

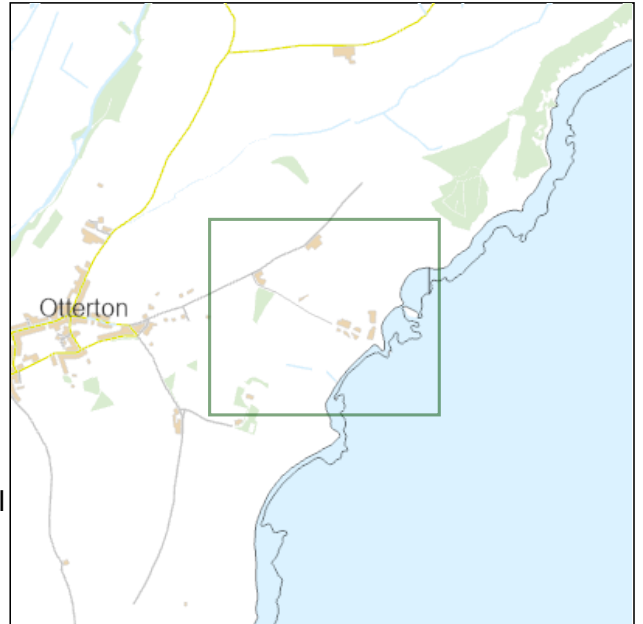
Ward Budleigh And Raleigh

Reference 24/0415/MFUL

Applicant Ladram Bay

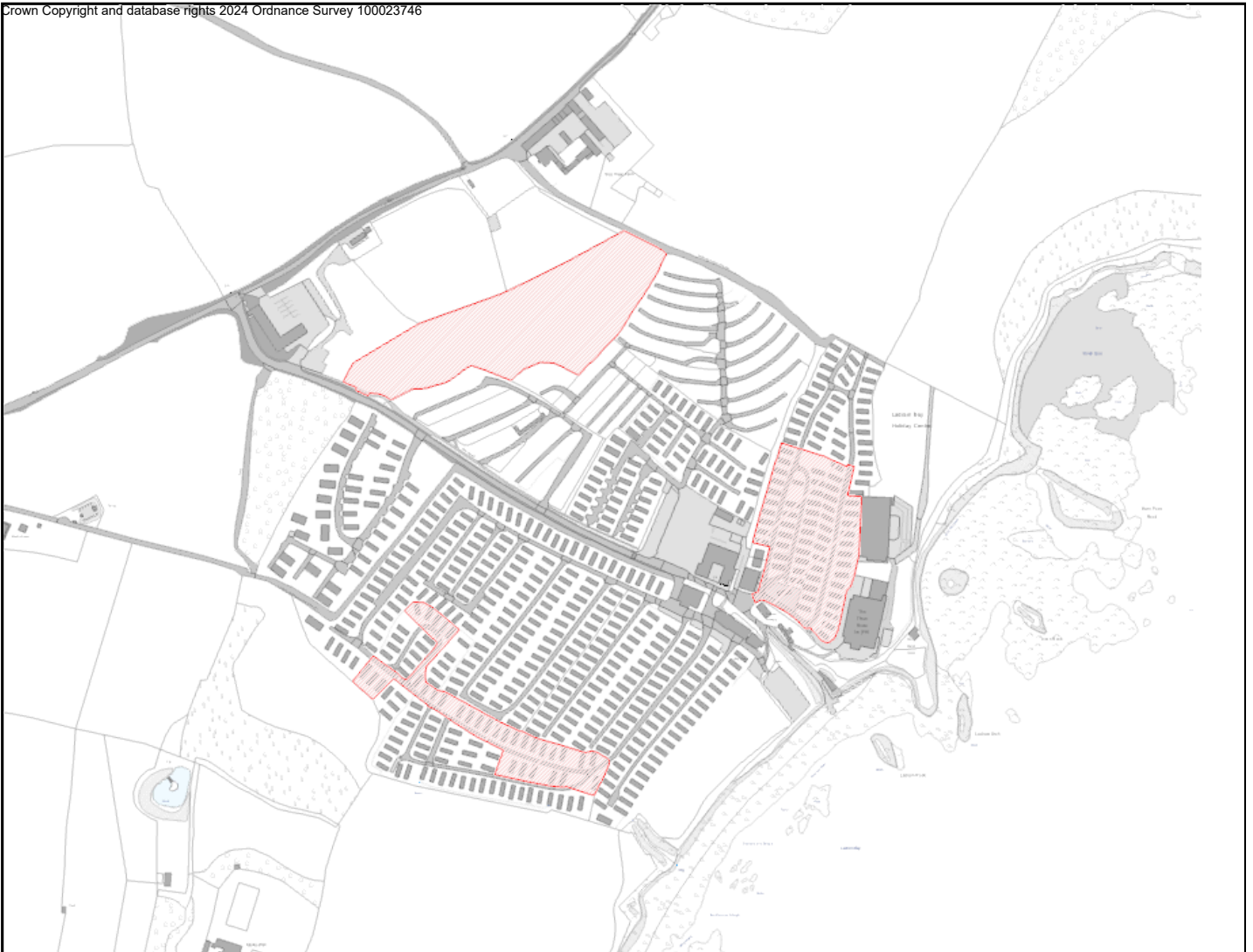
Location Ladram Bay Holiday Park Otterton Devon EX9 7BX

Proposal Change of use and regrading of Top Field to accommodate 32no luxury lodges and re-layout of existing holiday park to reduce holiday caravan pitches (no net increase in number of units) and provide landscape and environmental improvements



RECOMMENDATION: Refusal

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		Committee Date: 16.07.2024
Budleigh And Raleigh (Otterton)	24/0415/MFUL	Target Date: 15.07.2024
Applicant:	Ladram Bay	
Location:	Ladram Bay Holiday Park Otterton	
Proposal:	Change of use and regrading of Top Field to accommodate 32no luxury lodges and re-layout of existing holiday park to reduce holiday caravan pitches (no net increase in number of units) and provide landscape and environmental improvements	

RECOMMENDATION: Refusal

EXECUTIVE SUMMARY

The proposal seeks planning consent for change of use and regrading of a upper field within the Ladram Bay site. Also proposed is the reduction in caravan pitches within two areas of the existing site on lower parts of the existing site.

The proposal takes place within a sensitive part of the National Landscape which is protected by policies of both the Local Plan and the Neighbourhood Plan, the former of which specifically details that development within this area would not be considered acceptable.

Ladram Bay is a successful business that continues to draw visitors to the area and the proposal would be likely result in a boost to rural tourism within East Devon. Although overall capacity of the site would remain unchanged the benefits of a better visitor experience and higher quality lodges could make the destination a more attractive proposition for visitors.

However, the proposal has drawn an objection from the Council's landscape architect. Due to the prominence of the top field from a range of public receptors (including local landmarks and public footpaths) the development of the top field with lodges and associated paraphernalia fails to preserve and enhance the landscape qualities. The National Planning Policy Framework is clear that great weight can be attributed to any harm in order to protect such designations.

Whilst there could be local tourism benefits to the local economy these have not been made explicit and would not outweigh the harm to the landscape of

national importance. It is these valued views and intrinsic beauty which brings tourist to such areas and so should not be degraded.

Further, a site specific survey to ascertain the quality of the agricultural land has not been carried out. Given that our high level mapping system indicates level 3 agricultural land if this site fell within the 3a category this would conflict with the relevant policies. There is insufficient evidence to establish that there would be no harm in this regard. This forms a further reasons for refusal.

