

CLYST VALLEY  
Farringdon

07/3218/MFUL

Target Date: 07.02.08

Applicant: Maximum Fun Ltd

Location: Crealy Adventure Park, Sidmouth Road, Clyst St Mary

Proposal: Full planning permission for the erection of 15 holiday lodges, 3 fishing/amenity lakes, landscaping, biomass heating plant with associated access arrangements (Phase 1) and outline planning permission for the erection of a further 15 holiday lodges with matters of layout, scale, appearance and access reserved (phase 2)

## **CONSULTATIONS**

### County Highway Authority

The site lies outside of any recognised development limit. The development would lead to additional traffic being generated. While the bus service operates along the A3052, it is considered that the vast majority of trips to and from the site would be made by private vehicles.

Therefore, in transport terms the development proposal is objectionable for the reason given below. However I am mindful that there may be other Development Plan Policies that support this proposal. As a consequence, in principle, I believe it must be largely a planning matter as to whether or not this is an appropriate location for this type of development, in the light of considering the various policies and government guidance relevant to this development proposal.

With regard to traffic impact, local concern has been raised with respect of congestion at the Clyst St Mary roundabout and the Sandygate roundabout at junction 30 of the M5. While the traffic impact at these junctions may not be significant, no analysis has been undertaken to assess any possible impact. If the junctions are at capacity, it could be argued that further development should not proceed unless its impacts can be satisfactorily mitigated.

At the Sandygate roundabout, the Highways Agency and County Council have an approved scheme to increase capacity. Even if the impact of the development proposal on the Sandygate roundabout is minimal, it would be appropriate to seek to secure a financial contribution towards the junction improvements. Such a sum has not been determined at this stage but would need to be secured within a S106 legal agreement.

For the reasons given above I am minded to recommend refusal of the application.

In the event that members are minded to grant planning permission on this site, I would like to make the following observations and recommendations:

1. As mentioned above a financial contribution should be sought towards the Sandygate roundabout improvement, secured within a S106 agreement.
2. To assist in achieving safe and more convenient access to the site by public transport a highway scheme exists to improve transport/highway infrastructure at the bus stops adjacent to the site entrance and the Hill Barton entrance. If permitted, I would recommend a financial contribution of £30,000 is secured within a S106 legal agreement to implement the above mentioned scheme.
3. Internally there would be merit in providing a new footway linking the existing footway from the southern bus stop to the internal access road leading to the development site.

Notwithstanding the Highway Authority's recommendation of refusal, in the event that planning permission is granted, I would welcome the opportunity of discussing the securing of financial contributions and the construction of a footway, by way of a condition and a legal agreement.

### Environment Agency

No objections provided development proceeds in accordance with submitted Flood Risk Assessment. Request that a condition be imposed requiring fencing around the lakes to prevent otters gaining access to the fish stock.

### Devon County Archaeologist

No objection subject to a condition securing an implementation programme of archaeological work.

### Environmental Health

I have considered the plans and visited the site and therefore would like to recommend the following conditions to be attached to any permission granted.

To submit a scheme to the local planning authority to reduce noise levels associated with residential activities that could be emitted by this application. The scheme should include people noise, vehicle noise etc noise levels to be either measured or predicted at the closest residential property to the applicant's boundary.

Also to submit a full anti light pollution scheme.

### Natural England

The development is outside of the AONB but hopefully it won't be too visible from the AONB either. Crealy is on the Grindle Brook and forms part of the Green Infrastructure Network for the East of Exeter growth point. It would therefore be appropriate to look at how this development could contribute to this initiative and to ensure that it does not have a negative impact on it.

### Economic Development Officer

#### Initial Comments from 8<sup>th</sup> November 2007

This application is the product of on-going discussion between the Council and the applicants in acknowledgement of Crealy's position as an important driver of the district's visitor economy. Some 400,000 day visitors are attracted to Crealy Adventure Park each year.

The business case for the proposal is that visitor numbers and performance at Crealy has reached a plateau and needs to diversify and broaden its appeal. The provision of over night accommodation within the Crealy 'campus' will not only provide an opportunity to extend the length of stay of visitors but also, provide a new income stream from which to invest in the facilities at the heart of Crealy's visitor offer.

I am aware that in preparing this application, the applicants sought the advice of the Council on how best to move their ideas forward. They were advised that the introduction of quality holiday lodge accommodation was much more likely to be acceptable than the introduction of facilities for touring caravans.

The advice they were given stressed the need for 'sensitive handling and excellent landscaping'. The siting and disposition of the holiday lodges detailed within the application reflects the efforts of the applicant's architects to identify an area within the site that can meet the aspirations of staying visitors whilst minimising the impact of holiday lodge development on the surrounding area. The creation of new amenity woodland and lakes is designed to enhance the appeal of the overnight accommodation at a location within the site where its external visibility is minimised.

The application is supported by a cash flow projection to illustrate the linkage between the development of the holiday lodge enterprise and on-going investment in Crealy Adventure Park. The applicant's would be able to advance the recovery of some of their investment in the holiday lodge enterprise by offering lodges for sale to potential end users leasehold. This arrangement would provide the purchaser with an option to use the applicant as a letting / management agent, and thereby secure letting income for themselves at times when the unit would otherwise be unoccupied. None of the units proposed are intended for permanent residential use.

In my view this application represents an important step in the process of securing long term future of one of the regions most important visitor attractions. I would ask you to bring these comments to the attention of the Members.

#### Summary of further comments from 8<sup>th</sup> February 2008

The Local Plan, Structure Plan and National Policy Guidance that will inform the consideration of this proposal, in my view provides the Council with a useful opportunity to demonstrate its willingness to support an important local business and its workforce as they respond to the challenges of a market they are working to address. I fail to see how this proposal does anything but fully comply with the policies of the Development Plan.

