings over the Plan period 2012-30, including an allowance for windfall sites. Where the supply of specific deliverable sites (plus windfall allowance) falls below this figure, the policy cites that the Council will consider favourably applications for new housing, consistent with Policy H1 and other Policies of this Plan. The Council can currently only demonstrate less than 3 years housing supply. On this basis the need for housing and economic development must be given significant weight, as the Council is unable to demonstrate 5 years' supply of housing and Policies SS3, SS13 and H1 seek to consider favourably applications for new housing (consistent with other Plan policies) in order to maintain a five-year supply of sites.

When compared to the existing situation, the proposal would likely release 11 additional units of housing off-site through its provision of a specialist form of accommodation (in this instance for elderly people). Moderate weight is therefore given due to the minor increase in housing numbers on the site. When compared to the existing situation, the proposal would deliver 11 additional units of housing.

The provision of specialist forms of accommodation is supported by national decision-making policy HO9 in the new NPPF (2026) where there is a local need. This need has been established by the consultation response from the Council's Adult Social Care department.

Development plan policies are taken into account when assessing whether the benefits of approving the development are likely to be substantially outweighed by the adverse effects.

Moderate weight is given in the overall balance, due to the minor increase in housing numbers that the proposal is likely to release off site.

The NPPF August 2026 continues to support the Government's objective of significantly boosting the supply of homes and expects decisions to support the delivery of a sufficient amount and variety of housing, including homes that meet identified local needs.

The August 2026 NPPF gives strong support to making effective use of land, including the reuse of suitable brownfield and under-utilised land and buildings within settlements where this would help to meet identified housing needs.

There are no development plan policies indicating that the proposal is not acceptable in principle.

2. Visual and Heritage Impact

It is important to note that achieving good design remains a central thread within national planning policy. The August 2026 NPPF contains national decision-

making policy on achieving well-designed places, requiring development to create high-quality, beautiful and sustainable places and to respond positively to local character, local design expectations and relevant design guidance. Development that is not well designed should be refused where it fails to reflect local design policies and relevant national design guidance.

Similar design expectations are engrained within the Development Plan through Policy DE1 of the Local Plan and Policy TH8 of the Neighbourhood Plan.

Policy DE1 Design of the Local Plan states that proposals will be assessed against a range of criteria relating to their function, visual appeal, and quality of public space. Policy TH8 of the TNP states that development must be of good quality design, respect the local character and reflect the identity of its surroundings.

It is also incumbent on the Authority, in exercising its duties, under the provisions of The Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 66(1)), to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

This statutory requirement needs to be considered alongside the NPPF which recognises that heritage assets range from sites and buildings of local historic value to those of the highest significance.

Policy SS10 states that proposals will be assessed, amongst other things, in terms of the impact on listed and historic buildings, and their settings, and in terms of the need to conserve and enhance the distinctive character and appearance of Torbay's conservation areas. Policy HE1 states that development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses. Policy TH10 of the TNP support alterations to listed buildings where they safeguard and enhance their historic qualities and elements according to their significance.

The site is located within the Lincombes Conservation Area and within the setting of Lincombe Manor, a grade II listed building. Both the Lincombes Conservation Area and Lincombe Manor are designated heritage assets.

Whilst there is no published appraisal for the Lincombes Conservation Area, as a listed building within the Conservation Area, any impacts on the setting or significance of the listed building are likely to translate to impacts on the quality of the Conservation Area.

When the site was previously developed to create the care facility, the site was been set out with distinct separation between the built forms to limit the impacts on the listed building, Lincombe Manor, contained at the heart of the site, whilst also working with the site's topographical challenges, with the ground rising to the North and the coastal slopes to the South.

The aim of this proposal is to increase the residential capacity within the care centre building, providing 11 additional units. Largely, the quantum of development would be limited to within the existing footprint of the building, with minor alterations to the site layout to provide the required level of parking spaces.

Since its first submission, the proposal has been heavily revised, removing elements that were considered to be unacceptable and ultimately reducing the number of additional rooms from 15 to 11. Importantly this also included the removal of a proposed bridge structure.

The proposed extension of the building would be principally located above the existing building. The exception to this would be the incursions in the small alcoves in the centre and eastern end of the building. These spaces would be infilled to make space for additional bedrooms and a salon. The use of these areas prevents further development of the roofscape, limiting the height and extent of the additional mass.

The vertical of the building extension would in-part infill an area of the building currently used as outdoor amenity space on top of a lower-level element of the existing building, maintaining the original intended separation between the various buildings on the site.

The proposed design would reflect that of the existing building in terms of its rectilinear form, style, details and finishes. It would not entirely infill the vacant space and would retain part the external roof terrace area.

Whilst the proposal would lead to further development within the confines of the site and the Lincombes Conservation Area, due to the careful siting, scale and design of the proposal, the proposal is considered to be a modest and proportionate extension of the existing building, that aligns with the original design intent, with staggered massing and materials which prevent an overly blocky appearance.

With regards to the impacts on the setting of the adjacent grade II listed Lincombe Manor, it is clear that the setting of the Manor has been significantly impacted by development in the past, namely in the construction of the surrounding buildings including, Lincombe Manor care centre, Thatcher View and Orchard Place. The extent of its original grounds also included the locations of Fircroft, Pinegrove, Manor Garden Cottage and Pinebanks Cottage. Lincombe Manor, in spite of this series of development, retain in-part its landscape character and prominent position at the heart of the site.

Overall, the minor extension of the existing building is considered to have a neutral impact on both the setting of Lincombe Manor and the Lincombes Conservation Area. The proposal would therefore retain the landscape character of the site and not encroach on the setting of Lincombe Manor, any more than is currently the case.

The proposal is therefore considered to preserve the historic character and appearance of the Grade II listed building, its setting and the setting of the

Lincombes Conservation Area. As such, the proposal is considered to be acceptable with regards to Policies SS10 and HE1 of the Local Plan, Policy TH10 of the TNP and the relevant national decision-making policies contained within the NPPF.

3. Residential Amenity

Policy DE3 of the Local Plan states that development proposals should be designed to ensure an acceptable level of amenity. Policy THW4 of the TNP provides outdoor space provision minimum standards for new dwellings.

The proposal would not introduce any instances of loss of privacy or overlooking as a result of the development, particularly considering the existing situation on site and the established intervisibility which comes as a result of the siting of the existing buildings and the local topography.

The internal spaces of each of the rooms are relatively consistent with those already provided within the care facility. When considering the level of care provided, and that convivial spaces for dining and leisure would be provided within the wider function and operation of the care facility, the proposed internal dimensions of the additional rooms are considered to afford an acceptable level of residential amenity.

All the proposed bedrooms would have an acceptable amount of outlook. Externally, the associated grounds provide sufficient outdoor amenity space, in addition to the opportunity to explore the wider grounds. The proposal would retain amenity space to support the facility at roof level, with a reduced roof terrace area.

With regards to the proposal's impacts on the amenity afforded to neighbouring occupiers, a large number of objections have raised concerns with the impacts of the development during the construction period in addition to additional deliveries, servicing and vehicular traffic into the site. Whilst these concerns are valid, the construction phase of the proposal would be limited and thus the impacts would be considered temporary. Any impacts arising from such developments on this nature in tight or restricted locations that may impact local residents during the construction phase are in most cases managed through the imposition of conditions relating to the imposition of a construction management plan/construction method statement. Such conditions are recommended in this case.

Concerns were raised by local ward councillors with regards to potential impact of the proposal on the outlook afforded to residents of Hewitt Lodge, the building sited to the North of the main care centre building. Whilst the partial vertical extension of the building would increase the building's localised height where it would be extended, the extension would have limited effect on the neighbouring Hewitt Lodge due to the function of the rooms that might be impacted by the proposal. The south-eastern section of the ground floor of Hewitt Lodge is used for convivial space. Whilst the first floor does contain a single bedroom facing the elderly care building, the elevated position and comparable scale of the buildings prevent an overbearing impact on the neighbouring building.

The consultation response from Community Safety (Environmental Health) has raised no objection to the proposal and also not raised any concerns with the impacts of the proposal on local residents.

However, notwithstanding the above, due to the close proximity and layout of the site, conditions are recommended to secure a construction management plan to ensure that the impacts of the construction phase of the development are carefully managed to prevent conflicts between neighbouring users.

Subject to the conditions being met, the proposal is considered to be acceptable with regards to Policy DE3 of the Local Plan, Policy THW4 of the Torquay Neighbourhood Plan, and the relevant national decision-making policies contained within the NPPF.

4. Highways

The August 2026 NPPF contains national decision-making policy on promoting sustainable transport. In assessing development proposals, regard should be had to whether sustainable transport modes have been prioritised, whether safe and suitable access can be achieved for all users, whether parking and transport design reflects current national guidance, and whether any significant impacts on the transport network or highway safety can be mitigated to an acceptable degree. Development should only be refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network, following mitigation, would be severe.

Policies TA2 and TA3 of the Local Plan establish criteria for the assessment of development proposals in relation to access arrangements and vehicle parking. Policy TH9 of the Torquay Neighbourhood Plan states that all new housing development must meet the guideline parking requirements contained within the Local Plan unless it can be shown that there is not likely to be an increase in on-street parking arising from the development or, the development is within the town centre and an easy walk of a public car park which will be available to residents for the foreseeable future. Policy THW5 of the TNP supports new development proposals where they are located on or near to public transport routes wherever possible and appropriate.

A large number of concerns have been raised within the objections received with regards to the level of parking provision and the impacts the proposal would have on the existing situation on site.

The local highway authority have provided a detailed response to the proposal. This can be summarised as follows:

- Satisfied with the existing access arrangement.
- Requests for formalising the bust stop with a shelter Kessel kerbs, dropped kerbs and tactile paving.
- Satisfied with the level of parking provision and is in line with adopted standards.

- Request indication on the submitted plans of cycle parking spaces. Type and detail of the stands.
- Raise no concerns and are satisfied with the existing and proposed refuse, servicing and emergency access arrangements
- Recommended a construction traffic management plan prior to construction.

In line with the recommendations of the Local Highways Authority, conditions are recommended in line with the advice of the local highway authority. However, the requests relating to the bust shelter, kessel kerbs dropped kerbs and tactile paving are not considered to be proportionate to the proposal both in terms of the scale and proximity of the proposal, relating to only an additional 11 rooms some 500m away from the bus stop.

Subject the conditions being met, the proposal is considered to be acceptable with regard to Policies DE3, TA2 and TA3 of the Local Plan and Policies TH9 and THW5 of the Torquay Neighbourhood Plan and the relevant national decision-making policies contained within the NPPF.

5. Tree, Ecology and Landscape

The August 2026 NPPF contains national decision-making policy on conserving and enhancing the natural environment, including the need for planning decisions to minimise impacts on biodiversity, provide net gains for biodiversity where required, and protect ecological networks and protected sites.

Policy C4 of the Local Plan states that development will not be permitted where it would seriously harm, either directly or indirectly protected or veteran trees, hedgerows, ancient woodlands or other natural features of significant landscape, historic or nature conservation value. Policy NC1 of the Local Plan seeks to conserve and enhance Torbay's biodiversity and geodiversity, through the protection and improvement of the terrestrial and marine environments and fauna and flora, commensurate to their importance.

The site sits within a designated Area Tree preservation Order (ref: 1967.002)

The proposal has been confirmed as being sustainable from an arboricultural perspective by the Council's Senior Tree and Landscape Officer. Conditions are recommended to ensure the proposal is carried out in accordance with the guidance given in the submitted tree report.

The application is accompanied by a protected species assessment report, which identifies through emergence and re-entry surveys the absence of bats from the features within the site that might be able to support them. It also includes an assessment of the habitat within areas of the site likely to be affected by the works for any legally protected species, including nesting birds.

Whilst comments have been raised by objectors relating to the ecological impacts of the proposal, the proposal relates to the adaption and vertical extension of an existing modern flat roof building with limited capacity to impact wildlife besides

those features indicated in the submitted protected species assessment. The proposal also no longer relates to the formation of a bridge to connect the main care centre building within Hewitt Lodge, preventing any disturbance or impacts to the features of Hewitt Lodge with moderate potential.

The submitted report provides recommendations, mitigation and enhancements which are recommended to be secured by condition.

Whilst the site is located within 250m of the Meadfoot Sea Road SSSI, the nature of the proposal being contained within the existing footprint of the building and sited on its roof, is unlikely to have a substantive impact this geological site.

Subject to the conditions being met, the proposal is considered acceptable having regard to Policies NC1 and C4 of the Local Plan and the relevant national decision-making policies contained within the NPPF.

6. Flood Risk and Drainage

The August 2026 NPPF contains national decision-making policy on managing flood risk and coastal change, including the need to steer development away from areas at highest risk, ensure development is safe for its lifetime, avoid increasing flood risk elsewhere and incorporate sustainable drainage in accordance with national standards where required.

Policy ER1 of the Local Plan states that proposals should maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere.

The proposal is located within the existing footprint of the building and would not result in the creation of any impermeable surfaces and so would not require conditions on drainage grounds.

As such, the proposal is considered acceptable with regards to Policies ER1 and ER2 of the Local Plan.

Subject to the conditions being met, the proposal is considered acceptable with regards to Policies ER1 and ER2 of the Local Plan.

Statement on Human Rights and Equalities Issues

Human Rights Act – The development has been assessed against the provisions of the Act, and in particular Article 1 of the First Protocol and Article 8 of the Act. 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.

Equalities Act – In arriving at this recommendation, due regard has been given to the provisions of the Equalities 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.

Local Finance Considerations

S106

The Torbay Local Plan, together with the Planning Contributions and Affordable Housing SPD recognises that there are specific external pressures created on the local adult social care and NHS system through the in-migration into Torbay of people into housing for people in need of care. Accordingly, Policy H6 indicates that the Council will seek financial contributions to meet the likely healthcare and social service costs arising from care facilities and sheltered accommodation, unless the applicant is able to show that this contribution would not be appropriate. There is no evidence provided alongside the application to indicate the extent to which the residents arise from within Torbay as opposed to arriving from outside Torbay and therefore that such a contribution would not be appropriate. It is therefore recommended that either:

- 1. The additional number of rooms that are created as part of the development are restricted to occupancy by residents arriving from previous addresses within Torbay; or
- 2. A Section 106 contribution is provided in line with the currently adopted Planning Contributions and Affordable Housing SPD at £2,200 per room (in total a contribution of £24,200 based on 11 additional rooms).

CIL

The site is located within CIL charging zone 2. The CIL liability for this development is charged at 0 per sq m.

EIA/HRA

N/A

BNG

Biodiversity net gain (BNG) is a legal requirement for planning permission introduced on 12 February 2024. All applications are required to either provide detailed information proving there will be a biodiversity increase; or explain why they are exempt from doing so.

The application was submitted prior to the introduction of BNG and is therefore exempt from this requirement.

Planning Balance

The planning assessment considers the policy and material considerations in detail.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise.

New NPPF (2026) Policy S3 sets out the presumption in favour of sustainable development (previously set out in paragraph 11 of the 2024 NPPF).

Policy S4 of the NPPF (2026) poses similar balanced judgment as previously set out in the paragraph 11 of the previous NPPF and its accompanying footnote 7.

The Framework states the planning system should be genuinely plan-led. The Framework's presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making but recognises the application of the presumption has implications for the way communities engage in neighbourhood planning.

Consequently, policy S6 of the Framework advises that:

‘For development proposals involving the provision of housing, the benefits of approving development are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a neighbourhood plan, provided the following apply:

- a) The neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and
- b) The neighbourhood plan contains allocations to meet its identified housing requirement (see policy HO2).

