

2.4 REFERENCE NO - 15/510422/FULL			
APPLICATION PROPOSAL Use of land for siting 12 static caravans and 17 touring pitches in place of pitches lost due to cliff erosion.			
ADDRESS Warden Springs Holiday Park Thorn Hill Road Private Street Warden ME12 4HF			
RECOMMENDATION Approve, subject to conditions as set out below, amended plans further to paragraphs 9.12 and 9.13 below, and receipt of comments from the Council's Open Spaces Manager.			
SUMMARY OF REASONS FOR RECOMMENDATION Development would compensate for pitches lost to cliff erosion, would be in accordance with local and national policy, and would not give rise to any significant amenity concerns sufficient to justify a refusal of planning permission.			
REASON FOR REFERRAL TO COMMITTEE Parish Council and local objections.			
WARD Sheppey East	PARISH/TOWN Warden	COUNCIL	APPLICANT Park Resorts Ltd. AGENT Bilfinger GVA
DECISION DUE DATE 12/04/16	PUBLICITY EXPIRY DATE 23/02/16		
RELEVANT PLANNING HISTORY (including appeals and relevant history on adjoining sites):			
App No	Proposal	Decision	Date
SW/82/0838	Re-positioning of 25 caravans.	Approved	15.12.82
Application granted permission for 25 caravans to be moved away from the cliff edge and relocated to the northern part of the site (immediately south of the current application area). The layout drawings for that application also demonstrate that 21 pitches have been lost entirely to erosion since the early '80s.			
SW/11/1043	Variation of condition to extend occupancy from 8 to 10 months.	Approved	10.11.2011
Permission granted in light of the (then) recent corporate policy change to extend occupancy periods at holiday parks. Similar approvals have since been approved at the majority of holiday parks across the Island.			

MAIN REPORT

1.0 DESCRIPTION OF SITE

- 1.01 The application site comprises an L-shaped area of open grass to the northwest of Warden Springs Holiday Park, immediately adjacent to the kink in the northern end of Thornhill Road, and to the rear of the residential properties known as 'Heritage' and 'The Beacon.' It is currently unused other than for informal recreation purposes.
- 1.02 The wider holiday park extends to approximately 15ha (including part of the coastal cliffs and beach), with the application site comprising roughly 0.8ha.
- 1.03 The eastern side of the holiday park faces the cliffs, and is subject to coastal erosion.

- 1.04 A public Right of Way extends southwards along Thornhill Road, which is impassable to vehicles beyond the site entrance.
- 1.05 The site lies entirely within Warden Parish, with Thornhill Road marking the divide between Warden and Eastchurch.
- 1.06 There are a number of mature trees on the site, some of which are protected by a TPO. Nine trees are to be removed to facilitate the development, none of which appear to fall within the TPO designations (the Council's tree consultant's comments are set out below), and root protection areas are shown on the submitted drawings.

2.0 PROPOSAL

- 2.01 This application seeks to reposition 12 existing static caravans and provide space for 17 touring caravan pitches in direct replacement for land lost to or threatened by coastal erosion since the early 1980's. There would not be any increase in pitches or number of caravans (static or touring) above previously-permitted levels as a result of this proposal.

- 2.02 The submitted Planning Statement explains further:

“3.1 When our clients purchased the park ten years ago in 2005 there were some 48 touring pitches at the front of the site (see figure 2 above). This number had been whittled away by erosion leaving just 13 touring pitches at the front of the site as illustrated upon Drawing number: 3802-130 Rev A. However, as of 22 September this year, our clients were asked to cease using these remaining touring pitches during a visit by Council Officers.

3.2 In addition to the loss of these touring pitches, when our clients purchased the park there were 254 static pitches, meaning that 15 static pitches have been lost in the last ten years. It can also be seen that plans submitted with a planning application (reference SW/82/838) in 1982 for the repositioning of 25 caravans showed about 60 static caravans that have since had to be removed due to cliff erosion. Indeed, this plan also showed a further 21 pitches that had been already lost at that time.

3.3 This planning application is therefore submitted to recover just a small number of the pitches that have been lost to cliff erosion. It is proposed to add these replacement pitches to the flat area outlined red in the aerial photo above in Figure 2 at the top, northern, area of the designated holiday park. This will create space for 17 touring and 12 static caravan pitches.