There have been objections received based on highway concerns. It is notable that traffic movements through the village of Otterton have in the past caused much concern. However, on the basis that there would be no net gain in overall numbers DCC Highways have not objected to the proposal. Although there could be temporary increase in traffic during the change in units and construction phase this could be mitigated via a CEMP condition and should not preclude planning consent.

Nevertheless, the landscape harm would be significant, and this harm outweighs the economic benefits that may accrue. Therefore, a recommendation of refusal is made. As this recommendation conflicts with the view of one of the Ward Members this application is referred to the Development Management Committee.

CONSULTATIONS

Local Consultations

Parish/Town Council

20.05.2024

A village meeting took place to hear the views of residents on 7th May following which, at the request of attendees at the meeting, 6 councillors visited the site to consider the planning application and to ensure they were fully informed.

At the OPC meeting the clerk read out a summary of the concerns of attendees at the village meeting.

Steve Harper-Smith from Ladram Bay commented as follows:

Ambitious project.

Mindful of the concerns of residents. Removal of 32 units. Replacement with

8000k tree & shrubs. Native & semi mature.

Luxurious lodges with no additional occupancy.

Investment in sewerage system has been agreed.

Blending of lodges into environment important.

Transported in 2 pieces making the unit smaller and easier to come through the village.

Life of each lodge 40 years which is much longer than current units.

Improvement of landscape through sympathetic planning & conservation of site.

Employment opportunity increases.

Lower density areas on the site with better landscaping. Enhancement & improved biodiversity.

Following a robust and detailed discussion by the Councillors when the concerns of the attendees at the village meeting were considered and the comments made by Mr Harper-Smith were taken into account a vote was taken and the planning application 244/015/MFUL was approved with 5 councillors approving the project & 1 councillor strongly objecting.

MM declared an interest and left the room throughout this agenda item & PW was not present at the meeting and therefore did not vote.

07.06.2024

Planning application 24/0415/FUL

Ladram Bay Holiday Park

Change of use and regrading of top field to accommodate 32no luxury lodges and re-layout 2 existing areas of the park to reduce existing holiday caravan pitches and provide landscape and environmental improvements

Following a meeting of the Otterton Parish Council on Monday 3rd June the Council seek to reverse their decision to approve the planning application detailed above & register a majority objection which echoes the view of many residents and interested parties locally.

The reasons for objection follow:

The site lies within the East Devon National Landscape (AONB) and the Council's Coastal Preservation Area. Its expansion beyond the existing boundary stipulated in the 'made' Neighbourhood plan is contrary to National and local planning policies that require development to protect and enhance the landscape and scenic beauty of the area, and would be damaging to its openness.

Ladram bay is uniformly dense in layout. There is no reason given for why the 2 areas recommended for reduced density have been chosen. As they are not discrete areas they would do little to enhance the site overall unless part of a much larger scheme. Therefore, the expansion into the Top Field would become a precedence for further expansion / development.

Concerns are also raised that there is no guarantee that once the new lodges are established that the 2 areas identified for reduced density would be carried out

The siting of luxury lodges in the top field clearly fails to safeguard open countryside, and undermines the landscape quality of the area.

As such it is contrary to Policy ONP4 of the 'made' Otterton Neighbourhood Plan and Strategies 44 and 46 of the Local Plan. The decision maker should give great weight to conserving and enhancing the natural beauty of this National Landscape, rather than economic considerations.

There is a specific planning policy within the Neighbourhood Plan for this site, policy ONP7. The justification for this policy was because the site has grown to its maximum size within its permitted boundary, and further development would certainly have a detrimental impact on the Jurassic Coast World Heritage Site, and the East Devon AONB (renamed East Devon National Landscape).

Traffic: The current development at Ladram Bay has an impact on the village in terms of loss of amenity i.e excess traffic, congestion and the accompanying pollution that cars, delivery vans, lorries and caravans bring. The fact that the new Caravans/lodges are much larger and will be privately owned therefore, could be sublet by the owners could create more traffic due to more users. The access road is totally inadequate currently and further development will only exacerbate the problem. For the wellbeing of the residents, properties enroute and wildlife it is vital that vehicles coming to and from the site must be properly controlled to prevent congestion.

Accommodation: The policy states: development will only be permitted within the area outlined in red on the map below if it is for the replacement of an existing structure or pitch, is designed to be sustainable and does not harm the landscape or setting of the East Devon AONB, Jurassic Coast World Heritage Site and Coastal Preservation Area.

The policy within the neighbourhood plan (ONP7) states that support will be given for any proposal meeting the following criteria that:

1. Improves the wider road infrastructure giving access to the site
2. Reduces the number of holiday units on the site
3. Improves the landscaping of the site including use of natural green and brown colours for lodge buildings
4. Reduces the need to travel by car
5. Reduces the need for delivery lorries
6. Improves the infrastructure for walking and cycling
7. Includes a Traffic Management and Travel Plan to reduce the traffic impact of the site on the local roads, which must be implemented and reviewed annually

The proposal fails to meet six of the seven of the criteria mandated in ONP7 for gaining support.

The policy requirements set out above are not met by this application, except the proposed landscaping improvements & even then cars parked outside will not blend in, and neither will the lighting of the units, accessways and car headlights, as they will be in an elevated position, they will be visible in the evenings for quite some distance!. The extension of the site onto the top field is clearly visible from the South West Coast Path, and footpaths 312 and 7, and would be extremely harmful to the rural character of the East Devon National Landscape and to the Coastal Preservation Area. The proposal is therefore contrary to Policies ONP4 and ONP7 of the Otterton Neighbourhood Plan, the local plan strategies and policies, and to the emerging local plan policies for caravan sites.

The proposal for 32 lodges on the Top Field means that they will be situated on ground that changes in level typically 2m to 2.5m per unit (more including decking) - this would require major re-profiling engineering works (earthworks, retaining walls, roads etc.). Whilst the sections show some work the plans do not show details. This engineering work would materially affect the scale and appearance of the site & thus the existing and recently planted trees might be adversely affected. In addition and not specifically a planning issue. The current drainage & sewerage systems that serve the site are in drastic need of renewal. To make the necessary modifications to serve the proposed site of the lodges will undoubtedly cause major upheaval to wildlife and the environment.

The Otterton Parish Council requests that before any decision is made, that members of the planning committee visit the site, and walk around the surrounding footpaths, so that they can see the impact that this proposal would have on the unspoilt landscape that is around the site.

West Hill And Aylesbeare - Cllr Jess Bailey

As the Devon County Councillor for Otterton I wish to comment on two specific issues that fall within the remit of Devon County Council.

First, I am concerned about the detrimental visual impact of the proposed development on public footpaths, namely Otterton footpath 7 and the South West Coastal path. This is a unique and sensitive landscape and must be protected and preserved for users of public rights of way. The proposed development will be prominent and obtrusive and harm this special landscape by visibly extending the existing developed area and out of the natural combe. The development would interfere with the enjoyment of this special landscape by users of the public rights of way.

Second, I note that DCC highways officers have not objected to the application. I disagree with the position taken. Otterton experiences major congestion as a result of Ladram both from lodges being delivered and also visitors coming and going to and from the site. The traffic issues are clearly articulated in the adopted Otterton neighbourhood plan. Whilst it may be the case that this application does not propose

additional units, the units are nonetheless larger than current ones and yet there has been no transport assessment to evaluate the impact that this will have in traffic movements both in terms of delivery/removal of units or use by visitors. Regardless of the stance taken by DCC, Eddc cannot simply defer to DCC as highway authority and has its own distinct duty (its 'Tameside' duty) to evaluate the impacts highlighted by myself and a number of residents in their consultation responses.

