

Supporting Statement

February 2024 – rv00

Removal of Seasonal Occupancy Condition

**Garstang Marina, Nateby Crossing Lane, Nateby,
Lancashire, PR3 0JJ**

Prepared by CFM Consultants on behalf of Mr Robert Chippendale



1. INTRODUCTION

- 1.1 In February 2024, CFM Consultants were instructed by Mr Robert Chippendale, to submit a condition removal planning application relating to Garstang Marina.
- 1.2 The site benefits from a recent, full planning permission under Wyre Borough Council reference 23/01069/FUL.
- 1.3 Condition No.7 of this approval is a seasonal occupancy condition, restricting the use of the site between 1st February and 31st December in any year. This planning application seeks to remove Condition No. 7.



2. PLANNING HISTORY

2.1.12/00479/FUL - Proposed 28 new touring units including access road and associated landscaping – Approved

2.2. Planning permission for the site was granted in September 2012, with a deadline for works starting of 6th September 2015. The applicant supplied evidence of the commencement of works, in the form of photos of the new access, to Wyre Borough Council's Planning department before this date.

2.3.12/00479/DIS - Discharge of conditions 05 (landscaping) and 10 (traffic calming details) on application 12/00479/FUL – Approved

2.4.21/00100/FUL - Erection of a facilities building to serve the approved development of 28 touring caravans

2.5.20/00968/FUL - Proposed 28 new touring units including access road and associated landscaping (variation of condition 07 on application 12/00479/FUL to extend the touring caravan season at the site to 1st February to 31st December in any year).

2.6.23/01069/FUL - Proposed 28 new touring units including access road and associated landscaping (variation of condition number(s): 2 (landscaping) 3 (traffic calming measures), 5 (period of occupation) and 9 (number and position of caravans)) on planning permission 20/00968/FUL Under Section 73.

2.7. Planning permission was granted in January 2024 for a revised scheme, reducing the number of pitches from 28 to 20. As part of this reduction, there were associated changes relating to landscaping and traffic calming measures.

2.8. This approval is subject to various conditions, one of which is Condition No. 7, which is the subject of this planning application.



3. CONDITION NO. 7 OF APPROVAL 23/01069/FUL

4.1 Condition No. 7 states:

“The site shall only be used as a caravan site between 1st February to 31st December in any year.”

4.2 The reason given for this condition is:

“To secure proper planning of the area by confining activity on the site to short stay visitors in the holiday season in accordance with Policy SP4 of the Adopted Local Plan.”

4.3 It is important to note that there are also other conditions to this permission that relate to holiday use of the site. These are condition 5:

“The owner/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/tents on the site, and of their main home address and shall make this information available at all reasonable times to the Local Planning Authority”

4.4 ... and condition 10:

“The use of the site shall be restricted to touring caravans only which shall not be placed on the site unless in actual occupation for holiday purposes and not as a person's permanent, sole or main place of residence.”

4.5 This application proposes removal of condition 7. Even with this condition removed, the other two conditions relating to holiday use of the site (conditions 5 and 10) will remain in place, ensuring that the site is restricted to holiday use only.

4.6 The NPPF gives significant support to applications that encourage economic growth. Allowing the site to be open all year round would make better economic use of the facility and increase the number of tourists staying at the site and visiting the local area.

4.7 Wyre Planning Policy EP9 relates to holiday accommodation but does not require restrictions on the occupancy. Wyre’s “Guidance for Applicants” document, dated September 2021, lists typical conditions that may be applied to a holiday use site. There is no seasonal occupancy condition on this list.

4.8 The applicant has written a letter in support of this application. In it, they explain how a large majority of customer interest is from people who want to be able to leave their caravan at their preferred location all year round, removing the requirement for them to take their caravan with them every time they want to go on holiday. This allows them to take more frequent, smaller breaks, whilst also reducing the number of traffic movements made with a caravan, which has health/wellbeing, environmental and highway safety benefits.

4.9 The use of a seasonal occupancy condition from planning approvals has been tested at appeal numerous times where it has been agreed by the inspector that there is no requirement for seasonal conditions where other planning conditions sufficiently ensure holiday use only of the caravans and that they are not occupied on a permanent basis. Selected examples are as follows:



APP/P2365/A/11/2146532- Woodlands Caravan Park, The Marshes Lane, Mere Brow,
Preston PR4 6JS

4.10 This site had a planning consent with a seasonal occupancy condition similar to that of the condition this planning application seeks to remove, requiring no caravans to be occupied between 1st February and 13th February. In allowing the appeal to remove the condition, the Inspector noted:

4.11 *“The prevention of the use of holiday caravans as permanent housing is addressed in Annex B of the DCLG document ‘Good Practice Guide on Planning for Tourism’. It acknowledges that there may be good reason to prevent the use of holiday caravan sites as permanent housing, and states that this can be achieved through the use of occupancy conditions designed to ensure that holiday accommodation is used only for its intended purpose. The document highlights a form of condition which specifies use for holiday purposes only, requires that the caravans shall not be occupied as a person’s sole or main residence, and requires owner/operators to maintain a register of caravan occupiers, and of their main home addresses. It does not recognise the need for a formal period of closure.”*

4.12 He went on to apply a holiday occupancy condition only, together with the maintenance of an up-to-date register, similar to condition No. 5 of the approval this application relates to.

APP/J1860/A/11/2165323- Coppice Leisure Park, Ockeridge, Wichenford, Worcester
WR6 6YP

4.13 Again, this site was subject to a seasonal occupancy condition, requiring a one-month closure between 15th January and 15th February. Like our current application, there were two other conditions requiring the caravans to only be used for holiday accommodation. The Inspector allowed the appeal to remove the condition, concluding that:

4.14 *“In this instance the evidence is that conditions 4 and 6 would be sufficient to ensure that these caravans would not be occupied on a permanent basis and that the disputed condition is unnecessary.”*



5. SUMMARY

- 5.1. It is considered that removing the seasonal occupancy condition that restricts the year-round operation of the site would comply with current planning policy and is supported by numerous successful planning appeals.
- 5.2. The remaining planning conditions, No. 5 and No. 10, relating to holiday use, are adequate to ensure that the site remains in holiday use only, even though it remains open throughout the year.
- 5.3. By removing the seasonal occupancy condition, the caravan site will be able to attract more customers, for which there has been a significant increase in demand in recent years, with additional benefits to the local economy.
- 5.4. The purpose of Condition No. 7 is to ensure that the caravans remain in holiday use and are not used as permanent homes. This is adequately provided for within remaining conditions No. 5 and No. 10, so Condition No. 7 does not add any further purpose whilst overly restricting the use of people's caravans and reducing the economic, health and environmental benefits of the caravan park.
- 5.5. The Council are respectfully requested to approve this application.