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| <b>REFERENCE NO - 17/502567/FULL</b>  |   |  |             |
| <b>APPLICATION PROPOSAL</b><br>Variation of condition 2 of SW/12/0080 to allow up to three caravans on the site to be occupied on a year-round basis by staff employed on the caravan site. |   |  |             |
| <b>ADDRESS</b> Sheerness Holiday Park Halfway Road Minster-on-sea Sheerness Kent ME12 3AA   |   |  |             |
| <b>RECOMMENDATION</b> Grant subject to conditions   |   |  |             |
| <b>SUMMARY OF REASONS FOR RECOMMENDATION</b><br>Scheme would provide necessary site security.   |   |  |             |
| <b>REASON FOR REFERRAL TO COMMITTEE</b><br>Parish Council objection.  |   |  |             |
| <b>WARD</b> Minster Cliffs  | <b>PARISH/TOWN COUNCIL</b><br>Minster-On-Sea  | <b>APPLICANT</b> Cosgrove Leisure<br><b>AGENT</b> Mr Mark Southerton |             |
| <b>DECISION DUE DATE</b><br>14/08/17  | <b>PUBLICITY EXPIRY DATE</b><br>11/07/17  |  |             |
| <b>RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):</b>   |   |  |             |
| <b>App No</b>   | <b>Proposal</b>   | <b>Decision</b>  | <b>Date</b> |
| 15/505196   | Permission granted for the erection of a security hut at the front gate, and erection of an extension to the clubhouse. | Approved.  | 2015        |
| Security hut considered necessary to control vehicle access to the site, and clubhouse extension generally acceptable.  |   |  |             |
| SW/12/0080  | Permission granted for 10-month occupancy.  | Approved   | 2012        |
| In-line with Council's adopted stance on occupancy of holiday parks.  |   |  |             |

## MAIN REPORT

### 1.0 DESCRIPTION OF SITE

- 1.01 Sheerness Holiday Park is situated on the Halfway Road to the south of Sheerness, and comprises 341 static caravan pitches.
- 1.02 The site is bounded by a chain link fence and is generally flat.

### 2.0 PROPOSAL

- 2.01 Application seeks to vary condition 2 of SW/12/0080 (the permission which granted 10-month occupancy) to allow 3 caravans to be occupied year-round by staff in the interests of site security.
- 2.02 Units 26, 52, and 79 would be occupied year-round, and are spread across the site.

### 3.0 PLANNING CONSTRAINTS

- 3.1 The site lies within an area of Potential Archaeological Importance, and Flood Zone 3.

#### **4.0 POLICY AND OTHER CONSIDERATIONS**

- 4.01 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) generally encourage tourism development.
- 4.02 Policies DM4 (extensions to holiday parks), DM5 (occupancy of holiday parks) and DM14 (general criteria) of the Bearing Fruits 2031 – The Swale Borough Local Plan 2017 are relevant.
- 4.03 DM4 states that *“permission will be granted for the upgrading and improvement of existing static holiday caravan and chalet sites,”* while DM5 aims to ensure that holiday chalets are not occupied for 12 months in order to prevent them from becoming full-time residential dwellings.

#### **5.0 LOCAL REPRESENTATIONS**

- 5.01 One letter received raising no objection, but asking that road signage be placed at Park Road (to the north of the site) to inform drivers aiming for the caravan park that there is no through access and turning is limited.
- 5.02 One letter received objecting to the provision of more caravans on the site, particularly with 12 month occupancy. [NB: I think the objector has misunderstood the nature of this application, as no additional caravans are proposed.]