Therefore, I wish to object to this application because of my concerns about the proposed development impacting the enjoyment of public rights of way, and also because my concerns that the proposed development will exacerbate traffic issues.

Budleigh And Raleigh - Cllr Charlotte Fitzgerald

Recommendation: approval

I am writing to recommend approval of this planning application. Ladram Bay Holiday Park is a valued local business providing access to our beautiful local environment for thousands of holidaymakers each year, including those coming from inner-cities. It makes a strong effort to support the village of Otterton and is a key actor in the wider local economy.

The East Devon Made Local Plan paragraph 24.29 'Holiday Accommodation Parks and Caravan/Chalet Sites states that 'the expansion of existing sites'.should not be to the detriment of the (a) natural environment and (b) those in settlements close to the proposals'.

This proposal is unavoidably detrimental to (a) the natural environment, because it extends the boundary of the existing occupied site further into the surrounding landscape. This landscape is protected by its multiple classifications: as a Coastal Preservation Area, Natural Landscape, World Heritage Site and Site of Special Scientific Interest. The boundary of the site will breach the ridge of the natural 'combe' or bowl in which the park sits and will be visible from both the South West Coast Path and paths 312 and 7. This being said, it is my view that the holiday park is already harmful to public view from the above mentioned PROWs and that this development does not have significant further detrimental effect ' indeed the plans deliver sensitive design and screening which would reduce as far as possible the visual impact of the development. Reducing density of caravans in the rest of the park will also improve the view from afar. If this application goes before committee, I would advise that the committee visit not just the site but the South West Coast Path to either side of the park, to understand for themselves the plan's impact on the view.

I am confident that the proposal is not to the detriment of (b) those in settlements close to the proposals, specifically the village of Otterton, which occupies the only access route to Ladram Bay. Otterton Parish Council has recommended approval of the application. The impact of Ladram Bay Holiday Park visitors on the village's already-overwhelmed main road is of great concern to many residents and is detailed in the Otterton Neighbourhood Plan. However I cannot see that the proposal

makes the current situation worse, because the smaller units will be easier to transport to site, will be transported less frequently, and because net visitor numbers should not increase. If the application goes before committee, I would suggest a condition be added that the installation of new units is phased to prevent significant increases in visitor numbers at any point.

Following my previous comment, I have now seen the recently-published EDDC Landscape and Green Infrastructure Response and would like to update my view.

The EDDC Landscape response to the application finds that, 'Contrary to the findings of the submitted LVIA (Landscape and Visual Impact Assessment), the proposed development is considered likely to give rise to significant landscape and visual impacts.'

The report recommends refusal of the application, and in light of its findings and my own concerns mentioned earlier about landscape and visual impact, I am changing my recommendation to refusal.

I will reserve my final views on the application until I am in full possession of all the arguments for and against.

08.06.2024

Following my previous comment, I have now seen the recently-published EDDC Landscape and Green Infrastructure Response and would like to update my view.

The EDDC Landscape response to the application finds that, "Contrary to the findings of the submitted LVIA (Landscape and Visual Impact Assessment), the proposed development is considered likely to give rise to significant landscape and visual impacts."

The report recommends refusal of the application, and in light of its findings and my own concerns mentioned earlier about landscape and visual impact, I am changing my recommendation to refusal.

I will reserve my final views on the application until I am in full possession of all the arguments for and against.

Budleigh And Raleigh - Cllr Henry Riddell

As the Ward Member for Budleigh & Raleigh, I fully support the Ladram Bay Holiday Park application 24/0415/FUL.

The East Devon Local Plan paragraph 24.29 - Holiday Accommodation Parks and Caravan/Chalet Sites states that "the expansion of existing sites.... should not be to the detriment of the (a) natural environment and (b) those settlements close to proposals".

I believe that the proposed development will not significantly harm the natural environment or National Landscape, this is down to the existing presence of a

holiday park in the area. The inclusion of sensitive design elements, extensive planting and screening will ensure a seamless integration of the new lodges into the surroundings. The proposed reduction in caravan density lower down in the park will enhance the visual appeal of the park from a distance, contributing positively to the landscape. The landscaping and planting outlined in the plans also promises favourable environmental outcomes.

Having personally visited the site, I am confident in Ladram Bay's ability to execute a design that respects its surroundings. The existing facilities on site as well as the luxury lodges already on the site are finished to a high standard and reflect the park owner's commitment to quality and I am certain that the new development will be of the same standard.

Ladram Bay Holiday Park is a family run park and provides employment opportunities for over 170 seasonal and around 60 full-time staff. The proposed expansion offers the potential for additional employment which will further contribute to our local economy and provide jobs our area desperately needs.

The staycation market is evolving at pace and being driven by luxury accommodation. Ladram Bay's up-market lodges will allow them to keep up with competitors and attract guests who are inclined to explore and spend within our local communities including Budleigh Salterton, Sidmouth, and Exmouth.

Whilst I acknowledge residents' concerns regarding the proposed development of the site, I am confident that with planning conditions these problems can be mitigated. The owner's commitment to collaborating closely and in detail with planners, including considerations for lodge colours to compliment the landscape, demonstrates a proactive approach to mitigating any impacts of the development on the area. Because of this I am certain that the proposed development will not be to the detriment of residents in Otterton.

In summary, I urge approval of this application. Ladram Bay is integral to our local tourism sector, and this expansion will enable them to adapt to industry trends while enriching our local economy.

Technical Consultations

County Highway Authority

Observations:

I have visited the site and reviewed the planning documents. The greater spacing of the holiday lodges in South-West and South-East will only help vehicle interaction upon the junction of Ladram Bay Road. The top fields erection of lodges will bring the net lodge total in line with existing situation, therefore I do not expect a trip generation intensification. The proposed access has acceptable visibility in both the East and West direction onto Ladram Bay Road.

Therefore in summary, the County Highway Authority (CHA) has no objection to this planning application.

Environmental Health

I have considered the application and do not anticipate any environmental health concerns.

DCC Flood Risk Management Team

We have no in-principle objections to the above planning application at this stage, assuming that the pre-commencement planning conditions are imposed.

Natural England

SUMMARY OF NATURAL ENGLAND'S ADVICE NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Natural England's generic advice on other natural environment issues is set out at Annex A.

EDDC Landscape Architect

Objection based on landscape impact. See online for full scanned document.