The proposal would make effective use of land, utilising airspace above existing residential and commercial premises, or through sensitive redevelopment or additional development within existing plots (including proposals to fill gaps in the existing roof line) in line with National Development Management Policy L2.

The assessment in the above sections identifies the relevant planning impacts of the proposal. Applying the presumption in favour of sustainable development under the August 2026 NPPF, it is necessary to consider whether national decision-making policies protecting areas or assets of particular importance provide a clear reason for refusal, and whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the Framework as a whole. For the reasons set out in this report, no harm has been identified to designated or non-designated heritage assets.

In applying the planning balance, the benefits of the proposal and its compliance with the Development Plan and the NPPF 2026 weigh strongly in favour of the proposal and outweigh the concerns raised by objectors for the reasons given in the report.

Conclusions and Reasons for Decision

The relevant legislation requires that the application be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.

In line with the above conclusions and the assessment within this report, the proposals are considered to be in accordance with the Development Plan when read as a whole and to demonstrate that an acceptable scheme can be accommodated on the site. The August 2026 NPPF continues to support approval of development proposals that accord with an up-to-date development plan, unless material considerations indicate otherwise.

Due to the level of accordance with the Development Plan and in the absence of material considerations that weigh sufficiently against the proposal, the Officer recommendation is one of approval, subject to suitable planning conditions and the required contributions.

The proposed development is considered to represent sustainable development and is acceptable, having regard to the Torbay Local Plan, the Torquay Neighbourhood Plan, the NPPF, and all other material considerations.

The August 2026 NPPF sets out the presumption in favour of sustainable development for decision-making, including approving development proposals that accord with an up-to-date development plan without delay, unless material considerations indicate otherwise.

Officer Recommendation

Approval: subject to;

1. The planning conditions outlined below, with the final drafting of planning conditions delegated to the Divisional Director of Place Strategy.
2. Completion of a Unilateral Undertaking agreement.
3. The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.

Planning Conditions

1. Materials
Unless otherwise specified in the approved details the development hereby approved shall be finished with external materials to match those of the existing building and shall be retained as such thereafter.

Reason: In the interests of the appearance of the development and the surrounding area in accordance with Policy DE1 of the Adopted Torbay Local Plan 2012-2030

2. Cycle storage

Prior to the first occupation of the development hereby permitted details of the proposed bicycle storage facility for a minimum of 6 cycles shall be submitted and agreed in writing by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved details prior to first occupation and maintained and retained as such for the lifetime of the development.

Reason: In the interests of reduction of carbon fuel usage and residential amenity, and in accordance with Policies DE3, TA2 and TA3 of the Adopted Torbay Local Plan 2012-2030 and Policy TH9 of the Adopted Torquay Neighbourhood Plan 2012-2030

3. Construction Management plan/Method Statement

Prior to the commencement of development including site preparation and vegetation clearance works, a site-specific Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan should include, but not be limited to:

- a) Procedures for maintaining good neighbour relations including complaint management.
- b) The parking of vehicles of site operatives and visitors.
- c) Loading and unloading of plant and materials.
- d) Storage of plant and materials used in constructing the development.
- e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- f) Wheel washing facilities.
- g) The adoption and use of the best practicable means to reduce and control the emission of dust and other airborne pollutants and dirt during construction. (add ref to BS std)
- h) A scheme for recycling/disposing of waste resulting from demolition and construction works, with priority given to reuse of building materials on site wherever practicable.
- i) The adoption and use of the best practicable means to reduce and control noise .
- j) Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- k) Construction working hours from 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 on Saturdays and at no time on Sundays or bank holidays.
Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

The approved Construction Management Plan development shall be adhered to and implemented throughout the construction period of the development strictly in accordance with the approved details.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policies DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030.

These details are required pre-commencement as specified to ensure that neighbouring amenity is not harmed by building operations or site preparation.

4. Construction Traffic Management Plan

Prior to the commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for:

- a) the parking of vehicles of site operatives and visitors;
- b) loading and unloading of plant and materials;
- c) storage of plant and materials used in constructing the development;
- d) wheel washing facilities;
- e) measures to control the emission of dust and dirt during construction;
- f) delivery and construction working hours.

The development shall take place in accordance with the approved Construction Traffic Management Plan.

Reason: To ensure that safe operation of the highway and in the interests of protecting residential amenity in accordance with Policies DE3, TA1, TA2 and TA3 of the Adopted Torbay Local Plan 2012-2030. This is a condition precedent because any initial construction or demolition works could have a detrimental impact upon highways safety and/or residential amenity.

5. Mobility scooter provision

Prior to the first occupation of the development hereby permitted, a scheme for the installation of a storage facility for a minimum of 1 mobility scooter shall be submitted and agreed in writing by the Local Planning Authority. The cycle storage facilities shall be provided in accordance with the approved details prior to first occupation and maintained and retained as such for the lifetime of the development.

Reason: In the interests of carbon reduction and in accordance with Policies DE3, TA2 and TA3 and Appendix F of the Adopted Torbay Local Plan 2012-2030 and Policy TH9 of the Adopted Torquay Neighbourhood Plan 2012-2030.

6. Electric Vehicle Charging

Prior to the occupation of the development hereby approved, a scheme for the insertion of two electrical vehicle charging points to be located within the site shall be submitted to and approved in writing by the Local Planning Authority. Details shall include design, location, specification and a timescale for insertion prior to occupation. The approved electrical vehicle charging points shall be thereafter available for use, maintained and retained for the lifetime of the development.

Reason: In the interests of carbon reduction and in accordance with Policies DE3, TA2 and TA3 and Appendix F of the Adopted Torbay Local Plan 2012-2030 and Policy TH9 of the Adopted Torquay Neighbourhood Plan 2012-2030.

7. Trees

The development hereby approved shall be carried out in strict accordance with approved Tree report and Arboricultural Impact Assessment reference AIA-LIN-19-(impact assessment) received: 31.10.2019.

Reason: To ensure that all existing trees and hedges on the site and adjoining sites are adequately protected while development is in progress, in accordance with Policies NC1 and C4 of the Adopted Torbay Local Plan 2012-2030

8. Ecology recommendations inc. Enhancements

The development hereby approved shall be carried out in accordance with the mitigation measures, recommendations and biodiversity net gain measures set out in the approved ecology report 190625-P941, received 31.10.2019.

Reason: In the interests of protected species and in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030

Informative(s)

1. In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.
2. All bats are protected by law. If bats are found, works must immediately cease and further advice be obtained from Natural England and / or a licensed bat consultant. Works must not resume until their advice has been followed. Nesting birds are also protected by law. During site clearance and construction works, suitable safeguards must be put in place to prevent threat of harm to legally protected species, including nesting birds and reptiles all of which are protected under the Wildlife & Countryside Act 1981 (as amended). Where works are to involve cutting or clearance of shrubs, hedges or other vegetation, which can form nesting sites for birds, such operations should be carried out at a time other than in the bird breeding season (which lasts between 1 March - 15 September inclusive in any year). Schemes must be in place to avoid threat of killing or injuring reptiles, such as slow worms. Slow worms may shelter beneath vegetation as well as among any stored or discarded sheeting, building and other materials. Further details can be obtained from a suitably qualified and experienced ecological consultant, or please refer to published Natural England guidelines for protected species.

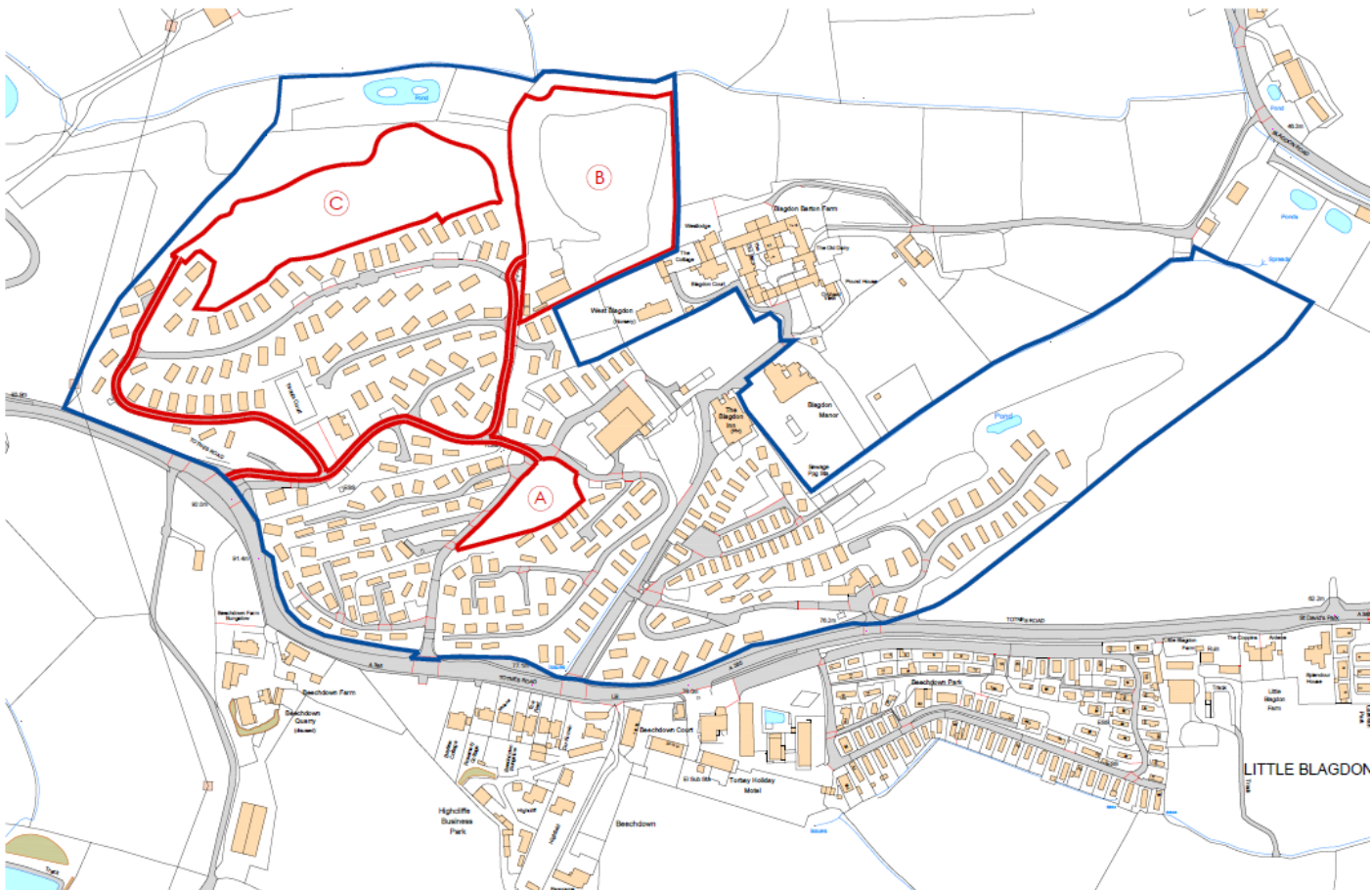
Relevant Policies

SS3 - Presumption in favour of sustainable development
SS8 - Natural Environment
SS10 – Conservation and the historic environment
SS11 – Sustainable Communities
SS12 – Housing
SS13 – Five-year housing land supply
SS14 - Low carbon development and climate change
H1 – Applications for new homes
TA1 - Transport and accessibility
TA2 - Development access
TA3 – Parking requirements
C4 - Trees, hedgerows and natural landscape features
DE1 - Design
DE3 - Development Amenity
ER1 - Flood Risk
ER2 - Water Management
HE1 – Listed Buildings
NC1 - Biodiversity and geodiversity

TS1 – Sustainable Development
TE5 – Protected Species Habitats and Biodiversity
TH2 – Designing Out Crime
TH8 – Established Architecture
TH9 – Parking Facilities
THW5 – Access to sustainable transport
THW6 – Cycle storage and changing facilities
TS4 - Support for Brownfield and Greenfield development

Application Site Address	Devon Hills Holiday Village Totnes Road Paignton TQ4 7PW
Proposal	Change of use of land for the siting of additional holiday lodges in three areas: 5 x Infill Area, 18 x Maintenance Area and 29 x Moonshadow Rise Area with landscaping, groundworks and associated works.
Application Number	P/2025/0124
Applicant	Haulfryn
Agent	Lambe Planning & Design Ltd
Date Application Valid	12.11.2025
Decision Due date	11.02.2026
Extension of Time Date	25.09.2026
Recommendation	Approval subject to: 1. The planning conditions outlined below, with the final drafting of planning conditions delegated to the Divisional Director of Place Strategy. 2. Completion of a Section 106 agreement. 3. The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations. 4. If Members of Planning Committee are minded to refuse the application against officer recommendation, final drafting of the reason(s) will be delegated to the Divisional Director of Place Strategy and in consultation with the chairperson.
Reason for Referral to Planning Committee	Major Development.
Planning Case Officer	Verity Clark

Location Plan



Site Details

The site relates to the Devon Hills Holiday Village, Totnes Road, Paignton which is a holiday park. The site is accessed from the Totnes Road and features four different vehicular access points into the wider site. The access utilised to reach the section of the site which is the subject of the application is located to the south west of the site.

The proposal relates to 3 pockets of land within the wider holiday park of Devon Hills, area A (infill area) being a relatively central pocket of landscaping, area B (maintenance area) being a part developed part open landscaped area not open to guests and utilised as a maintenance area and area C (Moonshadow Rise) being an open grassed landscaped area available to guests. Areas B and C are at the northern edges of the 'developed' area of the holiday site while area A is relatively central and surrounded by existing development.

The site is within the countryside area (Policy C1), the rural character area (Policy PNP1(a)), a Greater Horseshoe Bat Landscape Connectivity Zone, flood zone 1 and a critical drainage area and is within the proximity of the Grade II* Blagdon Manor and Grade II Gate Piers and Walls to Courtyard South of Blagdon Manor.

Description of Development

This is a full planning application for the change of use of the land for the siting and construction of additional holiday lodges in three areas: 5 within the infill area (area A), 18

within the maintenance area (area B) and 29 within the Moonshadow Rise area (area C). Each new lodge will be served by a new parking area, cycle storage and a raised terrace area.

To facilitate the additional holiday lodges the proposal will remove the existing maintenance shed, container and three caravans from the area B maintenance area. The proposal will include new access roads to the lodges, hard and soft landscaping, two new attenuation basins and groundworks.

Relevant Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise. The following development plan policies and material considerations are relevant to this application:

Development Plan

- The Adopted Torbay Local Plan 2012-2030 ("The Local Plan"); and
- The Adopted Paignton Neighbourhood Plan 2012-2030 ("The Neighbourhood Plan")

Material Considerations

- National Planning Policy Framework (NPPF 2026);
- Planning Practice Guidance (PPG);
- Published Standing Advice;
- Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990: Section 72; and
- Planning matters relevant to the case under consideration, including the following advice and representations, planning history, and other matters referred to in this report.

NPPF:

The application has been assessed against the Development Plan and the National Planning Policy Framework (August 2026). The Framework introduces a revised structure based upon national decision-making policies and a permanent presumption in favour of sustainable development. The proposal has therefore been assessed against the relevant national decision-making policies and local plan policies, with appropriate weight given to each in reaching the recommendation.

Emerging Local Plan (Regulation 19 Publication Version)

The Council has approved the publication of the Torbay Local Plan 2025–2045 Regulation 19 Publication Version. As the Plan has now reached an advanced stage of preparation, it constitutes a material consideration in the determination of planning applications. The weight to be afforded to the emerging Plan is a matter of planning judgment and will depend upon the extent to which relevant policies are consistent with national policy, the stage reached in the plan-making process, and the degree to which there are unresolved objections. The Regulation 19 Plan represents the version of the Local Plan that has been through several rounds of public consultation and approved by Full Council as the Publication Plan. It

therefore attracts greater weight than earlier draft versions, although it does not yet form part of the statutory Development Plan.