#### **6.0 CONSULTATIONS**

- 6.01 Minster Parish Council object to the scheme:

*“The site lies in an area of risk of tidal flooding. Permanent year-round occupation of the single storey accommodation would place people at unnecessary risk and increase the burden on the emergency service in times of flood, contrary to Planning Policy Statement 25: Developmental and Flood Risk, Policy E4 of the Swale Borough Local Plan 2008 and Policy NR10 of the Kent and Medway Structure Plan.”*

- 6.02 I would note, however, that PPS25 was abolished in 2014, and the Kent and Medway Structure Plan was superseded by the South East Plan in 2009, which was then itself abolished in 2013 following publication of the NPPF.
- 6.03 The Environment Agency has no objection provided that the Council is satisfied that there is a business need for the 3 caravans to be occupied.
- 6.04 Kent Police welcome the proposal, commenting:

*“We have 31 reported crimes to this caravan site in the last 12 months. The Policing of caravan sites on Sheppey continues to be a resource intensive activity for the Police requiring additional seasonal resources. I have not looked at the application in detail however I would suggest any additional site security would be welcome from a Police perspective.”*

- 6.05 KCC Highways and Transportation have no comments.

#### **7.0 BACKGROUND PAPERS AND PLANS**

- 7.01 The application is supported by a site plan and a covering statement, which comments:

*“The suggested locations of the three units are shown on the submitted plans (Northcroft 79; Springfield 52; Springfield 26). All three have easy access to the range of facilities in the centre of the park whilst providing a staff presence at different points on the holiday site to the benefit of the management/control of the park which, together with the central building group, provide a good overview of most areas. It is important to provide a sense of overview/security of the holiday caravans especially to ensure holiday makers act responsibly and do not impact unacceptably on the amenities of other holidaymakers, as well as being on hand to deal with any problems that can arise day or night...*

*Potential purchasers of holiday homes expect the site owner to be able to demonstrate that the caravans will be secure (especially in the off-season/winter when visits by owners are likely to be infrequent such that general security, checking for frost problems or general winter damage are an expected part of the service). Static caravans represent a substantial investment by purchasers who will reasonably expect their investment to be looked after!*

*In the two month closed period there is a need to work continuously on general maintenance/enhancement and undertaking works that would otherwise detract from visitors enjoyment of the site if not carried out whilst the opportunity is there with the site shut. There is also the need to have proper security in place both for the caravans and the site buildings and equipment etc. Whilst the three staff units proposed for use over the closed winter period are essential to help with the necessary site work and security during this period, in reality some of the staff using these caravans may well take their own holidays during the closed season so three units for such use may only leave one or two being used during this time, the minimum to achieve a reasonable level of staff cover/security and oversight of the closed season work programme.*

*The basic case in terms of functional need is centred on the fact that the site requires on-site staff to deal with a wide variety of business needs and demands. This includes the security needs of the business which are a material consideration as accepted by previous guidance such as Circular 5/94 with The Crime and Disorder Act 1998 obliging such matters to be taken into account in the determination of all planning applications. Insurance companies will often refuse to insure holiday caravan sites which do not provide an on-site 24 hour a day year round staff presence, this problem having been highlighted by the British Holiday and Home Parks Association which is the commercial association representing holiday park businesses.”*

## 8.0 APPRAISAL

- 8.01 The application site lies outside of the built up area boundary where the Council's established policies of rural restraint seek to prevent unnecessary housing. Within the designated holiday parks policy DM5 prohibits use of caravans for 12 months of the year *“to ensure a sustainable pattern of development and to protect the character of the countryside.”*
- 8.02 The Council does recognise, however, that these holiday parks do need an element of site security, particularly through the closed season when there are few people about

and units could be vulnerable to break-ins. 12 month occupancy for staff / security purposes has been approved on individual caravans and chalets at a number of parks in the Borough, such as at Warden Springs (ref. 16/508411/FULL), Ashcroft Holiday Park (ref. 16/508226/FULL), or Shurland Dale (ref. 16/508223/FULL).

- 8.03 In this regard, I give significant weight to the comments from Kent Police, which highlight a need for security at the site (and I'd also consider this to be a business need, further to the EA's comments).
- 8.04 I don't consider the use of three caravans to be excessive for security purposes. They are spread across the park so will provide decent "coverage," and having a number of units will allow some redundancy if, as per the supporting statement, staff are away from the site on holidays, etc. Use of three caravans on a year-round basis, solely for the purposes of site security, would also not significantly change the character of the area, and the park would remain largely empty during the closed season.
- 8.05 With regard to the above, I don't agree with the Parish Council's objection, and I can unfortunately give little weight to the letters from local residents as they don't relate to the matter at hand.
- 8.06 I have considered the previous application for erection of a security lodge at the site, but don't consider that has any bearing here. The building permitted under that scheme effectively amounts to a control room at the site entrance, rather than a dwelling capable of housing 24hr security staff.

