

2 December 2021

FAO Planning:

### **Planning statement**

Dear Sir or Madam,

#### **Variation of condition 2 of permission of SW/11/1522 to allow the use of the approved caravan site on a year round basis, Central Beach Holiday Park, Grove Avenue, Leysdown, Kent ME12 4QE**

Please find the enclosed application seeking to vary condition 2 of the key consent currently relating to this caravan park. The proposal seeks an extension of the open season of the site such that the park can be used at any time of the year. The site will remain subject to the detailed requirements of the other restrictive occupancy criteria forming condition 2 which ensure it remains as a holiday park only.

The application follows on from continued Government support of longer opening as a consequence of the impact of the coronavirus pandemic. Whilst the Council has a long-standing policy seeking closure of caravan parks for two months in winter even when there is no issue in terms of flood risk, this is considered to have been moved on by virtue of the Interim Planning Policy Statement for park home sites having been adopted as a material planning consideration in determining planning applications last year. A similar application submitted last year was refused but the apparent willingness of the Council continue to accept year round use in principle and the very limited increase in risk from flooding by extending the season on a site benefitting from flood defences are considered to strongly support this modest proposal.

#### **Key policy considerations**

The Interim Policy to some extent sets aside some of that within the Local Plan, in particular policy DM5 which aims to ensure that holiday chalets are not occupied for 12 months in order **to prevent them from becoming full-time residential dwellings**. When an earlier proposal to support applications to extend holiday park occupancy was agreed by the Local Development Framework panel on 21 June 2011, the associated report considered the potential of allowing year round use but this was not felt to be acceptable due to the impact that a (potential) **extra 7000 full-time dwellings** would have upon the character and amenity of the countryside' local infrastructure and/or services and the amenity of the existing full-time neighbouring residents.

The Local Plan followed through this approach and says in the justification that:

7.1.26 Most holiday parks in Swale have been restricted to an eight month period of occupation, with an additional 11 day period allowed over Christmas and the New Year period for sites not at risk of flooding. The limited occupancy period was imposed to **ensure that these holiday parks were not used as permanent** (and sometimes sub-standard) housing (many of which would be in poorly accessible parts of the Borough) and to **protect the character of the rural area**. Limited occupation also afforded the opportunity to **retain a period of tranquillity in rural and other areas**. In areas at risk of flooding, permanent occupation over the winter period could also result in risk to life.

7.1.27 Whilst these considerations remain relevant, to give more scope and incentive to

enable modernisation and upgrading to take place, the Council considers that there will be occasions when a 10 month occupancy period will be acceptable, which will, in turn, **deliver tourism benefits and support for the local economy.**

Policy DM 5 reflects this approach and sets out the criteria by which proposals were to be appraised when policy DM5 represented the up to date policy position, some of which remain relevant but need to be assessed in the light of the new Interim Policy, being: The site should not at risk of flooding, unless, exceptionally, applications accompanied by a Flood Risk Assessment (FRA) satisfactorily demonstrating that the proposal would result in no greater risk to life or property and where an appropriate flood evacuation plan would be put in place; The amenity and tranquillity of the countryside and residential areas will be safeguarded; The extension of occupancy is subject to planning conditions safeguarding the holiday accommodation from being used as sole or main residences.

The Interim Policy shifts the policy emphasis by allowing for year round use in principle when there is an overriding benefit in doing so which outweigh any potential adverse impacts. It is considered relevant to look at the policy issues underpinning the 10 month open season limit in this context and with specific regard to the park the subject of this application.

### Flood risk

The Environment Agency Flood Zone Map indicates that the site, whilst partly within an area at risk, benefits from sea defences. The Environment Agency commented in respect of the earlier application to extend the season here that part of the site lies at a higher level, and so could provide a refuge for residents should a flood even occur.

The Interim Policy allows for parks in such locations to be used year round and for full residential occupancy subject to 'satisfactorily demonstrating that the proposal would result in no greater risk to life or property and where an appropriate flood evacuation plan would be put in place'. The FRA and evacuation plan are attached and are considered to warrant allowing year round use here, especially bearing in mind that the new policy potentially allows for full residential occupancy in flood zones even though such occupancy has potentially far more onerous impacts than holiday use as is being proposed here, notably making full time residents homeless. Relevant points are included in the FRA which has been broadened out to account for the current policy context and sets out the need for the Council to adopt a fair and consistent approach to caravan park proposals.