In the assessment of this application, the relevant policies of the emerging Regulation 19 Local Plan have been taken into account as material considerations alongside the adopted development plan and other material considerations.

Relevant Planning History

Extensive planning history relating to the application site, most noteworthy are the following:

DE/2024/0084 Proposed additional holiday lodges in three areas: 5 in area A (Infill area), 18 in area B (Maintenance area), 29 in area C (Moonshadow Rise). Pre-application response 01/08/2024

P/2019/0088 Change of use of land for siting of 20 holiday lodges. Permission with legal agreement 06/08/2019

P/2014/0997 Proposed touring caravan area to provide for 42 touring pitches with a facilities building. Approved 27/03/2015

Summary of Representations

14 letters of objection have been received at the time of writing.

Note: Full responses are available to view on the public access system (<https://publicaccess.torbay.gov.uk/view/>).

Issues raised:

- Drainage
- Ecology
- Environmental impacts
- Visibility of site
- Visual appearance
- Length of occupation and use as residential rather than holiday
- Highway safety
- Impact on local resources
- Impact on trees and hedges
- Unnecessary development
- Cluttered appearance
- Landscape impacts
- Impact on amenity of existing occupiers
- Overlooking and reduced privacy
- Noise
- Lighting
- Security
- Impacts on livestock

- Advertisement of application
- Impact on tourism
- Impact on facilities within the site
- Construction disruption
- Access
- Overdevelopment
- Limited job creation
- Environmental damage
- Lack of EV charging
- Safety relating to walking and cycling
- Travel plan inadequate
- Transport assessment concerns
- Cycle storage

Summary of Consultation Responses

Note: Full responses are available to view on the public access system (<https://publicaccess.torbay.gov.uk/view/>).

WSP on behalf of the Highway Authority (response dated 11/12/2025):

1.0 Description of Proposal

1.1 The planning application is for the construction of 52 additional lodges over three areas of the Devon Hills holiday park:

- Area A "Infill area": 5 Holiday Lodges – Site Area 2685 Sqm.
- Area B "Maintenance area": 18 Holiday Lodges Park - Site Area 15975 sqm; and
- Area C "Moonshadow Rise area": 29 Holiday Lodges – Site Area 12880 sqm

1.2 The following documents have been submitted to support the planning application, in the interest of the Highway Authority:

- Application Form
- OS Map Site location
- Proposed site layouts
- Design and Access Statement – T24571 Dated January 2025 Version 4
- Transportation Assessment – T24571 dated 10.10.2024
- Travel plan – T24571 dated 10.10.2024
- Construction and Environmental Management Plan – Version 1&2 dated November 2024

2.0 Site Description

2.1 Devon Hills Holiday Park is situated on approximately 60 acres of land, 2 miles west of Paignton and approximately 0.5 miles east of Collaton St Mary.

2.2 Devon Hills Holiday Park currently has 270 holiday accommodation units. The existing facilities include a Leisure Club with café, indoor pool, fitness suite, gymnasium, sauna and steam room, outdoor all-weather tennis court and a children's outdoor play area.

2.3 The Holiday Park has direct access from A385 Totnes Road which serves as a primary highway linking Paignton and Totnes. A385 Totnes Road is identified for strategic transport improvements within Policy SS6 of the Torbay Local Plan.

2.4 The A358 is subject to a 40-mph speed limit across the site frontage, while most internal roads within the holiday park are subject to a 10-mph speed limit.

2.5 Vehicular access to all three areas would be via the existing main entrance to Devon Hills Holiday Park which is directly off the A385 Totnes Road/Site Access junction.

3.0 Site History

DE/2024/0084

3.1 Pre-application advice was sought by the applicant prior to submitting the full planning application for the proposed development of 52 additional accommodation units across three areas of the holiday park. The Highway Authority provided a pre-app response in July 2024. P/2025/0081

3.2 Planning application for the conversion of the Blagdon Inn at Devon Hills Holiday Park from a restaurant/pub (Use Class E(b)) to 5 three-bedroom residential apartments (Use Class C3) on the ground floor and retaining 2 existing two-bedroom residential apartments on the first floor. This application is awaiting decision.

4.0 Traffic Impact Trip Generation

4.1 The applicant has provided a first principles trip generation assessment using traffic survey data from the existing site in August 2024. The recorded flows have been factored against the existing 270 lodges to derive a trip rate, which has then been applied to the proposed 52 lodges. The resulting peak hour trip generation is forecast:

Peak Period	Trip Rate (per Unit)		Vehicle Trips		Total
	In	Out	In	Out	
Weekday AM Peak (08:00 – 09:00)	0.052	0.022	3	1	4
Weekday PM Peak (17:00 – 18:00)	0.063	0.059	3	3	6
Saturday Peak (11:00 – 12:00)	0.011	0.044	1	2	3

4.2 The Highway Authority is satisfied that the proposed development trips are minimal and would not be anticipated to materially impact the operation of the existing highway network. It is noted that a sense check has using TRICS 8 returns a slightly higher trip rate, but this is not considered significant for the level of development proposed. Therefore, the applicant's first-principles approach is considered acceptable.

Site Access Junction Assessment

4.3 The Transport Assessment concludes that the A385 Totnes Road / Site Access junction will operate within capacity across all scenarios. A maximum RFC of 0.04 was recorded with no queues, and delay of approximately 7 seconds.

Approach	Friday AM Peak 08:00-09:00			Friday PM Peak 17:00-18:00			Saturday Peak (11:15 – 12:15)		
	RFC	Queue	Delay (s)	RFC	Queue	Delay (s)	RFC	Queue	Delay (s)
2024 Base									
Site Access	0.03	0	7	0.03	0	7	0.03	0	7
A385 Totnes Road Right Turn	0.00	0	7	0.04	0	7	0.00	0	7
2029 Reference Case									
Site Access	0.03	0	7	0.03	0	7	0.03	0	7
A385 Totnes Road Right Turn	0.00	0	7	0.04	0	8	0.00	0	7
2029 Reference Case + Development									
Site Access	0.03	0	7	0.04	0	8	0.04	0	7
A385 Totnes Road Right Turn	0.01	0	7	0.04	0	8	0.00	0	7

4.4 The Highway Authority has reviewed the submitted modelling and is satisfied that the findings are robust.

Highway Safety

4.5 Appendix C of the Transport Assessment submitted in support of the application includes the review of Personal Injury Collisions (PIC) from the www.devoncctraffweb.co.uk/public/collisionmap website. The applicant has included review of the most recent 5-year period from 2019 to 2023. The Highway Authority notes that the most recently available collision data shows an additional slight collision occurred on A385 Totnes Road close to the cluster of three already identified.

4.6 The applicant has detailed that analysis shows that all collisions are attributed to driver error rather than any inherent highway safety issues. However, there is a clear pattern of collision history on the section of A385 Totnes Road. Nevertheless, it is not considered that the proposals will lead to a significant increase in vehicle numbers and would therefore not exacerbate any highway safety issues.

5.0 Design Considerations

External Pedestrian and Cycle Access

5.1 No changes have been proposed to the existing pedestrian access from the public highway. At present, footways are only present on A385 Totnes Road to the Holiday Park bus stops. Therefore, safe and suitable access for pedestrians and cyclists to the proposed site extension would be from within the internal network of existing on-site roads.

Cycle Parking

5.2 The applicant has not provided any details regarding cycle parking provision for staff and visitors. In accordance with Appendix F of the Torbay Local Plan (2012–2030), it is recommended that at least one cycle parking space be provided for every two employees. The applicant must provide adequate provision of cycle parking spaces for staff/visitors.

5.3 The proposed site layouts indicate the provision of one cycle parking space per chalet for guests. The proposed cycle storage details have been enclosed by applicant in the Design and Access Statement. The Highway Authority is satisfied with the cycle parking and storage proposals.

Public Transport Access

5.4 The nearest bus stop is located on the A358, located approximately 260 metres from the main site access. A sheltered waiting area and bus layby is present at the eastbound bus stop, but for westbound services only a flag and pole arrangement is existing. There may be insufficient land for a sheltered bus waiting area, however raised kerbs for level boarding should be located at each bus stop location.

5.5 It should also be considered how safe access will be achieved into the site from the bus stops. Currently, there is no safe crossing location between the bus stops. It is noted that within Technical Note 1 within the supporting information for P/2025/0081, a dropped kerb and pedestrian refuge island crossing arrangement is proposed between the bus stops. This is shown in drawing T25605 002 of the aforementioned application. The applicant should confirm whether this crossing arrangement is relied upon within this submission.

5.6 Additionally, the most desirable site access point for bus passengers would be through the barrier controlled entry point. The applicant should improve access at this point for pedestrians and mobility impaired (wheeled) users.

Vehicular Access

5.7 The Design and Access Statement confirms that vehicular access to all three proposed areas will be taken from the existing main entrance to Devon Hills Holiday Park, located directly off the A385 Totnes Road.

5.8 The applicant has provided swept path analysis within the Transport Assessment (Drawing Ref - 001, 002, and 003, dated 03.10.2024), demonstrating that large cars are able to access and egress the site, as well as manoeuvre into and out of the proposed parking spaces safely. The proposed access point is suitable.

Car Parking

5.9 Chapter 4 of the TA proposes the following parking:

- Area A – one space for each of the 5 lodges
- Area B – 22 spaces for 8 lodges
- Area C – one space for each of the 29 lodges
- Total – 56 spaces for 52 lodges

5.10 However, the drawings provided in the Appendix appear to contradict this information. Drawing 001 shows the 5 lodges in Area A to have 2 spaces per lodge, Drawing 002 shows 18 lodges in Area B with enough parking for 2 spaces each, and Drawing 003 shows 29 lodges in Area C with enough parking for 2 vehicles each. These discrepancies and the actual proposed number of lodges and parking spaces should be clarified.

5.11 The applicant has not provided the details for staff and visitor car parking. The Highway Authority requires clarification as to whether the proposed lodges will require more staff on site and any subsequent additional parking demand within the development.

5.12 The Design and Access Statement indicates that EV charging points will be installed, with capacity for additional chargers to be added in future. However, no information has been

provided regarding the location, type or quantity of EV charging facilities. The Highway Authority requires these details to be clearly identified on the site layout plans to ensure that EV charging provision is sufficient and secured as part of the development.

Refuse / Servicing / Emergency Access

5.13 Torbay Council's waste storage guidance states that communal waste storage areas must be located no further than 25 metres from the nearest access point for the refuse collection vehicle.

5.14 The applicant proposes to retain the existing access arrangements for refuse vehicles and has identified bin locations within the Transport Assessments for all three development parcels. However, further clarification is required. The bin locations must be clearly shown on the site layout/masterplan and supported by swept path analysis to demonstrate that refuse vehicles can safely and efficiently access and service the proposed storage areas in accordance with waste storage and collection requirements.

5.15 No information has been provided regarding arrangements for emergency vehicle access. These should be clearly shown on the proposed site layout, and the adequacy should be checked using appropriate vehicle tracking.

5.16 The Highway Authority is also concerned that the main entrance junction of the holiday park from A385 Totnes Road is too narrow for large vehicles to access the site. Swept path analysis should be provided to demonstrate that suitable access for large vehicles can be achieved.

Construction Traffic Management Plan (CTMP)

5.17 The applicant has submitted a Construction and Environmental Management Plan (CEMP). However, it lacks key information required to assess construction impacts, including:

- Construction traffic route
- Number of construction vehicles
- Type and size of construction vehicles
- Construction traffic management on the A385 and Totnes Road
- Construction days and timings
- Construction schedule

5.18 The proposed development is located within the Devon Hills Holiday Park, and to minimise disturbance during the construction phase, the applicant should have full regard to BS 5228: Code of Practice for Noise and Vibration Control on Construction and Open Sites, with appropriate mitigation measures secured through the Construction and Environmental Management Plan (CEMP).

Travel Plan

5.19 The Travel Plan includes a set of general measures intended to promote sustainable travel; however, it currently lacks measurable targets to provide the Highway Authority with confidence that the Travel Plan Coordinator (TPC) will be able to implement the measures effectively. The robustness of the Travel Plan would be significantly improved by identifying and addressing gaps in the surrounding pedestrian and cycling infrastructure, with a specific emphasis on safety and accessibility. In the absence of such improvements, achieving the

Travel Plan's stated objectives to increase active travel and reduce reliance on car-based journeys is considered highly unlikely.

Planning Obligation

5.20 The Local Highway Authority will seek the necessary 278 works or S106 planning contributions that are essential to make the scheme acceptable in planning terms. Please also refer to the adopted Planning Contributions and Affordable Housing Supplementary Planning Document, Section 4.3 for the framework of seeking additional Sustainable Transport contributions for major schemes (PCAH SPD (<https://www.torbay.gov.uk/council/policies/planning-policies/local-plan/spd/>)) and Table 4.3. For major proposals that are likely to result in increased trips, Sustainable Transport contributions will be sought in accordance with the Planning Contributions SPD.

6.0 Conclusion

6.1 The Highway Authority has reviewed the application and wishes to raise an objection to the application in its current form. Although some issues previously identified during the 2024 Pre-Application stage have been partially resolved, several of the Highway Authority's comments and transport-related requirements remain outstanding and have not been fully addressed. At present, the application is contrary to Policy TA1 and TA2 of the Torbay Local Plan due to limited sustainable transport access.

6.2 The site is located in a location whereby the most realistic mode choice for sustainable trips would be by bus. However, improvements are required to increase connectivity to the site for bus passengers. It is noted that application P/2025/0081 (also within the Holiday Park) proposes a pedestrian crossing between the bus stops on Totnes Road, however it is not clear how this has been included for within this current application.

6.3 Additionally, due to a lack of footways on A385 Totnes Road, the applicant relies upon connections for walking and cycling within the existing holiday park layout. However, the most desirable route from bus stops to the proposed additional lodges does not appear attractive or usable for users of all ages and mobilities due to an existing access barrier. All routes should be designed in accordance with the DfT Inclusive Mobility Guide.

6.4 It is likely that for the application to be considered acceptable, localised improvements as detailed within this response should be considered. Further, due to walking and cycling being an unlikely choice for the site, contributions will be required to support strategic transport improvements on A385 Totnes Road, in accordance with Policy SS7, SS6.2 of the Torbay Local Plan.

WSP on behalf of the Highway Authority (updated response dated 07/08/2026 following the receipt of additional information):

1.0 Description of Proposal

1.1 Planning permission is sought for the construction of 52 additional holiday lodges comprising 29 lodges at Moonshadow Rise, 18 lodges within the Maintenance Area and 5 lodges within the Infill Area at Devon Hills Holiday Park, together with associated infrastructure works.

1.2 The Highway Authority previously reviewed the planning application and issued consultee comments on 11 December 2025. The Authority raised concerns regarding the following matters:

- Provision of staff and visitor cycle parking in accordance with Appendix F of the adopted Torbay Local Plan (2012–2030);
- The absence of details relating to additional staff car parking demand generated by the proposed development;
- The lack of information regarding electric vehicle charging provision, including the location, quantity and specification of charging facilities;
- The absence of sufficient information relating to refuse collection arrangements, including bin storage locations and swept path analysis for refuse vehicles;
- The absence of information relating to emergency vehicle access arrangements;
- The requirement for swept path analysis to demonstrate that large vehicles can safely access the site via the existing holiday park entrance;
- The absence of sufficient Construction Traffic Management Plan (CTMP) information, including construction traffic routes, construction vehicle numbers, vehicle types, construction traffic management measures, construction programme details and construction working arrangements.
- The need for improvements to public transport accessibility, including safe access between the site and nearby bus stops, provision of suitable crossing facilities, accessibility improvements at the barrier-controlled entrance, and improvements for mobility impaired users.
- The need to improve sustainable transport connectivity, including pedestrian and cycle accessibility between the bus stops and the proposed development areas, and to ensure that routes accord with the DfT Inclusive Mobility Guidance
- Concerns regarding the robustness of the submitted Travel Plan, including the absence of measurable targets.