Other Representations

12 objections have been received (in summary);

- Harm to AONB Landscape from public vantage points and footpaths.
- Impact on traffic generation and flows within the village.
- Impact on the Jurassic coast
- Conflicts with neighbourhood plan
- Local infrastructure at capacity
- Submitted LVIA inadequate
- Lack of transport Plan and Assessment

PLANNING HISTORY

Reference	Description	Decision	Date
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18/2912/FUL	Variation of Condition 3 (use restriction) of planning permission 10/1192/FUL (reshaping of touring and tenting field, etc) to allow use of part of the field for safari tents	Approved	25/07/2019
10/2287/MFUL	Change of use and regrading of field to accommodate static caravans for holiday use with provision of new access and landscaping works	Approved	18/08/2011
10/1192/FUL	Reshaping of touring and tenting field and new fence to rear of toilet block (retrospective).	Approved	19/08/2010
03/P1057	Use Of Touring Caravan Area For 38 Static Vans,ext.for Temp.over- Spill For Touring Vans/tents	Dismissed at appeal	16/03/2004

POLICIES

Adopted East Devon Local Plan 2013-2031 Policies

D1 (Design and Local Distinctiveness)
 D2 (Landscape Requirements)
 Strategy 44 (Undeveloped Coast and Coastal Preservation Area)
 Strategy 46 (Landscape Conservation and Enhancement and AONBs)
 EN21 (River and Coastal Flooding)
 EN19 (Adequacy of Foul Sewers and Adequacy of Sewage Treatment System)
 EN22 (Surface Run-Off Implications of New Development)
 TC2 (Accessibility of New Development)
 TC7 (Adequacy of Road Network and Site Access)
 TC9 (Parking Provision in New Development)
 Strategy 7 (Development in the Countryside)
 Strategy 5 (Environment)
 Strategy 33 (Promotion of Tourism in East Devon)
 D3 (Trees and Development Sites)
 EN5 (Wildlife Habitats and Features)
 E19 (Holiday Accommodation Parks)
 E20 (Provision of Visitor Attractions)
 Strategy 47 (Nature Conservation and Geology)
 Strategy 50 (Infrastructure Delivery)
 EN13 (Development on High Quality Agricultural Land)

Otterton 'made' Neighbourhood plan

Sustainable Development – Policy ONP1

Protecting and Enhancing the Built Environment – Policy ONP3

Protecting and Enhancing the Natural Landscape – Policy ONP4

Protecting and Enhancing Wildlife in the Natural Environment – Policy ONP5

Encouraging Small-scale Economic Development – Policy ONP6

Ladram Bay Holiday Park Development – Policy ONP7

Traffic and Travel Around the Parish – Policy ONP8

Site Location and Description

Ladram Bay Holiday park is a holiday complex located between Budleigh Salterton and Sidmouth and set within a natural bowl in the landscape of the coastal edge. Comprising a central hub area including restaurant, entertainment suite marketing and general administration office, the park provides facilities for tents and touring pitches and a predominance of static mobile homes – the latter split between a hire fleet (owned and managed by the park itself) and privately owned static caravans that are commonly sublet by owners.

Split into various fields which are subdivided by hedgerows of varying ages and species, the developed site area spreads upwards from the central hub which is positioned at the lowest point within the land form and from where there is easy access to the beach, to rising fields to the north. Terraced to provide level pitches the fields have been regraded on a number of occasions to accommodate the change in tent and caravan size as well as provide improved facilities including electric and water points.

The application site the subject of the current application lies at the most northerly part of the site to the east of an existing service yard and L shaped building. It is a rough grassed field which in parts rises steeply to an elevated plateau area with Ladram Road to the north.

The landscape is designated as a National Landscape. Additionally, while the site itself is not designated adjacent land and the cliffs are designated as forming part of the Jurassic Coast World Heritage Site and a Site of Special Scientific Interest.

The park is one of the largest rural employers in the area employing 170 staff (68 permanent and 102 seasonal). 90% of employees are from the local area and live within a 10 mile radius of Ladram Bay Holiday Park.

Proposed Development

The proposal seeks planning consent for expansion of the existing holiday park into a 'top field' with the material change in use of the land for the siting of 32 lodges for holidaying purposes. To achieve this would require the installation of an access road, 'cut and fill' regarding of the land, and installation of associated infrastructure. To mitigate the impact on the landscape hard and soft landscaping is proposed.

The proposal also includes the reduction and revision the layout in two separate existing areas of Ladram Bay, lower down the slope and closer to the sea. The applicants put forward that should consent be forthcoming that there would not be an overall net gain in holiday lodges of the site.

The holiday lodges proposed have sustainable features including energy efficient double glazing, high levels of cavity insulation, low energy lighting and central heating. Many of these units now also incorporate as standard, energy saving features which assists with the move towards carbon zero rating.

ANALYSIS

The main issues concerning this planning application are;

- The policy context with regards to the principle of the development
- The impact on the character and appearance of the Nationally Designated Landscape (AONB) countryside
- The Potential economic benefits
- Impact on highway safety and traffic movements
- Foul and surface water drainage
- Impact on ecology
- Impact on high quality agricultural land

The policy context with regards to the principle of the development

The proposal takes place outside of a built up area of a settlement and therefore in terms of the East Devon Local Plan (LP) takes place in the countryside. Strategy 7 of the LP is a rural restrictive policy which only permits development where it would accord with other policies of the LP.

Within the LP policy E19 facilitates, as a matter of principle the expansion of existing camping sites within designated landscapes (such as the National landscape (NL)). This policy allows for such development provided there no new permanent structures or where replacement structures are proposed they are designed to blend into their surroundings. It also states the following criteria to adhere to;

1. The proposal relates sensitively in scale and siting to the surroundings and includes extensive landscaping and visual screening to mitigate against adverse impacts. They do not affect habitats or protected species.
2. 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.
3. They would not use the best and most versatile agricultural land.
4. They will be provided with adequate services and utilities.

5. Traffic generated by the proposal can be accommodated safely on the local highway network and safe highway access to the site can be achieved.

6. The development will be subject to the provisions of plan policy in terms of sustainable construction and on site renewable energy production.

On 9 June 2021, Cabinet resolved to 'make' (adopt) the Otterton Neighbourhood Plan (NP) so that it forms part of the Development Plan for East Devon alongside any other made neighbourhood plans, the adopted East Devon Local Plan 2013-2031. The date of 'making' the NP was 18 June 2021. This was following the successful referendum on 6 May 2021, where 92% of residents who voted were in favour of the NP.

Within the 'made' NP Ladram Bay is dedicated its own policy - ONP7 - which is prescriptive with regards to where development related to Ladram bay can take place. Within the NP is a plan highlighting red areas where development is supported, however the application site is beyond this red edge. The wording of the policy states;

'Development will only be permitted within the area outlined in red on the map below if it is for the replacement of an existing structure or pitch, is designed to be sustainable and does not harm the landscape or setting of the East Devon AONB, Jurassic Coast World Heritage Site and Coastal Preservation Area. Outside the existing red line boundary defined on the map below, new development must be limited and should not provide any additional holiday units or visitor accommodation'

Justification for this policy explains that;

The Holiday Park has grown to its maximum size within its permitted boundary, and has a detrimental impact on the Jurassic Coast World Heritage Site and the East Devon AONB. It has an impact on the village in terms of excess traffic, congestion and the accompanying pollution that cars, delivery vans, lorries and caravans bring. The access road is totally inadequate to serve such a large site, and vehicles coming to and from the site must be properly controlled to prevent congestion.

Accordingly, whilst the local plan contains policies that could support the principle of the development (i.e. expansion of an existing caravan and camping site within the National Landscape) the neighbourhood plan specifically notes that the area of this proposal should not support future development of this kind. It does so to ensure harm does not occur to the designated landscapes and to prevent traffic related issues. Therefore, it is necessary to assess these issues to understand if the blanket *prima facie* of the NP policy can be upheld or whether the material consideration of this specific case outweighs this policy presumption.

Impact on the character and appearance of the Nationally Designated Landscape (AONB) countryside

Strategy 46 of the local plan states that development will need to be undertaken in a manner that is sympathetic, and helps conserve and enhance the quality and local distinctiveness of, the natural and historic landscape character of East Devon, in particular in National Landscapes.