The FRA is considered to be sufficient/proportionate given the nature of the application here especially given that it was previously acknowledged that 'The Environment Agency note that part of the site lies within the flood zone, where development is not normally encouraged. However, following discussions with their officers the EA has noted that part of the site lies at a higher level, and so could provide a refuge for residents should a flood even occur'. The Agency therefore had no objection to the scheme subject to conditions. Those conditions remain in place and so it is again considered that users of the site for this further two month period will be at no greater risk than through the rest of the year. A flood risk assessment together with flood warning and evacuation plan are attached.

### Amenity/tranquillity of the countryside and residential areas

The proposal will allow for use during an additional two months in winter when levels of use/occupancy will be modest, especially as the key period of likely use at any significant

level (over Christmas/New Year) is already allowed. There is not considered to be any demonstrable unacceptable harm in terms of either the amenity and tranquillity of the countryside given the very modest additional activity in January/February and no impacts on residential areas by reason of the main body of the site being located away from housing and bearing in mind the general activity levels in this particular locality. The modest increase in activity in the least popular time of year as now being requested will have little, if any, perceptible additional impact on the residential amenities of the wider area. As a consequence of the Interim Policy, the Council now acknowledges that year round use is acceptable in principle and any possible wider impacts from such use are generally acceptable in allowing for year round use of units on holiday parks. Sites using caravans/mobile homes as full time residential dwellings will generate far more by way of general activities/amenity impacts etc than a likely minimal use of holiday parks in the quieter times of winter. It is clear that year round holiday use will have less impact on amenity/tranquillity issues than full time residential occupancy, albeit that issue is considered of limited relevance in the particular circumstances here. This proposal is seeking a consistent approach be made in appraising year round occupancy be that for full residential purposes or to allow a modest level of additional holiday use.

#### Occupancy conditions/safeguarding holiday accommodation

The policy starting point seeking to ensure that the extension of occupancy is subject to planning conditions safeguarding the holiday accommodation from being used as sole or main residences is fully met by way of the remaining requirements of condition 2 that will still be in place if this application is approved. The benefits of tourism are recognised in both local and national policy with the NPPF generally supportive of year round use, as indeed is the Planning Inspectorate in allowing numerous appeals for year round holiday use over much of the rest of the country. Whilst the retention of a closed season may have been generally supported on appeal in Swale given the then up to date policy within the local plan prior to the new Interim Policy, things have changed in significant and material ways. There has already been numerous applications for holiday caravan parks to change over to full residential use owing to such being encouraged by the new policy, so leading to a significant loss of static caravan based holiday accommodation. This loss of holiday accommodation in self contained caravans will impact adversely on the local economy, especially those benefiting from holiday maker spending such as visitor attractions, pubs, restaurants, etc at precisely the time these businesses need most support because of the coronavirus pandemic. The Council, when looking at this issue ahead of the Local Plan, considered the potential of allowing year round use but this was not felt to be acceptable due to the impact that a (potential) **extra 7000 full-time dwellings** would have. Year round holiday use properly controlled by conditions limiting occupancy to holiday purposes, like in place here, will prevent residential use and thereby not result in any new full-time dwellings whatsoever. The Interim Policy will see a reduction of many holiday statics from the supply of holiday accommodation as parks are given over to full residential use. The policy will also effectively rule out many more from being put into year round use – be that full-time or year round holiday use – by reason of their status as being in Flood Zones 2/3 (the Sequential and Exception tests as well as the Interim Policy will stand strongly against such use). Some other parks may well be ruled out owing to proximity to 'sensitive receptors' be they ecological or in respect of neighbour impacts etc. The suggested number of 7000 is self-evidently now (and indeed then) a huge over estimate compared to any likely reality – at the end of the day many parks probably won't be interested in year round anyway given the additional running costs compared to most likely very limited return.

If seeking to protect and ideally enhance the local economy, the current approach will clearly fail in that objective by facilitating a significant loss in holiday accommodation. The opportunity arises to try and ameliorate the adverse impacts of the Interim Policy on the local economy by allowing for some of the parks to open for two additional months so helping maintain year round employment both on the site and in respect of other businesses supported by visitors. Even modest use in the current closed season will help support other businesses in the area at what is the quieter time of year when additional custom will be particularly welcome.

