

2.12 REFERENCE NO - 22/500843/FULL		
APPLICATION PROPOSAL Replacement of 10 existing chalets with 8 modern chalets.		
ADDRESS Isle Of Sheppey Holiday Village Warden Bay Road Leysdown Sheerness Kent ME12 4LX		
RECOMMENDATION Grant subject to conditions.		
REASON FOR REFERRAL TO COMMITTEE Parish Council objection.		
WARD Sheppey East	PARISH/TOWN COUNCIL Leysdown	APPLICANT Isle Of Sheppey Holiday Village AGENT Carter Jonas
DECISION DUE DATE 02/05/22		PUBLICITY EXPIRY DATE 31/03/22

Planning History

21/506646/FULL

Erection of a wardens accommodation chalet with associated parking.

Approved Decision Date: 15.02.2022

21/506407/FULL

Replacement of 5 no. chalets.

Approved Decision Date: 26.01.2022

21/502544/LAWPRO

Lawful Development Certificate (Proposed) for year-round occupation of holiday chalets.

Approved Decision Date: 13.08.2021

1. DESCRIPTION OF SITE

1.1 The application site concerns a long established Holiday Park site originally approved in 1955. The site is known as the Isle of Sheppey Holiday Village and is located just north of Leysdown Road and east of Warden Bay Road. The site forms part of a cluster of holiday sites and is surrounded by other holiday camps including Warden Bay Caravan Park to the west, Vanity Farm Holiday Camp to the south, Loves Holiday Camp to the north and Little Groves Holiday Caravan and Chalet Park to the east. The site is outside of any built confines but forms part of the Council's designated holiday park sites under policies DM4 and DM5 of the Local Plan.

2. PROPOSAL

2.1 This application seeks planning permission for the replacement of 10 chalets on the Isle of Sheppey Holiday Village, numbers 105, 106, 107, 108, 109, 110, 111, 112, 113 and 114 with 8 modern chalets.

- 2.2 The replacement chalets will measure 11.9m in length with a width of 4.6m which is a larger footprint than the existing chalets (which are approx. 3.66m x 7.77m). The chalets will have pitched roofs measuring 2.8m to eaves height and 4.2m to ridge height from natural ground level.
- 2.3 A small deck area will be provided to the rear of each chalet which will have a minimum level of 300mm and a parking space would be located to the side of each chalet.
- 2.4 5 of the chalets will provide one double bedroom, bathroom, kitchen/dining/living space as well as some storage, with one of these being wheelchair accessible. The other 3 chalets will provide two bedrooms, bathroom, kitchen/dining/living space as well as some storage.
- 2.5 Materials include profiled metal sheeting for the roofs, Cedral cladding for the walls and the windows and doors are to be UPVC.

3. PLANNING CONSTRAINTS

- 3.1 Some peripheral areas of the wider park fall within Environment Agency Flood Zones 2 and 3 although it does not appear that this extends to the chalets subject to this application.

4. POLICY AND CONSIDERATIONS

- 4.1 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) support appropriate economic and tourist development, subject to general amenity considerations.
- 4.2 Policies ST1, CP1, CP4, DM4, DM5, DM14, and DM21 of the adopted Swale Borough Local Plan 2017 are relevant.
- 4.3 Policy DM4 “New Holiday Parks or Extensions to Existing Parks” is of specific relevance and states:

“1. Planning permission will be granted for the upgrading and improvement of existing static holiday caravan and chalet sites (including their conversion from one to the other) within the existing boundaries of the Holiday Park areas as shown on the Proposals Map. Planning permission will not be granted for any new static holiday caravans and chalets, or extensions, outside of the Holiday Park areas on the Isle of Sheppey as shown on the Proposals Map...

3. Where new or improved facilities are proposed within the existing boundaries of the Holiday Park areas, as shown on the Proposals Map, planning permission will be granted provided they are:

- a. of a type and scale appropriate to the site or park they are intended to serve;*
- b. where feasible, made available for use by the local resident population; and*
- c. in accordance with Policy DM 5”*

5. LOCAL REPRESENTATIONS

5.1 Leysdown Parish Council comments as follows:

The Parish Council welcomes improvements to the site and encourage the site owners to do this. However, the Council wanted to make it very clear that Swale Borough Council will ensure that Sheppey Holiday Village will remain a holiday camp and not commit to a full residential estate. Otherwise, no further comments regarding this application have been raised.

5.2 Warden Parish Council object to the application. Their initial comments were as follows:

Warden Parish Councils comments are that the permissions if granted must state that the accommodation must remain holiday units not residential. Also please ensure that the existing chalets are removed safely, complying with all the safety regulations that are in place regards to asbestos removal and disposal. This is due to the adverse impact that additional residents to the area, would significantly make to the settled community in use of already stretched GP services and school places.

