

Planning Committee

26 April 2011

Reference:
APP/10/01476

Area Team:
North Team

Case Officer:
Mrs S Lacey

Ward:
Hoylake and Meols

Location: Park Lane Caravan Park, PARK LANE, MEOLS, CH47 8XX
Proposal: Variation of condition 4 of approved planning application APP/95/05789 to allow the site to operate as a holiday park all year round

Applicant: Britaniacrest Ltd
Agent : Mrs Whaley

Site Plan:



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Development Plan allocation and policies:

Coastal Zone
Green Belt

Planning History:

APP/95/05789 Change of use of land to caravan park for 21 caravans - Approved 04/07/1996

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:**

13 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. The application will change the nature of the North Wirral Country Park
2. Such a change should only be sanctioned at a political level not that of the local planners
3. This site was a tent encampment (Burbo Camp) since the 1950s for summer occupancy only. In recent years provision has moved closer to the trailer parks of Prestatyn and Rhyl
4. Demographic and property trends have lead those areas to become areas of deprivation and blight
5. This part of the Green Belt is precious and its over-use (i.e. if it becomes a year round trailer park for people who cannot afford proper housing) can destroy one of Wirral's treasures.

Councillor Hale requested the application be removed from delegation on the grounds the existing status quo can be more easily controlled and is more conducive to checking by inspection.

CONSULTATIONS:

The Director of Technical Services (Highway Engineers) had no objection to the proposal.

The Director of Law, HR and Asset Management (Environmental Health) had no objection to the proposal.

Director's Comments:**REASON FOR REFERRAL TO PLANNING COMMITTEE**

The application was removed from delegation by Councillor Hale on the grounds 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 variation of condition 4 of approved planning application APP/95/05789 (*"The caravans shall not be occupied except during the period 1st March to 15th January each year"*) to allow the site to operate as a holiday park all year round with an 11 month occupation.

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, PPS7 and PPG2.

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 Policy TL10 Criteria for Tourism Development in the Green Belt set out in the Wirral Unitary Development Plan 2000, and assessed against 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 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 sets out tourist attractions and visitor facilities within the Green Belt will be permitted within the Green Belt where the nature and scale of the proposal is appropriate and will not cause unacceptable disturbance to neighbouring property or land use.

PPG2 and Policy GB2 set out the national and local policy context and both are generally of a similar content. PPG2 states that planning permission will not be granted unless it is for a limited number of closely defined purposes. These include agriculture or other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. In terms of local policy the same principles are echoed and there is the presumption against inappropriate development in the Green Belt and such development will not be approved except in very special circumstances. It is reasonable for the Local Authority to permit holiday accommodation subject to a condition restricting its use to holiday (or seasonal) accommodation only.

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/95/05789 states: "*The caravans shall not be occupied except during the period 1st March to 15th January 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 vary this condition to allow the site to remain open all year round with 11 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.

As such appeals have been allowed where the standard holiday occupancy condition is 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 which details 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 Decision: **Approve**

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: 26/02/2011 11:31:56

Expiry Date: 01/03/2011