Crealy's entry into the provision of overnight visitor accommodation should also be seen in the context of a declining local stock. Each year Devon County Council publishes the results of its' research into the health of the visitor economy - '**Tourism Trends in Devon**'. This source provides a useful guide to the provision and take up of visitor accommodation in East Devon.

Overall, the district's accommodation stock is declining (31,460 units in 2001 compared to 30,810 units in 2006 a loss of 2%). Much of this loss has been in serviced accommodation (rooms in hotels, B&Bs, pubs and guest houses). In 2001 there were 6,260 units of serviced accommodation in East Devon In 2006 5,440 units of serviced accommodation were recorded, a decline of 13% in the district's stock over this five year period.

This proposal (07/3218/MFUL) to commit new investment to the creation of visitor accommodation within one of the district's major visitor attractions has a compelling logic. However, the fact that the application relates to the construction of holiday lodges rather than serviced accommodation could prompt fears that it is much more likely to appeal to the district's second home market than it is to potential holiday makers.

I have discussed this question with the applicant in some detail and received the following assurance:

"For the avoidance of doubt, we are prepared to enter into a legal agreement with the Council to the following effect:

1. Lodge lease owners will only be allowed to stay in their lodge for a total of 28 days in any one year.
2. Lodge lease owners will be obliged to make their lodge available for lettings, through Crealy, to Crealy guests for the other 11 months of the year. Therefore we will not have empty lodges unless we have no bookings
3. Booked guests will not be able to stay for more than 28 days in any one year.
4. The freehold interest in the land will be tied to the ownership of the park and will not be sold separately to the park.
5. All staff will be employed directly by the park and not by third parties.

6. Income generated will be spent on Park improvements.
7. A community fund of £100,000 will be ring fenced by Crealy and spent over three years for visual/noise improvements in and around the park and spent as seen fit by Crealy's Neighbour Liaison Committee."

I have no experience of drafting planning conditions or legal agreements but regard the applicant's offer to operate the holiday lodges in manner that reflects their desire to see the development as part of the on-going renewal of Crealy's wider visitor appeal, entirely convincing.

## **TOWN/PARISH COUNCIL**

### Original Plans

Farringdon Parish Council wishes to object on the following reasons:

- The scale of the development and the way in which the properties will be used is viewed as inappropriate for a children's adventure park
- The development would add further light pollution to the Farringdon and Bishops Clyst Area.
- There is a concern that there would be further noise pollution in a park where local residents have continually over the years requested noise controls.
- The management by an unknown third party is of serious concern.
- The proposed development is on a green field site and outside the main Crealy Adventure Park complex. It is of concern that this large complex could be even further enlarged at a later date.
- It is extremely close to the 8 residential dwellings at Shepherd Farm. It is understood that the residents from Shepherds Farm have not received any notification from EDDC about the application. They have expressed concern that some of their properties were not even indicated on the location pan.
- Farringdon and Bishops Clyst residents are extremely concerned about the rate of accidents on the A3052 and the fact that it has reached overcapacity.
- This application would result in an unacceptable increase in traffic.

### Amended Plans

No further comments to add

## **ADJOINING PARISH**

### Original Plans

Bishops Clyst Parish Council strongly object to this application and would comment as below:

- It is on a greenfield site, designated as agricultural land, outside the main complex of the basic Crealy site.
- It will be a totally separate business to the basic Crealy operations and Karime Hassan, your corporate Director of the Environment, has stated in a letter "In the absence of Crealy Park, the District Council would be most unlikely to support the provision of chalets in the area".
- It is too close to the residential development at Shepherd's Farm off Oil Mill Lane.
- The increase in light pollution plus the noise nuisance from an extra 200 people, the probable number of people occupying properties, which will inevitably occur in what is a very rural location.
- An unacceptable increase in traffic - a minimum of 60 vehicle movements per day for at least 50 weeks of the year - especially in view of the latest comments expressed by County Highways that the Sandygate roundabout is over capacity. Should EDDC be minded to

approve this application, we would want to see the site of the chalets moved north of the proposed lakes so that they area:

- a. Further away from Shepherds Farm.
- b. Closer to the proposed biomass heating system thus saving heat loss in the underground pipes to the chalets, and also closer to public transport links.
- c. Proper screening (not Cupressa Leylandi) of the site to be put in place between it and Shepherds Farm before any other work commences.

#### Amended Plans

No comments received

#### **WARD MEMBER(S)**

No comments received

#### **REPRESENTATIONS**

##### Original Plans

##### Objections

12 letters have been received including letters from Oil Mill Lane Residents Association and Farringdon Residents Association raising the following points:

- Inappropriate development on Greenfield land
- Likely to be leased to 3<sup>rd</sup> party and would not actually be part of Crealy
- Concerns re: noise and light pollution
- Increased traffic
- Impact on wildlife
- Not sustainable in transport terms
- Not within boundaries of the existing Adventure Park
- No proven need for additional tourist accommodation
- Should not use prime agricultural land
- Concerns that lodges would be occupied as residences and not holiday lets
- Employment generated would be minimal
- Contrary to government guidance and local plan policies
- Impact on rural character/landscape
- Not close to any settlement
- Will have no material effect on viability of Crealy
- Inefficient use of land due to low density
- Needs to comply with the sequential test of PPS25
- Connection to sewer may not be feasible
- Loss of trees and hedgerows
- Would set a precedent
- Crealy have made no attempt to make the proposed development an integral part of the park.
- The LPA is being asked to consider is a significant low density luxury housing development in the open countryside involving the erection of large two storey dwellings.
- The development would generate employment for only 1 full time person
- The proposal finds no support in the Development Plan
- Impact on watercourses
- EDDC policy is for no additional housing in Farringdon Parish
- The site is too close to existing residents
- More traffic on the A3052 which is already overextended

