

2.10 REFERENCE NO - 15/507823/FULL			
APPLICATION PROPOSAL			
An application for the removal of condition 8 of planning permission SW/07/0684 (Erection of bungalow following demolition of existing dwelling) - being replacement dwelling as ancillary to The Wold Holiday Park.			
ADDRESS The Wold Caravan And Chalet Park, Second Avenue, Eastchurch, Kent, ME12 4ER			
RECOMMENDATION - Approve			
SUMMARY OF REASONS FOR RECOMMENDATION			
A dwelling has existed on the site since before the creation of the associated holiday park, and it appears that an occupancy condition was unreasonably imposed upon the dwelling when it was rebuilt in 2007.			
REASON FOR REFERRAL TO COMMITTEE			
Parish Council objection.			
WARD Sheppey East	PARISH/TOWN COUNCIL Eastchurch	APPLICANT Mr And Mrs T Arnold AGENT	
DECISION DUE DATE 24/11/15	PUBLICITY EXPIRY DATE 23/10/15		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/07/0684	Demolition of former bungalow and erection of replacement bungalow.	Approved	2007
The original bungalow was a prefab-style dwelling and was in poor condition. This permission granted consent for erection of a replacement dwelling (now known as Oak Lodge) that met modern living standards. Condition (7) tied the use of the dwelling to the adjacent caravan / chalet park (i.e. as a manager's dwelling).			
NK/8/60/99	Use of land as a chalet and caravan park.	Approved	1960
Planning permission granted for the creation of a chalet and caravan park on land to the side and rear of Oak Lodge.			

MAIN REPORT

1.0 DESCRIPTION OF SITE

1.01 The application site is a dwelling known as Oak Lodge, Second Avenue, Eastchurch. It is a modern detached bungalow located directly adjacent to The Wold Caravan Park, and currently serving as the manager's accommodation.

- 1.02 The current bungalow was erected in 2007 following approval of planning permission SW/07/0684, which granted consent for the demolition of the existing pre-war, pre-fab bungalow that had fallen into a considerable state of disrepair. That original dwelling was erected in approximately 1933, and predated the caravan park by several years.

2.0 PROPOSAL

- 2.01 The application seeks permission for removal of condition (8) of planning permission SW/07/0684 to allow unrestricted residential use of the bungalow. The applicants have stated that they wish to retire from managing the park, but to remain living at the property.

- 2.02 Condition (8) states:

- (8) The replacement dwelling hereby permitted shall remain in perpetuity ancillary to The Wold Holiday Park and the access from the holiday park to the dwelling shown on the approved plans shall be retained for vehicular access and maintained as such in perpetuity unless otherwise agreed in writing by the District Planning Authority.

Grounds: In accordance with the application particulars and to ensure the approved dwelling remains part of the holiday park and in pursuance of Policy G1 of the Swale Borough Local Plan.

- 2.03 Prior to the imposition of condition (8) of SW/07/0684 there was no occupancy restriction on the dwelling.

3.0 PLANNING CONSTRAINTS

- 3.01 None.

4.0 POLICY AND OTHER CONSIDERATIONS

- 4.01 The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) aim to restrict development within the countryside unless necessary or justified.

- 4.02 Policies E1, E6, H2 and B8 of the adopted Swale Borough Local Plan 2008 are relevant. Policy B8 in particular, which supports the provision and retention of manager's accommodation at holiday parks.

5.0 LOCAL REPRESENTATIONS

- 5.01 None.

6.0 CONSULTATIONS

- 6.01 *“Eastchurch Parish Council Planning Committee objects to this application and wishes to make the following points:*
- *This would leave the site without an on-site Warden presence/security.*
 - *This application goes against the original approved application which tied the property to the holiday park site in perpetuity.*
 - *The committee are concerned that approval would set the precedence for other ancillary buildings/warden properties on this and other sites.”*

7.0 BACKGROUND PAPERS AND PLANS

- 7.0 The application is supported by a number of documents relating to Building Control sign-off for the new dwelling, but I do not consider them relevant to this proposal.

8.0 APPRAISAL

- 8.01 The key consideration here is the planning history for the property, which has been mentioned above.
- 8.02 The original dwelling was erected in approximately 1933 and stood on a large plot of land. There was no occupancy condition attached to that dwelling as it was erected prior to the introduction of the planning system (1948). Then, 33 years, later planning permission was granted for the formation of a caravan / chalet park (now known as The Wold) on land surrounding that bungalow. Again, no occupancy condition was attached to the dwelling.
- 8.03 It was only in 2007, after grant of planning permission for erection of a replacement dwelling on the site, that a condition restricting the occupancy of the property to being in association with the holiday park was attached to the property. I consider this to have been erroneous – there appears to have been no justification for the property to be tied to the holiday park, given its long history prior to the formation of the park around it.
- 8.04 In this regard, whilst I note that policy B8 of the Local Plan aims to retain existing warden’s / manager’s accommodation, I believe it would be unjust of the Council to insist upon retention of condition (8) of SW/07/0684 in this instance. This may lead to a further application for new manager’s accommodation, but the Council would need to consider that, if or when the occasion arises.
- 8.05 This is an unusual situation and I do not consider that approval of this application would lend any weight to or create any sort of precedent for variation of similar conditions at other holiday parks within the Borough.
- 8.06 In this regard I do not share the Parish Council’s concerns.

9.0 CONCLUSION

- 9.01 This application seeks permission for removal of condition (8) of planning permission SW/07/0684 that ties the occupancy of the dwelling known as Oak Lodge to the manager / warden of The Wold Caravan Park. The condition was wrongly applied to the property in 2007 when the previously run-down pre-war bungalow was demolished and rebuilt, and there is no justification for the property to be tied to the caravan park.
- 9.02 Taking the above into account I recommend that planning permission should be granted.

10.0 RECOMMENDATION – GRANT unconditional permission.

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.