1.3 In response to the Highway Authority's previous comments, the applicant has submitted the following additional information for review:

- Proposed Staff Cycle Parking (Drawing Ref: 4883-220 Rev A dated April 2026); and
- Construction Traffic Management Plan (Ref: 4883/SM dated 11 June 2026).
- Pedestrian crossing improvement drawings (T25605.002, T24571.008)
- Swept path drawings (T24571.001, 002, 003, 004, 005, 006, 007)
- Photograph of access barrier arrangement
- Updated Travel Plan (T24571)

1.4 In addition, the applicant has also sought clarification on the amount of sustainable transport contributions which are required. This information is to be provided by the Senior Strategic Planning Officer.

2.0 Analysis

Cycle Parking

2.1 The Highway Authority previously requested that cycle parking be provided at a ratio of one space per two employees.

2.2 The submitted cycle parking drawing (Ref: 4883-220 Rev A dated April 2026) identifies a cycle parking area comprising 5 No. Sheffield cycle stands. As each Sheffield stand is capable of accommodating two cycles, the submitted layout appears capable of providing 10 cycle parking spaces and is satisfactory, albeit the stands could be covered for rain protection.

2.3 The applicant also states that The Hive and Leisure Facility building already has secure cycle parking located adjacent to it for staff employed at Devon Hills Holiday Park. Overall the cycle parking is acceptable.

Construction Traffic Management Plan (CTMP)

2.4 The CTMP (Ref: 4883/SM dated 11 June 2026) identifies the proposed construction vehicle route via the wider strategic highway network and confirms that all heavy goods vehicles will access the site via the existing holiday park access from the A385 Totnes Road. The proposed construction routes are identified as follows:

A38 → A384 → A385 Totnes Road → Devon Hills Holiday Park

or

A380 → A385 Totnes Road → Devon Hills Holiday Park

2.5 The CTMP also identifies the anticipated construction vehicle types. However, the document confirms that access arrangements remain "subject to final swept-path assessment and contractor requirements". Further vehicle tracking information should therefore be submitted to demonstrate that the largest anticipated construction vehicles can safely access, egress and manoeuvre within the site.

2.6 The Highway Authority notes that the applicant has not provided details of anticipated construction traffic generation associated with the development during the peak construction period. As such the Highway Authority is unable to determine the construction traffic impact on local highway network.

2.7 The CTMP confirms that contractor parking will be accommodated within designated areas of the holiday park and that parking will not be permitted on Totnes Road or surrounding residential roads. However, the applicant has not provided the details of the anticipated parking demand for construction and staff vehicles during the peak construction period. The Highway Authority therefore remains unable to verify that sufficient vehicle parking will be available throughout the construction period.

2.8 The CTMP includes a commitment to delivery management and on-site traffic management measures. However, the CTMP does not identify the tentative location of construction compounds, material storage areas, loading and unloading areas, contractor welfare facilities, wheel washing facilities. These components should be clearly identified within the site compound layout.

2.9 Further detail, included swept path drawings is required.

Pedestrian Access Improvements

2.10 The Highway Authority previously required clarity on how safe and suitable access for pedestrians and cyclists would be achieved from – and crossing – A358 Totnes Road.

2.11 The applicant has since confirmed that the pedestrian crossing improvements that were proposed for The Blagdon Inn (at the same site), are now proposed to be Conditioned for the current Devon Hills Lodges proposal (subject to planning approval being granted). These proposals (as shown in Drawings T25605.002 and T24571.008) demonstrate the required improvements, and would be suitable to be secured as part of this application.

Swept Path Drawings

2.12 The Highway Authority previously requested demonstration that refuse vehicles can access proposed waste storage areas, and that a large vehicle be shown to access the main access junction off A385 Totnes Road.

2.13 Drawing T24571.004 shows a refuse vehicle entering the site access.

2.14 Drawing T24571.005, 006, and 007 show a refuse vehicle entering the Infill area, maintenance area, and Moonshadow rise area respectively.

2.15 Based on the above, the previous concerns have now been addressed.

Travel Plan

2.16 The resubmitted Travel Plan (T24571) provides targeted measures and sets out a more robust approach for encouraging sustainable travel to the site. The Highway Authority are satisfied with the detail provided.

3.0 Conclusion

3.1 The Highway Authority acknowledges that the applicant has submitted additional information in response to previous comments by the Highway Authority. The majority of the concerns previously raised have now been addressed. The matters relating to EV parking does not appear to have been addressed, and the CTMP is missing information. Resolution to these matters could be secured by Planning Condition.

3.2 A response from the Senior Strategic Planning Officer is anticipated regarding the amount of sustainable transport contributions required.

3.3 Overall, the Highway Authority raises no objection to the proposals subject to suitable conditions which would ensure suitable EV provision, and additional supporting information for the CTMP. The Planning Officer should also ensure the pedestrian access / crossing improvement works are secured prior to development.

Torbay Council's Senior Strategic Planning Officer (response dated 17/02/2026):

in terms of the Planning Contributions and Affordable Housing SPD and the rationale for monitoring contributions including holiday occupancy condition. Table 2.4 and 6.1 set out the specific monitoring for this type of development for a minimum of 5 years. As this is based on 1 full day of assessment per unit, it does allow for consideration of a discount to be applied for multiple units:

Table 2.4 Monitoring contributions (as at May 2022³⁷)

Use	Monitoring Contribution	Notes
Holiday occupancy conditions	£1,500	Based on 1 full day data assessment and/or site visit per annum for 5 years, charged at £300 per day. Cost is per unit. However, a discount may be applied for multiple units.

I suggest that as the units on this site could be monitored in unison, this contribution per unit could therefore be reduced by 80% (i.e. $£300 \times 0.2 = £60$ per unit $\times 52 = £3,120 \times 5 = £15,600$).

Torbay Council's Senior Strategic Planning Officer (response dated 15/04/2026):

Further to the Highways representation and in relation to the requested transport contributions.

Sustainable Transport

In accordance with Torbay Local Plan Policy SS7 and the Planning Contributions and Affordable Housing SPD Sustainable Transport obligations should be secured based on "trip rate $\times$ £215" per unit (or other alternative method as agreed). This funding would support strategic connectivity from Collaton St Mary to employment areas along the Western Corridor and into Paignton Town Centre.

Using the applicants supplied data: 12 hour trip rate per unit $1.133 \times £215$ (SPD table 4.2) = $£244 \times 52$ lodges = £12,666

Torbay Council's Senior Strategic Planning Officer (response dated 22/07/2026):

In terms of the Holiday accommodation condition monitoring fee:

The Planning Contributions and Affordable Housing (PCHA) SDP planning-contributions-spd_2022.pdf (Section 2.16) sets out a fee for holiday occupancy conditions of £1,500 per unit. This is based on 1 full day data assessment and/or site visit per annum for 5 years, charged at £300 per day. Cost is per unit. However, a discount may be applied for multiple units. A substantial 80% discount has been applied to recognise that the proposed holiday units are co-located, saving some officer time.

$52 \times £1,500 = £78,000$ - 80% discount applied = £15,600 for 5 years monitoring.

I note the applicant's agent states: The previous planning condition was placed on the planning consent for 20 Holiday Lodges at Devon Hills by Torbay Council in 2019 (application ref P/2019/00880) – The permission was subject to an associated unilateral undertaking for £720 shown on Exacom deed.php). The PCAH SPD was subsequently updated in 2022, based on May 2022 prices. We haven't adjusted the SPD figures for inflation, recognising the issues related to development viability.

With 80% discount and May 2022 prices being used, there is therefore already a high level of discount being applied.

Torbay Council's Senior Strategic Planning Officer (response dated 10/08/2026):

The Transport contributions are based on the need to make improvements (physical and sustainable) along the A385 corridor as identified in the adopted Torbay Local Plan Policy SS6.2, Planning Contributions and Affordable Housing SPD and LTP4. Whilst a specific highway improvement scheme has not been developed at present, monies will be used to develop a scheme and encouraging sustainable transport measures along this corridor. Policy TA2 requires all development to make appropriate provision for works and /or contribution to ensure an adequate level of accessibility and safety to satisfy the transport needs of the development. It is noted that some works have been provided by the developer as a 'site deliverability matter'.

The LPA has therefore used a proportionate and fair approach by calculating a contribution using the trip figures provided by the applicant:

- To calculate a contribution we used the 12 hour trip rate $1.133 \times £215$ (SPD Table 4.2) = $£244 \times 52$ lodges. £12,666
- It would have been reasonable to have used the 12 hour trip rates from TRICS, which calculates as follows: 12 hour trip rate per unit $2.13 \times £215$ (SPD table 4.2) = $£458 \times 52$ lodges = £23,813
- Note that the adopted SPD Table 4.2 suggests a trip rate per unit of 9.5 trips (whereas this proposal shows a trip rate per unit of 1.133). Contributions required as per Table 4.2 would be far greater. Trip rate $9.5 \times £215 = £2042 \times 52$ lodges = £106,210

Torbay Council's Senior Environmental Health Officer (response dated 20/11/2025):

Please could the following condition be included on any consent:

No development shall take place until a site specific Construction/Demolition Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise & dust. The plan should include, but not be limited to:

- Procedures for maintaining good neighbour relations including complaint management.
- All works and ancillary operations shall be carried out only between the following hours:
 - 08:00 Hours and 18:00 Hours on Mondays to Fridays and 08:00 and 13:00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Control measures for dust and other air-borne pollutants.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development

Noise

The submitted noise assessment is only for part of the proposed development. Please could you ask for it to be expanded to include the whole proposed scheme?

I will then review the report and make comments about noise impact accordingly.

Lighting

The proposed lighting scheme is unlikely to result in nuisance light spill to neighbouring properties. I therefore have no further comments to make from an Environmental Health perspective. (nb this is not an assessment of the visual impact of the lighting, which is a visual amenity matter and not within the scope of Environmental Health comments).

Torbay Council's Senior Environmental Health Officer (response dated 04/12/2025):

I agree that the part closest to the houses has the most potential to cause problems, so it makes sense for that area to have greater attention in the noise report. The problem at the moment is that the report completely ignores the rest, rather than explaining why it has not been considered further.

I do still think that the cumulative impact of the whole expanded site needs to be assessed, if possible please. The result may come out the same, but I want it to be clear that they have considered noise from the site as a whole, and what conclusions they have come to as a result.

Torbay Council's Senior Environmental Health Officer (response dated 16/12/2025 following additional information):

Thank you. This clearly explains why the other areas of the proposed development were screened out of the earlier assessment and supports their earlier conclusion that the impact of the development should not be significant.

I have no further questions or concerns.

Torbay Council's Climate Strategy and Project Officer (response dated 01/12/2025):

I note the submission of the Torbay Sustainability Checklist that outlines the information that was submitted within the design and access statement.

However, prior to commencement of the development hereby approved, an energy and sustainability statement demonstrating how sustainable design principles and climate change adaptation measures have been incorporated into the design and construction of the development, shall be submitted for approval in writing by the Local Planning Authority.

Key elements to be covered. How the site will:

1. Conserve energy by reducing energy demand through siting and design. This includes the use of building orientation, layout and landscaping to optimise solar gain, ventilation and cooling;

2. Use energy efficiently within the fabric of the building;

3. Use on-site or near-site renewable technologies to achieve further reductions in carbon emissions; and how at least 20% of the site's total energy demand will be met by renewable energy.

4. How a sustainability approach will be adopted and has influenced the choices of materials and constructions techniques to help create a sustainable development and reduce environmental impacts including carbon emissions.

The development shall be constructed in full accordance with the energy and sustainability statement prior to occupation.

Reason: To ensure the development incorporates measures to minimise the effects of, and can adapt to a changing climate and meets Policy SS14 of the Torbay Local Plan.

Renewable energy

1) Prior to commencement, details of the proposed Solar PV / Air Source Heat Pump systems including location, dimensions, design/ technical specification together with calculation of annual energy generation (kWh/annum) and associated reduction in residual CO2 emissions shall be provided within the Energy and Sustainability Statement.

2) Prior to occupation the following information shall be provided: - Evidence of the Solar PV / Air Source Heat Pumps system as installed including exact location, technical specification and projected annual energy yield (kWh/year) e.g. a copy of the MCS installer's certificate

Reason: To ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions and meets Policy ES1 of the Torbay Local Plan and Policy PNP1(f) of the Paignton Neighbourhood Plan

Devon & Cornwall Police Designing Out Crime Officer (response dated 21/11/2025):

From a designing out crime, fear of crime and anti-social behaviour perspective, having reviewed the documents and specifically the crime prevention statement, which is welcomed, and I support the information submitted within it. I have no further comment to make currently.

Senior Tree Officer (response dated 26/01/2026):

Application Appraisal / Findings

The development proposal is supported by a tree survey which have been carried out in accordance with BS5837.

The development locations are largely internal to the site or in areas without significant tree constraints. The potential impacts from development are correspondingly limited and the proposed soft landscape works mitigate any tree losses and incorporate structural tree planting as set out in the soft landscape plans provided.

Draft Tree Protection Plans have been provided which provide adequate protection for retained trees and soft landscape areas, relative to the development being proposed. These are broadly acceptable from an arboricultural perspective.

Recommendations

Secure the provision of the Tree Protection Plans through the use of a suitably worded planning condition. Tree protection should be installed as per the submitted documents following any tree works (enabling) and prior to the commencement of any development activity.

The proposed soft landscaping scheme should also be secured for delivery as per the submitted plans, specifications and aftercare methods.

Torbay Council's Drainage Engineer (responses dated 18/12/2025):

As infiltration drainage is not feasible at this site, the developer is proposing a controlled discharge rate to the watercourse. The discharge rates for the three sites, which comply with the requirements of the Torbay Critical Drainage Area, are as follows:

- Infill site 0.7l/sec
- Moonshadow site 2.0l/sec
- Maintenance area site 1.3l/sec

Providing the surface water drainage for this development is constructed in accordance with the hydraulic design and surface water drainage plans, I have no objections on drainage grounds to planning permission being granted for this development.

Devon County Council's Principal Ecologist (response dated 15/12/2025):

Further clarification required pre determination.

The ecology surveys for this site were undertaken in 2023 – this means they are now over 24 months in age at the time of this applications validation. CIEEM guidelines on the 'Lifespan of Ecological Reports and Surveys (April 2019)' states that for data which is between 18 months and 3 years in age:

A professional ecologist will need to undertake a site visit and may also need to update desk study information (effectively updating the Preliminary Ecological Appraisal) and then review the validity of the report.

The consultant ecologist is therefore required to provide a robust justification regarding the validity of the existing site surveys. This is especially important for species were not present in 2023, such as badger, Cirl Bunting, GCN and dormice, as well as the BNG site baseline for this site.

Clarification is required as to whether the lighting plans and site layouts submitted with this application have been designed to include lighting impacts from internal light sources and vehicle headlights. There are a number of lodges throughout the development areas which appear to have windows directly next to the proposed dark areas.

Boundary features and mature vegetation should remain as unaffected by light spill as possible, and this requirement will involve careful positioning of lodges and paths requiring

external lighting features. This is a concern, for example, within the current plans for Area C where the proposed lodges are in close proximity to the habitat identified as having high bat activity with the surveys. This requires clarification and justification from the consultant ecologist.

Furthermore, justification is required on the amount of external lighting proposed on each caravan/lodge – why do the caravans require two external lights on each of them? Are there no further ways in which artificial lighting on the site can be reduced?