- 2.03 In respect of the proposed caravans, the Planning Statement comments:

“3.6 The static caravans will conform to the definition of a caravan as laid down by Section 29 (1) of the Caravan Sites Act 1968 as subsequently modified by S12006/2374. Therefore, the correct approach would be to apply for full planning permission for a change of use of the land to site caravans with the number and spacing controlled by the site licence.

3.7 Each static caravan would be located on a concrete base with a car parking space adjacent. The parking space will be laid with a permeable material to ensure that rainwater can still infiltrate into the ground. We propose low level

downward facing bollard lighting on the application site to minimise light pollution.”

3.0 SUMMARY INFORMATION

	Existing total	Proposed increase
Site area	1.47ha (wider park extends to approx. 17ha)	
No. of static pitches	260	12
No. of touring pitches	13	17

4.0 PLANNING CONSTRAINTS

- 4.01 Environment Agency Flood Zone 3.
- 4.02 Site of Special Scientific Interest Sheppey Cliffs & Foreshore.
- 4.03 Potential Archaeological Importance.
- 4.04 There are also a number of Tree Preservation Orders within the area, and adjoining the site.

5.0 POLICY AND OTHER CONSIDERATIONS

Adopted Swale Borough Local Plan 2008

- 5.01 Policy SP3 seeks to support economic development within the Borough, with point 5 in particular commenting that the Council will support tourism proposals, *“particularly those that increase the quality and supply of accommodation for visitors.”*
- 5.02 Further to this policy B6 supports the upgrading and improvement of existing holiday parks, within their existing site boundaries, and particularly where land has been lost to coastal erosion, subject to such developments not being detrimental to the character and appearance of the area.
- 5.03 Policy RC1 aims to diversify and support the rural economy by approving proposals provided that they do not harm the rural character of the area; cause any significant harm to landscape character and biodiversity;; or significantly increase traffic movements.
- 5.04 More generally, policies E1, E6, E10, E19 and T3 aim to ensure that all developments are appropriate in terms of scale and design; do not cause significant harm to the character of the countryside; do not harm TPO trees; and have suitable levels of vehicle parking and access.

Emerging Swale Borough Local Plan ‘Bearing Fruits 2031’

- 5.05 Policy DM4 of the emerging plan states:

“In circumstances where land is lost to coastal erosion, minor extensions to existing static holiday caravan sites will be permitted where:

- a. *in accordance with Policies DM22 and DM23 relating to the coast and the coastal change management area;*
- b. *it is demonstrated that on-site upgrading and improvement is not practicable or viable;*
- c. *there is no overall increase in the existing number of accommodation units;*
- d. *it is part of a scheme to upgrade and improve the quality of tourist accommodation and other amenities on the site;*
- e. *it results in a significant and comprehensive improvement to the layout, design and appearance of the site, together with an integrated landscape strategy that creates a landscape framework for both the existing and proposed sites that will reduce their overall impact within the landscape in accordance with Policy DM24;*
- f. *in accordance with Policy DM5; and*
- g. *there is no unacceptable impact on the local environment.”*

5.06 Policies DM22 and DM23 aim to protect coastal areas within the Borough from development that would seriously affect their ecological and landscape value.

National Planning Policy Framework (NPPF)

5.07 Similar to Policy RC1 above, para. 28 of the NPPF seeks to support economic growth in rural areas, including “*sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations...*”

5.08 The NPPF, in general, encourages such developments subject to matters of scale, design, and impact on visual and local amenity.

6.0 LOCAL REPRESENTATIONS

6.01 Four letters of objection have been received, raising the following summarised points:

- Application is unclear;
- Use of new area closer to dwellings will cause noise and disturbance;
- No evidence that existing pitches have been lost;
- Potential for trespass of neighbouring properties;
- Potential for increased litter and anti-social behaviour;
- Loss of privacy;
- Overcrowded site with only small area of recreation space;
- Increased traffic;
- Highway safety and amenity concerns;
- Lack of mains drainage in the area;
- Island not given proper consideration, behind other areas “nearer Maidstone;” and
- The PRoW should not be interfered with.

7.0 CONSULTATIONS

7.01 Eastchurch Parish Council – the adjacent parish – objects to the application, commenting:

“The recreation space would be so diminished as to be inadequate for the site.

The application would mean a loss of amenity to residents, compounded by the extra noise pollution due to proximity of the tourers to the residential properties.