Development will only be permitted where it:

1. conserves and enhances the landscape character of the area;
2. does not undermine landscape quality; and
3. is appropriate to the economic, social and well being of the area.

When considering development in or affecting NLs, great weight will be given to conserving and enhancing their natural beauty and major development will only be permitted where it can be shown that it cannot be reasonably accommodated elsewhere outside of the NL.

At a national level policy in the form of the National Planning Policy Framework (NPPF) states that 'great weight should be given to conserving and enhancing landscape and scenic beauty in ... Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues', that decision should recognise the 'intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services'. and further that 'the scale and extent of development within all these designated areas should be limited, while development within the setting should be sensitively location and design to avoid or minimise adverse impacts on the designated areas'.

Section 85 of The CRoW 2000 requires all relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of NLs when performing their functions. In addition, Planning Practice Guidance states that the duty to 'have regard' extends to consideration of the setting of a National Park or a NL, when development is proposed outside of but close to a National Park or NL.

The proposed development site is a 1.2-hectare irregularly shaped field adjacent to the existing Ladram Bay Holiday Park. The site has a gentle undulation with a steep slope, rising from 45m AOD to 65m AOD. It features mixed tree species and recently planted native hedgerows. It is visually connected to the agricultural landscape of Sea View Farm and partially screened from the holiday park. The site has significant visual connectivity with prominent local landmarks and is visible from several public viewpoints, including the South West Coast Path (SWCP).

There are clear views from the site northeast to High Peak (an iconic East Devon landmark and viewpoint), and as far as Brandy Head to the south. There are numerous views to the site from the South West Coast Path national trail between these locations (Otterton footpaths 9 and 10). There are views from Otterton footpath 7 which connects to the SWCP to the west of the site from Stantyway Cross and also some glimpse views to the site from Bay Road (which provides access for walkers to the

coast) adjacent to the southwestern site boundary. There are open views to the site from the sea.

The site lies within the East Devon National Landscape (AONB). Paragraph 182 of the NPPF states that NLs, along with National Parks, have the highest status of protection in relation to conservation and enhancement of landscape and scenic quality and that the scale and extent of development in these areas should be restricted. Additionally, the site lies within the setting of the Jurassic Coast World Heritage Site and the East Devon Heritage Coast. The site also falls within the East Devon Coastal Preservation Area as defined in the Local Plan.

The landscape character assessment categorises the development site within the '4D Coastal Slopes and Combes' area, which is distinguished by a series of incised branching valleys descending towards pebbly bays along the coast. These valleys, known as combes, often house historic settlements like Beer, Branscombe, and Salcombe Regis, characterized by concentrations of vernacular architecture set within historic landscapes. Tourism significantly influences these areas, especially where there is access to the coast.

The combes exhibit a variety of physical characteristics. Some are narrow and steep with well-wooded upper slopes and remnants of orchards, while others have a more open and scrubby character, particularly along their upper boundaries. This landscape character features an irregular patchwork of hedged fields and woodlands, accessed by steep, narrow, and often sunken lanes. Spectacular views are available from the tops of the valleys and from landmarks such as High Peak. The South West Coast Path, which connects the southern ends of the combes, offers exhilarating views of both the combes and the coast.

The landscape consists of a mix of unenclosed woodlands and small to medium-sized irregular fields, bordered by low hedgebanks, predominantly used for pasture, with pockets of wet pasture and scrub.

Semi-natural habitats in the region include grasslands, woodlands, scrub, wet pastures, and caves. The area has a long history of settlement, evidenced by surviving historic buildings, lanes, and field patterns, including prehistoric and Roman finds on High Peak, which was landscaped as part of the Bicton Estate. Settlements within the combes often feature stone and flint as primary building materials, with a variety of settlement patterns, including both dispersed and nucleated villages.

Here the landscape is defined by extensive coastal rights of way, including the South West Coast Path, which features steep paths leading down to beaches. The road networks are narrow and winding, with limited vehicle access to the coast. Coastal influences are evident in the exposure, vegetation, and expansive views, which transition from high, open, and exhilarating on the upper slopes to intimate and enclosed in the lower valleys. Despite a sense of timelessness in some parts, there is a noticeable presence of traffic and tourist activities, particularly during the summer months. High Peak serves both as a viewpoint and a focal point with artistic associations.

To preserve the landscape's integrity, recreation and tourism should be managed carefully to ensure that settlements thrive, and people can enjoy the coast and its views without compromising the tranquillity or scenic quality of the adjacent cliffs. Tourism development should be of appropriate scale and character to avoid negatively impacting the landscape. Expansion of coastal campsites should be resisted, especially where they affect coastal views, and existing sites should be encouraged to enhance their landscape settings.

The submitted assessment of landscape value as 'High' is accepted.

However, the susceptibility to change of the type of development proposed should be assessed as 'High', rather than the submitted Landscape Visual Impact Assessment (LVIA) evaluation of 'Medium' or 'Medium-low'. Following on from this, the assessment of sensitivity of landscape receptors, which combines judgements of value and susceptibility, should generally be 'High' rather than 'Medium' or 'Medium-high'.

The methodology used in the LVIA is broadly acceptable. However, there are inconsistencies in the definition of primary and secondary effects, which do not align with GLVIA guidelines;

- Landscape Baseline: The study area and coverage are appropriate. The site's landscape value is correctly assessed as High. However, the inclusion of susceptibility assessments in the landscape baseline is inappropriate and should follow the assessment of likely effects. The LVIA underestimates susceptibility, which should generally be assessed as High due to the development's prominent location.
- Visual Baseline: The Zone of Theoretical Visibility (ZTV) is accepted, but viewpoint photographs are of poor quality. Photomontages lack clarity regarding the timeframe for proposed mitigation planting, which appears overly optimistic. Sensitivity of key visual receptors, such as those on the SWCP and High Peak, is underestimated.
- Assessment of Proposed Development and Effects: The submitted LVIA underestimates the adverse impact on the landscape and visual receptors. The proposed development would extend the holiday park into a more prominent and visible area, negatively affecting the setting of Sea View Farm and the surrounding agricultural landscape. The proposed mitigation measures, including tree and scrub planting, are unlikely to be effective due to challenging coastal conditions and the desire to maintain sea views from the new lodges. The reduction in density of static caravans within the existing park is noted as a potential benefit, but this does not offset the overall adverse impact of the proposed development on the top field site.

While the holiday park is a feature in key views to the site, topographically this site sits above the combe (as is evident in the photograph from Viewpoint 5), and visually is more closely associated with the surrounding farmed landscape. Furthermore, the existing tree and hedgeline on the southeastern site boundary serves as part of a more extensive buffer which presently contains the northerly extent of the holiday park as clearly evident in viewpoint photographs 3a-e and 4, Appendix 2. In this context development of the site would have an adverse impact on the setting of the Sea View farmstead, which is an attractive feature of the wider, open agricultural landscape and would extend development and associated infrastructure and activity on to higher

more prominent ground where it would detract from the low rolling ridgeline to the north.

While it is evident that trees can thrive within and around the holiday park, given the exposed coastal situation establishment is difficult and growth rates are likely to be retarded. This can be seen in tree planting carried out by the applicant in 2018/19 immediately to the northwest of the application site where the young trees are clearly struggling. The effectiveness of mitigation is also likely to be limited by the stated desire to maintain sea views from the new lodges. Offers in terms of landscape mitigation are likely to be restrictive and not successfully mitigate the impact of the development.