Clarification was then sought from the Parish Council on their reasons for objecting. The below response was received:

Warden Parish Council is responding that as far as we are aware, the 12months holiday occupancy has been agreed on this site, and we welcome the upgrading of any site. However, in recent years units have been demolished both within the site and adjacent to the public highway, with no permission, and no safeguarding policies in place. Which is why we asked in our previous comments for these conditions to be imposed. As far as the Parish Council understands, we are asked for constructive comments not just objections on planning applications, as many applications whilst not objectionable impinges on the settled community as well as holiday makers.

A further email was then received confirming the Parish Council's stance was to maintain an objection to the application.

5.3 5 local representations have been received, objecting to the application. Their reasons for objecting are summarised below:

- Will make the units and the site unaffordable to holidaymakers
- Changes to the size/shape/and styling of the chalets will alter the appearance of wider site

CONSULTATIONS

5.4 Natural England have no objection.

5.5 Environment Agency request a contamination condition and confirmation of how foul water would be disposed of.

5.6 KCC Drainage state that the application falls outside their remit to comment.

5.7 KCC Highways state that the application is outside their remit to comment.

5.8 Environmental Health have no comments to make.

5.9 The SBC Tourism Officer supports the application “*which recommends site refresh/modernisation with replacement of 10 existing chalets with 8 modern chalets.*”

6. BACKGROUND PAPERS AND PLANS

6.1 Plans and documents relating to 22/500843/FULL.

7. APPRAISAL

Principle of Development

7.1 The site is long established and a designated holiday park site under the Local Plan. Policy DM4 specifically promotes the upgrading and improvement of existing static holiday caravan and chalet parks.

7.2 The existing chalets to be replaced are in varying states of repair as they have been modified and upgraded by individual owners. The planning statement confirms that the intention to remove and rebuild these chalets is to allow modernisation so the site can compete in the market.

7.3 The replacement with newly constructed chalets to modern and more energy efficient standards would, in my opinion, constitute a clear upgrade and improvement to the holiday park offer and would comply with Policy DM4. The Council’s Tourism manager also lends support to the application. As such I consider that the principle of development is clearly accepted.

Visual Impact

7.4 The proposed chalets are slightly larger than the existing chalets but would remain as modest single storey units and appropriate to the context of the holiday park. The chalets would appear modern in design with cladding of a neutral colour and solar panels to the roofs. They would each have a raised deck area to the rear and would project slightly further the east of the application than the existing chalets. I still consider the open nature of the site would be retained with sufficient distances between the proposed chalets and chalets on the wider site. A row of 8 modern chalets identical in design and appearance would in my view be visually acceptable and would maintain, if not improve, the appearance of the site.

Residential Amenity

7.5 The internal floorspace has been logically arranged with windows only located in one elevation to help provide some privacy for neighbouring chalets. I have included a condition below restricting hours of construction to ensure the development does not cause harm to amenity during the construction phase. I also include a condition removing permitted development rights for the replacement chalets, in order to prevent the uncontrolled expansion of the units.

Flooding

7.6 The wider park is partially located in Flood Zone 3, and a flood risk assessment has been submitted to accompany this development. The FRA confirms that the site lies in a tidal Flood Zone 3 (high probability) but benefits from the presence of flood defences

which classes the risk of flooding from rivers or sea as low to very low. The report also confirms that the site is at a Very Low to Low risk of pluvial flooding and a Negligible risk of groundwater flooding. Notwithstanding this, the Council's flood maps do not identify the location of the chalets within flood zones 2 or 3, and the EA has not submitted any comments or advice on the scheme. In any case, given that the development represents the replacement of chalets already on the site I do not consider the development would cause any additional flood risk issues over that which may exist for the existing chalets.

- 7.7 The Environment Agency have asked for confirmation of how foul drainage would be disposed of and the agent has confirmed this would be through the existing drainage system in place on the site.

Contamination

- 7.8 The Environment Agency have requested that a contaminated condition be included on the permission in case, during development, contamination not previously identified is discovered. I have included this below.