### **General commentary**

The coronavirus pandemic makes the flexibility of being able to offer some sites an extended period for holiday visitors to use self contained static caravan units something the Council should be supporting, not just central government. Self contained static caravans avoid any need to use communal ablution blocks, thereby enhancing social distancing (which many are likely to wish to maintain even when government guidance has been relaxed) and reducing the risk of transmission generally compared to most alternative forms of visitor accommodation available. It is anticipated that static caravan based holidays will become increasingly popular and often preferred to alternatives like hotels/guest houses, hostels etc where social distancing may be more difficult and the perceived risks (compared to caravans with each unit of accommodation benefiting from about 5/6m of fresh air between them!).

There is evidence already of a sharp increase in people seeking caravan holidays in the UK generally with much of this focussed on static caravans which, being self-contained, are relatively Covid-secure. There is already pressure in this industry to try and provide more static caravans where possible as that is what holiday makers want and are likely to continue to want for at as long as Covid worries remain (so, unfortunately, is likely to be a long time!). The recent change in policy approach offers the means for some static caravan holiday parks to make an important contribution to the necessary supply of housing whilst also reducing the economic impact of reducing holiday caravans by allowing some of the existing holiday caravans to be used throughout the year for holiday purposes. This approach has the added benefit of avoiding the need to make additional provision of new sites or for the extension of existing sites to help make up the short-fall arising from the change of some sites to full-time residential use whilst also helping meet the increased demand for UK based self-contained caravan holidays owing to the coronavirus issue in particular as well as the expectation of visitors to be able to take holidays on sites like this at any time of the year.

Allowing use of the park over a longer season will bring it into line with sites elsewhere which are in competition with this park – basically most other parks in much of England. Allowing a longer season of use is in line with spirit of the NPPF - increasing the length of season will help improve the viability of the site as well as the spending coming to the area and the benefits this brings to the local economy. There is a need for the longer season to enable this park to be on a level business playing field with significant benefits in terms of ensuring the long term viability and success of the business, including direct employment benefits arising from staffing the site all year and the support that year round use will bring to other businesses in the area. Users of sites like this expect to be able to come on go as and when they want anytime the weather is fit and sometimes even when it isn't!

No changes to the site will result from this application as it is only seeking to vary the

terms relating to the period during which caravans can be used on the site - there will be no change to the appearance of the park itself. The number of people using the site during this additional time in winter is considered unlikely to have any unacceptable impact on the overall character or amenities of the area. The level of use is likely to be modest and there will be very little 'outdoor' activity taking place (as may be expected in the summer with activities such as games, barbecues, etc). An extension of season should not have any significant impact in terms of the character and amenities of the area and so complies with local plan policy criteria.

It is worth reiterating that appeal decisions serve to demonstrate that year round use has been considered acceptable in all type of landscape designations (including National Parks and the Green Belt) and the policy seeking to resist year round use in Swale has now been set aside to a large degree by way of the Interim Policy currently used for development control purposes, being the current policy position of the Council. Allowing a longer season on this holiday area should have a generally neutral impact in whilst bringing benefits to the area/local economy.

The proposal is considered to represent 'sustainable development' with regard to three dimensions set out in the NPPF. Section 3 seeks to support a prosperous rural economy including 'supporting sustainable rural tourism and leisure developments that benefit businesses in rural areas'. The proposal will help to meet needs of current and future generations, including visitors to the area, and provide enhanced economic benefits. The use of some existing sites for holiday purposes for two months more in winter is considered far more sustainable than allowing such caravan parks to be occupied as full time dwellings (especially given the associated 'demands' arising from use as permanent dwellings) and yet such use is specifically provided for as being compliant with the Interim Policy, whilst the policy starting point for year round holiday use may be less clear but warrants support in respect of suitable sites like this.

## Conclusion

The Park is endeavouring to meet the demand for use in winter and so respond to the changes in market conditions experienced over recent years generally as well as the specific demand for static caravan holidays arising from the coronavirus pandemic and the anticipated demand resulting from other parks in the vicinity if given over to full time residential use. The extension of season will help to ensure that the Park and other businesses can maintain/improve staffing and make a beneficial contribution to the local economy throughout the year whilst also helping balance the loss of some holiday static caravans to residential use as a result of the need to find a means of increasing the supply of permanent dwellings by utilising caravan sites for that purpose. The flood risk issue is not considered to stand against this scheme as outlined above and in the attached FRA.

The proposal is considered to comply with the spirit of the NPPF and Interim Policy. It will help to ensure that the Park can maintain/improve its visitor appeal/business and make an enhanced contribution to the local economy whilst also helping meet the demand arising from both the Covid issue and the loss of holiday units to residential. There are no planning considerations standing against the requested variation of the condition so it is hoped that this application can be approved.

Yours faithfully