## 9.0 CONCLUSION

- 9.01 With regard to the above, I consider that there is a demonstrated need for units to be occupied year-round for the purposes of site security, and therefore recommend that planning permission should be granted.

## 10.0 RECOMMENDATION – GRANT Subject to the following conditions:

- (1) The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which the permission is granted.

Reason: In pursuance of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- (2) No caravans (other than caravans 26, 52, and 73, as shown on the submitted drawings, which can be occupied for 12 months of the year by site staff for the purposes of site security) shall be occupied except between 1st March and 2nd January in the following calendar year, and no caravan shall be occupied unless there is a signed agreement between the owners or operators of the Park and all caravan owners within the application site, stating that:
- (a) The caravans are to be used for holiday and recreational use only and shall not be occupied as a sole or main residence, or in any manner which might lead any person to believe that it is being used as the sole or main residence; and
  - (b) No caravan shall be used as a postal address; and
  - (c) No caravan shall be used as an address for registering, claiming or receipt of any state benefit; and

- (d) No caravan shall be occupied in any manner, which shall or may cause the occupation thereof, to be or become a protected tenancy within the meaning of the Rent Acts 1968 and 1974; and
- (e) If any caravan owner is in breach of the above clauses their agreement will be terminated and/or not renewed upon the next expiry of their current lease or licence.

On request, copies of the signed agreement[s] shall be provided to the Local Planning Authority.

Reason: In order to prevent the caravans from being used as a permanent place of residence.

- (3) Any caravan that is not the subject of a signed agreement pursuant to condition 2 shall not be occupied at any time.

Reason: In order to prevent the caravans from being used as a permanent place of residence.

- (4) The owners or operators of the Park shall at all times operate the Park strictly in accordance with the terms of the Schedule appended to this decision notice.

Reason: In order to prevent the caravans from being used as a permanent place of residence.

- (5) Within three months from the date of this permission a site-specific evacuation plan shall be submitted to the Local Planning Authority and, upon approval, shall be made readily available for inspection and implemented upon receipt of a flood warning from the Environment Agency (or other competent authority).

Reason: To reduce the risk of flooding to the proposed development and the future occupants of the site.

- (6) The mobile homes / caravans on the site shall be firmly secured to the ground, in a manner to be submitted to and agreed with the Local Planning Authority within three months from the date of this permission, to prevent movement during extreme flood conditions.

Reason: To reduce the risk of flooding to the proposed development and the future occupants of the site.

- (7) This permission shall expire in ten years from the date of approval.

Reason: To allow re-evaluation of the acceptability of the proposals in light of the likely effect of climate change.

**SCHEDULE**

The Park operator must:

- 1. Ensure that all caravan users have a current signed agreement covering points (a) to (e) in condition 2 of the planning permission; and

2. Hold copies of documented evidence of the caravan users' main residence and their identity; this may comprise of utility bills, Council Tax bill, passport, driving licence or similar document; and
3. On request, provide copies of the signed agreement[s] to the Local Planning Authority; and
4. Require caravan users to provide new documentation if they change their main residence; and
5. Send all written communications to the main residence of the caravan user; and
6. Not allow postal deliveries to the caravan or accept post on behalf of the caravan users at the park office; and
7. Ensure that each caravan is to be used for holiday use only and that no caravan is occupied as a sole or main residence, or in any manner which might lead any person to believe that it is being used as the sole or main residence, of the user or occupant; and
8. Adhere to a code of practice as good as or better than that published by the British Homes and Holiday Parks Association.

**The Council's approach to this application:**

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework (NPPF), the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and proactive manner by:

Offering pre-application advice.

Where possible, suggesting solutions to secure a successful outcome.

As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance the application was acceptable as submitted and no further assistance was required.

NB For full details of all papers submitted with this application please refer to the relevant Public Access pages on the council's website.  
The conditions set out in the report may be subject to such reasonable change as is necessary to ensure accuracy and enforceability.