Within both the maintenance areas of the proposed developments, a number of lodges appear to be within close proximity to TN3. There is explanation provided within the EIA which explains what TN3 relates to, so it is assumed it is a tree with bat roosting potential.

If TN3 does relate to an area with bat roosting potential, this is a concern due to the possibility of an increase in light spill reducing the viability of these roosting opportunities being used by bats. Justification is needed on the lack of mitigation proposed, and the LPA encourage the applicants to consider the design of the site and lodges to minimise light spill onto any boundary features and vegetation.

Devon County Council's Principal Ecologist (response dated 12/06/2026):

The applicant undertook a site visit in April 2026 to update the EcIA – unfortunately however, insufficient clarification has been provided within this document and other previous DCC comments have not been addressed. Please can the consultant ecologist provide clarification/justification on the following:

- Species surveys for this site were undertaken in 2023 and recorded negative results of both dormice and Cirl Bunting. The updated site survey undertaken in 2026 confirms the site remains the same since the original 2023 surveys. Therefore, it stands to reason that the site continues to offer suitable habitats for both dormice and Cirl Bunting, and the possibility of the species moving on to site since the 2023 surveys cannot be ruled out. Therefore, robust justification is required by the applicant as to why updated dormouse and Cirl Bunting surveys have not been undertaken, and why the negative survey results from 2023 are still deemed to be valid.
- Clarification is required as to whether the lighting plans and site layouts submitted with this application have been designed to include lighting impacts from internal light sources and vehicle headlights. There are a number of lodges throughout the development areas which appear to have windows directly next to the proposed dark areas. Boundary features and mature vegetation should remain as unaffected by light spill as possible, and this requirement will involve careful positioning of lodges and paths requiring external lighting features. This is a concern, for example, within the current plans for Area C where the proposed lodges are in close proximity to the habitat identified as having high bat activity with the surveys. This requires clarification and justification from the consultant ecologist.
- Furthermore, justification is required on the amount of external lighting proposed on each caravan/lodge – why do the caravans require two external lights each? Has external lighting been designed to reduce artificial lighting as possible?

Devon County Council's Principal Ecologist (response dated 14/08/2026):

Ok, subject to conditions.

Environment Agency:

No response received.

RSPB:

No response received.

Planning Officer Assessment

Key Issues/Material Considerations

1. Principle of Development
2. Design and Visual Impact
3. Impact on Heritage Assets
4. Residential Amenity
5. Highways, Movement, Parking and Waste
6. Ecology, Biodiversity and Trees
7. Flood Risk and Drainage
8. Low Carbon Development and Climate Change
9. Designing Out Crime

1. Principle of Development

The proposal seeks consent for the siting and construction of additional holiday lodges in three areas: 5 within the infill area (area A), 18 within the maintenance area (area B) and 29 within the Moonshadow Rise area (area C) within the established holiday site.

The site is designated as countryside located within the Westerland Valley to Ocombe and Preston under Policy C1 of the Torbay Local Plan. The site is also designated as a Rural Character Area under Policy PNP19 of the Paignton Neighbourhood Plan. Policy PNP1(a) states that development proposals within the designated rural character area should have regard to Policy C1 of the Torbay Local Plan and should be accompanied by supporting information, which demonstrates how the proposal will:

- a) value the existing treescape, landscape, and scenic views;
- b) increase biodiversity and coherent ecological networks by means other than off-setting;
- c) achieve small scale food growing and rearing opportunities including improvement of soil quality and structure;
- d) implement the Torbay Green Infrastructure Delivery Plan proposals shown in Figure 6.1 (page 22); and
- e) implement the management strategy of Policy PNP19.

f) support the provision of new allotments alongside new developments in White Rock, Roselands, South Devon College, Great Parks and Collaton St. Mary where appropriate.

Policy C1 states that in the open countryside, away from existing settlements, and in rural areas surrounding the three towns of Torbay, development will be resisted where this 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.

Policy C1 goes on to state that outside settlement boundaries, the following forms of development may be permitted, provided that the rural and landscape character, wildlife habitats, green corridors and historic features are not adversely affected and necessary mitigation measures are carried out to minimise any harm to the environment:

1. New homes for which there is a proven agricultural need, or self-build affordable housing where acceptable under Policy H3;
2. Development required for forestry, horticulture or agriculture;
3. Touring caravans and tents;
4. Tourist facilities appropriate to the rural area;
5. Development associated with outdoor sport and recreation appropriate in a rural area;
6. Sensitive conversion, alteration and extension of existing buildings;
7. Essential improvements to the highway network; and
8. Appropriate renewable energy development.

Where new development proposals come forward, the Council will also have regard to the need to protect, conserve or enhance the distinctive landscape characteristics and visual quality of a particular location, as identified in the Torbay Landscape Character Assessment, the suitability of development and the capacity of the countryside to accommodate change. Development in the countryside should not have adverse effect on the integrity of the South Hams SAC or other important habitats. It should also have regard to Policy NC1 to assess the in-combination effects of multiple developments that could affect Greater Horseshoe Bats and the integrity of the South Hams SAC, and the scope for developer contributions to mitigate the impact of increased recreational pressure on the South Hams SAC.

Policy S5 of the NPPF states that only certain forms of development should be approved outside settlements. These should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework. This includes development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary.

The proposal would constitute tourist facilities and therefore falls within a form of development which may be permitted outside of settlement boundaries. This is subject to the rural and landscape character, ensuring wildlife habitats and green corridors are not adversely affected by the proposed development and necessary mitigation measures are carried out to minimise any harm to the environment which will be considered in further detail later in the report.

Policy TO1 of the Torbay Local Plan supports in principle the improvement of existing and provision of new tourist accommodation and attractions, subject to other policies in the plan. The proposal would be in compliance with this policy.

The proposal will have economic benefits and the submitted design and access statement indicates that the development will create an estimated £3.4m of business turnover for the local economy supporting approximately 58 actual jobs (FTEs), 17 of which will be at the site itself as a result of the new development. The proposal is thereby supported by Policies SS1, and SS4 of the Local Plan and supporting the economy is a positive strategic ambition and outcome.

The principle of the development is broadly supported through the Development Plan. Policy E2 of the NPPF states that to support business growth, substantial weight should be given to the economic benefits of proposals for commercial development which allow businesses to invest, expand and/or adapt; especially where this would support the economic vision and strategy for the area. Policy E4 of the NPPF notes that in applying policy E2, the sustainable growth of businesses in rural areas should be supported, including through facilities to support rural leisure and tourism.

There is some public concern on the increased provision of tourism facilities being unnecessary and an overdevelopment. The thrust of the Development Plan is to encourage and foster tourism facilities and employment opportunities. It is not considered that there is an overdevelopment or overprovision of tourism facilities within the site when considered as a whole.

2. Design and Visual Impact

It is important to note that achieving good design remains a central thread within national planning policy. The August 2026 NPPF contains national decision-making policy on achieving well-designed places, requiring development to create high-quality, beautiful and sustainable places and to respond positively to local character, local design expectations and relevant design guidance. Development that is not well designed should be refused where it fails to reflect local design policies and relevant national design guidance. Policy DP3 of the NPPF outlines principles that help create well-designed places. Policy DP4 of the NPPF emphasises that design quality should be considered throughout the evolution, assessment and delivery of development proposals, including through any pre-application engagement.

Similar design expectations are engrained within the Development Plan through Policy DE1 of the Local Plan and Policy PNP1(c) of the Neighbourhood Plan. Policy DE1 of the Local Plan states that proposals will be assessed against their ability to meet design considerations such as whether they adopt high quality architectural detail with a distinctive and sensitive palette of materials and whether they positively enhance the built environment. Policy PNP1(c) of the Paignton Neighbourhood Plan states that development proposals should where possible and appropriate to the scale and size of the proposal to be in keeping with the surroundings respecting scale, design, height, density, landscaping, use and colour of local materials.

The site sits within the designated open countryside and the three pockets of land are largely undeveloped landscaped areas. Area A is central and areas B and C are peripheral and face open rolling fields to the north. In terms of the development, area A is the smallest area but sits as an element of landscaping within the developed area of the park laid with lawn and interspersed with trees. It is an attractive and positive element which acts to soften the development present within the site. Areas B and C are largely open and undeveloped areas, where area B is not part of the public area of the park and features a storage building and caravans, but area C is, dropping down to an attractive tree-lined water feature on lower land and is used as a dog friendly walking and exercise area.

The changes of use of the areas of land for the placement of caravans, in the form of single-storey lodges, will alter the character of the three sites, where they currently sit largely as undeveloped parcels of land. As detailed the general principle of enhancing the holiday accommodation and wider tourism offer is a suitable form of development within the countryside, it hence falls on the detailed design of the structures, the layout, and the landscaping, in terms of how in-the-round the development responds to its sensitive context and minimises any harm.

Area A is a roughly triangular shaped area of land within the centre of the existing holiday park. It is comprised of an area of mown grassland, with a series of semi-mature and mature trees throughout, along with areas of mature scrub. Sections of area A are bound by wooden fence panels, clipped hedgerows, or remain open, allowing views into the site from the adjacent holiday park internal roads.

Area B is a polygonal shaped area of land, located along the northern edge of the existing holiday park and is comprised of an area of mown grassland, surrounded by mature vegetation. The south-western corner of area B is currently used as a maintenance and storage area, with areas of disused caravans, a large storage shed and paraphernalia.

Area C is a linear shaped area of land, located along the northern edge of the existing holiday park, and is comprised of an area of mown grassland, surrounded to the north by mature vegetation, and to the south by existing holiday lodges.

A landscape and visual impact assessment (LVIA) has been submitted in support of the application. The Devon Landscape Character Assessment notes that the sites lie within the Torbay Hinterland Landscape Character Area (LCA), which is broadly described as: “a steeply undulating series of hills incised by small streams which extend into the adjacent urban areas”. The overall strategy for this LCA is described as follows: “To conserve and manage the existing hedgerow network and pattern of existing woodlands and nature conservation sites, strengthening the character and landscape resilience of the urban fringe of Torbay. The landscape’s vulnerability to development and recreational pressures is reduced. Inland new development reflects the small scale, vernacular settlement pattern and conserves the pattern of fields, woods, hedgerows and narrow lanes. Views from high ground towards the coast and Dartmoor are conserved.” The site is then further sub-categorised within the Upper Farmed and Wooded Valley Slopes Landscape Character Type (LCT 3A).

The LVIA notes that all the sites are heavily influenced by the presence of the existing holiday park, with clear views across all sites of existing caravans, lodges, service buildings,

play areas and internal road infrastructure. As a result, the sites feel connected to the holiday park and display a leisure and tourism character. Within the wider landscape setting, the overall holiday park lies along the A385, which itself is lined with residential dwellings, small motels and small caravan parks, particularly to the immediate south of the road.

In terms of area A, tree loss is relatively limited and the layout of the five new lodges maintains large areas of open grassland with trees interspersed. The retention of trees and open landscaping are considered to retain a landscaped characteristic in this location with new tree and shrub planting proposed between lodges to mitigate any loss. The density of development is considered to appear appropriate for the context.

In respect of area B, the proposed 18 lodges will be placed along three rows facing north, with the northernmost rows placed further down the sloping ground. New tree and woodland whip planting are proposed along the eastern site boundary, the south-western corner and south-eastern corners to enclose the highest parts of the sites from the adjacent residential built form. Additional tree planting between rows will also further screen individual lodges and break up the hard form of built development when viewed from the north. The layout and broad density appears loosely reflective of the wider park and the level of landscaping and density appear appropriate for the setting.

Area C will feature 29 lodges arranged along a single internal road that runs roughly west to east across the site, creating a linear block of lodges, parallel to the existing holiday park edge, but sitting at a lower position within the landscape than the existing lodges. Swathes of woodland whip and tree planting are proposed across the site and between the lodges, to reflect the existing character of the southern edge of the site, and to break up the geometric form of the development when viewed from the north. The layout and broad density appears to reflect the adjoining established pattern of lodge development, and the single linear form appears a logical response to the access and topography. The bolstering of the landscaping to the south helps to break up the overall amount of development in this area and fingers of landscaping north-south appears as a positive concept to break down the scale of development but also provide ecology features and connectivity.

The LVIA concludes that the greatest adverse landscape impacts identified were the mature vegetation within area A which is anticipated to experience an adverse effect of moderate significance, and the mown grassland fields within the sites and mature vegetation bounding areas B and C, which are anticipated to experience an adverse effect of moderate/minor significance. The report acknowledges the tree removal required, however the addition of new swathes of shrub and tree planting between the rows of lodges will serve, over time, to retain and improve the treed character of the holiday park, and to contain the sites within a mature vegetation setting. All other landscape receptors are anticipated to experience an adverse effect of minor significance and are therefore considered to be of lesser relevance. The visual assessment concluded that the visual envelope of the sites are confined to the immediate existing holiday park, as well as some distant, filtered views from the north. The potential for longer distance views, or views from the South Devon National Landscape were considered unlikely, given the undulating topography within the wider setting of the sites, and the presence of mature vegetation both within and surrounding the holiday park and the sites themselves. The greatest visual impact identified was upon residents of Blagdon Court, which is anticipated to experience an adverse effect of moderate/minor significance, given its

position close to area B. It is anticipated to retain all boundary vegetation along area B's southern and eastern boundaries. New landscape planting will reinforce these edges, along with planting between the lodges to break up the hard form of development, which over time as the planting matures, will soften and filter views. It is judged that views from this receptor are likely to include views of the large service building within the southern section of Site B, as well as a number of defunct caravans, hot tubs and unused items. Therefore, the formal layout of lodges and landscape planting, could provide a more aesthetically pleasing view. All other visual receptors are anticipated to experience an adverse effect of minor significance and therefore are considered to be of lesser relevance. It is the conclusion of LVIA that the site can accommodate three small areas of holiday lodges within the existing holiday park, following a well-designed and landscape led approach to layout and form. The inclusion of a robust landscape strategy will help to settle the proposed lodges into the immediate and wider landscape setting, whilst providing wider biodiversity and green infrastructure benefits.

Overall, the findings and conclusions of the LVIA are agreed with and it is considered that the design and layout presented positively address local and national guidance in terms of good design, responding to local character, and creating high quality, beautiful and sustainable development. A planning condition securing the implementation of the detailed landscaping scheme is recommended to ensure that a good quality form of development is achieved and that the proposed development can successfully assimilate into the landscape character.

The development is considered in accordance with Policies DE1 and C1 of the Local Plan and Policy PNP1(c) of the Paignton Neighbourhood Plan, and Policy DP3 and DP4 of the NPPF.

3. Impact on Heritage Assets

Policy SS10 of the Local Plan states that proposals will be assessed, amongst other things, in terms of the impact on listed and historic buildings, and their settings. Policy HE1 states that development proposals should have special regard to the desirability of preserving any listed building and its setting, or any features of special architectural or historic interest which it possesses.

It is also incumbent on the Authority, in exercising its duties, under the provisions of The Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 66(1)), to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

This statutory requirement needs to be considered alongside Chapter 20 of the NPPF which recognises that the historic environment should be conserved and enhanced. It identifies that heritage assets range from sites and buildings of local historic value to those of the highest significance.

Policy HE4 of the NPPF confirms that heritage assets, as an irreplaceable resource, should be conserved in a manner appropriate to their significance. Paragraph 2 of Policy HE4 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset

(including from development within its setting) should have a clear and convincing justification in accordance with the policies in Chapter 20 of the NPPF.

Policy HE6 of the NPPF considers that “when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.”. Policy HE6 of the NPPF confirms that where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.

The Grade II* Blagdon Manor and Grade II Gate Piers and Walls to Courtyard South of Blagdon Manor are located to the east of the wider site, approximately 108m at its closest point to the boundary of area B.

