LAKE DISTRICT NATIONAL PARK AUTHORITY

DEVELOPMENT CONTROL COMMITTEE – WEDNESDAY 2 SEPTEMBER 2009

REPORT BY THE HEAD OF DEVELOPMENT MANAGEMENT

PLANNING APPLICATIONS

COPELAND BOROUGH COUNCIL (WHITE SHEETS)
Application no: 7/2009/4036
Applicant: Mr A Vaughan
Date of Application: 14 April 2009
Type of Application: Full
Location: Silecroft Caravan Park, Silecroft, Millom, LA18 4NX
Grid Reference: 312267 481147 See Plan
Proposal: Variation of condition no 1 of the Lake District Special Planning Board (Silecroft Caravan Park) Discontinuance Order 1989 and condition no 2 of planning permission 7/2003/4035 to allow opening season from 1 March in one year to 2 January in the following year.
District Council:
Parish Council:
Highway Authority: No objection

**RECOMMENDATION:** APPROVE with conditions

**REPORT:**

1 **BACKGROUND AND PROPOSAL**

1.1 I am reporting this application to Committee as my recommendation is contrary to the views of Whicham Parish Council. We have also received five letters of objection to the application.

1.2 Silecroft Caravan Park is sited on the road between Silecroft village and the Silecroft Beach car park. In the past the site was owned and run by the National Park Authority but is now let on a long lease and managed independently of the Authority.

The Planning History

1.3 Silecroft Caravan Park has been in operation for over 60 years, and was operating prior to 1 July 1948. Until 1989 the site was operated by the National Park Authority. In 1989 the Authority sought to cease its management and lease the site. Because of the age of the site, the use was established and lawful, and its operation was permitted without planning constraint. The Authority felt that to permit the unconditional use of the site had the potential, if poorly managed, to cause unacceptable harm to the area and its amenities. Prior to the disposal of the site, the Authority served a Discontinuance Order on the land (under S51 of the then) Town and Country Planning Act). The Discontinuance Order imposed conditions on the continued use of the land including restrictions upon the number of units and
the permitted open season length (1 March to 15 November in any one year) — effectively a planning permission.

1.4 In 2003 a second stand alone permission (7/2003/4035) was granted by an Inspector at appeal. This permission allowed an additional 27 static units in place of touring pitches. This permission was again restricted to a season of 1 March to 15 November.

1.5 The site currently has permission for 151 static caravans and 10 tourers (in accordance with an approved layout plan). The season length is currently restricted by Condition 1 of The Lake District Special Planning Board (Silecroft Caravan Site) Discontinuance Order 1989 and by condition 2 of planning permission 7/2003/4035. These conditions permit the occupation of the caravans on site between 1 March and 15 November only.

The proposed development

1.6 This application seeks permission to extend the operating season at Silecroft Caravan Park from the existing season length to include the Christmas period.

1.7 The season proposed is between 1 March in any one year and 2 January in the following year.

What would be the result of granting planning permission in terms of the operating permission?

1.8 This application seeks permission to operate the site without compliance with conditions previously attached. This allows a new planning permission to be granted, however this does not allow the local planning authority to rewrite the original permission completely. Therefore whilst this planning application offers the opportunity to revisit other relevant conditions on the 1989 Discontinuance Order and the 2003 planning permission, and to restate the applicable conditions in a single, consolidated permission for the site, it is not possible to significantly alter the character of the permission beyond the variation for which permission is sought, or to apply other more onerous conditions on the operation of the site. It would however be appropriate to reapply revised conditions to any grant of planning permission so that, once the permission were implemented, this permission would becomes a fresh, sole, and consolidating operating permission for the site.

2 REPRESENTATIONS

2.1 Witham Parish Council objects to the proposals on the grounds that the season appears to be long enough at present.

2.2 Five letters of objection have been received to this application. The reasons for objection in all the letters focus upon similar issues. The concerns raised are summarised below:

- that the proposal would be detrimental to the community and the area
• the proposals would result in increased traffic and noise along with additional crowds in and around Silecroft
• existing problems such as quad bikes and fireworks on the beach would become more frequent by the extension of the season
• the extension of the season would effectively permit the permanent occupation of the caravans at the site
• the extension of the season would further reduce a welcome respite period for permanent residents of the village.

