

Planning Committee

26 April 2011

Reference:
APP/10/01177

Area Team:
North Team

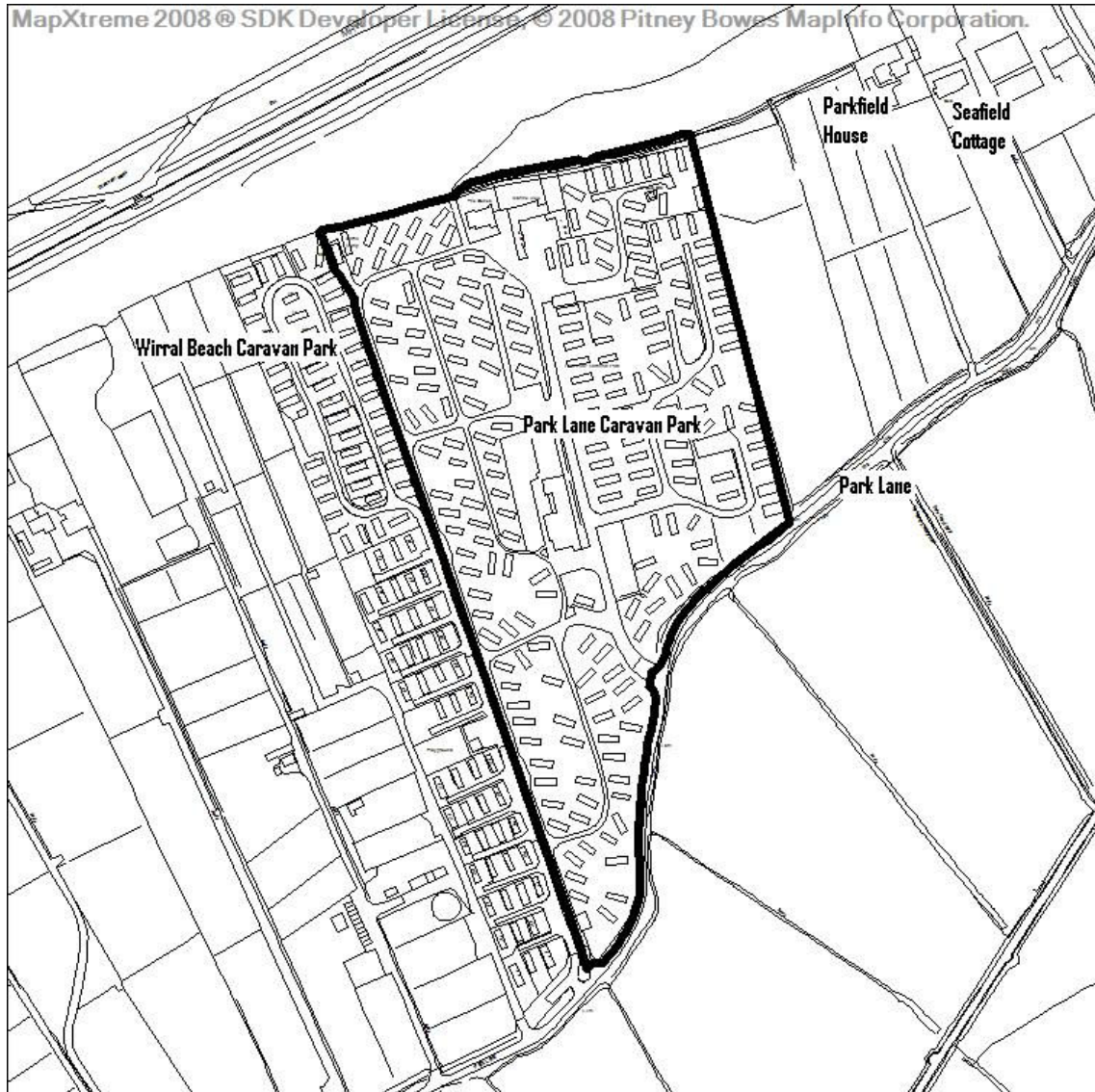
Case Officer:
Mrs S Lacey

Ward:
Hoylake and Meols

Location: Park Lane Caravan Park, PARK LANE, MEOLS, CH47 8XX
Proposal: Removal of condition 4 of planning application APP/90/06186 to allow the site to operate as a holiday park all year round.