- Impact on wildlife and local ecology
- The scheme will only lead to a 1% increase in visitor numbers and as such will not generate wider benefits for the park
- The applicants case is unfounded as the latest accounts for Crealy show an 8% increase in visitor numbers over the last year and a 9.6% rise in turnover
- Concerns regarding the proposed community fund which amounts to an acknowledgement that Crealy's environmental performance is poor while any noise and visual improvements should be a requirement of the relevant planning permissions

### Support

23 letters have been received raising the following points:

- There is a need for high quality tourist accommodation
- It would safeguard the park and those employed as well as create new jobs
- It would fit in well with the landscape
- Eco-friendly design should be encouraged
- Planning policy seems to support extensions to theme parks, including new holiday accommodation
- The development will provide a range of outdoor recreational facilities well suited to the scheme
- The development would create revenue for other businesses in East Devon and the surrounding area through the construction works
- The development has been planned such as to have minimal impact on the local landscape and ecology
- Accommodating visitors on site would help reduce the total number of visitor miles travelled on Devon roads

### Amended Plans

### Objection

3 letters received including 1 from Oil Mill Lane residents Association raising the following points:

- The submitted survey information is flawed in that all but 1 of the sample stayed for 1 week, no evidence is given of how the sample is representative, no indication is given of the time of year at which people stayed, Cornish Crealy is in a more remote location with far fewer other attractions nearby and little weight should be given to a survey where people respond to what their host is perceived to want to hear.
- When including school term time, out of season and closed season the amount of time spent at the park by occupants of the lodges is likely to be far lower than the 50% stated
- The suggestion that removing the reception building and using the existing reception instead enhances linkages between the holiday park and adventure park is nonsense

### Support

No further letters received

*Please note that the majority of letters of support for this development come from members of the public and businesses located outside of the immediate locality of the site.*

### **RELEVANT PLANNING HISTORY**

<b>App.No:</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
07/0760/CPE	Lawful Development Certificate for the	Approved	03.08.07

use of site as an Adventure Park

05/1188/CPE	Lawful Development Certificate for an existing use as an amusement park	Approved	21.11.05
88/P1217	Working farm project with shop and restaurant	Approved	22.06.89

*Please note that while Crealy Adventure Park has an extensive planning history the above mentioned applications are considered to be the only ones which are directly relevant to this application in that they establish the lawful use of the park.*

## **PLANNING POLICIES**

### **Government Guidance**

PPS1: Delivering Sustainable Development  
PPS7: Sustainable Development in Rural Areas  
PPG13: Transport  
PPS22: Renewable Energy  
PPG24: Planning and Noise  
DCLG - Good Practice Guide on Planning For Tourism

### **Devon Structure Plan 2001-2016**

Policy ST1: Sustainable Development  
Policy CO6: Quality of New Development  
Policy CO11: Conserving Energy Resources  
Policy CO14: Conserving Agricultural Land  
Policy CO16: Noise Pollution  
Policy TR2: Co-ordinating Land Use/Travel Planning  
Policy TO2: Tourism Development in Other Settlements  
Policy TO3: Tourist Development in Rural Areas

### **East Devon Local Plan 1995-2011**

Policy S5: Countryside Protection  
Policy D1: Design and Local Distinctiveness  
Policy D2: Sustainable Construction  
Policy D3: Access for Disabled  
Policy D4: Landscape Requirements  
Policy D5: Trees on Development Sites  
Policy EN14: Development on High Quality Agricultural Land  
Policy EN17: Maintenance of Water Quality and Quantity  
Policy EN19: Private Sewerage Systems  
Policy EN21: Surface Run Off Implications of New Development  
Policy TO4: Caravan, Chalet and Camping Sites  
Policy TO6: Provision of Visitor Attractions  
Policy TA1: Accessibility of New Development  
Policy TA7: Adequacy of Road Network and Site Access  
Policy TA9: Parking Provision in New Development

## **SITE LOCATION AND DESCRIPTION**

The application site forms part of land owned by Crealy Adventure Park and lies to the west of the main park and immediately to the south of the paintball centre which is also operated by the applicants. The site lies within the open countryside to the south of the A3052 between the Fox

and Hound PH and Hillbarton Business Park. Crealy Adventure Park itself forms a popular tourist attraction which has gradually developed over time from a small farm based attraction to a broader attraction including various rides and play equipment. The lawful use of much of the site was recognised last year when a Certificate of Lawfulness was granted for the majority of the park although some parts of the site and various rides remain the subject of enforcement investigations. A report on these matters precedes this item on the agenda.

The site of this proposed development is currently an area of grassland which is bordered to the north by the Grindle Brook. The site forms part of an area of low lying ground adjacent to the brook part of which forms part of the flood plain. The site does not lie immediately adjacent to any residential properties with the nearest dwellings being sited within the group of buildings around Springfield Farm to the south west of the application site.

## **PROPOSED DEVELOPMENT**

The proposed development has been submitted as a 'hybrid' application comprising of two distinct phases of development which together form a small village of holiday lodges. Phase 1 of the proposed development has been submitted as a full application and proposes the erection of 15 holiday lodges, 3 fishing/amenity lakes, landscaping, access works and a green energy biomass heating plant. The second phase of the development is made as an outline application only except for details of landscaping for this phase which comprise part of a comprehensive structural landscaping scheme for the site as a whole. The submitted details include an indicative layout plan for phase 2 which comprises of a further 15 holiday lodges however the details of the layout, scale, appearance and access are reserved for future consideration.