2.3 One objection also noted that the application had been advertised on site with only a single notice and questioned whether this is adequate. In response to this issue the application was advertised wholly in accordance with the relevant statutory provisions.

2.4 Two letters of support were received. The reasons for support included:

• The extension of the season would be beneficial to the economy in a perceived deprived area
• The extended season would give the opportunity to spend quality time in the area during the festive season
• The extended season would be in line with the season of other sites in the area.

2.5 The Local Highway Authority considered that the proposal was unlikely to have a material effect on existing highway conditions, and raised no objections to the proposals.

2.6 As a designated Sites of Special Scientific Interest and a County Wildlife Site abut the caravan park boundary, our Ecologist was consulted on the application. It is their view that the extension of the season would not cause additional harm to nature conservation interests in the area.

3 POLICY AND ASSESSMENT

3.1 The following policies are relevant to this application:

• North West of England Plan: Regional Spatial Strategy to 2021 Policies W7 (principles for tourism development) and RDF2 (rural areas)
• Cumbria and the Lake District Joint Structure Plan 2001-2016 Policies EM16 (tourism) and E37 (landscape character)
• Lake District National Park Local Plan 1998 saved Policy NE3 (development of villages) and T9 (static caravan sites)

3.2 Local Plan Policy T10 (occupancy periods) was not saved by direction and no longer forms part of the Development Plan. As such no weight can be given to this policy.

3.3 In my view the main issues associated with this application are whether the proposed extension to the season would be acceptable in terms of policy principle, whether the proposed development would cause harm to nature
conservation interests in the area, and whether the proposals would cause such harm to the amenities of neighbouring properties as to be unacceptable.

**Is the development acceptable in terms of policy principle?**

3.4 There has been a trend over recent years for the period of occupation allowed at static caravan sites to be extended to include the Christmas and New Year period. The retention of a quieter period over the winter is something which can, and should be supported where it would cause demonstrable harm to recognised interests, such as nature conservation. However, where such harm would not be caused because of the particular circumstances of the location of a site, then there is now no specific policy stance supporting the retention of a quiet period. In fact, Policy W7 of the Regional Spatial Strategy (the most recent development plan document) explicitly and actively promotes facilities which will extend the existing tourist season, as does the National Guidance contained in the Good Practice Guide on Planning for Tourism document.

3.5 Although policies encourage facilities which would extend the existing visitor season it is important that this remains holiday accommodation and the retention of a closed season avoids caravan sites becoming permanent homes. Housing policies do not favour the use of caravans and caravan sites as permanent dwellings (Local Plan Policy H10) and whilst an extension of the season may be permissible I would suggest that justification for a closed period of some length may remain.

3.6 I am satisfied then that in terms of policy principle the extension of the season at Silecroft Caravan Site is acceptable. The acceptability of the scheme is, in my view, dependent upon whether any material harm would be caused by the extension of the season such as to outweigh the active policy support for the extension of the season.

**Would the proposed development cause harm to nature conservation interests at the site?**

3.7 The site and surrounding area have also been previously identified as providing habitat for great crested newts – a protected species. Shaw Meadow and Sea Pasture SSSI shares a boundary with the caravan site, as does Hartrees Hill County Wildlife site. Our Ecologist has been consulted on the proposed extension of the season and the potential impacts which this may have upon these features of county and national importance.

3.8 Our Ecologist is satisfied that there is no ecological basis to prohibit the extension of the season as proposed in this application. The extended season would not, in their view cause additional harm to nature conservation interests in the area. I have no reason to take a different view and therefore suggest that the scheme is acceptable in terms of ecology.

**Would the proposed extension of season cause harm to the amenities of neighbouring properties?**
3.9 Silecroft Caravan Park stands close to Silecroft beach. Accessed along the single main road through the village, the caravan site stands close to a number of neighbouring properties, in particular Coombe Bungalow, Redmoor and Newland which share boundaries with the caravan site. Other properties also stand only a short distance away from the site, separated from the site either by the highway or by small open areas. These properties stand close to the boundaries of the caravan site.

