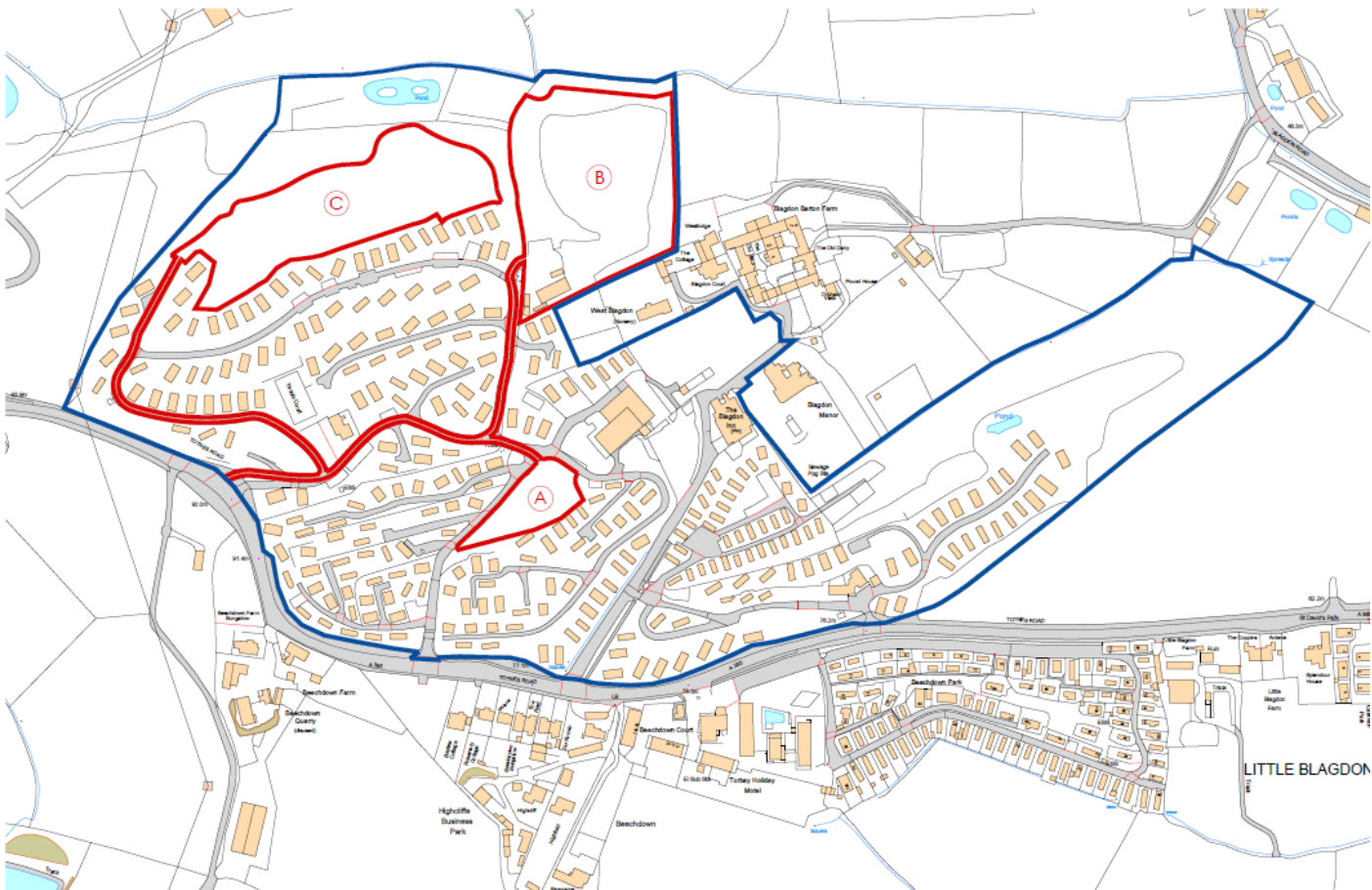


Application Site Address	Devon Hills Holiday Village Totnes Road Paignton TQ4 7PW
Proposal	Change of use of land for the siting of additional holiday lodges in three areas: 5 x Infill Area, 18 x Maintenance Area and 29 x Moonshadow Rise Area with landscaping, groundworks and associated works.
Application 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 much 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 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 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 their 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 T24571.004 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 screened out.

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 setting. An 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