The development would be served by a new access road which would be accessed from the main access drive to Crealy Park. However a new junction would be formed along the driveway adjacent to Stable Cottage. The driveway would run around the northern edge of the curtilage of this property and then around the western edge of Crealy before running across the west and then south of the brook to the main part of the application site. The scheme originally included a reception lodge and shop including show accommodation on the first floor that would have been sited adjacent to the access drive by the farming paddocks to the northern part of Crealy park, however this element has subsequently been deleted in favour of servicing the site from the existing office accommodation. A biomass energy plant would be sited to the north of the main part of the proposed holiday village site within land currently used as part of the paintball centre. The main part of the site is proposed to be arranged around a central spine road with the fishing and amenity lakes to the north of the site.

## **Observations**

### **Principle issues**

The first issue to address is the principle of siting holiday accommodation in this location. Government guidance particularly in the form of PPS1: Delivering Sustainable Development and PPS7: Sustainable Development in Rural Areas, seeks to locate new developments in the most sustainable locations which in this case would be within existing settlements. PPS7 does however acknowledge that it may be appropriate to site new buildings in the countryside where they are required to support existing tourist and visitor attractions. Policy TO3 within the adopted Structure Plan also states that tourist development will be acceptable where it is for accommodation directly related to existing recreational development which would be compatible in scale and character to that development and the surrounding area. Similarly policy TO6 of the Local Plan also permits extensions to existing tourist attractions in the countryside subject to compliance with a number of criteria. The applicants are promoting this development as an extension to Crealy Adventure Park and therefore in order to determine if the proposed development complies with these policy considerations it is necessary to determine how the proposed development relates to the existing adventure park and how the development would link in to this existing use.

The applicant's supporting statement refers to the proposed accommodation in terms of a natural extension of the existing adventure park. Indeed the submitted economic justification refers to the various adventure parks across the country including Crealy Park in Cornwall which already have holiday accommodation on site. Many of these sites are however much bigger and provide more of a potentially longer lasting attraction to visitors than Devon Crealy. Some benefit from allocations in the respective Local Plans for their districts, whereas the Local Plan Inspector for East Devon declined to make such an allocation, proposing instead that proposed development should be judged against a criteria based Policy. This leads to very different planning considerations to be applied to proposals for accommodation at these sites. The submitted details refer to not just visitors using the adventure park but also the proposed fishing lakes and walks around the various footpaths that surround Crealy. Despite this it seems unlikely that those staying at the park would spend the majority of their time on the site. The submitted statement acknowledges that research indicates that the average visitor will spend 5 - 7 hours at an adventure park facility, although this research includes information from much larger attractions than Crealy including Alton Towers and Chessington World of Adventure. The rest of the time they would be likely to be travelling to other tourist attractions and the towns and beaches around the District, which would benefit the local economy.

In order to seek to demonstrate that occupants of the lodges would spend a large proportion of their time at the park the applicants have undertaken a survey of guests at Crealy in Cornwall. Through a telephone survey a total of 22 guests were asked a series of questions about their stay. From this information the applicants have estimated that these guests on average spent 55.4% of their time on the park. This estimate is however questionable as the respondent's were not specifically asked to estimate the proportion of time spent on the park and the estimates quoted do not necessarily seem to tally with the respondent's comments. Clearly the make up of the party and the time of year that they visited the site would affect the proportion of time spent on the park. For example during the school holidays it is likely that family groups with children would occupy the lodges and use the Adventure Park for a higher proportion of their time than the groups likely to occupy the site outside of the main season who are less likely to have children with them. Overall it seems likely that visitors may use the site as a base but would undertake a high number of car based journeys to the seaside towns and other attractions, although this is also a bus route at the entrance to the site which includes the Jurassic Coast service. The linkage therefore between the Adventure Park and the proposed holiday lodges is not as clear cut as for larger complexes, but overall there is a wider benefit to the District through increasing local holiday accommodation in East Devon.

Turning to the physical layout and operation of the site in terms of its relationship with Crealy, the site layout incorporates a separate access to the holiday lodges which uses the main access and which then skirts the main park. While the use of the reception and office accommodation within the main park has allayed some fears that the site could be separated off from the Adventure Park there still remains some potential for this to happen. The submitted supporting information indicates that those staying in the lodges would have free use of the facilities within the park as well as access to the restaurants and shops and an opportunity to work on the farm. The lodge site adjoins the main site and isn't strictly an integral part of the adventure park. There are however other reasons for the siting of the lodges detailed in the report i.e. in terms of minimising their landscape impact and the operational requirements at the adventure park. The location chosen was with the advice of the Council's Landscape Architect – see Landscape Impact section below. Holiday lodges are of course an entirely different use but are intended to form an ancillary element of an adventure park. Crealy in Cornwall benefits from some holiday accommodation but it is understood that there is only a very small number of units and that these were formed from the conversion of existing buildings. As a result few comparisons can be drawn between the two sites in this regard. This combined with the proposed layout and relationship with the existing adventure park mean that in this particular case it is considered that the proposed development should not be considered as an extension of the adventure park but as a associated holiday park.