3.10 There is a potential conflict between the extension of the season as now promoted by policy and the amenities currently enjoyed by neighbouring properties, particularly those immediately abutting the site, by virtue of a significant closed period. There is likely to be more activity and potentially more disturbance at times of the year which are currently relatively quiet. However, it also seems highly unlikely that the site will be at capacity in the extended season and a closed (albeit shorter) season will still remain. It must also be remembered that this is a large site that has operated for over 60 years. It seems reasonable to assume that owners of neighbouring properties would have an appreciation that this in itself is likely to bring with it a significant degree of activity, although ultimately the acceptability of any increased impacts are determined by the sensitivity of a receptor. Whilst there will be an increase in impact to some degree, this will be against the background of a large and established site, in an area which (in Silecroft Beach) has an established tourist interest. I am satisfied in these particular circumstances that the impact on neighbours does not warrant refusal.

3.11 In terms of impacts upon the highway, the road is open to all and leads to, and from Silecroft Beach. The Local Highway Authority is content that the extended season would not materially affect the movement of vehicles along this road. Again, whilst I accept that some increase in traffic may result, I do not believe that this is likely to have an unacceptably adverse effect upon the amenity of dwellings in the area.

4 CONCLUSION

4.1 Current development plan policies indicate that proposals which would extend the tourist season will be supported unless material considerations indicate otherwise. Additionally, national guidance contained within the Good Practice Guide on Planning for Tourism advises local planning authorities to give sympathetic consideration to applications to allow the extension of existing seasons. I am satisfied that this proposal is capable of being granted subject to appropriate conditions.

Committee is recommended to:

APPROVE with conditions

1. The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

   REASON: Imposed in accordance with the provisions of Section 91 of the

2. The caravans hereby permitted shall not be occupied except during the period between 1 March in any one year and 2 January in the next.

   REASON: To minimise the likelihood of the caravans being permanently occupied.

3. The caravans hereby permitted shall be used for holiday purposes only.

   REASON: For the avoidance of doubt.

4. Not more than 151 static caravans and 10 touring caravans shall be located on the site without the prior approval of the Local Planning Authority and such caravans shall be sited strictly in accordance with the submitted layout plan received by the Local Planning Authority 8 June 2009.

   REASON: For the avoidance of doubt.

5. No railway vehicle, omnibus body, aeroplane fuselage or similar structure, whether on wheels or not, and howsoever adapted, shall be stationed or erected on the land.

   REASON: To safeguard the visual amenities of the area.

6. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that Order), the approval of the Local Planning Authority shall be obtained for the erection of any overhead electricity service lines over the land.

   REASON: The Local Planning Authority considers that such developments should be subject to formal planning control to safeguard the visual amenities of the area.

7. Notwithstanding the provisions of Article 3 and Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that Order), the approval of the Local Planning Authority shall be obtained for the construction and siting of any buildings, structures or erections, whether temporary or otherwise, to be placed on the land.

   REASON: The Local Planning Authority considers that such developments should be subject to formal planning control to safeguard the visual amenities of the area.

8. No caravan, any part of which exceeds 3 metres above the level of the ground upon which the said caravan stands, shall be located without the prior written approval of the Local Planning Authority.

   REASON: The Local Planning Authority considers that such developments should be subject to formal planning control to safeguard the visual amenities
of the area.

9. No static caravan(s) shall be stationed on the site unless they have first been painted or factory finished in one or more colours in accordance with a scheme which has been submitted to and approved by the Local Planning Authority. Thereafter the caravans shall be retained in the approved colours unless the Local Planning Authority agrees, in writing, to any variation.

REASON: To safeguard the visual amenities of the area.

10. The dwelling at Silecroft Caravan Site shall not be occupied otherwise than by the proprietor/manager or a member(s) of staff of the Silecroft Caravan Site, together with any dependents living with such persons.

REASON: For the avoidance of doubt.

Summary of reasons

Development Plan policies, including North-West of England Plan: Regional Spatial Strategy to 2021 Policy W7 and National Guidance contained within the Good Practice Guide on Planning for Tourism (July 2006) support the extension of the caravan occupancy season.

The extension of the caravan occupancy season at Silecroft Caravan Park would accord with these development plan policies, and would not have such significant harmful material effects on the character and appearance of the area, the amenities of local residents, or the highway as to justify refusal.

BACKGROUND PAPERS: Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.