Given the topography of the land and the siting of the proposed development, the works within areas A and C are unlikely to impact on the setting of these heritage assets.

The development within area B – maintenance area may be partially visible at a distance. This would however likely be viewed, if possible, at a distance and in the context of the existing holiday park. The overall impact of the layout and siting of the development in this location has been softened by enhanced landscaping and overall this element of the proposal is considered to have a neutral impact on the setting of the identified heritage assets.

The proposal is therefore considered to accord with Policies SS10 and HE1 of the Local Plan and Policies HE4 and HE6 of the NPPF.

4. Residential Amenity

Policy DE3 of the Local Plan states that development should not unduly impact upon the amenity of neighbouring and surrounding occupiers.

Chapter 17 of the NPPF has regard to ensuring that new development is appropriate for its location. Policy P3 of the NPPF guides that development proposals should not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Policy P3 of the NPPF goes on to state that any adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree.

Objectors have raised concerns regarding noise, light spill, overlooking, security and impacts on livestock.

Given the siting of the proposed development within areas A and C in relation to the nearest unrelated properties, these elements of the proposal are not considered to result in a negative impact on neighbour amenity. The proposals are also considered to have an acceptable

impact on the amenity of the occupiers of the existing lodges within the holiday park given the separation distances and layouts.

Area B is located adjacent to a number of residential dwellings, most notably West Blagdon Nursery, The Cottage and West Lodge which all share a boundary with the site. Due to topography the dwelling at West Blagdon Nursery is not visible from within the field of area B however Blagdon Court dwelling is visible. The boundary between these properties and the site is made up of scrub vegetation. The proposed landscaping scheme seeks to add new trees and woodland whip planting along the eastern site boundary, the south-western corner and south-eastern corners to enclose the highest parts of the sites from the adjacent residential built form. Concerns were raised by neighbours about the lack of security and the potential for dogs to get through the vegetation into neighbouring properties. As a result, the site plans were updated to include 1.1m high stock proof fencing to the shared boundary to prevent any unauthorised access. This is considered to sufficiently address this concern while resulting in a low level of visual impact.

In terms of privacy, inter-visibility and overlooking, the 6 lodges which are adjacent to the shared boundary are orientated to face away from the boundary with the main section of their associated raised decking facing into the application site rather than towards the shared boundary which will encourage any outside sitting away from the shared site boundary. The dwelling most likely to be impacted is West Blagdon Nursery and a site section has been provided on plan 4888-211 Rev A which demonstrates the relationship between this dwelling and one of the nearest proposed lodges. There is a separation distance of approximately 40m between the closest lodge and this dwelling and the proposed section indicates that the land is fairly flat although it slopes down towards the proposed lodges and again towards the existing dwelling. It is considered reasonable to add a planning condition that requires any windows on the southern elevations of lodges 4, 5 and 6 to be obscure glazed and of a restricted opening. This will ensure there is no unacceptable overlooking or reduced privacy from the lodges with the likelihood of the greatest impact of overlooking towards the existing dwelling. It is not considered necessary to impose this on lodges 1, 2 and 3 as they face towards a large lawned area of the dwelling rather than the dwelling itself coupled with their orientation which is not directly facing the shared boundary. Given the siting and separation distances the proposals are not considered to result in an overbearing impact on this adjacent dwelling or any of the dwellings in this area.

The proposals are considered to have an acceptable impact on the amenity of all other surrounding properties and the existing lodges within the holiday park.

The Council's Senior Environmental Health Officer has reviewed the application. They noted that the submitted noise assessment is only for part of the proposed development and therefore requested that it be expanded to include the whole proposed scheme. The Officer has reviewed the proposed lighting scheme and has noted that it is unlikely to result in nuisance light spill to neighbouring properties.

The agent subsequently confirmed that their Acoustic Consultants had responded with the following points:

1. The most exposed existing receptors have been fully assessed against relevant guidance and including the two other areas (Moonshadow Rise and the Infill area) would make no difference to the conclusion of the assessment. Undertaking further noise assessments would add additional and unnecessary costs onto the applicant.

2. The closest residential receptor to the Moonshadow Rise area would be the receptors adjacent to the Maintenance area, i.e. those already assessed and for which there is no impact.

3. The next closest receptors would be located to the southwest on the opposite side Totnes Road. These receptors would not only be fully screened by the existing holiday lodges, but would also benefit from the substantial standoff (>200m) from the closest proposed lodge and therefore, as demonstrated within the noise assessment for existing receptors which are significantly closer, there would be no impact from the proposals.

4. Similarly for the Infill area, existing receptors would be fully screened from any impact and in any event, any noise contributions would be no different to that already present on the site and subsequently, there would be no impact on the amenity for any existing dwelling neighbouring the proposal.

5. Expanding the assessment to include the other two areas (Moonshadow Rise and Infill) would be a completely pointless exercise as any revised report would continue to focus on the Maintenance area, as this is the closest area to existing dwellings and impacts at all other locations would be substantially less.

The Council's Senior Environmental Health Officer reviewed this response and has confirmed that this clearly explains why the other areas of the proposed development were screened out of the earlier assessment and supports their earlier conclusion that the impact of the development should not be significant. As such they have no further questions or concerns and impacts of noise relating to neighbouring properties is considered to be acceptable.

The construction phase will naturally have some temporary impacts however such impacts are not unusual and can be limited through positively managing the process through a Construction/Demolition Management Plan as recommended by the Senior Environmental Health Officer.

With the addition of the recommended conditions the development is considered to accord with Policies DE1 and DE3 of the Torbay Local Plan, Policy PNP1 of the Paignton Neighbourhood Plan and Policy P3 NPPF.

5. Highways, Movement, Parking and Waste

Chapter 15 of the NPPF aims to ensure that transport considerations are taken fully into account in the evolution and assessment of development proposals. Policy TR3 of the NPPF outlines that development proposals which could generate a significant amount of movement should be in sustainable locations, limiting the need to travel. Policy TR4 of the NPPF outlines that to contribute to creating well-designed places, transport considerations should be integral to the design of development, including providing a suitable number of parking spaces for a

range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations. Policy TR6 of the NPPF confirms that development proposals should be refused if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

Policy TA1 of the Local Plan sets out promoting improvements to road safety. Policy TA2 of the Local Plan states all development proposals should make appropriate provision for works and/or contributions to ensure an adequate level of accessibility and safety, and to satisfy the transport needs of the development. Policy TA3 of the Local Plan details that the development proposals are expected to meet the guideline requirements as set out in Appendix F of the Local Plan. Policy DE3 of the Local Plan specifies that new development proposals should have satisfactory provision for off-road motor vehicle parking, bicycles and storage of containers for waste and recycling.

The application has been supported by a transport assessment, travel plan, construction traffic management plan, footpath crossing details, details relating to changes to the barrier access, cycle parking, EV charging details and swept path analysis.

WSP on behalf of the Highway Authority have reviewed the supporting information and originally requested that the following was clarified:

- The site is situated in a location whereby the most realistic mode choice for sustainable trips would be by bus. However, improvements are required to increase connectivity to the site for bus passengers. It is noted that application P/2025/0081 (also within the Holiday Park) proposes a pedestrian crossing between the bus stops on Totnes Road, however it is not clear how this has been included for within this current application.
- Additionally, due to a lack of footways on A385 Totnes Road, the applicant relies upon connections for walking and cycling within the existing holiday park layout. However, the most desirable route from bus stops to the proposed additional lodges does not appear attractive or usable for users of all ages and mobilities due to an existing access barrier. All routes should be designed in accordance with the DfT Inclusive Mobility Guide.
- It is likely that for the application to be considered acceptable, localised improvements as detailed within this response should be considered. Further, due to walking and cycling being an unlikely choice for the site, contributions will be required to support strategic transport improvements on A385 Totnes Road, in accordance with Policy SS7, SS6.2 of the Torbay Local Plan.

The agent provided updated information including a technical specification for an uncontrolled pedestrian crossing point across the Totnes Road to allow access to the bus stop on the other side of the road alongside alterations to the central access to reduce the length of the

existing barrier to allow cyclists and pedestrians to pass through with road markings to delineate the pedestrian/cycle area with a dropped kerb linking to the existing pavement which leads to the bus stop. The latter works to reduce the barrier and add markings with a dropped kerb have already been implemented by the applicant.

WSP on behalf of the Highway Authority has considered the updated information and have confirmed that the submitted cycle parking drawing (Ref: 4883-220 Rev A dated April 2026) identifies a cycle parking area comprising 5 No. Sheffield cycle stands. As each Sheffield stand is capable of accommodating two cycles, the submitted layout appears capable of providing 10 cycle parking spaces and is satisfactory. The Construction Traffic Management Plan (CTMP) (Ref: 4883/SM dated 11 June 2026) identifies the proposed construction vehicle route via the wider strategic highway network and confirms that all heavy goods vehicles will access the site via the existing holiday park access from the A385 Totnes Road. The proposed construction routes are identified as follows:

A38 → A384 → A385 Totnes Road → Devon Hills Holiday Park

or

A380 → A385 Totnes Road → Devon Hills Holiday Park

The CTMP also identifies the anticipated construction vehicle types. However, the document confirms that access arrangements remain "subject to final swept-path assessment and contractor requirements". Further vehicle tracking information should therefore be submitted to demonstrate that the largest anticipated construction vehicles can safely access, egress and manoeuvre within the site. The applicant has not provided details of anticipated construction traffic generation associated with the development during the peak construction period. As such the Highway Authority is unable to determine the construction traffic impact on local highway network. The CTMP confirms that contractor parking will be accommodated within designated areas of the holiday park and that parking will not be permitted on Totnes Road or surrounding residential roads. However, the applicant has not provided the details of the anticipated parking demand for construction and staff vehicles during the peak construction period. The Highway Authority therefore remains unable to verify that sufficient vehicle parking will be available throughout the construction period. The CTMP includes a commitment to delivery management and on-site traffic management measures however, the CTMP does not identify the tentative location of construction compounds, material storage areas, loading and unloading areas, contractor welfare facilities, wheel washing facilities. These components should be clearly identified within the site compound layout. A CTMP confirming all the above information is therefore recommended to be secured by condition.

The Highway Authority previously required clarity on how safe and suitable access for pedestrians and cyclists would be achieved from and crossing the A358 Totnes Road. The applicant has since confirmed that the pedestrian crossing improvements are now proposed to be conditioned for the current proposal. These proposals (as shown in Drawings T25605.002 and T24571.008) demonstrate the required improvements and are recommended to be secured by condition.

The Highway Authority previously requested demonstration that refuse vehicles can access proposed waste storage areas, and that a large vehicle be shown to access the main access junction off A385 Totnes Road. Drawing T24571.008 shows a refuse vehicle entering the site

access. Drawing T24571.005, 006, and 007 show a refuse vehicle entering the Infill area, maintenance area, and Moonshadow rise area respectively. Based on the above, the previous concerns have now been addressed.

The resubmitted Travel Plan (T24571) provides targeted measures and sets out a more robust approach for encouraging sustainable travel to the site. The Highway Authority are satisfied with the detail provided and adherence to this document is recommended to be secured by a planning condition.

Overall, the Highway Authority raises no objection to the proposals subject to the conditions noted above in addition to securing suitable EV provision.

The application form and design and access statement note that dedicated waste and recycling areas are located within the site and these have been detailed on the proposed site plans. This is considered to be acceptable and is recommended to be secured by condition.

Planning conditions are recommended at the end of this report to cover all relevant highway related matters and subject to the planning conditions recommended alongside the sustainable transport contributions noted in the local finance considerations section below, the proposal is considered to comply with Policies TA1, TA2, TA3 and W1 of the Local Plan and Policies TR3 and TR4 of the NPPF.

6. Ecology, Biodiversity and Trees

Chapter 19 of the NPPF provides the framework for influencing the design and location of new development to help drive nature's recovery and contribute to wider environmental outcomes. Policy N2 of the NPPF outlines that development proposals should contribute positively to the natural environment and support nature's recovery including minimising any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Policy N2 of the NPPF confirms that development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective.

Policy NC1 of the Local Plan states that all development should positively incorporate and promote biodiversity features, proportionate to their scale.

The DCC Ecologist has reviewed the submitted information and originally raised a number of concerns that were passed onto the agent. The applicant's ecologist has since provided further clarification on the ecological impacts of the proposal. On consideration of this information the DCC Ecologist has confirmed that the development site lies within the South Hams SAC Landscape Connectivity Zone for greater horseshoe bats. The proposed development is unlikely to lead to the loss, damage, or disturbance at a landscape scale to a network of potential greater horseshoe bat commuting routes. This is due to the scale and nature of the development, which does not impact upon suitable commuting features for greater horseshoe bats. In line with the South Hams SAC Habitats Regulations Assessment Guidance document (DCC et al., 2019), and given the above, a detailed HRA is not required. Impacts to the South Hams SAC can be Page 99

County Wildlife Sites are unlikely to be negatively impacted by the proposed development.

Area C (offsite): two small areas of wet woodland surrounded the pond to the north of the site, much of the shrub layer is absent due to a wide path, however ground vegetation is present away from the paths. This habitat forms part of a network of stream/scrub/ woodland habitats through the valley and wider area. It is considered to be of moderate value. The wet woodland is unlikely to be negatively impacted by the proposed development however precautionary measures should be put in place.

Offsite of area B and C: unnamed, minor stream at north of field which is steeply sloped and north facing. Drains into River Dart 3km to the south. Pollution prevention measures shall be secured by a CEMP condition in accordance with Environment Agency's Pollution Prevention Guidelines (2013).

Area B: other lowland mixed deciduous woodland (outgrown native hedge with bank) present in southwestern corner, connecting to the small stream. Mature, dense canopy layer with rich and diverse shrub and ground layer. Habitat assessed as having medium value. To be retained and protected. Area C (offsite): the outgrown hedgebank mentioned above divides areas B and C. There are additional patches of this habitat to the northwest of the site, as well as in the nearby but wider landscape. Mature, dense canopy layer with rich and diverse shrub and ground layer. Habitat assessed as having medium value. To be retained and protected. Habitat assessed as having medium value. Other lowland mixed deciduous woodland may be negatively impacted by the proposed development. Barrier fencing should be erected to protect the habitat throughout the construction phase.

Area A: site provides limited habitat for Commuting/ foraging (c/f) bats due to being surrounded by development with associated external lighting. With the majority of suitable habitat proposed to be lost. Area B: Bat activity surveys took place April-October 2019 (10x manual transects, 1x automated detector survey) and found low levels of activity across the site. Activity was dominated by common pip, Lesser Horseshoe Bat passes were concentrated around the area B site entrance indicating the possible presence of a nearby roost, and Greater Horseshoe Bat and barbastelle activity was recorded principally along the northern edge. Site assessed as of moderate value to c/f bats. Updated surveys were undertaken May-Oct 2023 (August recording failed to record for static detector A1) recording: Common pipistrelle, Noctule, Lesser Horseshoe Bat, Myotis spp., Long-eared bat sp., Soprano Pipistrelle, Barbastelle, Serotine, Greater Horseshoe Bat and Nathusius Pipistrelle. All species were recorded using habitats within or immediately adjacent to the site with activity focused along the northern boundary and intersecting boundary woodland. Of the static detectors, A2 (to the southeast of the area B) recorded the highest levels of activity. The southern boundary of area C was subject to less bat activity due to the presence of lights from adjacent lodges and street lamps, and the pond to the northern boundary appeared to be a focus of feeding activity. Commuting/ foraging bats will be negatively impacted by the proposed development.