The loss of land on a coastal site, whilst a sad occurrence, has been taking place for decades – planning decisions cannot be held to ransom for its loss as it was taking place when the current owners bought the site.”

- 7.02 I have not received any comments from Warden Parish Council.
- 7.03 Natural England has no objection.
- 7.04 KCC Highways & Transportation has no objection subject to the conditions below.
- 7.05 The County Flood Risk Officer has no objection subject to drainage conditions noted below.
- 7.06 The Lower Medway Drainage Board note that the site lies on clay soil, which makes soakaway drainage unfeasible. They have no objection, however, subject to conditions as suggested by the KCC Flood Risk Officer as above.
- 7.07 The KCC Public Rights of Way officer has no objections.
- 7.08 The Council’s Tree Consultant has no objection subject to conditions as noted below. The trees to be removed form part of wider clusters of trees and their removal, in isolation and in combination with the submitted landscaping scheme, would not seriously affect the character or appearance of the area, or the amenity value of the TPO groups as a whole.

8.0 BACKGROUND PAPERS AND PLANS

- 8.01 The application is accompanied by a full suite of drawings, a planning statement, and a tree survey.

9.0 APPRAISAL

Principle of Development

- 9.01 The application seeks to provide replacement pitches within the confines of an existing, established holiday park. In this regard I consider the proposals to be acceptable in principle, in accordance with the above policies.

Visual Impact

- 9.02 The application site is currently an area of open grass and low vegetation, with established trees sitting along the roadside perimeter and to the rear of the adjacent residential properties. This is viewed, however, with the existing caravan park in the background, and siting further caravans here would not be totally alien to the street scene, in my opinion.
- 9.03 The submitted layout plan also shows an enhanced planting scheme along the site boundary that, once established (which would be secured through the standard landscaping conditions below), would help to screen views of the site and soften the impact of the development, and would contribute to the generally green character of this top part of Thornhill Road.

- 9.04 The caravans themselves would be of a standard appearance, and I have no serious concerns in this regard.

Residential Amenity

- 9.05 The application site sits to the rear of a number of residential dwellings on Warden Road, and I note that I have received several objection letters in regards to the potential for noise, disturbance, and loss of privacy at these properties.
- 9.06 There would, however, be a minimum of 45m between the rear of the existing houses and the proposed touring pitches, and a minimum of 90m to the static caravan pitches. The Council's normal rear-to-rear separation distance when considering residential development is 21m – this is greatly in excess of that and in this regard I do not consider that there would be any potential for serious loss of amenity for existing residents. I am further comforted by the existing mature planting to the rear of the houses, and the proposed landscaping scheme which will run along the rear boundary and enforce the existing planting.
- 9.07 In terms of noise and disturbance I do not consider that the proposal would cause such levels as to refuse planning permission in this instance, particularly with regard to the intervening distance, as above. Furthermore any noise complaints would be addressed by the Council's environmental response team under separate legislation, and I would also imagine it is in the park operator's interest to keep noise and disturbance to a minimum in the interests of other guests.

Highways

- 9.08 The development would not give rise to any substantial or significant increase in vehicle movements and I therefore have no serious concerns. I note that the County highways officer does not object, subject to conditions. However I do not consider that they are all appropriate or that the Council would be able to demonstrate justification for imposing them. I have, however, recommended that details of operative's / contractor parking, loading and unloading be provided prior to the development to ensure that Thornhill Road is not obstructed.

Landscaping and loss of trees

- 9.09 As noted above, the submitted drawings indicate substantial landscaping surrounding the new pitches and I am confident that this will serve to soften the visual impact of the development, and contribute positively to the wider character, appearance, and ecological value of the site. I have recommended the standard landscaping conditions below, which will ensure that planting is native and encourages wildlife (as far as practicable).
- 9.10 The trees to be removed do not, as far as I can tell, form part of the groups of trees that are covered by the TPOs at the site. They do, however, form part of wider clusters of trees and their removal, in isolation and in combination with the submitted landscaping scheme, would not seriously affect the character or appearance of the area, or the amenity value of the TPO groups as a whole.

Other Matters

- 9.11 I have discussed the case with the Council's environmental health officer, who has noted that additional space is required between pitches to ensure amenity space is

still available if a vehicle is parked adjacent to the units. I have requested an amended drawing to show this.