The proposed development is likely to result in significant landscape and visual impacts, contrary to the findings of the submitted LVIA. Therefore, the councils landscape architect has recommended that the development be refused based on non-compliance with NPPF paragraph 180 and LP strategies 7, 44, and 46, which pertain to development in the countryside, coastal preservation, and landscape conservation in NLs.

Although due to the area of land covered by the proposed development this falls within a 'major' category of development this does not mean that the development would also be considered a major development within the NL for purposes of paragraph 183 of the NPPF. For this purpose whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined. Although this proposal represents expansion of the existing holiday park as a proportion this could not be said to be 'major' expansion. Further, although a significant adverse impact on the nationally designated landscape has been identified this would not fundamentally undermine the purpose of the designation. Therefore, on balance this is not considered to be 'major development for purposes of paragraph 183 of the NPPF.

In summary the proposed development at Ladram Bay Holiday Park would have substantial adverse landscape and visual impacts due to its prominent location and visibility from key public viewpoints. The mitigation measures proposed are insufficient to counter these effects, making the development incompatible with local and national planning policies aimed at protecting high-value landscapes. The recognised harm to a nationally designated landscape, in line with the requirements of the NPPF is attached 'great weight'.

The economic benefits of the proposal

The Planning, Design & Access Statement for Ladram Bay Holiday Park outlines several economic and employment benefits associated with the proposed development of 32 luxury lodges. Key points include:

1. Employment:

- Current employment at Ladram Bay includes 68 permanent staff and up to 102 seasonal staff, with 90% of employees residing within a 10-mile radius.

- The development will create 3 additional permanent jobs and 3-4 additional seasonal positions.

2. Local Economic Contribution:

- The holiday park contributes significantly to local employment through direct and indirect means, supporting local trades, services, and facilities.
- The new lodges are expected to reinforce existing employment, provide new job opportunities, and increase local economic benefits through higher visitor spending.

3. Sector Resilience and Contribution

- The broader UK holiday park and campsite sector, as reported in the 2024 'Pitching the Value' report, is shown to be resilient despite challenges like Brexit and the COVID-19 pandemic.
- The sector supports 226,745 full-time jobs and generates significant visitor expenditure, contributing £7.2 billion in Gross Value Added (GVA) to the UK economy.

The claim of creating only 3 additional permanent jobs and 3-4 seasonal positions does appear modest relative to the scale of investment (£4 million). A deeper analysis is needed to justify how these figures were derived and whether they accurately reflect the potential for local employment growth. The document cites various statistics from the UK Caravan and Camping Alliance's (UKCCA) reports. However, the reliance on broad industry reports may obscure the specific local impacts. It is essential to assess whether these general findings apply directly to Ladram Bay and its immediate economic environment.

The projected increase in visitor spending due to the new lodges should be backed by more localised data. The average spend figures provided are national averages, which might not fully capture regional variations in spending behaviour. While the statement highlights indirect employment benefits, the methodology for estimating these benefits is not detailed. It would be beneficial to have a clearer breakdown of how local trades, services, and facilities will be affected, along with quantifiable data.

In conclusion, while the economic benefits presented are promising, further detailed and localised analysis is required to substantiate these claims fully. Ensuring accurate and specific localised data would strengthen the case for the proposed development and its anticipated economic contributions to this locality. Given this it is considered moderate weight can be attributed to the economic benefits of the scheme such as additional employment and wider expenditure, and subsequent boost to tourism within the district.

Impact on highway safety and traffic movements

DCC Highways have been consulted on this proposal. Many of the objections received refer to the issue of traffic and this follows one of the main concerns within the neighbourhood plan of developing the site.

In terms of traffic generation, on the basis that there would not be any net gain in overall numbers of units within the overall site the impact would likely be negligible on the main traffic route to the site and no objection is raised by the Highway dept in this regard.

Concern has been raised that if larger lodges are installed this could lead to more occupants and in turn more traffic. However, there is no evidence to suggest that increased floorspace of lodges translates to more vehicles given that it is still more likely that these would be occupied by a family. It should be noted that what has been applied for with regards to the top field is a 'change of use of the land for the siting of lodges'. By definition these are moveable structures and so not considered 'buildings' due to lack of permanence and type of construction. Therefore, these lodges could be changed for different models of mobile structures at a later stage of differing sizes (provided ground conditions and layout remain unchanged) unless controlled through the use of a planning condition.

There is likely to be some interruption to the free flow of traffic during the construction period, however this is likely to be limited in duration and could be mitigated by adhering to a CEMP condition.

The above is based upon there not being any net gain in overall numbers of units overall on the site. However, to ensure this would require the use of a Grampian condition to ensure that no units are placed on the top field until the other two existing sites are reduced in number in accordance with the submitted layouts. Conditions cannot be used to ensure development is completed and without such conditions an operator could simply not carry out the unit reduction meaning that when the top field is occupied with lodges there would be an increase in over number (up to 32 more units).

Therefore, subject to conditions ensuring no net gain in overall units within the site and suitably controlling the construction phase, there are no highway issues weighing against this development.

Foul and surface water drainage

Foul Water

Wastewater from the entire Ladram Bay Holiday Park site is pumped to SWW's public drainage system located within Piscombe Lane approximately 300m from the park's western boundary.

Foul drainage from the proposed development will drain to the existing pump station, which is located close to the site's central facilities buildings, for onwards transfer to SWW infrastructure. The precise route of connection to the existing pumping station

has not yet been determined but it is likely that connection will be made to suitably sized existing drainage systems located within 'The Ridges', 'Smugglers' and / or 'Hillside' areas of the park (which skirt the application sites southern boundary).

The proposed development makes no net increase in the number of units provided within the site, as an equal number of units will be lost from other areas; as such the peak daily flow to both the existing pumping station and to SWW's drainage system will remain unchanged. Accordingly, the proposal is considered to accord with policy EN19 (Adequacy of foul sewers and adequacy of sewage treatment systems) of the LP.

Surface Water

Falling within a 'major' category of development the proposal is required to comply with SUDs requirements. In summary the impermeable areas of the proposed development will drain via a system of filter trenches and swales.

The East Devon strategic Flood Risk Assessment (SFRA) suggests that a Defra Study (Defra 2004) provided maps of groundwater flooding recorded during a particularly severe episode of groundwater flooding over the winters of 2000, 2001 and 2003. The study recorded no groundwater flooding incidents within East Devon.

In addition, the SFRA describes how the Defra study identified zones of potential 'groundwater emergence' based on a digital terrain model and using known groundwater levels, potential groundwater rise in response to recharge events, as well as a number of more local factors (e.g. actual reports of groundwater flooding, spring emergence, headwaters response etc.) No such emergence zones were found within the East Devon boundary.

On this basis the submitted drainage report concludes that the application site is at negligible risk of flooding from groundwater.

As the site is steeply sloping (average gradient 1:5) infiltration is discounted as a viable surface water disposal mechanism due to the potential for water to resurface in an uncontrolled manner 'somewhere' downslope.

This consideration is particularly valid in this case, where significant level changes exist close to the site's downslope boundary, where levels have been reduced by up to 5 - 6m approx. to create flat touring pitches. In view of this, the drainage report concludes that infiltration drainage will not be feasible on the site and as such drainage proposals are based upon alternative strategies as outlined below. Where infiltration is discounted, the 'normal' fall back is to revert to an attenuation-based system, discharging surface water to a suitable receptor at a rate which does not increase flood risk to third parties downstream or downslope.

