

Application Number

P/2013/0665

Site Address

Orestone Manor Hotel & Restaurant
Rockhouse Lane
Torquay
Devon
TQ1 4SX

Case Officer

Mr Alistair Wagstaff

Ward

St Marychurch

Description

Temporary siting for period of one year of a 10 x 26ft static caravan and surrounding fence (retrospective).

Executive Summary/Key Outcomes

Permission is sought for the retention of a static caravan and fence screen in the grounds of the Orestone Manor Hotel, for a period of 12 months.

The development proposed would not normally be supported in this location as a permanent structure. This is because the development would conflict with policies L4 Countryside Zone, L2 Areas of Great Landscape Value, BES Built Environment Strategy, BE1 Design of New Development and BE2 Landscape and Design.

Consideration has been given to the economic situation as the siting of the caravan for a temporary period is to help the hotel business grow and diversify. It is on this basis, and with the application being for a temporary period, that the impact of the development on the surrounding area and Countryside Zone has been considered.

Given the limited visibility of the caravan from the wider area and its impact when viewed in the wider landscape it is considered that its retention for a further 12 months is acceptable. The support that the caravan provides as accommodation for staff at the hotel and for the development of the hotel business is also a material consideration.

However, the continuation beyond this period is not considered appropriate. As such Members authority to take enforcement action, if necessary, to remove the caravan after the 12month period is requested by officers.

Recommendation

Subject to a site visit from Members;

1. That Temporary Planning permission be granted for a period of 12 months from the date planning permission is issued.

2. That authority be granted to officers to take planning enforcement action in the event that the caravan is not removed after the expiry of the 12 month period.

Statutory Determination Period

8 week determination date expires 30th November.

Site Details

Orestone Manor is an attractive Edwardian building in use as a Hotel. It is situated on Rock House Lane, the application site is a small parcel of land located within the wider curtilage of the Hotel.

The application site is steeply sloped, running downwards from the North-West to the South-East. It is located to the rear of the hotel in an area of land currently in use as a vegetable garden. The wider Hotel curtilage is bounded on all sides by mature trees. The application site is not visible from Rock House Lane, it is however visible from Ashley Priors Lane and the area of open countryside located between Ashley Priors Lane and the hotel site.

Detailed Proposals

The proposal is retrospective, for the siting of a static caravan measuring 10x26ft and a length of fencing 8.2m in length measuring 2.5 metres in height at its North extent, raising to 3.5 metres on its South. The caravan is raised off the ground by 1.2 metres at the southern extent, due to the lie of the land.

The caravan is for use as staff accommodation. The applicant has advised this is not for living accommodation but is used as a staff room, private space for staff working split shifts who do not wish to return home and for occasional over night accommodation for staff during events such as weddings.

Summary Of Consultation Responses

None Received.

Summary Of Representations

10 representations have been received 1 letter of support (from the applicant) and 9 objections. The objections include 1 from Ashley Priors Amenity Company (local landowner and residents association).

Key issues identified in the representations include:

- Inappropriate development in local area and in proximity to historic building and its landscaped setting
- Impact on Visual amenity, Countryside Zone and adjoining Area of Great Landscape Value (AGLV)

- Impact upon character and appearance of the area
- Precedent set by development
- No business case for development
- Caravan has already been in place for 11 months without consent
- Lack of community consultation
- Another area of fencing has been erected
- Siting is to be permanent

Relevant Planning History

P/2009/0612 Change of use to single private residence. Refused

History relating to Caravan

Pre-application discussions have been undertaken since 2012, prior to the siting of the caravan. Officers have directed the applicant toward the use of ancillary buildings on site for staff purposes, but have also given consideration towards the siting of the Caravan. It was advised that officers would consider the temporary siting of a caravan for a period of two years, but would not be supportive for a longer period of time.

During the course of this process the owners installed the caravan, the Councils Planning Enforcement team became involved and the current application has now been submitted to enable a formal decision to be taken.

An onsite meeting has been undertaken during the course of the application. The hotel owner has advised that the caravan is not living accommodation but is used as a staff room, private space for staff working split shifts who do not wish to return home and for occasional over night accommodation for staff during events such as weddings.

The caravan is needed for a temporary period while the business is growing and the hotel attempts to diversify the business, which currently principally attracts event bookings and use as overnight accommodation.

During the site meeting a further area of high fencing was seen by the officer, who advised the applicant that a separate planning permission would be required for the fencing.

Key Issues/Material Considerations

The key issues under consideration relate to the principle of the siting of the caravan and screening fencing, economic considerations relating to its temporary siting, the landscape and visual impacts created by the development and the precedent set by the development.