- 9.12 He also noted that at least 10% of the wider site should be retained for recreation space (part of the recreation land being lost to this development). Whilst more than 10% of the site is unused, much of it is currently overgrown, woodland, or adjacent to the cliff edge and therefore not available for recreation use. In this regard I have requested that the amended drawings also show either:
- a) a fence adjacent to the cliff edge to enable children to play safely;
 - b) the formation of informal footpaths through the wooded areas to allow access; or
 - c) clearance of overgrown areas to provide additional recreation space.
- 9.13 Subject to receipt of drawings reflecting this I have no serious concerns, and consider that there would be sufficient recreation space to cater for the wider park.
- 9.14 Planning permission was granted in 2011 for 10 month occupancy of the site. In order to tie in with that permission I have recommended conditions accordingly, including the Council's standard schedule of requirements associated with the extended occupancy conditions.

10.0 CONCLUSION

- 10.01 The application seeks to provide replacement static and touring caravan pitches to account for those lost since the 1980s at an existing, established holiday park on the Island. Whilst I note letters of objection, such a development is in accordance with adopted and emerging local and national policy and would not give rise to any serious amenity concerns such that a refusal of planning permission would be justified.
- 10.02 Taking the above into account I recommend that planning permission should be granted.

11.0 RECOMMENDATION – GRANT Subject to the following conditions, receipt of amended plans further to paragraphs 9.12 and 9.13 above, and receipt of comments from the Council's Open Spaces Manager:

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.
 - (i) Development shall not begin until a detailed sustainable surface water drainage scheme for the site has been submitted to (and approved in writing by) the local planning authority. The detailed drainage scheme shall demonstrate that both the rate and volume of run-off leaving the site post-development will be restricted to that of the existing site during any rainfall event (up to and including the climate change adjusted 100yr critical storm).
 - (ii) No pitches hereby permitted shall be occupied until details of the implementation, maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:
 - i) a timetable for its implementation, and

- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage system throughout its lifetime.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, and to ensure ongoing efficacy of the drainage provisions.

3. Prior to the works commencing on site details of parking for site personnel / operatives / visitors shall be submitted to and approved by the Local Planning Authority and thereafter shall be provided and retained throughout the construction of the development. The approved parking shall be provided prior to the commencement of the development.

Reason: To ensure provision of adequate off-street parking for vehicles, and in the interest of highway safety and local residential amenity.

4. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters or increased likelihood of erosion. The development shall be carried out in accordance with the approval details.

Reason: To protect vulnerable groundwater resources and ensure compliance with the National Planning Policy Framework.

5. In this condition "retained tree" means an existing tree, which is to be retained in accordance with the approved plans and particulars. Paragraphs i) and ii) below shall have effect until the expiration of 5 years from the date of completion of the development for its permitted use.

- i) No retained tree shall be damaged, cut down, uprooted or destroyed, nor shall any retained tree be pruned other than in accordance with the Arboricultural Report by BJ Unwin Forestry Consultancy dated Nov/Dec 2015, without the written approval of the Local Planning Authority. Any pruning approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations or any revisions thereof.
- ii) If any retained tree dies, or is removed, uprooted or destroyed, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time as may be specified in writing by the Local Planning Authority.
- iii) The installation of tree protection barriers, the methods of working shall be undertaken in accordance with the Arboricultural Report and tree protection plan by BJ Unwin Forestry Consultancy dated Nov/Dec 2015

Reason: Pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality,

6. No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall show all existing trees, hedges and blocks of landscaping on, and immediately adjacent to, the site and indicate whether they are to be retained or removed. It shall detail measures for protection of species to be retained, provide details of onsite replacement planting to mitigate any loss of amenity and biodiversity value together with the location of any habitat piles and include a planting specification, a programme of implementation and

a five year management programme. The landscape scheme shall specifically address the need to replace the line of poplar trees shown for removal along the site's internal western and north-western road boundaries.

Reason: As no such details have been submitted, and in the interest of the character and appearance of the area.

7. No caravans shall be occupied except between 1st March and 3rd January in the 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

8. Any caravan that is not the subject of a signed agreement pursuant to condition 5 shall not be occupied at any time.

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

9. 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.

SCHEDULE

The Park operator must:

- 1. Ensure that all chalet 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 chalet 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 chalet 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 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.