This site, however, is quite unusual in that there are no third parties downstream, (as the holiday park adjoins the coast), as such there is no opportunity of increasing flood risks to third party's downslope of the development,

DCC Lead Flood team do not object to the proposal subject to a condition which requires further details and clarifications. The proposal is considered to comply with policy EN22 (Surface Water Implications of New Development) of the LP.

Impact on Ecology

The proposed development is for a site within or close to a nationally designated landscape namely East Devon National Landscape (defined in legislation as an Area of Outstanding Natural Beauty). Natural England has concluded that impacts on the nationally designated landscape and the delivery of its statutory purpose to conserve and enhance the area's natural beauty can be determined locally by the local planning authority.

The proposed development will result in the loss of 1.1 hectares of modified grassland, 0.19 hectares of tall ruderal habitats, and 8 meters of hedgebank. The development includes buildings and associated landscaping. The wooded bank and hedgerows will be retained and enhanced post-development. The landscaping will include a 5-meter wide strip of tussocky grassland with trees and scrub planting along the southern wooded bank boundary, 88 meters of new boundary native hedgebank, and the planting of 84 site trees and 0.14 hectares of scrub.

The survey area, covering approximately 1.76 hectares, consists primarily of modified grassland with tall ruderal vegetation, surrounded by hedgebanks and a wooded bank. The grassland, situated on a south-facing slope, is minimally managed except for mown paths used by dog walkers. It is dominated by tussocky grasses and ruderal species such as cock's foot, Yorkshire-fog, creeping thistle, and broadleaved dock. Additional species include white clover, creeping buttercup, spear thistle, and common sorrel.

The tall ruderal habitat, mainly located on a recently disturbed flat area towards the field's eastern end, features broadleaved dock, Yorkshire-fog, and occasional hemlock and white clover. Rare species include Canadian fleabane and black mustard.

Two hedgebanks border the site along the northern and western boundaries, and a line of trees runs along the southern and eastern boundaries. The hedgebanks, approximately 3-4 years old, include species like hawthorn, hazel, field maple, and dog rose. The southern and eastern boundaries are marked by a line of trees, including sycamore, sweet chestnut, and oak, with a ground layer dominated by bramble, nettle, and ivy.

The site offers limited habitat for common amphibians like the common frog, common toad, and palmate newt. No records of great crested newts were found within 1 kilometer of the site, although it lies within a great crested newt consultation zone. The site lacks suitable waterbodies for these newts.

One unidentified pipistrelle bat was recorded within 1 kilometer of the site, and a European Protected Species license for bats is located 1.3 kilometers to the west. The wooded bank contains trees with potential roosting features for bats, offering low to

moderate roosting potential. The site provides limited foraging and commuting habitat for bats.

Five records of badger use were found within 1 kilometer of the site, with evidence of badger paths and hair on barbed wire. No setts were found on-site, but the area forms part of a badger social group's territory.

Twenty-six bird species records were returned, including common species like dunnock and song thrush, and red-listed farmland birds like grey partridge and yellowhammer. The site's habitats provide general and nesting habitat for birds.

Two dormouse records were found approximately 160 meters to the north and northeast. Suitable dormouse habitats on-site include the wooded bank and hedgerows, which are connected to other suitable habitats nearby.

Three reptile records were returned, including slow worms and grass snakes. The hedgerow bases and modified grassland offer limited habitat for common reptiles.

To mitigate the ecological impact, the development will retain and enhance the wooded bank and hedgerows. The landscaping plan includes a 5-meter wide tussocky grassland strip with trees and scrub planting, 88 meters of new boundary native hedgerow, and the planting of 84 trees and 0.14 hectares of scrub. Modified grassland areas to be removed should be managed with a short sward to encourage amphibians and reptiles to move away from the working areas.

A sensitive lighting strategy is required to avoid illuminating wooded banks, hedgerows, and created habitats, thereby protecting nocturnal species like dormice and bats. Lighting should be minimal, using LED luminaires with warm white spectrum, and equipped with hoods or shields to reduce light spill.

During construction, trenches could be covered overnight to prevent wildlife entrapment, and tree protective measures should be implemented to safeguard retained hedgerows and wooded banks. Future management should avoid hedge cutting during the bird nesting season.

The proposed development will initially have a negative ecological impact by removing habitats for various species. However, the project plans to achieve a net gain in biodiversity, with a +21.61% change in area habitat and a +13.78% change in hedgerow habitat. With the implementation of mitigation measures and enhanced landscaping, the development would overall have an acceptable impact on onsite biodiversity.

Appropriate Assessment

EDDC guidance makes it clear that new housing and tourist accommodation will lead to increased recreational demands on the environment. Pebblebeds and Exe Estuary overlapping zones where in East Devon.

The Exe Estuary and the East Devon Pebblebed Heaths Special Protection Areas (SPAs) provide an important recreational resource for the local community. They are sensitive environments which are important to nature conservation and are subject to European wildlife site designations. The Authority has a responsibility under European Habitat Regulations to assess and seek to minimise the impacts of new development on these habitats. A recent study has shown that recreational use of the Exe Estuary and Pebblebed Heaths is already having a significant effect on the levels of disturbance of wildlife. New housing and tourist accommodation will lead to increased recreational demands on the environment.

In partnership with Natural England, the Council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in-combination have a detrimental impact on the Exe Estuary and Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of these SPAs. It is therefore essential that mitigation is secured to make such developments permissible.

The NPPF advises on the promotion, preservation, restoration and re-creation of priority habitats and protection and recovery of priority species. International and national legislation and policy already provides statutory protection for, and comprehensive guidance on, the management of valued biodiversity and geological assets. The Council will apply these safeguards carefully together with the continued use of Local Plan strategies and policies to conserve these precious assets.

East Devon District Council currently mitigates in accordance with its obligations under the Habitat Regulations by collecting contributions towards infrastructure (for instance SANGS) through the Community Infrastructure Levy.

To make it easier for developers to 'deliver' such mitigation, in many cases the Council will accept a financial contribution per new house or holiday unit. The three local planning authorities work in partnership to use these financial contributions to deliver the required mitigation measures. Alternatively, developers may choose to provide their own mitigation measures rather than pay the contribution. Similar approaches have been successfully adopted for other European-designated wildlife sites (for example, the Thames Basin Heaths, the Dorset Heaths and Breckland).

An Appropriate Assessment is required for development as it is within 10k of these designated sites the proposed development and could give rise to recreation activity. The Appropriate Assessment must consider the conservation objectives for the affected European site(s) and the effect the proposed development would have on the delivery of those objectives. In the light of the conclusions about the effects on the delivery of the conservation objectives the competent authority must decide if the integrity of the site would be affected. There is no definition of site integrity in the Habitats Regulations - the definition that is most commonly used is in Circular 06/2005 is '(...) the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats and/or the levels of populations of the species for which it was classified'.

In partnership with Natural England, the council and its neighbouring authorities of Exeter City Council and Teignbridge District Council have determined that housing and tourist accommodation developments in their areas will in-combination have a detrimental impact on the Pebblebed Heaths through impacts from recreational use. The impacts are highest from developments within 10 kilometres of these designations. It is therefore essential that mitigation is secured to make such developments permissible. This mitigation is secured via a combination of funding secured via the Community Infrastructure Levy and contributions collected from residential developments within 10km of the designations.

A legal agreement securing the contribution has not been provided to date. However, subject to a suitably worded condition to ensure there would be no overall net gain numbers of lodges or accommodation units there would not be an increase in pressures on this ecological designation. Therefore subject to a condition this should not weigh against the proposal.