Lighting onsite should be designed in reference to industry guidelines for bats and lighting (BCT & ILP, 2023). Lighting strategy to be provided and will be considered within the design of the scheme, with a key focus on maintaining dark corridors. Although an internal lighting

strategy has not been undertaken, from looking at the results of the bat activity survey, the majority of the light sensitive bats have been recorded along the northern section of the site, outside the redline boundary where there is a considerable distance from the lodges to this area. The second most concentrated area for bats is along the southeast section which is where proposed lodges are within close proximity to the dark zones. The majority of bats recorded within these areas were common species such as pips and brown long eared which are already used to the existing light levels on site, from the existing holiday park to the south. Additionally to this, the landscape proposals have targeted planting along the boundaries of the site, especially along the eastern boundary and within the southeast corner, to ensure an additional physical buffer is created alongside the dark zone. This dense planting will aim to intercept and filter light spill (if any), between the lodges and areas used by bats. The planting will also provide additional cover and connectivity for bats, supporting movement between commuting and foraging areas, particularly linking to the north of the site. The proposals also indicate there will be low level lighting along pathways and roads and these will be designed downwards to ensure vegetation is not illuminated by any lighting. It is expected that bats will still use these routes for commuting and foraging flight paths as the type of lighting and wattage being used is unlikely to displace common bat species as recorded during survey.

Area A (6x trees to be removed): all trees assessed for bats with no potential roosting features noted. Area B: all buildings assessed for suitability for roosting bats with no potential roosting features recorded: assessed as of negligible value for roosting bats. All trees onsite were also assessed with none found to have PRFs, however, a number of trees in the woodland within the 30m buffer were noted as having the potential to support roosting bats (southwestern corner of the site). Area C: no trees onsite were recorded as having bat roosting potential, however, multiple trees adjacent to the site provided suitable opportunity for roosting bats. Roosting bats may be negatively impacted by the proposed development, through an increase in light spill.

Dormouse surveys were carried out in spring – summer 2023. No dormice were recorded. There are limited direct impacts on dormice for Moonshadow Rise or the Maintenance area as no woody vegetation is being removed to facilitate the development. Lodges are being positioned within grassed areas. While a small amount of “other woodland, broadleaved” and hedgerow is being removed from the Infill Area, this is considered less likely to support dormice given its relative isolation within the wider holiday park. It has no direct connectivity to other areas of suitable habitat.

Although the likelihood of otters occurring on site is low, a precautionary approach to development is recommended.

Suitable habitat was noted as present at all three areas and bird surveys took place throughout the ecological surveys of the site. Nesting birds may be negatively impacted by the proposed development and a condition should secure the timing of vegetation clearance.

Breeding birds surveys were carried out in spring – summer 2023. No Cirl Bunting were recorded. There are limited direct impacts on cirl bunting for Moonshadow Rise or the Maintenance area as no woody vegetation is being removed to facilitate the development. Lodges are being positioned within grassed areas. While a small amount of “other woodland, broadleaved” and hedgerow is being removed from the Infill Area, this is considered less

likely to support cirl bunting given its relative isolation within the wider holiday park. It has no direct connectivity to other areas of suitable habitat.

The majority of the site is sub optimal for reptiles, but previous surveys of the site have indicated the presence of both slow worms and grass snake in low numbers. Reptiles may be negatively impacted by the proposed development and the site is deemed suitable for hedgehog. Amphibians may be negatively impacted by the proposed development. As such a method statement should be secured by a CEMP condition.

Badger survey was carried out in spring – summer 2023 and 2026. No badger setts were recorded.

In England Biodiversity Net Gain (BNG) has been mandatory from 12 February 2024 under the Town and Country Planning Act 1990 (as inserted by the Environment Act 2021). This means that, subject to certain exemptions, development must deliver a 10% gain in biodiversity. The national 10% BNG General condition applies to this application and the 10% net gain is shown to be achieved onsite. Both the Pre and Post development plans are consistent with BNG metric and a condition should be employed to secure a LEMP which should detail the seed mix and planting, establishment, protection methods and a rolling 5-year management and maintenance schedule. The initial habitat creation including all planting and protection measures should be completed prior to operation and maintained in accordance with the approved plan for a minimum period of 30 years.

Overall the DCC Ecologist is satisfied the proposal will have an acceptable impact on Ecology subject to conditions including a CEMP, adherence to the actions set out in the ecological impact assessment, lighting, timing of works and a LEMP.

Subject to the aforementioned planning conditions, the proposed development is considered to accord with Policy NC1 of the Local Plan and Policy N2 of the NPPF.

Policy N3 of the NPPF recognises that trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment. Policy C4 of the Local Plan states that development proposals should seek to retain and protect existing hedgerows, trees and natural landscape features wherever possible, particularly where they serve an important biodiversity role.

The Council's Senior Tree Officer has been consulted on the application. The Officer has confirmed that the development proposal is supported by a tree survey which have been carried out in accordance with BS5837. The development locations are largely internal to the site or in areas without significant tree constraints. The potential impacts from development are correspondingly limited and the proposed soft landscape works mitigate any tree losses and incorporate structural tree planting as set out in the soft landscape plans provided. Draft tree protection plans have been provided which provide adequate protection for retained trees and soft landscape areas, relative to the development being proposed. These are broadly acceptable from an arboricultural perspective. The Officer recommends that the tree protection plans and soft landscaping are secured by planning condition.

Subject to the recommended planning conditions, the proposal is considered to comply with Policy C4 of the Local Plan and Policy N3 of the NPPF.

7. Flood Risk and Drainage

Chapter 18 of the NPPF aims to minimise risks to development arising from all sources of flooding and coastal change, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate. Policy F8 of the NPPF confirms that development proposals which could affect drainage on or around the development site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal.

Policy ER1 of the Local Plan states that proposals should maintain or enhance the prevailing water flow regime on-site, including an allowance for climate change, and ensure the risk of flooding is not increased elsewhere. Policy PNP1(i) cites that developments will be required to comply with all relevant drainage and flood risk policy. It furthers that proposals which achieve more than sustainable drainage improvements and move beyond Sustainable Urban Drainage systems (SUDs) by keeping surface water out of the combined sewer network at source are encouraged.

The site is within Flood Zone 1 and the Critical Drainage Area as designated by the Environment Agency.

The Council's Drainage Engineer has noted that as infiltration drainage is not feasible at this site, the developer is proposing a controlled discharge rate to the watercourse. The discharge rates for the three sites, which comply with the requirements of the Torbay Critical Drainage Area, are as follows:

- Infill site 0.7l/sec
- Moonshadow site 2.0l/sec
- Maintenance area site 1.3l/sec

Providing the surface water drainage for this development is constructed in accordance with the hydraulic design and surface water drainage plans, the Officer has no objections on drainage grounds.

Subject to the aforementioned planning condition, the proposal is considered to comply with Policies ER1 of the Local Plan and Policy F8 of the NPPF.

8. Low Carbon Development and Climate Change

Chapter 5 of the NPPF supports the transition to net zero by 2050 and aims to shape places in ways which are more resilient to the effects of climate change. Policy CC2 of the NPPF outlines that development proposals should contribute to climate change mitigation and the transition to net zero by prioritising sustainable patterns of movement, supporting good access to facilities in order to limit the need to travel, and using design approaches which

conserve energy and other resources. Policy CC3 of the NPPF confirms that development proposals should take into account the current and potential impacts of climate change over the lifetime of the scheme, which includes being located where the risk of flooding is minimised, or can be managed and the development made safe without increasing risk elsewhere; incorporating sustainable drainage systems to manage surface water flow rates; and using design approaches which minimise risks from overheating.

Policy SS14 of the Local Plan supports national guidance and seeks major development to minimise carbon emissions and the use of natural resources, which includes the consideration of construction methods and materials. Policy ES1 of the Local Plan states that the Local Plan will seek to ensure that carbon emissions associated with energy use from new and existing buildings (space heating, cooling, lighting and other energy consumption) are limited. All major development proposals should make it clear how low-carbon design has been achieved, and how the following sequential energy hierarchy has been applied in doing so. Proposals should identify ways in which the development will maximise opportunities to achieve the following:

1. Conserve energy by reducing energy demand through siting and design. This includes the use of building orientation, layout and landscaping to optimise solar gain, ventilation and cooling;
2. Use energy efficiently within the fabric of the building;
3. Incorporate the use of decentralised heat, cooling and power systems; and
4. Use on-site or near-site renewable technologies to achieve further reductions in carbon emissions.

The Council's Climate Change and Project Officer has reviewed the application and has noted the submission of the Torbay Sustainability Checklist that outlines the information that was submitted within the design and access statement.

The Officer has recommended planning conditions securing the energy efficiency measures detailed and this is recommended to meet the requirements of Policy SS14 and ES1 of the Local Plan. Subject to the aforementioned planning condition, the proposal is considered to accord with Policies ES1 and SS14 of the Local Plan, and Policies CC2 and CC3 of the NPPF.

9. Designing Out Crime

The August 2026 NPPF contains national decision-making policy on healthy, inclusive and safe places, including the need for developments to be safe and accessible so that crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. Policy P5 of the NPPF outlines that development proposals should anticipate and address possible malicious threats and other natural or man-made hazards.

Policy SS11 of the Local Plan seeks that development proposals should help to reduce and prevent crime and the fear of crime whilst designing out opportunities for crime, antisocial behaviour, disorder and community conflict.

The Devon and Cornwall's Police Designing Out Crime Officer has reviewed the documents and specifically the crime prevention statement, which they welcomed, and the Officer has confirmed their support the information submitted within it.

The proposal is considered to accord with Policy SS11 of the Local Plan, Policy TH2 of the Neighbourhood Plan and Policy P5 of the NPPF.

Sustainability

Policy SS3 of the Local Plan establishes the presumption in favour of sustainable development. The NPPF definition of sustainability has three aspects which are economic, social and environmental. The application has been supported by a Sustainability Checklist. Each of which shall be discussed in turn:

The Economic Role

The submitted design and access statement indicates that the development will create an estimated £3.4m of business turnover for the local economy supporting approximately 58 actual jobs (FTEs), 17 of which will be at the site itself as a result of the new development. This investment carries significant economic benefits.

Once the lodges are occupied there would be an increase in the level of disposable income from the occupiers some which would be likely to be spent in the local area and an increase in the demand for local goods and services.

In respect of the economic element of sustainable development, the balance is considered to be strongly in favour of the development.

The Social Role

The principal social benefit of the proposed development would be the provision of additional tourism facilities. The August 2026 NPPF supports sustainable rural tourism and leisure development where it respects the character of the countryside, alongside the tourism policies in the Development Plan. This weighs in favour of the proposal.

Impacts on neighbour amenity have been discussed above where it is concluded that the proposal does not cause significant harm to residential amenity.

On balance, the social impacts of the development weigh in favour of the development.

The Environmental Role

With respect to the environmental role of sustainable development, the proposal is considered to have an acceptable landscape impact and will not result in harm to any heritage asset.

Other elements that are considered to be especially relevant to the proposed development are impacts biodiversity and the landscape. A Design and Access Statement (DAS) and a Landscape Visual Impact Assessment (LVIA) was submitted and a landscaping

scheme has been provided which will provide a positive enhancement to the site and the proposal also provides low carbon and energy efficiency measures. These matters have been considered in detail above and weigh in favour of the proposal.

It is concluded that the environmental impacts of the development weigh in favour of the proposal.

Sustainability Conclusion

Having regard to the above assessment the proposed development is considered to represent sustainable development.

Statement on Human Rights and Equalities Issues

Human Rights Act - The development has been assessed against the provisions of the Act, and in particular Article 1 of the First Protocol and Article 8 of the Act. 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.

Equalities Act - In arriving at this recommendation, due regard has been given to the provisions of the Equalities 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.

EIA/HRA

EIA:

Due to the scale, nature and location this development will not have significant effects on the environment and therefore is not considered to be EIA development. The development does not meet the thresholds for screening and is not in a sensitive area.

HRA:

Not applicable.

Local Finance Considerations

S106:

Sustainable Transport

In accordance with Torbay Local Plan Policy SS7 and the Planning Contributions and Affordable Housing SPD Sustainable Transport obligations should be secured based on "trip rate x £215" per unit (or other alternative method as agreed). This funding would support

strategic connectivity from Collaton St Mary to employment areas along the Western Corridor and into Paignton Town Centre.

Using the applicants supplied data: 12 hour trip rate per unit 1.133 x £215 (SPD table 4.2) = £244 x 52 lodges = £12,666

Holiday Occupancy Monitoring

The Planning Contributions and Affordable Housing SPD (Section 2.16) sets out a fee for holiday occupancy conditions of £1,500 per unit. This is based on 1 full day data assessment and/or site visit per annum for 5 years, charged at £300 per day. Cost is per unit. However, a discount may be applied for multiple units. An 80% discount is considered reasonable in this instance to recognise that the proposed holiday units are co-located, saving some officer time.

52 x £1,500 = £78,000 - 80% discount applied = £15,600 for 5 years monitoring.

CIL:

Not liable.

Planning Balance

This report gives consideration to the key planning issues, the merits of the proposal and Development Plan policies.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 places a duty on local planning authorities to determine proposals in accordance with the development plan unless material considerations indicate otherwise.

Development Plans often contain policies that pull in different directions and it is sometimes difficult to come to a view whether a proposal is in accordance with the Development plan “taken as a whole”.

The public benefits in the form of the economic and social benefits include the economic growth and associated economic benefits to the construction industry from the proposed development, the proposal would also result in additional disposable income from the occupiers. The proposal would provide tourism within an established holiday park which would accord with both tourism and rural development policies. Other matters that weigh in favour include the landscaping scheme and the proposal promotes low carbon and energy efficiency measures in the building construction and promotion of bicycle storage with improvements being made to allow greater access to the bus network alongside a sustainable transport contribution.

On balance, the public benefits of the scheme as a whole outweigh any identified harm and are considered to justify the proposal and the proposal is considered to represent sustainable development when considering the Local Plan, Neighbourhood Plan and NPPF taken as a whole as there are no other adverse impacts of granting planning permission which would significantly and demonstrably outweigh the benefits of the development.

Conclusions and Reasons for Decision

The relevant legislation requires that the application be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.

In line with the above conclusions and the assessment within this report, the proposals are considered to be in accordance with the Development Plan when read as a whole and to demonstrate that an acceptable scheme can be accommodated on the site. The August 2026 NPPF continues to support approval of development proposals that accord with an up-to-date development plan, unless material considerations indicate otherwise.

Due to the level of accordance with the Development Plan and in the absence of material considerations that weigh sufficiently against the proposal, the Officer recommendation is one of approval, subject to suitable planning conditions and the required contributions.

The proposed development is considered to represent sustainable development and is acceptable, having regard to the Torbay Local Plan, the Paignton Neighbourhood Plan, the NPPF, and all other material considerations.

The August 2026 NPPF sets out the presumption in favour of sustainable development for decision-making, including approving development proposals that accord with an up-to-date development plan without delay, unless material considerations indicate otherwise.

Officer Recommendation

Approval: subject to;

1. The planning conditions outlined below, with the final drafting of planning conditions delegated to the Divisional Director of Place Strategy.
2. Completion of a Section 106 agreement.
3. The resolution of any new material considerations that may come to light following Planning Committee to be delegated to the Divisional Director of Place Strategy, including the addition of any necessary further planning conditions or obligations.

Planning Conditions

1. Construction Traffic Management Plan

No development shall take place, including any works of demolition, until a site specific Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority.

The plan should include, but not be limited to:

- a. Procedures for maintaining good neighbour relations including complaint management.
- b. The parking of vehicles of site operatives and visitors.