Policy TO3 of the Structure Plan permits accommodation in rural areas but only where it is directly related to existing recreational development. As detailed above this is the case in this instance but perhaps not as strong a link as the policy envisaged. The explanatory text to policy TO3 of the

structure plan states that “As a general principle, large scale developments of over 100 bed spaces should not be located in rural areas....”. This development would accommodate in the region of 165 bed spaces. Policy TO6 of the Local Plan permits extensions to existing tourist attractions subject to various criteria. However as stated above this is not an extension to the tourist attraction; it is an associated holiday park. It is therefore considered that neither of these policies support the proposal although they are relevant.

In these circumstances it is considered that the proposed development could be considered against policy TO2 of the Structure Plan and policy TO4 of the Local Plan. It is noted that policy TO4 refers to caravan, chalet and camping sites and not specifically to lodges although chalets and lodges are synonymous. Policy TO2 of the Structure Plan states that large scale accommodation and tourist facilities should be located within principal urban areas, sub-regional or area centres where they would be in keeping with the scale and character of the settlement. Similarly policy TO4 of the Local Plan states that they will be permitted where among other factors there is inadequate provision in comparison with demand in a locality and where they are within, or in close proximity to an existing settlement but would not have an adverse impact on the character or setting of that settlement or the amenities of adjoining residents.

In terms of need, the applicants refer to replacing the tourist accommodation that has been lost in the area. However they refer to the loss of caravan pitches which is a very different type of holiday accommodation to that proposed while they do not include any evidence or details of the holiday accommodation which they believe has been lost and not been replaced. The information submitted refers generally to the loss of holiday accommodation across the region and then in terms of a 1.45% loss in East Devon between 2001 and 2005. This information is not however broken down into types of accommodation to identify any particular need for the accommodation proposed or in terms of a need for accommodation in the immediate locality of the site. While the application is supported by a letter from South West Tourism, the letter acknowledges that its role is limited to the impact on the local tourism industry and not any planning judgments. If a genuine need does exist in the locality then it is necessary to demonstrate why this need cannot be met within an existing settlement or if not then adjacent to an existing settlement such that sustainable development objectives are met. The policy approach of addressing the District’s development needs in the most sustainable locations complies with government guidance on sustainable development. In light of this guidance and the above stated conflict with policy it is considered that the proposed development would constitute inappropriate development in the countryside contrary to policy S5 (Countryside Protection) which is an overarching policy within the Local Plan that seeks to protect the countryside from development unless it is explicitly permitted by other policies within the Plan.

Having established that the development would not comply with Development Plan policies on sustainability grounds it is necessary to understand what harm the development would cause and assess whether this would outweigh the potential economic benefits of this development. In terms of sustainability, although the site is easily accessible from the main road network and being only a short drive from junction 30 of the M5 it isn’t close to a settlement although Clyst St May and Farringdon villages are only a short distance away. Public transport is available from the bus stop adjacent to Crealy lodge at the entrance to the Crealy site. The applicants propose to provide bicycles for each holiday lodge and also cycle parking facilities at the bus stop on the A3052. It seems likely however that a significant number of car journeys would be involved in any holiday at the site. The highway authority has objected on the basis that the site would create a need for additional travel by private vehicles due to its location and the lack of safe and suitable access to alternative means of travel. It is the case however that most holiday makers, wherever they stay, are most likely to rely on their cars.

Government guidance in the form of the “Good Practice Guide on Planning for Tourism” seeks to encourage tourism development it also states that the benefits of tourism should be achieved in the most sustainable manner possible. The guidance goes on to say that wherever possible and feasible development should be located close to public transport interchanges and bus routes and this site is well related to a public transport route.

The applicants have submitted an economic justification for the proposed development which details the problems facing the adventure park industry in terms of the competition with other leisure pursuits, increased foreign travel, seasonality and competition with non-profit making tourist facilities. The report also details a decline in visitor numbers to adventure parks and an increase in closures over the last ten years. None of this information is specific to Crealy. A cash flow statement over the next 6 years for the holiday lodges has also been submitted showing a potential monthly increased spend of up to £30,000 per month on the adventure park. It would help to diversify the business and bring in extra visitors as well as generate income to improve the park. Objectors to the scheme on the other hand point out that the number of visitors to the site continues to grow and turnover is up on previous years according to the published accounts. They also point out that this development would only lead to a very modest increase in visitor numbers while in any case there is no way of knowing how many of the potential guests would visit the park anyway if they were staying off site.

The applicants have offered to set up a community fund through a Section 106 agreement to ring fence £100,000 to be spent on improvements to the park that benefit the local community such as landscaping, acoustic and visual mitigation works. This would however go beyond what would be reasonable and relevant to the proposed development as this fund would mitigate the impact of the Adventure park rather than the development proposed. Any measures required to mitigate the impact of the adventure park should arise from conditions on planning permissions for rides and attractions at the site. It is therefore considered that although this proposed fund is an attractive offer it would be unreasonable for the Council to pursue this fund as to do so would be contrary to government guidance and it should not form part of the decision making process.

Turning now to the specific elements of the proposal.

### **Site Layout and Design**

As mentioned above the site has been arranged into two phases with amenity lakes and fishing lakes to the north of the site and the lodges themselves to the south. The arrangement of the lodges on the site has been designed at a very low density with large spaces between the lodges. The density of the site as a whole would be only 5.2 units per hectare. The site area includes a substantial access drive, amenity lake, fishing lake and landscaping areas, consequently more land has been used than is strictly necessary. The same number of lodges could be accommodated on a much smaller site area while still accommodating the above mentioned mitigation measures. The use of a smaller site area would then minimise the potential urbanization of this countryside area.