Applicant: Britaniacrest Ltd
Agent : Mrs R Whaley

Site Plan:



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Development Plan allocation and policies:

Green Belt
Washland
Coastal Zone

Site of Biological Importance
Countryside Recreation Site

Planning History:

APP/90/06186 - Revised layout of caravan park and landscaping and use of one caravan for permanent occupation by site warden - Approved - 11/07/1990

APP/97/05654 - Change of use of 1 additional holiday caravan to staff/warden accommodation for all year occupation to provide a total of 3 staff caravans at Wirral Beach Caravan Park - Refused - Appeal decision T/APP/X4725/A/97/279980/P2 dismissed

Summary Of Representations and Consultations Received:

REPRESENTATIONS:

22 letters of notification were sent to the occupiers of neighbouring properties and a site notice was displayed on Park Road. One objection was received citing the following concerns:

1. Deleterious effects on the local environment including the existing infrastructure is unable to cope with the existing traffic, the access road is rutted and there have been many accidents.
2. The caravan site is under regulated;
3. Issues regarding community charge.

CONSULTATIONS:

The Environment Agency did not wish to comment on the application;
Merseyside Environmental Advisory Service did not wish to comment on the application;
The Green Belt Council objected as the removal of the restriction could give rise to permanent residential occupation of the caravan, contrary to the Green Belt status of the land. Managing the occupancy would be difficult to monitor.

Director's Comments:

REASON FOR REFERRAL TO PLANNING COMMITTEE

The application was removed from delegation by Councillor Hale on the grounds that the status quo should be maintained, as it would be more easily controlled and more conducive to checking by inspection.

INTRODUCTION

The application proposes the removal of condition 4 of approved planning application APP/90/06186 (*"The caravans (with the exception of the warden's caravan) shall not be occupied except during the period 1st March to 31st October each year"*) to allow the site to operate as a holiday park all year round.

PRINCIPLE OF DEVELOPMENT

There is a general presumption against development of caravan parks in the Green Belt except in very special circumstances under the terms of UDP Policy GB2. Provision is made for tourism attractions and visitor facilities subject to the criteria of Policy TL10 of the adopted Wirral UDP.

SITE AND SURROUNDINGS

The site comprises an established caravan park situated within the Green Belt, Coastal Zone and Site of Biological Importance.

POLICY CONTEXT

The application will be considered under guidelines for development in the Green the Belt under Policy GB2 and the relevant criteria for tourism and visitor related development in the Green Belt TL10 set out in the Wirral Unitary Development Plan 2000. PPS7 Sustainable Development in Rural Areas (2004) and PPG2 Green Belts (1995), and the wider objectives of farm diversification. The Good Practice Guide on Planning for Tourism (GPGTP) are also a relevant.

UDP Policy GB2 and National Policy Guidance PPG2 both indicate that planning permission should

not be granted unless it is for a limited number of closely defined purposes.. These do not include caravan parks. Thus very special circumstances need to be demonstrated if approval is to be justified.

UDP Policy TL10 Criteria for Tourism Development in the Green Belt indicates that tourist attractions and visitor facilities within the Green Belt can be permitted where proposals can be accommodated within existing buildings or would otherwise preserve the openness of the Green Belt providing the nature and scale of the proposal is appropriate and will not cause unacceptable disturbance to neighbouring property or land use. While the caravans are not buildings, the existing caravan park is an established use and there would be no further physical impact arising from this proposal.

PPS7 Sustainable Development in Rural Areas (2004) encourages activities that help to diversify rural economies and can play an important economic role, provided that such development is not detrimental to the attractiveness of the countryside and preserves the openness of the Green Belt.

The Good Practice Guide on Planning for Tourism was published on 16th May 2006 and contains a model occupancy condition that can be attached to caravan sites to prevent them from becoming permanent residences for occupiers.

It is considered that the lack of visual harm to the Green Belt and the availability of alternative controls to prevent the site converting into permanent residential accommodation can be accepted as very special circumstances to warrant approval under UDP Policy GB2. The application is also capable of meeting the criteria set out UDP Policy TL10.