Other Matters

- 7.9 I note that as this is for replacement units rather than entirely new, additional plots there is no requirement for a SAMMS contribution to be secured as there is no net gain in accommodation.
- 7.10 The holiday park operates under a planning permission (NK/8/55/65) that does not restrict seasonal occupancy of the units. This has also been confirmed through a Lawful Development Certificate under 21/502544/LAWPRO - meaning that the site can lawfully operate for 12 months of the year. As this application would replace existing chalets on a site that is not restricted in terms of occupancy, it would be unreasonable to impose any occupancy restrictions on the replacement chalet buildings. This is consistent with the Council's position and that of an appeal decision at another holiday site at Seaview Park, Warden Bay Road which permitted a similar proposal for replacement chalets on a park which had no existing occupancy conditions.
- 7.11 The parish council has highlighted that the site should remain as a holiday park. There is nothing to suggest in this application that the site is intended for any use other than as holiday accommodation. If this was to occur (e.g if the site was used as permanent residential homes), the Council would need to consider whether a material change of use had occurred, taking into account the lack of any occupancy conditions on the site. This matter has been the subject of some extensive wider planning caselaw, although I would reiterate that there is no suggestion in this application that the site would be used for purposes other than as holiday accommodation.

8. CONCLUSION

- 8.1 In conclusion, the chalets would replace existing chalets that are poor in appearance and construction. The replacement chalets would be of a larger scale and footprint but would be more energy efficient, and of better visual appearance. This would comply with the aims of Policy DM4 to improve holiday stock on existing designated parks.

9. RECOMMENDATION

GRANT Subject to the following conditions:

CONDITIONS to include

- (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 development shall take place other than in accordance with the details shown on the following drawings: 2110-01 Location Plan; 2110-05 Proposed Plan and Elevations, 2113-02 Block Plan; 2113-04 Proposed Site Plan; 2113-07 Proposed Elevation and Model Views.

Reasons: For the avoidance of doubt and in the interest of visual amenity.

- (3) The external finishing materials shall include Marley Cedral cladding in beige, bronze metro roof tiles and brown UPVC windows and doors (Ral number 8016).

Reasons: In the interest of visual amenity.

- (4) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with paragraph 174 of the National Planning Policy Framework.

- (5) No construction work in connection with the development shall take place on any Sunday or Bank Holiday, nor on any other day except between the following times: Monday to Friday 0730 - 1900 hours, Saturdays 0730 - 1300 hours unless in association with an emergency or with the prior written approval of the Local Planning Authority.

Reason: In the interests of local amenity.

- (6) Upon completion, no further development, whether permitted by Classes A, B, C, D, E or F of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order) or not, shall be carried out without express planning permission from the Local Planning Authority.

Reason: In the interests of the amenities of the area.

INFORMATIVES

KCC Highways:

It is important to note that planning permission does not convey any approval to carry out works on or affecting the public highway.

Any changes to or affecting the public highway in Kent require the formal agreement of the Highway Authority, Kent County Council (KCC), and it should not be assumed that this will be a given because planning permission has been granted. For this reason, anyone considering works which may affect the public highway, including any highway-owned street furniture, is advised to engage with KCC Highways and Transportation at an early stage in the design process.

Across the county there are pieces of land next to private homes and gardens that do not look like roads or pavements but are actually part of the public highway. Some of this highway land is owned by Kent County Council whilst some is owned by third party owners. Irrespective of the ownership, this land may have highway rights over the topsoil.

Works on private land may also affect the public highway. These include works to cellars, to retaining walls which support the highway or land above the highway, and to balconies, signs or other structures which project over the highway. Such works also require the approval of the Highway Authority.

Kent County Council has now introduced a formal technical approval process for new or altered highway assets, with the aim of improving future maintainability. This process applies to all development works affecting the public highway other than applications for vehicle crossings, which are covered by a separate approval process.

Should the development be approved by the Planning Authority, it is the responsibility of the applicant to ensure, before the development is commenced, that all necessary highway approvals and consents have been obtained and that the limits of the highway boundary have been clearly established, since failure to do so may result in enforcement action being taken by the Highway Authority. The applicant must also ensure that the details shown on the approved plans agree in every aspect with those approved under the relevant legislation and common law. It is therefore important for the applicant to contact KCC Highways and Transportation to progress this aspect of the works prior to commencement on site.

Guidance for applicants, including information about how to clarify the highway boundary and links to application forms for vehicular crossings and other highway matters, may be found on Kent County Council's website:

<https://www.kent.gov.uk/roads-and-travel/highway-permits-and-licences/highways-permissions-and-technical-guidance> Alternatively, KCC Highways and Transportation may be contacted by telephone: 03000 418181

The Council's approach to the application

In accordance with paragraph 38 of the National Planning Policy Framework (NPPF), July 2021 the Council takes a positive and proactive approach to development proposals focused on solutions. We work with applicants/agents in a positive and creative way by offering a pre-application advice service, where possible, suggesting solutions to secure a successful outcome and as appropriate, updating applicants / agents of any issues that may arise in the processing of their application.

The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the Committee and promote the application.

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.