Principle and Planning Policy -

The type and form of the development proposed would not be supported in this location as a permanent structure. It would conflict with the requirement of

policies L4 Countryside Zone. Given the close proximity to the Area of Great Landscape Value it is also considered that the development would not maintain or enhance the special Landscape Character of the AGLV. It would also conflict with policies BES Built Environment Strategy, BE1 Design of New Development and BE2 Landscape and Design.

However, there is relatively restricted visibility of the structure, with its associated screening. Consideration therefore needs to be given as to whether for a temporary period, the structure can be allowed for its intended purpose.

Economic considerations -

While no formal justification has been provided by the applicant to support the application, as set out in the 'History relating to Caravan' section above, the applicant, has set out why the caravan is needed for a temporary period to help grow and expand the business.

In 2009 planning permission (P/2009/0612) for change of use of the Hotel to a single private residence was refused due to the impact the change of use would have on the local economy and the wider tourism offer. Given this position and the Councils continued desire to support local businesses and the Tourism industry, aiding the hotel business to grow and develop is an important material consideration.

Landscape and Visual Impact -

Given the limited size of the structure when viewed as part of the wider landscape and its limited wider visibility, its retention is considered to be acceptable, but only on the basis of its limited duration.

The caravan and fence screen are not visible from Rockhouse Lane, it is also not visible from the majority of the hotel grounds. The development is largely screened from the surrounding area by the extensive mature tree coverage both within and surrounding the site. It is however visible from the valley bottom to the south and Ashley Priors Lane across the valley. There has been significant objection from the residents and landowners in this area.

From these locations the screening fence obscures most of the caravan, but the fencing is its self noticeable in the surround context. The front of the caravan is significant in its local prominence given the current void under it which raises it up from the ground level. The applicant has advised that it is his intention to fence in this void in the same manner as the side of the caravan. This work has not been undertaken due to awaiting the determination of the application. It is considered that should this work be undertaken that the visual impact on the surrounding area would be reduced.

From the valley bottom to the south and Ashley Priors Lane across the valley the existing tree coverage does help obscure and limit views from these areas,

however, from a number of vantage points the caravan and fence is clearly visible.

It is noted that the caravan has already been in place for a period of nearly 12 months. Given the limited size of the caravan when viewed as part of the wider landscape and its limited wider visibility, its retention is considered to be acceptable for a further limited period of time, but the permanent siting of this caravan would be unacceptable.

Precedent set by the development -

Significant concern has been expressed over the potential precedent that could be set by the granting of this application. It is not considered that the granting of a temporary consent would set any precedent for further development in the area. All applications are considered on their own merits. This application is for temporary siting only with a number of other material considerations that distinguish this from further applications to site caravans in sensitive landscape environments.

S106/CIL -

Not applicable given the temporary nature of the application.

Conclusions

The permanent inclusion of this development within the hotel grounds and the Countryside Zone would not be supported in policy terms. However, as a temporary measure to help facilitate the development of the hotel business which contributes to both the local economy and tourism offer of the Bay, it is considered acceptable. On Balance it is considered that a temporary 12 month planning permission be granted, since the caravan has already been on site for approximately 12 months.

Enforcement-

Given that the Caravan has already been in place for nearly a year the imposition for a further two years was considered to be too significant. Officers have recommended to the applicant that this period be reduced to a year. The applicant has accepted this and the application has been amended and re-advertised. To ensure that the impact of the development is limited authorisation is sought from Members for Enforcement action to be taken should the caravan not be removed following the expiry of the 12 months permission.

Condition(s)/Reason(s)

1. The planning permission hereby granted is for a temporary period of 12 months. On the 366th day following the grant of planning permission all use of the caravan shall cease. Within 6 weeks of the end of the temporary planning permission period the caravan and associated structures, namely the fencing shown on the approved plans and the fencing required by condition 2, shall have

been permanently removed from the site (area shown edged in red on the approved plan) and also the wider hotel site (areas shown edged in blue on the approved plans). In addition, within 6 weeks of the end of the temporary planning permission period the site area must be returned to its former condition.

Reason: The proposed development is not considered appropriate as a permanent addition to the hotel grounds and the wider Countryside Zone and in accordance with policies BES, BE1, BE2, LS, L2 and L4 of the Saved Adopted Torbay Local Plan 1995-2011

02. Within 6 weeks of the grant of planning permission, hereby given, a fence shall be installed along the length of the south elevation of the caravan shown on the approved plan 2738.1 at a height of between 1.2 metres and 1.5 metres. The fence shall be retained until the expiry of the temporary planning permission hereby granted.

Reason: To improve the visual appearance of the caravan during its temporary sitting and in accordance with policies BES, BE1, BE2, LS, L2 and L4 of the Saved Adopted Torbay Local Plan 1995-2011

Relevant Policies

- TUS Tourism strategy
- TU3 New tourist facilities elsewhere
- L4 Countryside Zones
- LS Landscape strategy
- BES Built environment strategy
- BE1 Design of new development
- BE2 Landscaping and design