APPEARANCE AND AMENITY ISSUES

Condition 4 of planning application APP/90/06186 states: "The caravans (with the exception of the warden's caravan) shall not be occupied except during the period 1st March to 31st October each year".

This condition was placed on the application to prevent the permanent occupation of the caravans which is considered to be contrary to Green Belt policies.

The application wishes to remove this condition. This would allow the site to remain open all year round with 12 month occupancy of the caravans.

The main concern with removing the condition is the caravans could be occupied permanently. The applicant has addressed this by proposing three occupancy conditions (as set out in the D&A Statement):

- i) the caravans are occupied for holiday purpose only;
- ii) the caravans shall not be occupied as a person's sole, or main place of residence;
- iii) the owner/operators shall maintain an up-to-date register of the names of all owners/occupiers and their main home address.

The main concern with the application is that the caravans do not become permanent residences, which is considered to have a harmful impact on the character of the Green Belt and on the local housing stock, or the wider regeneration aims for the eastern side of the Borough.

Since the refusal of a permanent occupation in 1997 at the adjoining site, a case has emerged (appeal reference APP/E2340/A/10/2137243) to demonstrate the occupancy of caravans can be controlled by the applicant's suggested conditions rather than limiting the months of occupation, which is a material consideration when determining the application. The Planning Inspectorate concluded whilst it is reasonable and necessary to impose occupancy conditions on caravans to prevent the caravans becoming permanent residences, the use of a conditions allowing 11 month occupation fails as it allows caravans to be occupied by the same persons for 11 months of the year as their sole or main residence, as long as they go away for a four week holiday, and does not address the concerns of permanence.

The standard holiday occupancy condition drafted in accordance with the Good Practice Guide on Planning for Tourism, which expressly states that the caravans on the site shall only be used for

holiday purposes and not as a persons main or sole place of residence. Such a condition would prevent any permanent residential use. This condition could be enforced simply by requiring the operators of the site to maintain and allow inspections of a register of owners/occupiers and their main addresses.

SEPARATION DISTANCES

Separation distances do not apply in this instance, as no residential properties will be affected by the proposed development.

HIGHWAY/TRAFFIC IMPLICATIONS

The proposal is considered not to significantly increase the volume of traffic on the public highway. There are no Highway Implications relating to this proposal.

ENVIRONMENTAL/SUSTAINABILITY ISSUES

There are no Environmental/Sustainability issues relating to these proposals.

HEALTH ISSUES

There are no health implications relating to this application.

CONCLUSION

The proposal is considered acceptable under Green Belt Policy TL10 Criteria for Tourism Development in the Green Belt set out in the Wirral Unitary Development Plan (2000), PPS7 Sustainable Development in Rural Areas (2004), PPG2 Green Belts (1995) and The Good Practice Guide on Planning for Tourism (2006). The proposal is considered not to have a detrimental impact on the character of the Green Belt, local housing stock, or the wider regeneration aims for the eastern side of the Borough subject to conditions.

Summary of Decision:

Having regards to the individual merits of this application the decision to grant Planning Permission has been taken having regards to the relevant Policies and Proposals in the Wirral Unitary Development Plan (Adopted February 2000) and all relevant material considerations including national and regional policy advice. In reaching this decision the Local Planning Authority has considered the following:-

The proposal is considered acceptable under Policy GB2 'Guidelines for Development in the Green Belt ' and TL10 Criteria for Tourism Development in the Green Belt set out in the Wirral Unitary Development Plan (2000), PPS7 Sustainable Development in Rural Areas (2004), PPG2 Green Belts (1995) and The Good Practice Guide on Planning for Tourism (2006) because, in this particular case, there would be no visual harm to the character of the Green Belt and alternative controls can be applied to prevent the occurrence of permanent residential development. ,.

Recommended Approve
Decision:

Recommended Conditions and Reasons:

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. All caravans shall be occupied for holiday purposes only and not as any person's sole or main place of residence

Reason: To prevent the permanent residential use of the units in an area where permanent residences are not supported by planning policy.

3. The owners/occupiers of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses.

The register shall be made available at all reasonable times for inspection by officers of the Local Planning Authority.

Reason: To prevent permanent residential use of the units in an area where permanent residences are not supported by planning policies

Further Notes for Committee:

Last Comments By: 06/12/2010 16:32:42

Expiry Date: 16/12/2010