The lodges themselves are very large for holiday lets. The 'A' type lodges would be a 4 bedroom detached unit which would provide very spacious accommodation even for a family holiday home. The accommodation includes a 25 square metre living room with similar size family room as well as a large en-suite bathroom to the master bedroom and a large utility room. The 'B' type lodges are the same overall size but would have only 3 bedrooms with the master bedroom having a large dressing room and a large en-suite instead of bedroom 4. Each lodge would have a total floor area of 162 square metres excluding the sun deck and balcony. They are therefore large units although in itself this is not a reason for objection.

The design of the lodges is generally simple with timber cladding to the walls and gable ended slate roofs. A large timber sun deck and first floor balcony also in timber would add to the use of natural materials. Despite the above stated concerns the detailed design and elevational treatment of the lodges does not in itself cause concern.

### **Operational Arrangements**

In terms of the operation of the site Crealy are proposing to sell leases on the lodges but retain them in their ownership and to manage them themselves. This led to a concern about them being used as second homes and the potential for them to be used independently of the Adventure Park.

To address this concern Crealy have proposed a number of measures to try to ensure that the holiday park is run as an integral part of the Adventure Park. These are:

- Lodge lease owners and their families will only be permitted to stay in their lodge for a total of 28 days in any one year.
- Lodge lease owners will be obliged to make their lodge available for Crealy to let out to guests for the remaining 11 months of the year (owners will receive a share of Crealy's income)
- Crealy will keep occupation/letting records for the lodges and make these available to the Council
- The freehold of the site will be tied with the ownership of the holiday park
- All staff will be directly employed by the park

While the latter of these matters could not reasonably be controlled through the planning process it is considered that through appropriately worded conditions it would be possible to control the occupation and operation of the site such as to ensure that it remains as holiday accommodation associated with Crealy Adventure Park.

### **Landscape Impact**

In terms of the landscape the proposed development site benefits from good natural screening by virtue of the adjacent land forms as well as the mature trees that form large sections of the site boundaries and an existing earth bund which is sited to the south west corner of the site. The site lies at a lower level than much of the surrounding land and therefore views into the site from public viewpoints are very limited. The main public viewpoint into the site is from the public footpath that runs to the west of the site from the group of dwellings and farm buildings around Springfield Farm to the north where it links with the footpath adjacent to the A3052. From points along the southern half of this stretch of footpath it is possible to see across into the site, however such views are at a distance of 150m from the site itself while the indicative layout of phase 2 of the development mean that such views would be primarily of the fishing lakes rather than any lodges. The lodges however being two storey in height with pitched roofs would however be visible to some extent above the earth bund that lies to the south west corner of the site and is up to 2.5m in height. Such views would however be limited and the bund would provide good screening in combination with the proposed landscaping works to prevent significant views of the development from the public footpath and from the properties that are centred around Springfield Farm.

Views into the site from other points in the locality are very limited as illustrated by the applicants submitted Landscape Visual Assessment which has been considered and endorsed by the Council's own Landscape Architect. It is therefore considered that it would not be possible to demonstrate that the proposed development causes significant harm in landscape terms to justify refusing the application on this ground.

Although the development would not cause significant harm in landscape terms the proposed development would still have a significant urbanising impact in this rural location. The development although not significantly visible from the public domain would be out of keeping with the character of the sites surroundings which are characterised by open fields with only small scale sporadic development generally clustered around groups of farm buildings. The proposed development would effectively sit as a housing development in the countryside surrounded by open fields. Although in landscape terms this is not objectionable and is proposed to be mitigated through planting it is considered that it would still cause some limited harm to the character of the area particularly in terms of the increased activity, noise and lighting. However given the context of the site in relation to existing developments nearby it would be difficult to justify the refusal of this development on these grounds.

### **Residential Amenity**

As previously mentioned the nearest properties to the application site form a group of dwellings adjacent to Shepherds Farm which includes Shepherds Farmhouse, a cluster of dwellings formed

through the conversion of outbuildings to the farm and Kiddicott Farm which all lie to the south west of the site. It is clear when viewed from the land around this group of buildings that residents of these properties would have some views of the proposed lodges. This would however be at some distance since these properties lie in the region of 180 – 200m from the application site. The proposed landscaping scheme and the existing vegetation and earth bund at the site help to obscure views of the development such that the visual impact to residents would not be excessive. In terms of light pollution the development would only need a relatively low level of lighting and this is what is indicated by the submitted details. Clearly the details of such lighting could be controlled by condition. Although it is acknowledged that the exposed and open nature of the nearby landscape can lead to noise travelling from the site it is considered that the holiday lodges would not generate a significant level of noise nuisance. These properties lie closest to phase 2 of the development which is only submitted in outline and as such the layout of this part of the site could be reviewed at a later date. The submitted details do however demonstrate that it would be possible to accommodate 15 lodges within this part of the site without significant detriment to the amenity of occupants of these properties.

Other properties along Oil Mill Lane are clearly sited much further from the site than those grouped around Shepherds Farm and views from these properties would be extremely limited as would those from Greendale House to the south east of the site.

The proposed access to the site would run adjacent to the residential curtilage of New Hayes which is accessed via the access drive to Crealy that would be used by visitors to the holiday lodges. Clearly this access already takes a large number of vehicle movements associated with the existing Adventure Park and it is considered that the increase in vehicle movements associated with this development would be insignificant in the context of noise and nuisance to New Hayes and the adjacent properties. The positioning of the proposed access drive lies adjacent to a tennis court while the main house and the main amenity space to the property lies some 30 metres from the proposed access drive. The proposed access drive itself would be set between 2 and 5 metres from the boundary thereby allowing some space for additional planting and boundary treatment to further minimise any noise disturbance. It is therefore considered that these proposed access arrangements would not cause significant detriment to the amenities of the property or those of the adjoining properties.