Impact on High Quality Agricultural Land

Policy EN13 of the EDDC Local Plan and advice contained in the NPPF suggest that agricultural land falling in Grade 1, 2 or 3a should not be lost where there are sufficient areas of lower grade land available or the benefits of development justify the loss of the high quality land.

Records indicate that the site occupies an area that is the subject of a 'grade 3' agricultural land classification which is defined as 'good to moderate'. Grade 3 is split within grade 3a and grade 3b.

While it is not clear whether this is grade 3a (which would be regarded as higher grade land for the purposes of application of Policy E19 criteria - in addition to the provisions of Policy EN13 (Development on High Quality Agricultural Land) of the LP) or grade 3b (which is of a lower grade) the relevant classification would need to be ascertained. Given that the provisional classification is based on a higher level assessment a site-specific assessment should be undertaken to clarify further on site conditions.

Should it be established that the land is classified grade 3a the proposal would be considered to be contrary to both of these policies on the grounds that it would involve loss of higher grade agricultural land. However, in the absence of any site specific assessment to illustrate that this is not the case this must weigh against the proposal until proven otherwise.

Planning Balance

The proposed development of 32 luxury lodges at Ladram Bay Holiday Park would have significant adverse impacts on the designated landscape, as highlighted by the Landscape Architect's assessment. The development extends into a prominent and visible area, affecting views from key public viewpoints, including the South West Coast Path (SWCP) and High Peak. The existing visual harmony with the agricultural landscape and the setting of Sea View Farm would be disrupted. The proposed

mitigation measures, such as tree and scrub planting, are deemed insufficient due to the challenging coastal conditions and the likely need to maintain sea views from the new lodges. The photomontages provided are unclear about the timeframe for effective mitigation and provide limited comfort that the impact can be ameliorated. Accordingly, the development does not align with NPPF paragraph 180 and Local Plan strategies 7, 44, and 46, which emphasize the protection of the countryside, coastal preservation, and landscape conservation in Areas of Outstanding Natural Beauty (AONBs).

The economic and employment benefits of the proposed development are detailed in the applicant's Planning, Design & Access Statement. The development is projected to create 3 additional permanent jobs and 3-4 seasonal positions, supporting local employment within a 10-mile radius of the site. The holiday park currently contributes significantly to local employment and economic activity. The new lodges are expected to enhance this contribution through increased visitor spending, thereby supporting local trades, services, and facilities. The holiday park and campsite sector has shown resilience in testing times, contributing substantially to the national economy. The development proposed aligns with this trend, aiming to sustain and enhance local economic benefits despite broader economic challenges.

Nevertheless, the adverse effects on the landscape, particularly in a sensitive and highly visible coastal area, weigh heavily against the proposed development. The visual and environmental integrity of the AONB is a critical consideration and aligns with national and local planning policies aimed at preserving these landscapes. While the economic benefits, such as job creation and increased visitor spending, are positive, they are relatively modest in scale. The creation of 3 additional permanent jobs does not substantially offset the significant landscape harm identified.

Insufficient information has been submitted to confirm whether the proposal would result in the loss of best and most versatile agricultural land. Whilst in certain circumstances benefits of a scheme can outweigh such harm in this instance due to the above there is clear environmental harm arising from the development of the top field. In this regard there is identified conflict with policy EN13 and paragraph 180 of the NPPF.

The proposal's non-compliance with key planning policies focused on landscape and environmental protection makes a strong case against consenting the development. Preserving the natural and visual quality of the area takes precedence over the proposed economic gains. Indeed this is ingrained and recognised within the economic and tourist policies of the development plan, which make it clear that whilst such development can be supported this should not be at the expense of the natural environment.

The protection of the high-value landscape and adherence to established planning policies are attributed 'great weight' in considerations in this decision. Ultimately, it is the spectacular coastal, views, geology, and natural landscape that attract tourist to these areas. Degradation of such natural features would undermine the very reasons tourists visit in the first place. Given the substantial adverse landscape impacts and

the relatively modest economic benefits, it is recommended that the development be refused planning permission.

RECOMMENDATION

REFUSE for the following reasons:

1. The proposal takes place in a high value landscape, which has a high sensitivity to change. The proposed development for the siting of lodges (and the associated paraphernalia) on the top field site would, by virtue of the sites prominence, topography, intrinsic change in the character and introduction of built form with associated infrastructure would result in a large magnitude of change. This magnitude of change would be readily perceptible from the public realm from the South West Public Footpath, as well as notable local landmarks and surrounding vantage points, resulting in significant harm to the natural qualities of the character and appearance of the area. The proposal therefore fails to preserve and enhance the National Landscape and undermines the significant landscape qualities. Although there are some economic benefits recognised from the proposal in accordance with the National Planning Policy Framework the significant harm to the nationally recognised designation is attributed 'great weight'. Therefore, the proposal would conflict with the requirements of East Devon Local Plan Strategies 7 (Development in the Countryside), 44 (Undeveloped Coast and Coastal Preservation Area) and 46 (Landscape Conservation and Enhancement and AONBs) and policies D1 (Design and Local Distinctiveness) and D2 (Landscape Requirements), the Otterton Neighbourhood Plan policies ONP4 (Protecting and Enhancing the Natural Landscape) and ONP7 (Ladram Bay Holiday Park Development) and guidance within the National Planning Policy Framework.
2. Insufficient information in the form of a site specific land classification survey has been submitted in order to demonstrate that the proposed development would not result in the loss the best and most versatile agricultural land and as such fails to demonstrate that the best and most versatile soils would be protected or that alternative sites with lower quality have been considered. The resulting harm is considered to outweigh the benefits that the proposal could bring about and is contrary to Policies EN13 (Development on High Quality Agricultural Land) and E19 (Holiday Accommodation Parks) of the East Devon Local Plan 2013-2031 and paragraph 174 of the National Planning Policy Framework.

NOTE FOR APPLICANT

Informative: Confirmation - No CIL Liability. This Informative confirms that this development is not liable to a CIL charge.

Plans relating to this application:

LPD/1220/LBHP/ MP2/SW1	Other Plans	27.02.24
LPD/1220/LBHP/ MP2/SE1	Other Plans	27.02.24
LPD/1220/LBHP/ LPTF1	Location Plan	27.02.24
LPD/1220/LBHP/ LP2D	Other Plans	27.02.24
LPD/1220/LBHP/ CS1A	Sections	27.02.24
895/05 REV A	Other Plans	27.02.24
895/04 REV A	Other Plans	27.02.24
895/02 REV C	Other Plans	27.02.24
895/02 REV C	Other Plans	27.02.24
895/01 REV C	Other Plans	27.02.24
LAYOUT PLAN - EXISTING (AREA 2)	Other Plans	27.02.24
LAYOUT PLAN - EXISTING (AREA 1)	Other Plans	27.02.24
A - D	Proposed Elevation	03.04.24
FORESTERS LODGE 40 X 22 2 BED	Proposed Elevation	09.04.24
PLANTATION HOUSE 40 X 20 2 BED	Proposed Elevation	09.04.24
CASA DI LUSSO 45 X 22 2 BED	Proposed Elevation	09.04.24
15.04.2024	Other Plans	15.04.24

List of Background Papers

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

Statement on Human Rights and Equality Issues

Human Rights Act:

The development has been assessed against the provisions of the Human Rights Act 1998, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. 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.

Equality Act:

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