- c. Loading and unloading of plant and materials.
- d. Storage of plant and materials used in constructing the development.
- e. The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate.
- f. Wheel washing facilities.
- g. The adoption and use of the best practicable means to reduce and control the emission of dust and other airborne pollutants and dirt during construction.
- h. A scheme for recycling/disposing of waste resulting from demolition and construction works, with priority given to reuse of building materials on site wherever practicable.
- i. The adoption and use of the best practicable means to reduce and control noise.
- j. Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- k. Construction working hours from 8:00 to 18:00 Monday to Friday, 9:00 to 13:00 on Saturdays and at no time on Sundays or bank holidays. Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.

The approved Construction Management Plan development shall be adhered to and implemented throughout the construction period of the development strictly in accordance with the approved details.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policies DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030.

These details are required pre-commencement as specified to ensure that neighbouring amenity is not harmed by building operations or site preparation.

2. Construction Environmental Management Plan

No development (including ground works) or vegetation clearance works shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The Statement shall describe the actions that will be taken to protect the amenity of the locality, especially for people living and/or working nearby. It shall include as a minimum provisions for:

- A noise and vibration management plan, including details of quantitative monitoring of noise and/or vibration to be conducted.
- All plant and equipment based at the site to use white noise reversing alarms or a banksman unless agreed otherwise in writing in the CEMP.
- No driven piling without prior written consent from the Local Planning Authority.
- A detailed proactive and reactive dust management plan, including details of quantitative monitoring of dust emissions.
- No emissions of dust beyond the site boundary so as to cause harm to amenity of the locality.
- No burning on site during construction or site preparation works.

- All non-road mobile machinery (NRMM) based at the site shall be of at least stage IIIB emission standard (or higher if stage IIB has not been defined for the type of machinery) unless agreed otherwise in writing in the CEMP.
- The site access point(s) of all vehicles to the site during the construction phase.
- The areas for loading and unloading plant and materials.
- The location of the site compound and details of how power will be provided to the compound (use of a generator overnight will not normally be considered acceptable).
- The location of storage areas for plant and materials. This should include the location of stockpiles of topsoil and sub soil.
- The erection and maintenance of securing hoarding, if appropriate. (Hoarding is to be kept free of fly posting and graffiti).
- Arrangements for communication and liaison with local residents, including regular letter drops and a dedicated contact number for complaints.

The approved Statement shall be strictly adhered to throughout the construction period of the development.

Reason: In the interests of the amenities of surrounding occupiers during the construction of the development in accordance with Policies DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030 and Policy N2 of the NPPF.

This condition needs to be a pre-commencement condition to ensure the impacts of the development are mitigated from the beginning of the development.

3. LEMP

Prior to, or concurrently with, the submission of the Biodiversity Gain Plan, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The plan will be in accordance with the post development habitat plan, and will include details of seed mix and planting, establishment, protection methods and a rolling 5-year management and maintenance schedule.

The initial habitat creation including all planting and protection measures shall be completed prior to first occupation of the development hereby approved and shall be maintained in accordance with the approved plan for a minimum period of 30 years.

Reason: To secure biodiversity enhancements in accordance with Policy NC1 of the Torbay Local Plan 2012-2030 and Policy N2 of the NPPF.

4. Energy and Sustainability

The development hereby approved shall incorporate the energy efficiency measures, renewable energy, sustainable design principles and climate change adaptation measures into the design and construction of the development in full accordance with the approved sustainability checklist 'P20250124-36 (Sustainability Chk1st)'.

Prior to the first occupation of the development hereby approved, the following information shall be submitted to and approved in writing by the Local Planning Authority:

- Evidence of the [PV/ ASHP/ Other] system are installed including the exact location, technical specification and projected annual energy yield (kWh/year). (e.g. a copy of the MCS installer's certificate.)

- A calculation showing that the projected annual yield of the installed system.

The measures detailed shall be fully installed prior to the first use of the development hereby approved and shall be maintained and retained for the life of the development unless alternative measures are installed in accordance with details which are first submitted to and approved in writing by the Local Planning Authority.

Reason: In interests of low carbon development and in accordance with Policy SS14 and ES1 of the Adopted Torbay Local Plan 2012-2030, Policy PNP1(f) of the Paignton Neighbourhood Plan and Policies CC2 and CC3 of the NPPF.

5. Travel Plan

The development shall proceed strictly in accordance with the travel plan implementation detailed within the approved travel plan reference 'T24571 Rev A'.

Reason: To support sustainable transport objectives including a reduction in single occupancy car journeys and the increased use of public transport, walking and cycling in accordance with Policy TA1 of the Adopted Torbay Local Plan 2012-2030 and Policies TR3 and TR4 of the NPPF.

6. Soft Landscaping

All proposed planting as detailed within plan references:

'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maintenance inset 6)';
'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maintenance inset 5)';
'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maintenance inset 4)';
'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maintenance inset 2)';
'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maintenance inset 3)';
'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maintenance inset 1)';
'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maint. overview)';
'3762-9-NLD.150-Soft Detailed Landscape Design 2 (moonshadow rise)';
'3762-9-NLD.150-Soft Detailed Landscape Design 2 (moonshadow inset 3)';
'3762-9-NLD.150-Soft Detailed Landscape Design 2 (moonshadow inset 2)';
'3762-9-NLD.150-Soft Detailed Landscape Design 2 (moonshadow inset 1)';
'3762-9-NLD.150-Soft Detailed Landscape Design 1 (infill - overview)';
'3762-9-NLD.150-Soft Detailed Landscape Design 1 (infill - detailed)';
'3769-09-NLD-151-Devon Hills Maintenance Area V3 (maint. plant sch.)';
'3762-9-NLD.150-Soft Detailed Landscape Design 2 (moonshadow planting)';
'3762-9-NLD.150-Soft Detailed Landscape Design 2 (moonshadow plant sch)';

'3762-9-NLD.150-Soft Detailed Landscape Design 1 (infill - planting)'
'3762-9-NLD.150-Soft Detailed Landscape Design 1 (infill - plant sch.)'

shall be planted in the next planting season following the commencement of the development of the associated area and completed in full prior to the occupation of the development located within that area. The landscaping scheme shall thereafter be maintained for a period of 5 years from completion of the installation of the landscaping scheme. In the event of failure of any trees/plants, planted in accordance with the approved scheme, to become established and to prosper for a period of five years from the date of the completion of the landscaping scheme, such trees/plants shall be replaced in the next planting season.

The hard landscaping shall be installed in accordance with the approved plans noted above with the hard landscaping of each area completed prior to the first occupation of the lodges within that area. The hard landscaping shall be retained as such thereafter.

The planting and hard landscaping shall be maintained in accordance with the approved details.

Reason: In interests of visual and residential amenity and in accordance with Policies C4, DE1 and DE3 of the Adopted Torbay Local Plan 2012-2030.

7. Tree Protection

The development hereby approved shall be carried out in accordance with the approved Tree Protection Plans located within approved documents 'P20250124-3 1 (AIA moonshadow rise)'; 'P20250124-2 1 (AIA maintenance area)' and 'P20250124-1 1 (AIA infill area)'.

Reason: In the interests of the character of the area and ecology, in accordance with Policies SS8, NC1, C1, C4 and DE1 of the Adopted Torbay Local Plan 2012 -2030 and Policy N3 of the NPPF.

8. Ecology Measures

The development hereby approved shall be constructed and undertaken in accordance with the recommended measures detailed within documents 'P20250124-10 2 (EIA maintenance)'; 'P20250124-11 2 (EIA moonshadow rise)' and 'NE-V1-KH-260421 1 (Eco. Assessment)'.

Reason: In the interests of ecology and biodiversity in accordance with Policy NC1 of the Adopted Torbay Local Plan 2012-2030 and Policy N2 of the NPPF.

9. Vegetation Clearance

Vegetation clearance shall not take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.

Reason: To avoid damaging any nests and any potential conflict with the Wildlife and Countryside Act 1981, in accordance with Policies SS8 and NC1 of the Adopted Torbay Local Plan 2012-2030 and Policy N2 of the NPPF.

10. EV Charging

Prior to the first occupation of each lodge the associated trickle car charging point shall be installed and made available for use by that lodge in accordance with the approved plans and documents '4887-200 F (Infill, inc. Section)'; '4888-200 J (Maintenance Site)'; '4883-200 I (Moonshadow Rise Site)'; 'MCOMO540 (EV Post Surface Mount)'; 'ROLEC3020B (7.4kW Charging Socket)' and 'ROLEC3046B (22kW Charging Socket)'.

The approved electrical vehicle charging points shall be thereafter available for use, maintained and retained for the lifetime of the development.

Reason: To ensure the parking provision of the development in accordance with the requirements of Policy TA3 of the Torbay Local Plan 2012-2030 and Policies TR3 and TR4 of the NPPF.

11. Bin Storage

The development hereby approved shall not be occupied until the bin stores detailed on approved plans references '4887-200 F (Infill, inc. Section)'; '4888-200 J (Maintenance Site)'; '4883-200 I (Moonshadow Rise Site)' have been provided. Once provided, the bin stores shall be retained for use by the occupiers for the life of the development.

Reason: In interests of visual amenity and in accordance with Policies W1 and DE1 of the Adopted Torbay Local Plan 2012-2030.

12. External Lighting

The development hereby permitted shall be implemented in accordance with the details of the external lighting references 'P20250124-50 (Light - Semita Urban)'; 'R1.0 (lighting bollard)'; '3769-09-NLD-151-Devon Hills Maintenance Area V3 (maint. lighting)'; '3762-9-NLD.150-Soft Detailed Landscape Design 2 (moonshadow lighting)'; '3762-9-NLD.150-Soft Detailed Landscape Design 1 (infill - lighting)'; '1474-LB-EX-XX-DR-E-7080-22 P03 (maint. lighting)'; '1474-LB-EX-XX-DR-E-7080-21 P03 (infill lighting)' and '1474-LB-EX-XX-DR-E-7080-23 P03 (moonshadow light)'.

The external lighting shall thereafter be installed in full accordance with the approved details. No further external lighting shall be provided within the site.

Reason: To safeguard protected and/or priority species in accordance with Policy NC1 of the Torbay Local Plan and Policy N2 of the NPPF.

13. Surface Water Drainage

The development hereby approved shall not be occupied until the approved surface water drainage scheme has been provided and installed in accordance with the approved plan reference '163183 R-01 (model output & plans)'. Once installed the surface water drainage scheme shall be maintained and retained for the life of the development.

Reason: In the interests of adapting to climate change and managing flood risk, and in order to accord with Policies ER1 and ER2 of the Torbay Local Plan 2012-2030, policy PNP1(i) of the Paignton Neighbourhood Plan and Policy F8 of the NPPF.

14. Bicycle Storage

The development hereby approved shall not be occupied until all the bike storage containers and cycle stands detailed on approved plan references '4887-200 F (Infill, inc. Section)'; '4888-200 J (Maintenance Site)'; '4883-200 I (Moonshadow Rise Site)' and '4883-220 A (Staff Cycle Parking)' have been provided. Once provided, the cycle storage areas shall be retained for use for the life of the development.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with Policies TA2 and TA3 of the Adopted Torbay Local Plan 2012-2030 and Policies TR3 and TR4 of the NPPF.

15. Car Parking

Prior to the first occupation of each lodge the associated parking area shall be completed and made available for use by that lodge in accordance with the approved layout plans '4887-200 F (Infill, inc. Section)'; '4888-200 J (Maintenance Site)'; '4883-200 I (Moonshadow Rise Site)'. Parking for each lodge shall be retained as such during the life of the development.

Reason: To ensure adequate parking facilities are provided to serve the development in accordance with Policies DE1, DE3 and TA3 of the Adopted Torbay Local Plan 2012-2030 and Policies TR3 and TR4 of the NPPF.

16. Highway Works

The development hereby approved shall not be occupied until the uncontrolled crossing point and associated works have been provided in full in accordance with approved plans 'T25605.002' and 'T24571.008' and all necessary legal agreements have been made with the Local Highway Authority in respect to all proposed works to the highway.

Reason: In accordance with highway safety and amenity, and in accordance with Policy TA3 of the Adopted Torbay Local Plan 2012-2030 and Policies TR3 and TR4 of the NPPF.

17. Holiday Use Only

The lodges hereby approved shall only be used for holiday accommodation purposes and not for any other residential use falling within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Statutory Instrument revoking and re-enacting that Order with or without modification. For the avoidance of

doubt 'any other residential use' includes a person's or persons' main residence, or a permanent residential unit of accommodation.

Following the first occupation of the first unit the on-site manager of the facility shall at all times maintain a register of the names of all the owners/occupiers of the lodges and of their home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To ensure that the holiday units are used for holiday purposes only to accord with policies TO1 and C1 of the Adopted Torbay Local Plan 2012-2030 and Policy S5 of the NPPF.

18. Window restrictions

All openings on the southern elevations of lodges 4, 5 and 6 within the maintenance area (as identified on plan 4888-200 J (Maintenance Site)) which face towards the boundary shall include obscure glazing to Pilkington level 4 or equivalent over the entirety of the opening with no clear areas. All windows shall be fixed shut unless opening parts are located higher than 1.7m above finished floor level or they are fitted with a 100mm opening restrictor. The openings shall thereafter be permanently retained in that condition for the lifetime of the development.

Reason: In interests of visual and local amenity and the living environment conditions in this locality in accordance with Policies DE1, DE3, H4 and SS11 of the Adopted Torbay Local Plan 2012-2030 and Policy P3 of the NPPF.

Informative(s)

Positive and Proactive

In accordance with the requirements of Article 35(2) of the Town and Country Planning (Development Management Procedure) (England) Order, 2015, in determining this application, Torbay Council has worked positively with the applicant to ensure that all relevant planning concerns have been appropriately resolved. The Council has concluded that this application is acceptable for planning approval.

Biodiversity Net Gain

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

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

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are set out in the Biodiversity Gain

Requirements (Exemptions) Regulations 2024 and The Environment Act 2021 (Commencement No. 8 and Transitional Provisions) Regulations 2024.

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 are considered to apply.

Relevant Policies

Development Plan Relevant Policies

TO1 – Tourism, Events and Culture
C1 – Countryside and the Rural Economy
C4 - Trees, Hedgerows and Natural Landscape Features
DE1 - Design
DE3 - Development Amenity
ER1 - Flood Risk
ER2 - Water Management
ES1 - Energy
HE1 - Listed Buildings
NC1 - Biodiversity and Geodiversity
SS1 - Growth Strategy for a Prosperous Torbay
SS3 - Presumption in Favour of Sustainable Development
SS10 - Conservation and the Historic Environment
SS11 - Sustainable Communities
SS14 - Low Carbon Development and Adaption to Climate Change
TA1 - Transport and Accessibility
TA2 - Development Access
TA3 - Parking Requirements
W1 - Waste Hierarchy
PNP1(a) – Rural Character Area
PNP1(c) – Design Principles
PNP1(f) – Towards a low carbon energy efficient economy
PNP1(g) – Designing out crime
PNP1(h) – Sustainable Transport
PNP1(i) – Surface Water

National Decision-Making Policies

Policy S3 Presumption in favour of sustainable development
Policy S5 Principle of development outside settlements
Policy E2 Meeting the need for business land and premises
Policy E4 Rural business development
Policy DP3 Key principles for well-designed places
Policy DP4 The design process
Policy HE4 Securing the conservation of heritage assets
Policy HE5 Assessing effects on heritage assets
Policy HE6 Proposals affecting designated heritage assets

Policy P3 Living conditions and pollution
Policy TR3 Locating development in sustainable locations
Policy TR4 Street design, access and parking
Policy TR6 Assessing transport impacts
Policy N2 Improving the natural environment
Policy N3 Trees in new development
Policy F8 Sustainable drainage systems and watercourses
Policy CC2 Mitigation of climate change
Policy CC3 Adaptation to climate change
Policy P5 Maintaining public safety and security

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