### **Highways Safety**

In terms of highway safety the highway authority highlights local concerns regarding congestion and the impact of increased development on the Clyst St Mary roundabout and junction 30 of the M5. However it acknowledges that the impact on these junctions is likely to be minimal. The approved scheme to increase capacity at Junction 30 has been highlighted and it has been suggested that if this development were to proceed a contribution towards these works should be requested. This suggestion does however seem to conflict with the conclusion that the development would have only a minimal impact on the junction. If permission is granted the highway authority would also seek contributions towards improvements to bus stop provision on the A3052 near to the site and these would seem to be more appropriate requirements in this case. However both bus stops already have shelters and raised kerbs so it is not clear what else might be sought. The highway is three lanes wide at this point (right turning lane) and a crossing point would also not be easily achievable.

Despite these comments the highway authority formally objects to the development on the basis that the development lies outside of any recognised development limit and would lead to additional traffic being generated due to its unsustainable location. However, the site is on the A3052, a bus route and in highway terms is well served.

### **Other Matters**

Concerns have been expressed regarding the development utilising agricultural land. Policies in the development plan seek to protect high grade agricultural land from development. It would appear from the available records that the application site lies to the north of an area of grade 1

agricultural land but that the site itself, in particular that part of the site which is proposed to be developed falls outside of this area and as such the proposal would comply with policy EN14 of the Local Plan.

Concerns have also been raised regarding noise and light pollution from the proposed development. The Council's Environmental Health Officers have been consulted, but raise no objection to the proposal.

In terms of flood risk the site is located within a flood zone 2 where the proposed use is acceptable according to the guidance of PPS25 without having to be subject to the sequential or exceptions tests. The application is accompanied by a Flood Risk Assessment which the Environment Agency has reviewed and considers to be acceptable.

In terms of sustainable construction and energy the proposed lodges would be constructed to the Ecohomes 'very good' standard. The units have been designed to maximise day light, would be insulated to a high level, heated by a biomass heating plant while the lakes would act as Sustainable Urban Drainage System which would receive all surface water run off. In addition the timber elements of the lodges would be constructed from wood from sustainable forests.

With respect to disabled access it is understood that all paved areas would be constructed from a non-slip surface including access to the fishing and amenity lakes while minimum gradients for wheelchair access will be adhered to. In addition the lodges would provide bedroom, bathroom and kitchen facilities at ground floor level.

Concerns have been expressed by residents with regard to the impact of the development on local wildlife and ecology. The submitted Ecological Risk Appraisal outlines a number of measures which would mitigate such impacts. Natural England has raised no objections. In terms of trees it is considered that while there are some mature trees particularly to the north of the site adjacent to the proposed fishing lakes and amenity lakes subject to adequate controls being placed on these works the development should impact negatively on these trees.

## **Conclusions**

In conclusion then this is a case where the policies within the adopted Local Plan including those based on sustainable development militate against the proposal for holiday lodges at Crealy Park, whilst the economic arguments support this diversification of an existing tourism business. Added to this in landscape terms the scheme is acceptable in that it will not have any significant adverse effect upon the overall character of the area given its location in the topography and the proposals to add screening around the scheme. If a site is chosen for an extension to the park then the one proposed here would be the most logical choice in landscape impact terms. Logic suggests that it is not unreasonable to permit a Crealy Adventure Park to expand and/or diversify its offering in order to improve its economic base. The site chosen represents the best in terms of reducing the impact of any expansion on the landscape and it has a low level of detrimental impact upon any nearby neighbours. The transport links and particularly the public transport links are located at the entrance to the main Crealy site and represent suitable provision. The A3052 is not currently running at capacity albeit that local people believe it is heavily trafficked. A local traffic survey undertaken recently by the Farringdon Parish Council showed that against the absolute capacity of the road, it is currently running at approximately 50% of its potential. The junctions at Clyst St Mary are an obvious problem but the Sandy Gate roundabout on the M5 is already being improved through contributions associated with the Cranbrook development. There is a good bus service passing the site giving access both to the City of Exeter and to the main coastal towns through into Dorset. As a tourist provision it therefore meets the appropriate requirements in this respect.

Turning to the policies of this Council the proposal does not comply with the relevant provisions. It does not strictly constitute an extension of the current activity nor is it an ancillary element. It is quite clearly a diversification into a new area of holiday accommodation that the park has not previously delivered. As such it has the potential to be viewed as a new holiday park in policy terms and the expectation is that such parks would normally be provided close to settlements. It is

unrealistic to expect tourists not to use their cars to travel around the District and adjoining Districts to entertain themselves and it is unlikely that the majority of the time would be spent in the Crealy Adventure Park by occupants of the lodges. In this respect therefore the connection between the two is some what tenuous.

Overall then there are arguments for and against this scheme and therefore the final judgement must be whether or not the proposal would be of benefit to the District of East Devon as a whole and where there are site specific problems that these could be overcome by the use of conditions. Crealy Park, as the Economic Development Manager of the Council points out, is an important driver of the District's visitor economy with some 400,000 day visitors attracted to Crealy Adventure Park each year. He accepts the linkage between the Adventure Park and the holiday lodge enterprise. A thriving local economy is one of the corporate objectives of the Council and anything that contributes to this, provided it does not do significant damage to the landscape character of the area, which is an economic driver in its own right, should be looked at in a positive light. This site is identifiable from other similar cases because it does not lie in a landscape designation area, it will not do any significant damage to the landscape it lies within, it is well located on the main highway network and is well served by public transport and is associated with an existing successful tourist facility, which it is not unreasonable to allow to diversify its economic base. In this case therefore on balance it is considered that the material planning arguments outweigh the failure to comply with the relevant policies.

**Recommendation:**

It is therefore recommended this Council is minded that this Departure Application be recommended to the Secretary of State for **APPROVAL** subject to the following conditions and/or Section 106 Agreement to secure the linkage between the holiday lodges and the Adventure Park, to ensure that it is used only and solely as holiday accommodation both now and in the future and that an amended scheme is looked at to see whether there can be a reduction in the land take of the scheme for the lodges although it is acknowledged that the land all around both inside and outside the red line belongs to the applicants and would be available for visitors to access provided that holiday use does not become the predominant use of the area and that it remains in agricultural activity.

**Heads of Terms for Section 106 Agreement**

1. The lodge lease holders will occupy their lodges for no more than 28 days in any calendar year.
2. The lodge holders will make their lodges available for rent to other Crealy guests for the other 11 months of the year to prevent them being occupied as second homes.
3. Booked guests using the lodges will be restricted to occupying no more than 28 days per year.
4. Crealy Park will own the freehold and shall not be separated in land ownership terms from the Adventure Park in perpetuity.
5. The lodge site will be run, managed and serviced only by staff employed directly by Crealy Park and not by any third party.
6. Any external highway improvements as bus stop provision required.

## **Conditions**

1. Phase 1 of the development hereby permitted shall be begun before the expiration of three years from the date of this permission and shall be carried out as approved.  
Reason – To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004
2. Application for approval of the reserved matters in relation to Phase 2 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.  
Reason – To comply with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
3. Approval of the details of the siting, design and external appearance of the buildings and the means of access thereto (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced on Phase 2.  
Reason - The application is in outline with one or more matters reserved.
4. Prior to the commencement of any part of the development hereby permitted a typical density planting plan shall be submitted to and agreed in writing with the Local Planning Authority for all structural landscape areas, bunds and detailed planting within the site. All planting shall take place in strict accordance with the density planting plan as may be agreed.  
Reason – In the interests of the visual appearance of the site and area.
5. Prior to the commencement of any part of the development, hereby permitted, a long term Landscape Management Plan shall be submitted to and agreed in writing with the Local Planning Authority. All landscaping should be maintained in perpetuity in accordance with the Management Plan unless a written variation has been agreed with the Local Planning Authority.  
Reason – In the interests of the visual appearance of the site and area.
6. Notwithstanding the submitted details an amended plan shall be submitted to and agreed in writing with the Local Planning Authority indicating a revised width roadway with passing places. The details as agreed shall be implemented in full and maintained thereafter as such. As part of the roadway details a full landscaping hedgerow planting scheme shall be submitted to and agreed in writing with the Local Planning Authority. The landscaping scheme shall be implemented in full prior to the occupation of any of the lodges and maintained thereafter. The surface detail of all access roads leading to and within the site shall be submitted to and agreed in writing with the Local Planning Authority and implemented and maintained as such thereafter.  
Reason – In the interests of the visual appearance of the site and area.
7. All cycle paths and pedestrian links within the application site and to the main Crealy site, shall be provided prior to first occupation of any of the lodges hereby approved.  
Reason – To promote sustainable modes of transport.

8. Prior to the commencement of any part of the development hereby permitted a Method Statement and Waste Management Plan relating to the construction of the lakes shall be submitted to and agreed in writing with the Local Planning Authority.  
Reason – To ensure the works and removal of waste is carried out in a satisfactory manner.
9. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason - To ensure that the materials are sympathetic to the character and appearance of the area.
10. Prior to the commencement of any part of the development a lighting scheme showing full details of all lighting within the site or bordering the site or access road shall be submitted to and agreed in writing with the Local Planning Authority. No new lighting columns or bollards shall be erected without the prior written consent of the Local Planning Authority.  
Reason – In the interests of the visual appearance of the site and area.
11. The development shall only be carried out in accordance with the Flood Risk Assessment.  
Reason – To ensure that flood risk is minimised.
12. No development shall take place on site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.  
Reason - In the interests of archaeology.
13. Prior to the occupation of any of the lodges a detailed Eco Homes/Code for Sustainable Homes Certificate complying with Very Good/Code Level 3 shall be submitted as a minimum, to the Local Planning Authority.  
Reason – To comply with local and national policies on sustainable construction.
14. All water supply and foul drainage shall be dealt in accordance with the Water Supply and Foul Drainage Strategy received on 8<sup>th</sup> November 2007.  
Reason – To ensure a satisfactory method is available to deal with surface and foul water drainage.
15. Each lodge shall be provided with cycle storage facilities the details of which shall be submitted to and agreed in writing with the Local Planning Authority. A cycle locking facility shall be provided at the entrance point of the new access road.  
Reason – To promote sustainable modes of transport.

### **Reasons for Approval**

1. The proposal complies with Policies PPS7, DCLG Tourism Guide and TO6 of the East Devon Local Plan.
2. The proposal does not have a significantly detrimental impact on the local landscape.

3. The proposal does not have a significantly detrimental impact on local residential amenities.
4. The proposal significantly benefits the existing economic base of the business, providing an opportunity for diversification.
5. The proposal has the potential to benefit the wider local economy of the District by ensuring additional holiday facilities are made available and by ensuring the economic well being of a major tourism business vitally important to the economy of the District.
6. The site is well served by local public transport and the proposals promote sustainable modes of transport.
7. The proposals do not have a detrimental impact on local ecology, wildlife, fauna or flora and promotes biodiversity through additional planting.
8. The proposals promote sustainable construction methods and aims for Very Good/Code Level 3 as a minimum.

#### List of Background Papers

Application file, consultations and policy documents referred to in the report.